



Author/Lead Officer of Report: (Sam Martin
Assistant Director)

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Report of: Jayne Ludlam, Executive Director, People Portfolio
Report to: Leader of the Council
Date of Decision: Tba by Democratic Services
Subject: Sheffield Futures contract extension

Is this a Key Decision? If Yes, reason Key Decision:-	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
- Expenditure and/or savings over £500,000	<input checked="" type="checkbox"/>	
- Affects 2 or more Wards	<input checked="" type="checkbox"/>	
Which Cabinet Member Portfolio does this relate to? <i>Children, Young People & Families</i>		
Which Scrutiny and Policy Development Committee does this relate to? <i>Children, Young People & Families</i>		
Has an Equality Impact Assessment (EIA) been undertaken?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If YES, what EIA reference number has it been given? 938		
Does the report contain confidential or exempt information?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-		
<i>"The (report/appendix) is not for publication because it contains exempt information under Paragraph (insert relevant paragraph number) of Schedule 12A of the Local Government Act 1972 (as amended)."</i>		

Purpose of Report:

The purpose of this Report is to request a further extension to the Sheffield Futures Contract for an additional 12 months from 1st October 2017 to 30th September 2018. This would allow sufficient time for a wider internal and external consultation to take place, to inform the shape of final proposals for changes to services for young people, any commissioning processes required and any resulting TUPE issues for staff involved or service redesign. The decision will be subject to the approval of a waiver of the councils' standing orders by the Director of Commercial Services.

A Leader's Decision was previously made and a Waiver granted with reference number '120-2016 Extension of Sheffield Futures Contract' for a contract extension to 30th September 2017 to ensure continuity of delivery of services for young people by Sheffield Futures and to allow the Council more time to make an informed and considered decision about how it wishes to manage the delivery of young peoples' services in the future.

Recommendations:

That the current Council Contract for young people's services is extended for a 12 month period from 1st October 2017 to 30th September 2018. The supplier is Sheffield Futures. The contract extension has two key purposes – ensuring continuity of delivery until such time as a new model is developed and approved following wide consultation internally and externally. This will also provide time, should it be required, for a competitive tender process to be executed. Services may be commissioned differently and at this time there is insufficient time to complete a robust procurement process or undertake any other significant re-design that may be required by October 1st 2017.

Background Papers:

None

Lead Officer to complete:-			
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.		
	Finance: <i>Liz Gough</i>		
	Legal: <i>Lawrence Gould</i>		
	Equalities: <i>Bashir Khan</i>		
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>			
2	EMT member who approved submission: <i>Jayne Ludlam</i>		
3	Cabinet Member consulted: <i>Jackie Drayton, Cabinet Member for Children, Young People and Family Services</i>		
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.		
<table border="1"> <tr> <td>Lead Officer Name: <i>Sam Martin</i></td> <td>Job Title: <i>Assistant Director</i></td> </tr> </table>		Lead Officer Name: <i>Sam Martin</i>	Job Title: <i>Assistant Director</i>
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Date: 12th July 2017

1. PROPOSAL

- 1.1 Approval is sought to further extend the existing contract for the delivery of services for young people by Sheffield Futures to 30th September 2018. The existing contract for services provided by Sheffield Futures ended on 31st March 2017; there is an extension in place to 30th September 2017 to ensure continuity of service delivery to young people. Services *are likely to* be commissioned differently under new draft proposals that have been developed, and time is required to ensure the Council can carry out a robust consultation process with stakeholders and the public and so that the Council can consider and finalise its strategy for delivering services for young people, and, following this, undertake any recommissioning or service redesign process. It is essential that in the meantime existing services to young people are maintained to ensure that the Council meets its statutory duties for the delivery of youth services to children and young people in the City.

2. HOW DOES THIS DECISION CONTRIBUTE ?

- 2.1 This decision will ensure that young people living within the city continue to have uninterrupted access to a range of services, especially those targeted at the most disadvantaged young people.

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 We have consulted with the current provider (Sheffield Futures) and they have confirmed that they are able to continue providing a service for the duration of the contract extension period.
A wide consultation on the proposals will take place in the Summer, involving Sheffield City Council staff involved in the services, Sheffield Futures staff, voluntary and community organisations across the city, young people, Council members and the general public.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

- 4.1.1 This is an extension of an existing contract hence there are no new equality implications. An EIA has been drafted.

4.2 Financial and Commercial Implications

- 4.2.1 Cost to the Council; the costs incurred in connection with the further extension to the contract fall within the Council's Youth budget, hence there is no additional or new cost. The contract value for the extension period will be agreed with Sheffield Futures to take account of financial

savings anticipated in the Council's revenue budget.

4.3 Legal Implications

4.3.1 The Council has a variety of duties to children and young people including:

- in respect of children and young people aged 13 - 19 and 20 – 24 if they have a learning difficulty or disability, the provision of sufficient educational leisure-time activities which are for the improvement of their well-being, and sufficient facilities for such activities; and
- sufficient recreational leisure-time activities which are for the improvement of their well-being, and sufficient facilities for such activities (Education Act 1996);
- under the Education and Skills Act 2008 there is a duty to make available to young persons and relevant young adults for whom it is responsible such services as it considers appropriate to encourage, enable or assist the effective participation of those persons in education or training.
- the Education and Skills Act also placed a duty on 16 and 17 years olds to participate in education or training, and a related duty on local authorities with a view to reducing the number of NEET young people, by promoting the effective participation in education and training of 16 and 17 year olds in the area with a view to ensuring that those persons fulfil the duty to participate in education or training.

4.3.2 Together these duties comprise the offer of a “Youth Service” which is primarily targeted at those with the greatest need.

4.3.3 The legislation and the Department for Education guidance makes it clear that the government's approach is to give local authorities freedom and flexibility to decide how to fulfil their statutory duties with regards to the provision of these services and they may provide them through a third party such as Sheffield Futures.

4.3.4 The decision would allow the Council to continue to meet its statutory duties with regards to provision of youth services across the City.

4.3.5 The decision to extend the contract will be subject to a waiver of the Council's Contract Standing Orders being granted by the Director of Commercial Services which will enables a decision to be made to extend the contract with Sheffield Futures for a further 6 month period from 1st October 2017 to 30th September 2018 without the need to go out to tender.

4.4 Other Implications

4.4.1 **HR Implications**

At present, we are not aware of any HR implications from a contract extension. Should any arise, we will seek to mitigate these through further discussion with the provider and will update the EIA as appropriate.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 Re-commissioning of services on an open tender was considered however no decision has yet been made about the way that the Council wishes to deliver its services in the next financial year and beyond, and the timeline for managing any change and recommissioning would be impossible to meet within the timescale to 30th September 2017.
- 5.2 The only alternative option would be for the Council to allow the current contract to end without having alternative services in place by October 2017. This would lead to the Council failing to meet its statutory duties to provide a range of services to vulnerable young people.
- 5.3 The Council could run an open tender process for the delivery of youth services for a short 12 month contract. However, given the scale of the services under consideration, the costs involved to both the Council and potential providers in running a tender process, and the potential implications to staff and service continuity of short term changes this option has been rejected. It is considered that very few, if any, providers would consider bidding for a contract of such short length.

6. REASONS FOR RECOMMENDATIONS

- 6.1 This option provides continuity of service delivery, thus ensuring the Council has sufficient time to complete consultation, consider the proposals presented and make its decisions in a timely and considered manner.
If this extension is granted, and subject to a waiver of council standing orders being approved by the Director of Commercial Services, a further contract variation will be issued with appropriate outcomes and volumes in the different delivery areas that ensure young people's services are not disrupted.