

CABINET	AGENDA ITEM No. 5
18 DECEMBER 2023	PUBLIC REPORT

Report of:	Stephen Taylor, Executive Director Adult Social Care & Commissioning	
Cabinet Member(s) responsible:	Cllr Bisby - Cabinet Member for Children's Services	
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AWARD OF BLOCK CONTRACTS FOR THE DELIVERY OF THE PETERBOROUGH COMMUNITY SHORT BREAKS FOR CHILDREN & YOUNG PEOPLE WITH DISABILITIES AND/OR COMPLEX NEEDS FROM APRIL 2024

RECOMMENDATIONS	
FROM: Executive Director Adult Social Care & Commissioning	Deadline date: 18 th December 2023
It is recommended that Cabinet:	
<p>1) Approve the award of 8x block contracts for the delivery of Community Short Breaks from 01.04.2024, each with an initial contract term of 3 years; with an option to extend up to 2 years, in increments of 12 months, as follows:</p> <ul style="list-style-type: none"> i. A1 – All Year Small Group awarded to Circles Network (Company Number: 02972700), with a value of £60,000 per annum (£300,000 for the contract term including extension period). ii. A2 – Holiday Only Small Group awarded to Circles Network (Company Number: 02972700), with a value of £60,000 per annum (£300,000 for the contract term including extension period). iii. A3 – Term Time Only Small Group awarded to Circles Network (Company Number: 02972700), with a value of £30,000 per annum (£150,000 for the contract term including extension period). iv. A4 – Holiday Only Small Group awarded to Breakthrough Therapy (Company Number: 11919412), with a value of £25,000 per annum (£125,000 for the contract term including extension period). v. B1 – All Year Large Group awarded to Circles Network (Company Number: 02972700), with a value of £32,000 per annum (£160,000 for the contract term including extension period). vi. B2 – All Year Large Group awarded to Peterborough Limited (Company Number: 1493249), with a value of £28,000 per annum (£140,000 for the contract term including extension period). vii. B3 – Holiday Only Large Group awarded to Circles Network (Company Number: 02972700), with a value of £28,000 per annum (£140,000 for the contract term including extension period). 	

viii. B4 – Autism Focused Large Group awarded to Romsey Mill Trust (Company Number: 3556721), with a value of £25,000 per annum (£125,000 for the contract term including extension period).

- 2) Delegate approval to the Executive Director of Adult Social Care & Commissioning following consultation with the Executive Director for Children and Young Peoples Service for the decision whether to invoke the extension period for each or any of the 8x block contracts following the initial contract term and in accordance with the contract provisions.
- 3) Delegate approval to the Executive Director Adult Social Care & Commissioning to agree an uplift (per annum) of the contract value, subject to internal governance arrangements

1. ORIGIN OF REPORT

- 1.1 This report is submitted to Cabinet seeking approval for a key decision, following a competitive tender process.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to approve the award of 8x block contracts for the commissioning of Community Short Breaks for children/young people with disabilities and/or complex needs in Peterborough.

- 2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.5: To make decisions on actions relating to the awarding, assigning and termination of contracts over £500k, and waiving or granting exemptions to Contract Regulations where contracts are over £500k, with the exception any time-critical, operational, or routine decision, which may be determined by the relevant portfolio holder.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. BACKGROUND AND KEY ISSUES

4.1 Context

Local Authorities have a statutory duty to offer a range of Short Breaks (Children Act 1989 and Breaks for Carers of Disabled Children Regulations 2011). PCC's current Community Short Breaks offer is outlined on the [SEND Information Hub](#) and in [PCC's Short Breaks Service Statement](#).

Community Short Breaks are designed to provide day-based opportunities for children/young people with disabilities and/or complex needs; it sits within Peterborough City Council's (PCC) overall Short Breaks Offer, working collaboratively alongside the locally provided options for overnight short breaks. Community Short Breaks are vital services for improving the outcomes of these children/young people, and therefore a fundamental element of the provision that underpins the Local Offer.

4.2 Purpose

Peterborough City Council (PCC) has completed a commissioning and procurement exercise for the retender of the Community Short Breaks offer for children/young people with disabilities and/or complex needs. The tender was for 9 contracts organised into 3 Lots: Lot 1 Small Groups (specialist access), Lot 2 Large Groups (targeted access), and Lot 3 Sleep Management Programme (specialist intervention).

The purpose of this report is therefore to seek approval from Cabinet to award these block contracts for the commissioning of Community Short Breaks for children/young people with disabilities and/or complex needs in Peterborough.

Approval to award is being sought from PCC Cabinet as this represents a key decision for Peterborough as the expenditure, in a related of series transactions, will be in excess of £500,000. This is not new expenditure as budgets are already committed for these services; approval is being sought for the successful providers to deliver the services through these new commissioning arrangements.

The start dates of all contracts will be 01.04.2024.

4.3 Current Arrangements

Community Short Breaks, commissioned from the external market, forms an integral part of the provision available for the children/young people with disabilities and their families within Peterborough.

The current contracts started on 01.04.2019 after a competitive procurement exercise in 2018 (KEY/12NOV18/02); the initial contract term was 3 years, the 2 year extension was approved in June 2022 (Exemption E00932). The current contracts come to an end on 31.03.2024.

The current offer is made of a range of targeted access (families can self-refer) and specialist access (accessed following a social care assessment of needs) services. The Community Short Breaks offer prior to 2019 identified that the transition from One-to-One support to a Large Group environment was challenging, and the introduction of the Small Group offer from 2019 supported this transition. This tiered model approach has proven positive for many children/young people who have transitioned to less intensive services which provide socialisation opportunities; supporting them to achieve their outcomes.

The below table provides an overview of the current offer, including contract values, for 2023-24:

Service	Annual Contract Value 2023-24	Service Description
A1 – Large Groups 7-11	£24,898.00	Designed for children/young people whose needs can be met within a large group. These are targeted access so families can access directly.
B1 – Large Groups 11-19	£27,380.10	
B2 – Large Groups 11-19	£27,380.10	
A2 – Holiday Only Small Groups*	£24,898.00	Designed for children/young people whose needs can be met within a small group (up to 8) spending time on outcomes focused activities with peers. Support is provided following an assessment of need and referral to the relevant decision-making panel.
C – Small Groups 7-11	£52,780.20	
D – Small Groups 11-19	£52,780.20	
E – One-to-One Support	£76,683 allocated (based on delivery) Hourly rate: £19.75 (2023-24)	Outcomes focused one to one support for children/young people aged 7-19. Support is provided following and assessment of need and referral to the relevant decision-making panel.
F – Sleep Management Programme	£74,893.00	Specialist intervention service for children/young people aged 4-19 where the provider works with families on a one-to-one basis providing bespoke, evidence-based package of sleep focused support.
Total	£377,724.66	

*Service A2 was originally procured as *Large Groups 7-11*, however uptake was limited for the first three quarters of the contract. This therefore evolved, following further consultation, into the Holiday Only Small Group, reflective the growing demand for school holiday provision.

The Children’s Commissioning Team is responsible for the contract monitoring and quality assurance of the contract; the activity of this provision is recorded within the Children with Disabilities (CWD) Dashboard. A Contract Review & Impact Report was collated in January 2022 to inform the extension of the contracts from April 2022. The report provided an overview of the recommissioning exercise undertaken in 2018, an overview of the contract monitoring of the services and how the Community Short Breaks Contract has evolved.

The services within these contracts have performed well, often at maximum capacity, and have continued to develop and evolve to meet demand, particularly during and after the Covid-19 pandemic. Any development within the services was informed by liaison with children/young people, their families, Social Care professionals and Parent Carer Forum, Family Voice, in order to ensure they were meeting the evolving needs of children/young people and their families.

4.4 **Recommissioned Community Short Breaks Offer**

On 26.04.2023 the People & Communities Joint Commissioning Board (P&C JCB) gave approval to go out to tender for the recommissioned Community Short Breaks offer. The initial contract term will be 3 years, with the opportunity to extend by 2 years, in 2 x 12-month increments. The initial 3-year period will allow sufficient time for the new services to establish themselves within the offer and meet outcomes set; whilst the 1+1 extension period will allow a degree of flexibility if required.

The recommissioned offer has followed a similar ‘tiered’ model of services as per the current offer, with ‘Lots’ for Small Groups and Large Groups, alongside a Sleep Management Programme. However, following the approval for the commissioning of a Children/Young People Home & Community Support Pseudo Dynamic Purchasing System (PDPS) (KEY/28AUG23/07), which is opening 01.02.2024, the One-to-One Support Service, and associated budget, will be transferred to the new PDPS, and so has not been included within the recommissioning Community Short Breaks Offer. This decision was supported by P&C JCB and reflected within consultation exercises.

This workstream and design of services has been informed by the [Sufficiency Statement for Children & Young People with Disabilities & Complex Needs](#), alongside engagement with parent/carers, professionals and with the market. Following these consultation exercises, the following priorities were identified as requiring development:

- A need for increased capacity within the Community Short Breaks offer.
- A need for an increase in service for children/young people with a diagnosis of Autism and no learning disability.
- An increase in school holiday short breaks provision.
- An increase in the range of venues to host Community Short Breaks.

This has been further supported by the Children with Disabilities (CWD) Dashboard; this incorporates both quantitative and qualitative data for all services within the CWD Development Programme, of which the Community Short Breaks offer is a key part. The Dashboard shows increased demand across the CWD Development Programme portfolio, particularly in the One-to-One Support services. The lack of capacity within Group services has contributed to increased utilisation of One-to-One Support services; increasing capacity within Group services reflects a more outcomes focused and cost-effective approach, alongside complementing other services within the CWD Development Programme portfolio.

In order to achieve these priorities and meet increased demand, an increased financial envelope has been secured from 2024-25, and funds have been redistributed to reflect need. This has resulted in the recommissioned offer being made up of the following contracts:

Lot	Sub-Lot	Annual Contract Value
Lot A Small Groups	A1 – All Year Small Group	£60,000
	A2 – Holiday Only Small Group	£60,000

	A3 – Term Time Only Small Group	£30,000
	A4 – Holiday Only Small Group	£25,000
Lot B Large Groups	B1 – All Year Large Group	£32,000
	B2 – All Year Large Group	£28,000
	B3 – Holiday Only Large Group	£28,000
	B4 – Autism Focused Large Group	£25,000
Lot C Sleep Management Programme		£55,000
Total		£343,000

This recommissioned offer provides the following opportunities:

- + An additional contract within both Small Groups and Large Groups provides increased capacity as well as an increased range of venues/providers offering Community Short Breaks.
- + Increased provision within school holidays to meet demand.
- + Increased contract values to account for inflation and other statutory increases (further detail in Section 10.1 Financial Implications)
- + An Autism Focused Large Group is targeted at those children/young people with a primary diagnosis of Autism.

4.5 Tender & Procurement Exercise

The competitive tender and procurement exercise for the Community Short Breaks offer was carried out between September and November 2023.

The procurement was completed under the open procedure in accordance with Regulation 27 of the Public Contracts Regulations 2015. The procurement comprised of the following elements:

- A Selection Questionnaire including:
 - a. Financial Standing
 - b. UK General Data Protection Regulation (UK GDPR)
 - c. Modern Slavery
 - d. Insurances
 - e. Safeguarding
- A Quality Element – for bidders to be considered for award of these contracts they must achieve a qualitative evaluation score of no less than 65%. Tender submissions failing to achieve a minimum quality score of 65% or higher would result in a failed bid.
- A Price Element – bidders were required to complete and submit a price schedule. The price element of the bid was evaluated following evaluation of the quality element, and bidders were awarded contracts where they have met the minimum quality threshold and submitted the most competitive pricing for each sub-lot.

The providers listed below have submitted the most economically advantageous tender (MEAT), providing the best value for money based on the contract value and meeting the council's quality requirements in accordance with statutory legislative duties:

Lot	Sub-Lot	Successful Provider
Lot A Small Groups	A1 – All Year Small Group	Circles Network
	A2 – Holiday Only Small Group	Circles Network
	A3 – Term Time Only Small Group	Circles Network
	A4 – Holiday Only Small Group	Breakthrough Therapy
Lot B Large Groups	B1 – All Year Large Group	Circles Network
	B2 – All Year Large Group	Peterborough Limited
	B3 – Holiday Only Large Group	Circles Network
	B4 – Autism Focused Large Group	Romsey Mill Trust

Lot C Sleep Management Programme	No successful provider (see section 4.5)
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Following approval to award from Cabinet, formal award will be confirmed with the above successful providers; subject to due diligence checks and expiry of the standstill period in accordance with Regulation 87 Public Contracts Regulations 2015. The contract start date will be 01.04.2024.

4.6 **Lot C - Sleep Management Programme**

Two Providers bid for Lot C – Sleep Management Programme; however, neither passed quality threshold and so no Provider was identified. As a result, the Children’s Commissioning Team will be exploring alternative solutions for the commissioning of this service, minimising impact on service delivery and children/young people.

5. **CORPORATE PRIORITIES**

5.1 The recommendation links to the Council’s Corporate Priorities as follows:

The impact on the **Environment** has been outlined within the Carbon Impact Assessment:

- The recommissioning of the PCC Community Short Breaks offer will not have significant environment or climate change implications as the way in which the service will be delivered will remain the same. However, expectations in terms of limiting environment and carbon impact will be included within contractual documentation and within monitoring arrangements for the life of the contracts.
- During the tender process, each providers’ considerations to environmental and climate change implications was included within a method statement question.

With regard to **The Economy & Inclusive Growth**, the increase in contract value compared to the current contracts reflects inflation and the current economic environment, providing a level of financial security and therefore sustainability to the awarded providers.

The increase in number of contracts also increases the number of providers operating in Peterborough; also supporting economic growth and job opportunities. This will increase capacity within the market and, subsequently, increase the skill set and experience within the market.

Therefore, this commissioning exercise will increase the options for those living and working in Peterborough; reflecting on the **Our Place & Communities** corporate priority. Thereby increasing the Health & Wellbeing of local communities and, crucially, the **Health & Wellbeing** of the children/young people these services are commissioned for.



These services are particularly pertinent to the **Prevention, Independence & Resilience** corporate priority, and the Council’s value of Inclusivity, in terms of them supporting children & young people with disabilities and complex needs. As Community

Short Breaks make up part of PCC’s Short Breaks offer, these services are preventative in nature; increasing the resilience of families and therefore helping children & young people to remain at home and within their local communities. Providing quality Social Care support, as part of PCC’s Short Breaks offer, also support children & young people to remain at school and engaged in Education; supporting **Education & Skills for All**.

With regard to a **Sustainable Future City Council**, through this recommissioning Children’s Commissioning have successfully increased capacity within the Community Short Breaks offer; supporting PCC in how we work and how we serve children & young people with disabilities. The increased contract values will also enable providers to be more financially sustainable in the current financial climate.

6. CONSULTATION

- 6.1 Market engagement was carried out to inform this commissioning exercise; this included a specific soft market testing exercise undertaken in April 2023.



Consultation with parent/carers was also carried out, reflecting the Council's value of **Collaboration**; feedback was incorporated into the service specifications. A representative from Children's Commissioning also attended a Family Voice Parent/Carer event to obtain views.

Consultation was also undertaken with professionals from 0-25 Disability Social Care in the form of a questionnaire. A representative from 0-25 Disability Social Care Team also took part in the evaluation and moderation of the bids.

Further consultation was carried out at the point of tender document collation. A parent carer rep from Family Voice reviewed and gave feedback on the service specifications and put forward a method statement question to be evaluated on behalf of parent/carers and children/young people. A parent carer from Family Voice also took part in the evaluation and moderation of the bids.

Ongoing feedback as part of contract monitoring of existing contracts, from both children/young people and parent/carers has also informed the commissioning exercise.

- 6.2 Once contracts have commenced, there will be ongoing consultation with both providers, parent/carers and professionals to ensure the service develop to meet evolving needs.

It is a requirement within the service specification for Providers to have a mechanism for parent/carers to provide feedback about the service available at all times, as well as gather feedback from children/young people (where possible) and their families on a regular basis. This feedback will then be fed back to the Children's Commissioning Team to inform service development.

- 6.3 *Has this recommendation been considered by the below? If not, please provide reasoning.*
- Corporate Leadership Team (CLT) - 28.11.2023
 - Cabinet Policy Forum (CPF) - 04.12.2023

7. ANTICIPATED OUTCOMES OR IMPACT

- 7.1 Following approval to award from PCC Cabinet, there will be a new commissioned Community Short Breaks offer for children/young people with disabilities and/or complex needs in Peterborough. This new offer will better meet the needs of the eligible cohort through having an increased capacity with a broader range of providers/venues, and a service focused on those with an Autism diagnosis, therefore meeting the priorities identified in Section 4.3.

For Lot A and B, with the incumbent Providers being successful, the impact on current packages of support is limited. Those packages of which a child/young person has been receiving one to one support due to lack of capacity within a Small Group will be reviewed due to the increased capacity within Small Groups once the new contracts commence.

8. REASON FOR THE RECOMMENDATION

- 8.1 Community Short Breaks are a statutory service and a key part of the provision offered to children & young people with disabilities and complex needs, and their families, within PCC. The current Community Short Breaks contracts end at the end of March 2024, with all extension periods utilised.

The recommissioned Community Short Breaks enables PCC to meet their statutory duty of offering a range of short breaks, as well as meeting the priorities identified in Section 4.3.

9. ALTERNATIVE OPTIONS CONSIDERED

- 9.1 If the current contracts were to come to an end in March 2024 without recommissioning a new Community Short Breaks offer, Peterborough City Council would be going against their statutory duty to deliver a range of Short Breaks for children/young people with disabilities. There is also no option to extend the current contracts due to the 2 year extension period already being implemented from 2021.

An alternative option was to commission this support through a Framework or Dynamic Purchasing System arrangement. However, this option was rejected following soft market testing indicating a lack of interest from the provider market due to inconsistency of funding leading to lack of sustainability.

10. IMPLICATIONS

Financial Implications

- 10.1 The recommissioned Community Short Breaks offer has an overall contract value of £1,715,000 over the 3+1+1 contract term. PCC Cabinet are being asked to approve the award of £1,440,000 of this is for the 8x block contracts where a successful provider was identified.

The increased financial envelope of £343,000 per annum has already been secured from 2023-24 onwards; therefore, there are no financial implications as a result of this recommissioning exercise.

The increased financial envelope has enabled an increase in both contract values to ensure Providers financial sustainability, as well as an increase in number of contracts to better meet need and demand.

Budget build for future financial years is ongoing and takes into account ensuring sustainability and continuity of services. Automatic uplifts have not been included within these contracts; Providers will need to request uplifts on an individual basis and this will be managed through Children's Commissioning Fee Change Panel.

Legal Implications

- 10.2 The procurement has been conducted in accordance with Regulation 27, Public Contracts Regulations 2015 (PCR 2015). Any future contract extension and/or contract variation shall be in accordance with the terms of the contract and Regulation 72 PCR 2015.

Equalities Implications

- 10.3 An Equality Impact Assessment was completed at the start of the commissioning process which outlined a positive impact on particular individuals and groups. This assessment can be found in Appendix 1.

Environment Implications

- 10.4 A Carbon Impact Assessment was completed at the start of the commissioning process which outlined no significant environment or climate implications as the way in which the service will be delivered will remain the same as it is at present.

11. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

11.1 [Sufficiency Statement for Children & Young People with Disabilities & Complex Needs](#)

12. PROCUREMENT DN NUMBER

12.1 DN668553

13. APPENDICES

13.1 Appendix 1 – Equality Impact Assessment

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