

Bolsover District Council

Executive

2 March 2015

Procurement and Commissioning of Services

Report of the Chief Executive's & Partnership Manager

This report is public

Purpose of the Report

To seek Executive approval to delegate authority to the Chief Executive Officer, in consultation with the Cabinet Member for Social Inclusion, for three services to be commissioned by Bolsover District Council (BDC) on behalf of Derbyshire County Council (DCC) Public Health and Bolsover Partnership.

To seek Executive approval to suspend Contract Standing Orders (CSOs) and contract with the British Exploring Society (BES) without going out to open tender.

1 Report Details

Background

- 1.1 BDC provides an Accountable Body function and programme management consultancy support for Bolsover Partnership via the Chief Executive's and Partnership Team (CEPT) for monies allocated to Bolsover Partnership and more recently, for DCC Public Health Locality Funding.
- 1.2 BDC currently has a contract in place providing a service to programme manage external funding streams which expires on 31 March 2015. This contract has evolved significantly with the emerging Growth agenda and Work and Skills resulting in the need to widen the remit to include work with the Local Enterprise Partnerships (LEPs), commissioning activity via Bolsover Partnership and provide a procurement function in terms of initiatives and services being delivered collaboratively.
- 1.3 The CEPT are currently working with DCC Public Health to procure two areas of activity, working closely with the Procurement Team at Chesterfield Royal Hospital.
- 1.4 The CEPT is also working with partners on 'Namibia Bound 2016', following the success of the project in 2014 which saw 26 young people from five of the district's secondary schools fundraise over a 12 month period and travel to Namibia for a two week project and expedition in July last year.

Partnership and Work and Skills Activity

The current contract to deliver consultancy support to the Partnership Team expires on 31 March 2015. As indicated above the current contract provision has evolved from simply managing external funding streams on behalf of the Partnership (and the Council as a key partner) to providing a more specialist service in relation to the requirements of wider collaborative working across not only the District but also at County, Regional and National level. The role enables the work of the team to become fit for purpose in adapting to the way in which Partnership Working is, and continues to evolve.

The focus is mainly around the Growth agenda working in partnership; the need to ensure we influence decision making and have the capacity to ensure the Work and Skills agenda are a key factor when considering engaging the private sector, creating jobs and upskilling people for employment across the district. The role will enhance the skills within the team to meet those needs and enable the Partnership and the Council to be better equipped to administer and interact with the LEPs through the Combined Authority and Central Government.

The Partnership team have produced a service specification, issued Pre-Qualification Questionnaires and Invitations to Tender (ITT), via the Procurement Team, during December 2014 and January 2015. Tenders will have been scored by a panel on the 26 February 2015 (prior to the deadline for reports to this Executive) where it is anticipated a new Contract will be offered.

The new Contract will be for the period April 2015 to March 2018.

Raising Aspirations

An ITT on behalf of Public Health in Bolsover, High Peak, South Derbyshire, Amber Valley and Erewash for an organisation to co-ordinate and deliver activities within targeted communities and schools to raise aspirations of residents was issued on Monday 12th January. This follows the hugely successful 'Raising Aspirations' project commissioned by Bolsover Partnership using Working Neighbourhoods Fund and is now being rolled out to other targeted schools within the County.

Each area has its own budget for delivery activities, and the total contract value is expected to be in the region of £243,000 (Bolsover's budget is £70,000 over a two year period and represents 29% of the total budget). DCC Locality Teams will passport funding for their individual areas to BDC for the funds to be managed centrally by CEPT. Bolsover's budget will however be coming from Health and Well-Being Partnership funding that is already held by the Council. It is envisaged that all Year 1 funding will be received from Locality Teams before a contract is in place with the preferred bidder and a Memorandum of Understanding between all parties will also be agreed.

The contract will be managed by the CEPT but overseen by Public Health Leads for each locality. Contract meetings between the winning organisation, the CEPT and Public Health Locality Leads will take place quarterly throughout the contract to review and monitor progress against target outcomes.

As the ethos and brand of 'Raising Aspirations' originates from work developed and commissioned through Bolsover Partnership over the period 2009 – 2014, it should be noted that Bolsover Partnership's Executive Board will quality assure the contract deliverer

and reserve the right to withhold, suspend or withdraw funding if the contract holder fails to meet the high standards that the brand expects.

Bolsover Wellness

An ITT on behalf of DCC Public Health for an organisation to increase participation levels and extend access to a range of community based physical activity programmes for local people was issued on Thursday 15th January. This follows the very successful 'Bolsover Wellness' and 'Active Confidence' programmes currently being delivered by BDC's Leisure department. There is an expectation that project delivery will commence in April 2015 and will continue through to March 2016 initially (with a view to extend, dependent on positive outcomes and availability of budget).

The total budget that is available for this work is £122,000. Potential bidders have been made aware that the budget for this contract is from DCC's Public Health Locality Programme, which facilitates the involvement from local partners in the delivery of public health outcomes, and is dependent on funding approval through DCC Cabinet annually. Funding to support delivery costs has not yet been received from DCC but a Cabinet paper dated 3 December 2013 set out the annual allocation to Bolsover district for 2014/15 at £265,588, and there is an expectation that this allocation will remain the same for 2015/16.

The contract will be managed by the CEPT, but overseen by the Bolsover Locality Lead for Public Health. It is anticipated that contract meetings between the winning organisation, the CEPT and Public Health Locality Leads will take place quarterly throughout the contract.

As the ethos and brand of 'Bolsover Wellness' originates from work developed and commissioned over the period 2004 – 2014, Bolsover Partnership's Executive Board will quality assure the contract delivery and reserve the right to withhold, suspend or withdraw funding if the contract holder fails to meet the high standards that the brand expects.

Namibia Bound 2016

Namibia Bound 2014 made history last summer when 26 students from five of the district's secondary schools made their way to Namibia with British Expedition Society (BES) leaders to rebuild a primary school playground and go on a 5 day trek across the desert, thanks to a partnership between Bolsover Partnership, Hardwick Clinical Commissioning Group (CCG) and DCC.

There was always the intention that this would not to be an isolated initiative, and preparations for Namibia Bound 2016 are now underway, with all six of the district's secondary schools confirming their participation in the expedition. The expedition is to be the same model as 2014, with the young people working to support initiatives at the residential school in Namibia, followed by a wild trek. The graduates from 2014 will have the opportunity to apply and be trained by BES to be mentors on the 2016 expedition, which was always the original intention for the pilot. Five places shall be allocated for each school, with the intention of 30 participants completing the project, with the addition of a reserve list being in place.

The Accountable Body role, to enable the initiative to take place in 2014, was undertaken by DCC. For this expedition DCC as the Education Authority will retain the risk

assessment role, however, BDC will provide the Accountable Body function which will include managing sub-contracts for direct delivery, co-ordination and fundraising, as well as managing the overall budget.

For the expedition in 2014, DCC contracted with the BES and gained approval to do so through a single tender route. The intention for Namibia Bound 2016 is for BDC to contract with the BES to lead the expedition in 2016. As a consequence, an exemption to contract standing orders is being sought. The contract value falls below the OJEU threshold. The reasons being:

- The fact that BES are a DCC approved provider and one known to BDC to be capable of delivering this initiative following the successful expedition in 2014
- The use of local expertise - the Chair of Hardwick CCG who was instrumental in getting the pilot project instigated is the Chief Medical Officer and Expedition Leader for the BES
- The local health priorities for young people are a part of the CCG's strategic priorities and secured funds, but only via the use of BES
- It is not considered to be in the best interests of the Council or stakeholders to procure activity

2 Conclusions and Reasons for Recommendation

2.1 As detailed within the report.

3 Consultation and Equality Impact

3.1 Partnership and Work and Skills Activity – the current provider utilised provides an excellent service, however, the contract is due to cease on 31 March 2015. It is therefore timely to utilise the Authority's procurement process to consult the market place to enable a seamless transition for providing support to the Authority and Bolsover Partnership beyond March 2015. The procurement process incorporates the equality impact assessment.

3.2 Raising Aspirations – consultation with respective Locality Teams has taken place, and targeted areas for activity have been agreed based on GCSE attainment levels and free school meals data.

3.3 Bolsover Wellness – A number of Locality Public Health contracts are due to finish on 31st March 2015. Also, as part of the transfer of public health locality funds to districts and boroughs, it is therefore timely to review the local programmes and re-commission the work to ensure that it continues to meet local needs. Bolsover Wellness is well established across the district, and will continue but the new service will be re-procured with a view to starting on 1st April 2015.

3.4 Namibia Bound 2016 – Delivered in partnership with local schools, the programme aims to raise the aspirations of young people who might not have had opportunities to travel or might have grown up in a culture of narrow horizons and have low expectations for their future. The programme aims to develop the following skills or attributes in young people:

- Raised Confidence and Self-Esteem
- Increased Global and Cultural Awareness
- Raised aspirations for the future

- Improved communication and team working skills
- Greater planning, organisation and decision making skills
- Greater Self-Awareness

In order to be considered, candidates must be in year 10 or 11 of a participating school by the time they travel. Schools are asked to consider carefully how much a candidate (currently in Yr9 or 10) could stand to benefit from the programme before making referrals.

4 Alternative Options and Reasons for Rejection

- 4.1 Partnership and Work and Skills Activity – considering alternative options forms part of utilising a procurement approach and therefore enables alternative companies to submit tenders for the work in accordance with the service specification.
- 4.1 Raising Aspirations – an alternative option would be for the Partnership to lead on delivery within the Bolsover district only. However, a partnership approach with other Localities will provide economies of scale for Bolsover delivery and enable good practice identified from previous work to be extended to other deprived areas of the county.
- 4.2 Bolsover Wellness – no alternative options have been identified.
- 4.3 Namibia Bound 2016 – a suitable alternative expedition leader has not been identified, hence the reason why single source approval is being sought.

5 Implications

5.1 Finance and Risk Implications

- 5.1 Partnership and Work and Skills Activity – funding for this work has been identified through a combination of Partnership monies, residual Working Neighbourhoods Fund and income generated through service delivery, for example, Talent Match co-ordination.
- 5.2 Raising Aspirations – the Locality Teams involved in this initiative will be invoiced for their contribution towards delivery, and funds will be held centrally by BDC. A Service Level Agreement between the Council, Bolsover Partnership and Locality Teams which sets out respective roles and responsibilities will be put in place before a contract with the preferred deliverer is signed. The CEPT Manager will seek to agree a management fee for this work with Public Health prior to delivery commencing.
- 5.3 Bolsover Wellness – DCC’s Public Health Locality Plan and associated investment has been approved by DCC Cabinet for the period 2014-17, subject to DCC Cabinet and the Local Area Committees receiving annual progress reports. The annual allocation is £265,588, and the budget for the Bolsover Wellness contract will come from this Locality budget. Given that the transfer of Locality Funding from DCC has not yet taken place, there is a possibility that contracting with the preferred supplier will take place prior to the money being transferred to BDC, in order that delivery can commence in April 2015. This CEO has confirmed this is acceptable providing

the monies are received within the 2015/16 financial year in which delivery is taking place.

- 5.3 Namibia Bound 2016 – the overall cost of this initiative is estimated to be in the region of £130,000. This will be funded through a variety of sources including Bolsover Partnership, Hardwick CCG, and fundraising activity by schools. It is the intention that all funding will be committed before a contract with BES is put in place, and the timescales for doing this are by the end of June 2015.

5.2 Legal Implications including Data Protection

- 5.2.1 Partnership and Work and Skills Activity - All legal and data protection implications are covered using the Council's Procurement process.
- 5.2.2 Raising Aspirations - a Service Level Agreement between the Council, Bolsover Partnership and Locality Teams which sets out respective roles and responsibilities will be put in place before a contract with the preferred deliverer is agreed.
- 5.2.3 Namibia Bound 2016 – an agreement between the Council, Bolsover Partnership, Hardwick CCG, DCC and the Project Co-ordinator (to be managed through a sub-contract), which sets out respective roles and responsibilities will be put in place before the contract with BES is signed.
- 5.2.4 Members' agreement to use the exemption in paragraph 4.8.4 of the Procurement Rules is sought. This exemption states that tenders need not be invited where:-

“The contract relates to commissioning, such as projects funded by external grant where, for example, there is no (or insufficient) marketplace to tender for the supply of goods, services or works required.”

5.3 Human Resources Implications

The CEPT will oversee the procurement and contracting of all these services and initiatives.

6 Recommendations

- 6.1 That the contents of this paper are noted.
- 6.2 That authority is delegated to the Chief Executive Officer, in consultation with the Cabinet Member for Social Inclusion, to seek tenders in accordance with the Procurement Rules in the Council's Constitution and to award the contracts for 'Partnership and Work and Skills Activity', 'Raising Aspirations' and 'Bolsover Wellness', which are being commissioned by the Council on behalf of Bolsover Partnership and Derbyshire County Council Public Health.
- 6.3 That in accordance with the exemption in paragraph 4.8.4 (e) of the Procurement Rules in the Council's Constitution, the British Exploration Society is appointed to deliver the expedition to Namibia in 2016.

7 Decision Information

Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	Yes
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	REGENERATION – Developing healthy, prosperous and sustainable communities. The use of funding through targeted activity that takes account of the effects upon the wellbeing of residents in local communities in respect of their health, wealth and secure employment; all of which contributes to building sustainable communities in the district.

8 Document Information

Appendix No	Title
Background Papers	
Report Author	Contact Number
Pam Brown Chief Executive's and Partnership Manager	01246 242499

Report Reference –