

MAYOR'S EXECUTIVE DECISION MAKING

Tuesday, 2 August 2016


Mayor's Decision Log No. 134

- 1. CONTRACT FOR THE SUPPLY OF THE INTEGRATED YOUTH AND COMMUNITY SERVICE ADDITIONAL YOUTH ACTIVITY PROGRAMME 2016/2017 (Pages 1 - 14)**

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Individual Mayoral Decision Proforma Decision Log No: 1324	 TOWER HAMLETS
Report of: The Corporate Director of Children's Services	Classification: Unrestricted
CONTRACT FOR THE SUPPLY OF THE INTEGRATED YOUTH AND COMMUNITY SERVICE ADDITIONAL YOUTH ACTIVITY PROGRAMME 2016/2017	

Is this a Key Decision?	Yes
Decision Notice Publication Date:	individual notice
General Exception or Urgency Notice published?	Yes
Restrictions:	Unrestricted
Reason for seeking an Individual Mayoral Decision:	As part of implementation of the interim delivery model it is intended that additional youth activity will be commissioned into those wards which no longer have direct delivery from a local authority run youth centre. In order to ensure that commissioned youth activity can commence from September 2016 [or as soon as possible thereafter] subject to the commissioning process.

EXECUTIVE SUMMARY

This report sets out the request for a Mayoral Decision to go out to tender for the Contract for the supply of the Integrated Youth and Community Service's additional youth positive activities programme 2016/2017 which will be commissioned in the wards of Shadwell, Whitechapel, Stepney Green, Poplar, Lansbury, Spitalfields and Banglatown, Bethnal Green, Mile End, Bromley North, and Bow ~~East~~^{West}. It is intended that when commissioned the Contractor will provide for young people aged 13 to 19 (and up to age 25 if they have a disability), access to free positive activities and informal educational courses in the form of a healthy youth centre programme, an after school programme and an evening programme which together will comprise the additional youth activity programme 2016/17.

The programme will be provided from 30th September 2016 [or as soon as possible thereafter] to 31st March 2017 inclusive. The contract value for the first 6 months of the programme will be up to £500,000 with the possibility of an extension for a further 6 months from 1st April 2017 to 31st October 2017. This will make the total contract value up to £1,000,000 for the period September 2016 to October 2017, including extension.

Full details of the decision sought, including setting out the reasons for the recommendations and/or all the options put forward; other options considered; background information; the comments of the Chief Finance Officer; the concurrent report of the Head of Legal Services; implications for One Tower Hamlets; Risk Assessment; Background Documents; and other relevant matters are set out in the attached report.

DECISION

The Mayor is recommended to:

- (a) authorise the commencement of a procurement process to secure the provision of Integrated Youth and Community Programme Service's 2016/17;*
- (b) delegate authority for the award of contract(s) including possible extension to the Corporate Director of Children's Services after consultation with the Lead Member;*
- (c) note that funding for the initial contract can be funded from existing budgets and any extension would require separate funding following consideration as part of the Medium Term Financial Strategy; and*
- (d) authorise the Service Head – Legal Services after consultation with the Corporate Director of Children's Services to execute and enter into the contract(s)*

APPROVALS

1. **(If applicable) Corporate Director proposing the decision or his/her deputy**

I approve the attached report and proposed decision above for submission to the Mayor.

Signed *Neil B. Jones* Date *25.7.16*

2. **Chief Finance Officer or his/her deputy**

I have been consulted on the content of the attached report which includes my comments.

Signed *[Signature]* Date *25/7/16*

3. Monitoring Officer or his/her deputy

I have been consulted on the content of the attached report which includes my comments.

(For Key Decision only – delete as applicable)

I confirm that this decision:-

(a) has been published in advance on the Council's Forward Plan OR

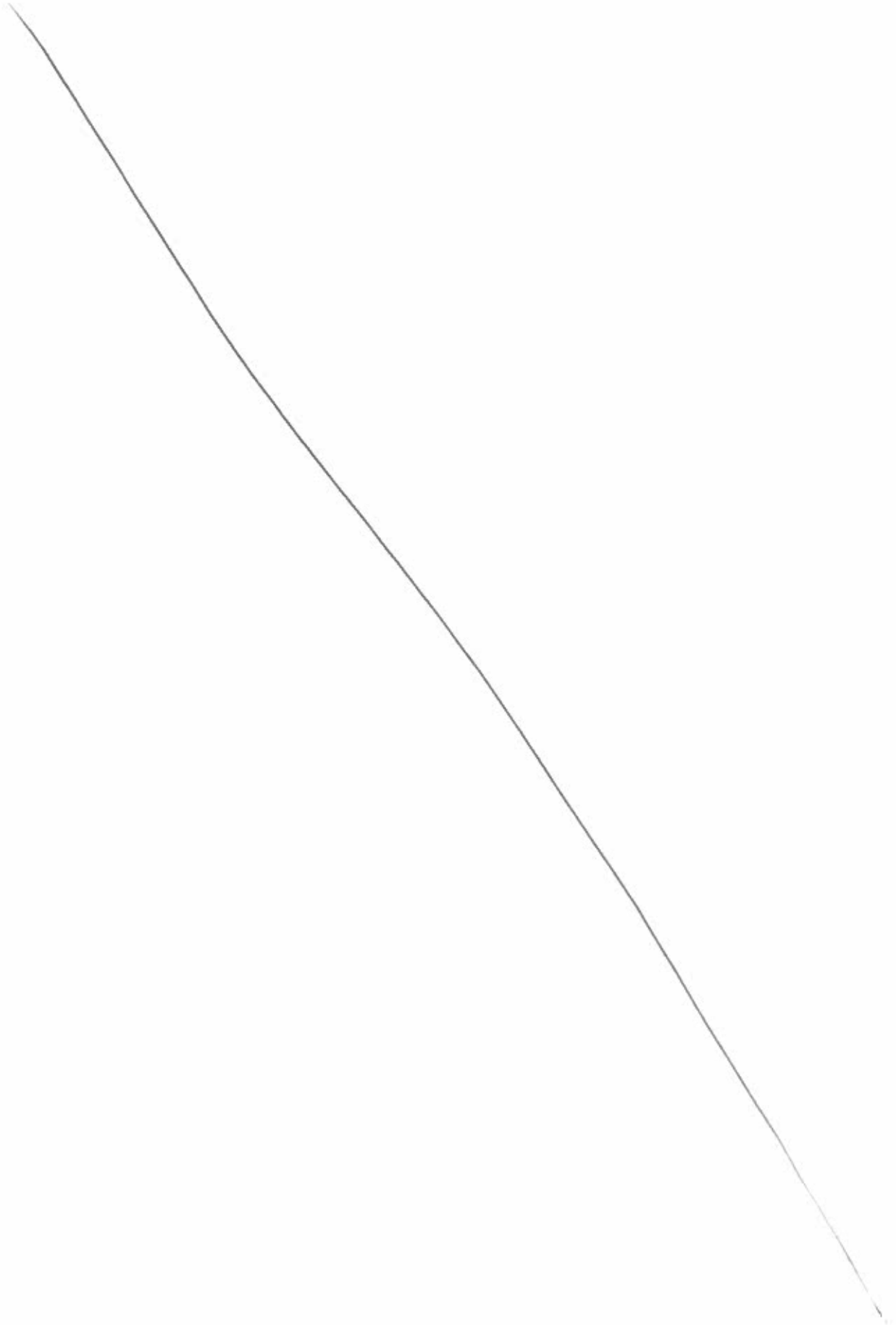
(b) is urgent and subject to the 'General Exception' or 'Special Urgency' provision at paragraph 18 or 19 respectively of the Access to Information Procedure Rules.


Signed Graham White Date 25/07/16

4. Mayor

I agree the decision proposed in paragraph above for the reasons set out in paragraph X in the attached report.

Signed [Signature] Date 2/8/16



<p>Mayoral Decision</p> <p>21st July 2016</p>	
<p>Report of: Director of Children's Services - Debbie Jones,</p>	<p>Classification: Unrestricted</p>
<p>CONTRACT FOR THE SUPPLY OF THE INTEGRATED YOUTH AND COMMUNITY SERVICE ADDITIONAL YOUTH ACTIVITY PROGRAMME 2016/2017</p>	

Lead Member	Councillor Rachael Saunders, Deputy Mayor and Cabinet Member for Education and Children's Services
Originating Officer(s)	Ronke Martins-Taylor
Wards affected	Shadwell, Whitechapel, Stepney Green, Poplar, Lansbury, Spitalfields and Banglatown, Bethnal Green, Mile End, Bromley North, Bow West
Key Decision?	Yes
Community Plan Themes	<ul style="list-style-type: none"> • A Great Place to Live • A Safe and Supportive Community • A Healthy Community

Executive Summary

This report sets out the request for a Mayoral Decision to go out to tender for the Contract for the supply of the Integrated Youth and Community Service's additional youth positive activities programme 2016/2017 which will be commissioned in the wards of Shadwell, Whitechapel, Stepney Green, Poplar, Lansbury, Spitalfields and Banglatown, Bethnal Green, Mile End, Bromley North, and Bow West. It is intended that when commissioned the Contractor will provide for young people aged 13 to 19 (and up to age 25 if they have a disability), access to free positive activities and informal educational courses in the form of a healthy youth centre programme, an after school programme and an evening programme which together will comprise the additional youth activity programme 2016/17.

The programme will be provided from 30th September 2016 [or as soon as possible thereafter] to 31st March 2017 inclusive. The contract value for the first 6 months of the programme will be up to £500,000 with the possibility of an extension for a further 6 months from 1st April 2017 to 31st October 2017. This will make the total contract value up to £1,000,000 for the period September 2016 to October 2017, including extension.

Recommendations:

The Mayor is recommended to:

- (a) authorise the commencement of a procurement process to secure the provision of Integrated Youth and Community Programme Service's 2016/17;
- (b) delegate authority for the award of contract(s) including possible extension to the Corporate Director of Children's Services after consultation with the Lead Member;
- (c) note that funding for the initial contract can be funded from existing budgets and any extension would require separate funding following consideration as part of the Medium Term Financial Strategy; and
- (d) authorise the Service Head – Legal Services after consultation with the Corporate Director of Children's Services to execute and enter into the contract(s)

1. REASONS FOR THE DECISIONS

As part of implementation of the interim delivery model it is intended that additional youth activity will be commissioned into those wards which no longer have direct delivery from a local authority run youth centre. In order to ensure that commissioned youth activity can commence from September 2016 [or as soon as possible thereafter] subject to the commissioning process.

2. ALTERNATIVE OPTIONS

- 2.1 The Integrated Youth and Community Service could wait and submit a report to commission this Contract as part of the next Commissioning report which is due to go to Cabinet in October 2016. However, any delay in implementing this part of the interim delivery model could have a negative consequence for young people. .

3. DETAILS OF REPORT

- 3.1 The Integrated Youth and Community Service is part of the London Borough of Tower Hamlets Children's Services. The Integrated Youth and Community Service provides informal education and positive activities to young people aged 13 – 19 and up to age 25 if they have a disability. The Service consists of various universal and targeted services, including Universal Services (from a number of youth centres), Targeted Youth Support, Peer Education Team and an Involvement Team.
- 3.2 From July 2016 the Integrated Youth and Community Service will implement an interim delivery model which will provide:
 - 3.2.1 **Eight open access youth centre locations:** The eight youth centres have been identified as Caxton Youth Centre, Columbia Youth Centre, Collingwood Youth Centre, Haileybury Youth Centre, Linc Youth Centre or St Andrews, Limehouse Youth Centre, Wapping Youth Centre, and St Andrew's Wharf Youth Centre.

- 3.2.2 **Additional commissioned youth activity:** available during term time and school holidays.
- 3.3 The interim delivery model includes provision for additional commissioned youth activity based upon a ward level gap analysis to ensure there is youth service provision across the borough.(see paragraph 3.2.3)
- 3.4 A Mayoral Decision is being sought to enable the Integrated Youth and Community Service to go out to tender for the supply of the additional youth activities programme 2016/2017 for the period 30th September 2016 [or as soon as possible thereafter] to March 2017 inclusive. The contract value for the first 6 months will be up to £500,000 with the possibility of extension for a further 6 months from 1st April 2017 to 31st October 2017, making a total contract value of up to £1,000,000 including extension.
- 3.5 The contract will enable young people, aged 13 to 19 (and up to age 25 if they have a disability) to have access to free positive activities and informal educational courses in the form of a healthy youth centre programme, an after school programme and an evening programme which together will comprise the additional youth activity programme.
- 3.6 The additional youth activity programme shall be provided for the Contract Period 30th September 2016 to 31st March 2017 inclusive with a further 6 month extension from 1st April 2017 to 31st October 2017 if required.
- 3.7 The Contract will ensure the provision of positive activities for young people, in areas of known youth anti-social behaviour, enabling them to have places to go and things to do.
- 3.8 The Integrated Youth and Community Service is seeking a Contractor that is experienced at providing youth activities for the specified age group of young people. The additional youth activity programme offered should be stimulating, interesting and fun and should include a range of opportunities to enable young people to develop socially, physically and intellectually.
- 3.9 The Contract shall be awarded in 10 Lots. One Lot per ward providing positive activities in the London Borough of Tower Hamlets. The Lots and their aligned wards are set out below:
- Lot 1 = Shadwell
 - Lot 2 = Whitechapel
 - Lot 3 = Stepney Green
 - Lot 4 = Poplar
 - Lot 5 = Lansbury
 - Lot 6 = Spitalfields and Banglatown
 - Lot 7 = Bethnal Green
 - Lot 8 = Mile End
 - Lot 9 = Bromley North
 - Lot 10 = Bow West
- 3.10 Contracts will be awarded to the top scoring organisation per Lot. The contracts will not include for sub-contracting or consortia arrangements.
- 3.11 Each Lot will contain a healthy youth centre programme, an after school programme of positive activities and an evening programme of positive activities

aimed at young people. The healthy youth centre programme, the after school programme and the evening programme shall together comprise the additional youth activity programme 2016/2017 and should include the following:

3.11.1 **A healthy youth centre programme:** which should include the following themes:

- Healthy eating
- Physical activity
- Drugs and Alcohol misuse
- Sex and relationships education
- Emotional health

3.11.2 **The after school programme:** should include:

- Home work support and study space
- Healthy eating session/programme
- Access to arts and crafts, sporting activities, games, leisure activities.
- Chill out time

3.11.3 **The evening programme:** should include:

- Drop-in information support sessions (e.g. providing advice on substance misuse, careers)
- Personal planning sessions

Access to:

- Sporting activities and facilities
- Leisure activities and facilities
- Arts and crafts activities and facilities
- Music

Access to:

- A block themed youth activity programme lasting circa 6 weeks offering opportunities for young people to be involved in informal education opportunities providing for example work experience, volunteering, youth leadership

3.12 The after school programme will be delivered from Monday to Friday from 3.30 pm to 5.30 pm, inclusive.

3.13 The evening programme will be delivered on 6 different days of the week. The evening programme will be delivered from 6 pm to 9 pm, inclusive.

3.14 Young people have told the Integrated Youth and Community Service that they want to participate in youth activities in high quality venues. As a result, the contractor will be required to demonstrate that the additional youth activity programme is delivered from a high quality venue(s) which is young people friendly and:

3.14.1 Is compliant with Health and Safety legislation and has appropriate policies and procedures in place to minimise the risks to staff, young people and all others attending the location.

3.14.2 Is a safe, healthy and supportive place for young people to be in.

3.14.3 Provides sufficient space for the following to be incorporated into the additional youth activity programme schedule:

- One-to-one sessions
- Supervised ICT facility usage
- Supervised cooking facilities
- Dedicated in-door/out-door sporting facilities; or access to
- Dedicated space for games and other leisure activities; or access to such space(s)

3.15 The Contractor will be expected to achieve the following performance targets through this Contract:

3.14.1

Performance area	Definition	Targets
Contacts	A Contact is made with any young person who is registered at a youth centre and attends an additional youth activity programme session for the first time.	Over the 6 month life of the Contract a minimum of 200 <i>Contacts</i> with young people per ward
Participants	A participant is a young person who attends five additional youth activity programme sessions	Over the 6 month life of the Contract a minimum of 120 <i>Participants</i> per ward to attend 5 sessions.
Recorded Outcomes	A recorded outcome refers to the course or one off programme of training from which the young person obtains a certificate, from which the recorded outcome is measured, in a specific area of work e.g. Arts, sports, ICT, food hygiene, mentoring or personal development.	Over the 6 month life of the Contract a minimum of 72 young people per ward to achieve a <i>Recorded Outcome</i>
Accredited Outcomes	An accredited outcome refers to the programme or course of activity undertaken by a young person that is subject to either independent internal verification, the accredited outcome, by an organisation making an award; or that is externally assessed by an awarding body.	Over the 6 month life of the contract a minimum of 36 young people to achieve an <i>Accredited Outcome</i> .

3.14.2 100% recording of user profile data under the six equality strands – ethnicity, gender, age, disability, sexual orientation and religion.

3.14.3 Completion of the IYSS Management Information System.

- 3.14.4 The completion of a Young Person's Registration and Referral Form for each unique young person attending the additional youth activity programme.
 - 3.14.5 Retention of hard copies of the completed Young Person's Registration and Referral Form and attendance records for each young person who attends the additional youth activity programme.
 - 3.14.6 Completion of attendance records for each unique young person attending the additional youth activity programme.
 - 3.14.7 Attendance at quarterly contract monitoring meetings; and production of a quarterly monitoring report.
 - 3.14.8 The production of a final additional youth activity programme report to be provided by 30th April 2017; and if the programme is extended a further report to be provided by 30th November 2017.
- 3.15 The contract will be subject to a Default Notice on each occasion that a breach or failure in performance takes place. The Contractor will be expected to document steps taken to ensure Defaults do not recur. The Default table below provides information on default point allocation:

Default	Maximum points allocated
Safeguarding Failure to:	
• Comply with safeguarding procedures	300
Programme Delivery Failure to:	
• Failure to deliver the activity programme as described in the tender/pricing schedule	200
Staffing Failure to:	
• Provide appropriately qualified staff to deliver the Specification to the required standard	100
Management and Supervision Failure to:	
• Under take risk assessments appropriately	100
Information Provision Failure to:	
• Keep accurate records updated on the /IYSS Management Information System and complete essential fields.	100
Breach of:	
• Health and Safety procedures	100
• Data Protection	100

- 3.16 It is intended that once approval to tender is given by the Mayor that the contract will be put on the London Tender's portal along with a full specification and will follow any requirements in relation to OJEU.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 The Integrated Youth and Community Service has a net budget of £5.792m for 2016/17 and the initial contract sum of £500k can be funded from existing budgets.
- 4.2 The funding required to extend the contract into 2017/18 will be considered as part of the Council's Medium Term Financial Strategy.

5. LEGAL COMMENTS

- 5.1 This report concerns a proposal to procure integrated youth and community service's additional youth activity programme 2016/17 and thereafter enter into contracts with successful tenderers (the Services). Section 11 of the Children Act 2004 places the Council under a duty in respect of general safeguarding and welfare of young persons within its borough and under Section 6 of the Education and Inspections Act 2006 (inserting Clause 507B into the Education Act 1996) provides that the Council must either provide or facilitate sufficient educational and recreational leisure-time activities for the improvement of young persons' well-being. The Council in exercising its functions must also ascertain the views of young people about activities and facilities and the need for any additional such activities and facilities; and must also publicise information about positive leisure-time activities and facilities in the area, keeping that information up-to-date.
- 5.2 The nature of the Services falls within the remit of "social and other specific services" in accordance with regulations 74 and Schedule 3 of the Public Contracts Regulations 2015 (the Regulations). The estimated value of the Services without the possible extension being taken into account would entail an advertisement in the Official Journal European Union (OJEU) not being required although in accordance with EC Treaty Principles, the Services would still require a level of competition to ensure compliance with the principles of transparency and equal treatment. However, should the Services need to be extended, a separate tender would be required in any event order to comply with the Regulations and the Council's internal procurement rules. As such, there would likely be consequential impacts on the continuity of Services together with additional resource effort. In view of this, it would be more prudent to advertise the Services including the possible extension in the first instance to alleviate those issues. Therefore an OJEU notice should be placed together with a further notice when the contract(s) is awarded, amongst other things.
- 5.3 It is noted that the Services are intended to be awarded in lots which is a strategy endorsed by the Regulations in order to enable greater competition between organisations and encourage local SMEs to tender for contracts.
- 5.4 The Council is required by the Public Services (Social Value) Act 2012 to consider how its procurement activities might secure the improvement of the economic, social and environmental well-being of Tower Hamlets. The Council should be satisfied that due regard has been given to these duties in respect of the Services.
- 5.5 The Council has an obligation as a best value authority under section 3 of the Local Government Act 1999 to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness." Compliance by the Council with its own procurement procedures in tendering for the Services and complying with the

requirements of the Regulations should assist to satisfy these requirements. However, the Council would also need to be satisfied that the Services and the engagement of any contractors will also provide best value.

- 5.6 Before deciding to proceed with the procurement of the Services, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010 (e.g. discrimination), the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't (the public sector equality duty). The level of equality analysis required is that which is proportionate to the function in question and its potential impacts.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 The provision of commissioned youth activity for young people ensures that the Council has had due regard to the need to advance equality of opportunity and foster good relations between young people who share the protected characteristic associated with age.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 The use of a tender application process to commission the contract for the supply of the Integrated Youth and Community Service additional youth activity programme 2016/2017 will ensure that the Council achieves best value for the provision of the services.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 N/a

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 The methodology used to determine the ward level gaps into which youth activity would be commissioned was an analysis of youth anti-social behaviour hot spots and 13 to 19 year population data. As a result of the analysis 10 wards were identified (Shadwell, Whitechapel, Stepney Green, Poplar, Lansbury, Spitalfields and Banglatown, Bethnal Green, Mile End, Bromley North, Bow West) in which to commission additional activity.

- 9.2 There is a risk of increased levels of anti-social behaviour in wards that no longer have a local authority run youth centre as part of the implementation of the youth services interim delivery model. The provision of commissioned youth activity in the identified wards will mitigate this risk.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 The provision of high quality commissioned positive activities to young people at risk of involvement in anti-social behaviour or crime in wards with identified anti-social behaviour hotspots will support the Council's efforts to resolve such behaviours where they occur in the community.

11. SAFEGUARDING IMPLICATIONS

- 11.1 The provision of high quality commissioned positive activities for vulnerable young people will support the Councils efforts to ensure that young people at risk are appropriately safeguarded.
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Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- None

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- None

Officer contact details for documents: N/a

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