

Item No.	Classification: Open	Date: 20 June 2013	Decision Maker: Cabinet Member for Communities and Economic Well-being
Report title:		Gateway 2 - Contract Award Approval Community Advice Services - Award of contracts from August 2013 to July 2016	
Ward(s) or groups affected:		All	
From:		Strategic Director of Housing & Community Services	

RECOMMENDATION

1. That the Cabinet member for Communities and Economic Wellbeing approves the award of four (4) Community Advice Contracts for a 3 year period (1 August 2013 to 31st July 2016) to three (3) providers as set out in paragraph 7 below, for a combined annual contract value of £1,182,000, as further detailed in paragraph 7 below, making a total value of £3,546,000 for the three year contract period.

BACKGROUND INFORMATION

2. The Cabinet member for Communities and Economic Wellbeing approved the Gateway 1 procurement strategy for the delivery of Community Advice Services for the three year period from August 2013 to July 2016 on 12 February 2013. That report set out the business case for contracting with providers of community advice and legal services. This Gateway 2 report details how the strategy has been implemented and the outcome of the commissioning process.
3. To ensure continuity of service whilst the procurement process was underway it was necessary to extend the existing seven (7) contracts with the current service providers from the 1 April to 31 July 2013.
4. The Gateway 1 report stated that the estimated annual total value of the contracts would be £1,084,615 giving a three year total contract value of £3,253,845. At the time the report was approved the Council was considering budget reductions of between 5% and 15% and the figure referred to above, and included in the report, incorporated proposed savings. Subsequently at the Council's budget setting meeting on the 12 February 2013 the Cabinet asked that officers remove these proposed savings from the budget for advice services due to the uncertainties likely to arise from a number of forthcoming welfare reforms.
5. As a result the value of the contracts remains the same as in the final year totalling £1,156,238. An amount of £26,504 for Leaseholders Advice also now forms part of this budget. The total annual budget available for the provision of these services is therefore £1,182,742.
6. The procurement strategy that was approved by way of a Gateway 1 report has been followed. An open competitive tender process was carried out with the aim of putting in place four contracts for a period of three years to provide these services. A number of changes to the procurement timetable were made as a

result of the need for more input in the development of the tender documentation. This led to the date that the contract was advertised moving from February to April 2013. This impacted on all subsequent dates. The revised timetable is set out in paragraph 15 below.

7. Following completion of the procurement process the four contracts to be let are set out below.

Table 1

Service Area	Provider	Annual Contract Value: Aug 2013-July 2014	Total Contract Value: Aug 2013-July 2016
Generalist Advice – West of borough	1. Contractor A	£331,000	£993,000
Advice in Community Languages – Borough wide		£76,000	£228,000
Generalist Advice – East of borough & Leaseholder advice	2. Contractor B	£385,000	£1,115,000
Specialist level legal advice services – borough wide	3. Contractor C	£390,000	£1,170,000
	Total	£1,182,000	£3,546,000

8. The services to be delivered are:

Generalist level advice services:

- A single advice line service for all initial generalist level enquiries
- A single advice services website portal
- Face to face triage and generalist level advice service
- Advice to Southwark Leaseholders
- Community outreach services

Specialist level legal advice and casework services:

- In the priority categories of welfare benefits, housing, immigration and employment
- Second-tier advice to community organisations and support in diagnosing and taking forward resolvable complex casework up to and including representation

Advice in community languages:

- In a number of the main community languages meeting the needs and profile of the communities of Southwark
- Provided only to those with limited English unable to access mainstream services without additional support

9. Before the start of the commissioning process, a stakeholder consultation event was held in July 2012 to consider priorities for the new contracts and concluded that a number of issues needed to be addressed including how to fill gaps and improve services to clients. Gaps identified included the following:

- Not knowing the scale of change of welfare reform, what impact this will have on clients' behaviour and demand for services

- Access to advice issues and managing demand
- Changing ways in which services are accessed - phone advice/web information
- Referrals network breakdown
- Empowering people – building capacity and financial capability

A number of possible approaches to improving services were also identified and included:

- Improving client experience through a shared approach
- The need for oversight of different specialisms
- Improving data sharing to co-ordinate services
- Co-location of services
- Pro-active targeted approaches
- Statutory and non-statutory agencies working together

Taken together the overall objective of the approach to be delivered through the new contracts is an improved client service offer.

10. A number of factors have influenced this strategic approach to ensure that services are high quality, modernised and sustainable in the long term. These are:

- The impact of welfare reform changes over the coming years resulting in multiple changes for large numbers of residents and significant loss of benefit income
- Increased demand for independent advice and advocacy as changes are implemented
- The need to deliver greater efficiency and capacity to respond to increased demand
- Reductions to the scope and availability of legal aid
- The need for service providers to modernise services while continuing to respond to high levels of demand for face to face access for those unable to resolve problems with the help of online resources or guided telephone support.

11. Whilst the emphasis of the contracts is on advice and self-advocacy there will inevitably be situations where individuals will need someone to speak on their behalf. This may be where, for example, an individual has particular vulnerabilities. However, the approach should be one of enabling people to find and use their own voice wherever possible. Given that the contracts are of a fixed price providers are aware of the need to manage the caseload within the available budget. For this reason providers have been evaluated against their ability to deliver streamlined advice and information services, good quality triage, telephone and email services and to promote self-help.

12. The new contracts will improve the client service offer by increasing access to advice and reducing the need for cross agency referrals.

- A single telephone access point for all initial general telephone enquiries
- An initial e-mail enquiries service
- The delivery of Advice in Community Languages will be better co-ordinated with the delivery of the Generalist Advice Service with Contractor A delivering contracts in both

- A website portal will improve access to trusted self-help resources and facilitate access to information with additional support available through the telephone helpline
 - Contractor C sub-contracting with two incumbent providers,, taking a thorough wide approach to the delivery of specialist level advice and casework services in the areas of welfare benefit, housing, employment and immigration law.
13. Prior to commencement of the contracts, officers will meet with the two organisations providing Generalist services in order to agree how the services will be managed and integrated for users. A pre-mobilisation meeting will take place to establish how the initial general telephone enquiries and the online portal and email enquiries will be managed. This is to ensure that joint promotion of the access points as "call this number, email this address, or go to this website for more information" present as one service. Providers will be required to provide a 'script' for both telephone calls and email responses, and both agencies will ask people if they have contacted the advice agencies previously. Regular meetings between operational staff and management from both organisations will also help to ensure that close working enables consistency across the email and telephone service. This should avoid the situation where people decide to "shop around" to see if they get a different answer from a different organisation thus reducing the chance that issues get dealt with more than once.
14. With both telephone and email options clients will be able to choose the best method to resolve their problem. The proposal to have one telephone number aims to make access to advice easier for residents and with the email option is aimed at increasing access and choice. The volume of emails from the website will be monitored by respective managers. Both the telephone and email contact points will direct people to the same places - self-help on the website, booking appointments where needed, etc. As a result the "same" resolution would not be provided twice as the person would progress on to the next stages.

Procurement project plan (Key decisions)

15. The procurement project plan below sets out the timetable of activities.

Activity	Completed by/Complete by:
Date ITT was issued	8/4/2013
Date contract advertised	8/4/2013
Deadline for receipt of clarifications	26/04/2013
Extended deadline for receipt of clarifications	7/5/2013
Closing date for return of tenders	10/05/2013
Completion of evaluation of tenders	29/5/2013
DCRB Review Gateway 2: Contract Award report	10/06/2013
CCRB Review Gateway 2: Contract Award report	13/6/2013
Notification of forthcoming decision	19/6/2013

Activity	Completed by/Complete by:
Approval of Gateway 2: Contract Award Report	25/06/2013
Contract award	4/07/2013
TUPE Consultation period	4/07/2013 1/08/2013
Add to Contract Register	09/07/2013
Issue of contract award notice in OJEU	09/07/2013
Contract start	01/08/2013
Contract completion date	31/07/2016
Contract completion date – if extension(s) exercised	N/A

KEY ISSUES FOR CONSIDERATION

Description of procurement outcomes

16. As stated in the Gateway 1, the business case for the procurement: although not a statutory requirement, the Council has commissioned these services with the objective of improving residents' economic wellbeing and resilience.
17. Through the new contracts the Council will provide resources to organisations providing advice and legal services in the following categories of law:
- Welfare benefits
 - Debt
 - Housing
 - Employment
 - Immigration

These services will be available to all Southwark residents and subject to capacity, to those who work and study in the borough.

18. The procurement process identifies the following service outcomes for residents:

Access to services that:

- Are free, independent and non-judgmental
- Provide information, advice and casework services according to need, quickly and easily
- Are high quality
- Offer a seamless approach and tackle complex, multiple problems at an early stage to avoid escalation and reduce litigation
- Provide online access, support and digital inclusion
- Make effective referrals between providers
- Empower informed choice and self-help and facilitate access to appropriate support
- Prevent the need for more intensive and costly support
- Provide assistance and support relating to welfare reform impacts

19. The procurement process also assessed the ability of organisations to identify and prioritise problems which, if acted on promptly, could prevent legal problems from being escalated. Contracted providers will work in partnership with Council service delivery areas to build on current initiatives to develop improved liaison and good practise in the management of rent arrears and council tax debt. The objective of this partnership approach to policy development is to solve problems at an early stage and reduce the human and financial cost of escalation of legal process.

Key/Non Key decisions

20. This report deals with a key decision.

Policy implications

21. The services to be commissioned support and complement a number of local and national strategies. They contribute to the delivery of the fourth strand of Southwark's Economic Wellbeing Strategy 2012-20 which sets out what the Council with its partners will do to promote financial wellbeing and independence. The Council's ambition is that:

- People will be able to access independent advice and support for all areas of welfare reform
- Support for people with the most complex needs is improved, getting people to the point of readiness to access other services (including employment support)
- Families in challenging circumstances and vulnerable residents are independently able to manage their money better
- Credit unions and their services are more widely used, at the same time seeing a reduction in dependence on payday loans
- Financial inclusion and debt advice services are more accessible and more widely used (including products to help low income households to manage their finances).

22. They contribute to Southwark's Fairer Future aims of:

- Improving the quality of life for residents through better access to services and by mitigating the role of socioeconomic factors in driving inequalities
- Improving social cohesion by promoting positive relationships and a sense of community and belonging, encouraging civic responsibility so that the contributions individuals and groups make to their communities are valued
- Promoting people's rights and responsibilities, protecting the rights of those who live in Southwark by ensuring that abuse, mistreatment or discrimination is identified and dealt with
- Southwark Equalities and Human Rights Scheme in relation to tackling discrimination and promoting positive community relations.

23. The services contribute to the following national policy drivers:

- Duty to promote the well-being of communities
- Equality Act 2010

Tender process

24. As stated in the Gateway 1 report an open procurement process was followed. Existing providers and other known organisations were informed that Southwark were going out to tender for these services. The tender was advertised on the following provider websites:
- Southwark Council website
 - Community Action Southwark
 - The National Council for Voluntary Organisations
25. A total of 13 expressions of interest were received and 8 tenders were returned by the closing date. The service packages and organisations that returned bids are listed in the table below. Contractor designates bids that were successful.

Service Area	Tenderer
Generalist Advice (West)	<ul style="list-style-type: none">• Contractor A• Tenderer C
Generalist Advice (East)	<ul style="list-style-type: none">• Contractor B
Specialist Legal Advice & Casework	<ul style="list-style-type: none">• Contractor C
Advice in Community Languages	<ul style="list-style-type: none">• Contractor A• Tenderer A.• Tenderer B• Tenderer D

Tender evaluation

26. The evaluation methodology was sent out to tenderers as part of the tender documentation. Evaluation of submissions was carried out by a panel consisting of the Senior Commissioning Officer, Capacity and Partnerships Co-ordinator and commissioning officers.
27. The tender evaluation was comprised of 4 stages:
- Compliance
 - Business Questionnaire
 - Quality
 - Price
28. Tenderers were required to state which service package they were applying for. The first part of the evaluation covered initial compliance with the tender requirements. The Business Questionnaire (BQ) related to the tenderer's economic and financial standing, professional ability, capability and experience. This was scored on a Pass/Fail basis. Tenderers were required to meet all BQ requirements in order to be considered for the second part. The evaluation methodology set out that contracts would be awarded to the Most Economically Advantageous Tenders for each service package. An overall weighting of 80% quality and 20% cost was applied.
29. The evaluation of quality was made on how proposals addressed each of the criteria set out in the methodology. A scoring system based on awarding scores from 0 to 5 points was used for the assessment of the quality criteria. Tenderers were required to achieve a minimum score of 2 in each of the quality criteria assessments. Weightings were applied to each of the quality criteria.

Full details of the quality criteria and weightings, quality scoring matrix, score thresholds, price evaluation and pricing evaluation matrix are contained in the evaluation methodology which is attached as appendix 1.

30. Of the eight tenders submitted, two organisations; Bidder A and Bidder C did not pass the initial shortlisting stage as they failed one or more of the BQ assessment criteria. Bidder A did not complete the BQ in full and the method statements were either incomplete or inadequate. Bidder C failed the BQ on Equalities & Diversity policy and practice. Given the nature and vulnerabilities of the client group served by Bidder C there is an expectation that the organisation would have in place a comprehensive policy which addresses each of the protected characteristics under the Equality Act 2010. This was not evidenced in the documentation submitted and in any event officers scored the organisation on the quality criteria and even if the organisation had passed the BQ stage they subsequently failed on scoring in this section. The remaining 6 tenders were each evaluated for the next stage covering quality and price and the scores and ranking are set out in Table 3 Paragraph 33 below.
31. For the Generalist Advice service Tenderers were required to state a preference for which area they wished to be considered for. Each of the two successful tenderers for this package expressed a preference, one for the west and one for the east. The contract award recommendations do therefore meet the first preference of each of the successful tenderers as there were no other acceptable tenders for this package.
32. Within the Generalist Advice Service package there is a service element for the delivery of advice to Southwark Leaseholders. It is proposed that the Leaseholders Advice Service element of this package be awarded to Contractor B who scored the highest in that specific area.
33. All of the successful tenderers achieved in excess of the minimum threshold score of 2 for each of the quality criteria. The scores of the tenderers are set out in the table below with the successful contractors highlighted in bold and rankings against each service area.

Table 3

Service Area	Organisation	Quality	Price	Total	Ranking
Generalist advice – east	Contractor B	64	17	81	1
Generalist advice – west	Contractor A	58	17	75	2
Specialist level legal advice services	Contractor C	52	17	69	1
Advice in community languages	Contractor A	53	17	70	1
	Tenderer B	50	18	68	2
	Tenderer D	32	16	48	3

34. There was only limited competition for the Generalist Advice service with three organisations (one of which was unsuccessful) submitting tenders. The successful bids were of high quality and were compared to each other giving greater assurance that good value has been achieved. This is reflected in the scores in the table above. There was no competition for the Specialist Advice service with only one tender submission received. This was also evaluated against the criteria and also scored highly. This organisation from experience has provided a good quality service which meets with the council's expectations. All of the bids submitted were within the budget envelope on price.
35. There was also limited competition for the Advice in Community Languages service with the highest score on quality and a lower bid on price resulting in the award to Contractor A. The net outcome of the evaluation of tenders submitted is award of contracts to the three providers that achieved the highest score for each package as set out above.

Plans for the transition from the old to the new contract

36. It is envisaged that the transition from the old to the new contracts for the Generalist advice and Specialist legal advice service areas will be seamless. The incumbent providers will be delivering the new Generalist Advice contracts. In the case of the specialist service the successful incumbent provider will be sub-contracting with the 2 other incumbent providers. This will maintain service continuity both in terms of service access and current casework.
37. Advice in Community Languages has been awarded to a new provider: Contractor A, an incumbent provider of Generalist advice services in Southwark. After the contracts have been awarded the Council will work closely with the new contractor and closely monitor the transition to ensure that all key issues that could impact on service delivery to residents are addressed before the start date of the new services including:
 - Face to face service access
 - Telephone access
 - Transfer of current cases including consent to transfer
 - Possible transfer of closed cases
 - Service publicity

The new provider is required to guarantee that the service experience for service users during the transition period will be seamless and that current levels of service will be maintained.

38. In addition a pre-mobilisation meeting will take place in early July. The purpose of this meeting will be to discuss and agree how the Generalist services will be managed and integrated in order to ensure access and choice and to minimise duplication.
39. These activities will be completed by 1 August 2013 when the new contracts commence.

Plans for monitoring and management of the contract

40. The Community Engagement team will be responsible for monitoring and managing the contracts. A service specific quarterly monitoring template was

provided as part of the tender documentation and covers key performance areas including service delivery outputs, outcomes, quality standards, and management and governance systems. Providers will be required to present quarterly reports detailing outputs and outcomes. As noted elsewhere in the report this monitoring will include consideration of the impact of external factors such as Welfare Reform on demand for these services and where action is necessary to address this.

41. Performance monitoring will include data collection and case studies on service outputs and outcomes. This will incorporate the following data on the number of service users:

- Who have improved or maintained financial stability and improved financial capability
- Who have been provided with support, advocacy or representation in the transition to the new benefits landscape
- Who have been supported with opening credit union and bank accounts, managing budgets and paying rent and council tax
- Supported with maintaining, accessing or increasing employment
- Supported with accessing or maintaining housing
- Assisted with access to online services and working with Revenues and Benefits to promote use of My Southwark
- Provided with advice and legal casework relating to the protected characteristics contained in the 2010 Equality Act.

Identified risks for the new contract

Risks	Mitigation or control	Risk Level
Welfare reform impacts result in level of service demand and complexity which the providers are unable to manage	Ongoing evaluation of impacts through contract monitoring and policy forums is fed back through provider’s partnership forum to enable responses to need to be developed during term of contracts. Other funding streams and initiatives geared towards supporting the improvement of financial confidence.	Med/High
Demand for services outweighs supply	As above	Med
New approach to service delivery with improved access channels is not more efficient	Client feedback across access channels will form part of the contract monitoring framework and will test the new model enabling further refinement of the approach	Low/Med

Other considerations (For Housing Department works contracts only)

42. Not applicable to this procurement.

Community impact statement

43. The outcomes of this procurement will have the following positive impacts:

- Legal problems relating to basic rights and entitlements will be resolved
- Knowledge of rights and responsibilities will be improved
- Improved resident engagement with statutory bodies

- Reduced levels of anxiety and mental distress as problems are identified and addressed
- Understanding of benefit changes from welfare reform will be increased
- Rights and grounds for appeal will be identified and advocacy provided where justified
- Homelessness and risk of homelessness will be reduced
- People with limited literacy, numeracy and digital skills will be supported when engaging with statutory bodies
- Those experiencing discrimination in access to services and employment will have access to redress.

The contracts will be delivered by voluntary and community sector organisations, each of which are registered charities and are wholly independent of government.

44. The contracts will ensure that residents facing discrimination that fall within the protected characteristics of the 2010 Equality Act are able to have access to information, advice and where appropriate, representation relating to discrimination and Human Rights. These services contribute to the Council's delivery of its Public Sector Equality Duty.
45. A number of equalities issues were identified at the stakeholder consultation event referred to in paragraph 9. These were listed in the Community Advice Services Consultation Summary attached to the Gateway 1 and included the needs of people with language barriers and the need for providers of services to engage with communities, in particular with young people and the LGBT community. The service specification developed after the consultation event addressed these needs including those of people with language barriers by including a service package for advice in community languages. The tender evaluation addressed the need for service providers to know how different groups of people want to access services and assessed the quality of organisations' proposals for engaging with service users and communities. Equality analysis has been undertaken which has considered the impacts of the proposals contained in this report on residents, the organisations and the staff. The new approach to these contracts, emphasising improving client experience and better co-ordination of advice services, should have a positive impact for all clients. There will be better access to services and greater choice for clients to resolve problems.
46. As part of the evaluation the business questionnaire required that tenderers had an equality and diversity policy in place. Monitoring will include assessment of take-up against equality strands to identify any potential gaps and organisations will be required to provide on-going monitoring data that demonstrates adherence to equality and diversity policies. Organisations will be required to explore ways to address areas of under-representation.
47. The impact on unsuccessful providers and their employees will potentially be mitigated by TUPE and the transfer of staff to the successful providers. Two BME organisations are adversely impacted. The needs of the service users will be met through the new provider. Those providers not awarded contracts will be supported by officers and Community Action Southwark (CAS) to develop exit strategies if deemed necessary. The Council's Transformation Fund will also be available as a source of support during the summer to organisations meeting the criteria. The providers will be made aware of the fund.

48. The Welfare Reforms including the introduction of Universal Credit in 2013 could lead to a significant increase in demand for advice and raises the possibility that residents may experience significant hardship or even destitution if benefits for day to day living expenses are not received. As the contract is a fixed price regardless of level of demand this will be reviewed through regular contract monitoring and through the relevant networks such as Southwark Legal Advice Network (SLAN) in order to identify trends at an early stage and seek to explore solutions.
- In addition the council is not the sole funder of any of the successful tenderers which adds value to the contracts and improves the sustainability of the organisations.
49. These services will provide support to residents who are unable to resolve delays in payments directly with the DWP. Citizens Advice Scotland has reported that 50% of applications to food bank organisations are from people affected by delays in benefits processes. Other council funding streams are increasingly being geared to complementing the services provided under these contracts e.g. the Community Capacity grants programme is now funding a food bank and encouraging providers to offer basic advice and signposting to residents in need of legal advice. This complements the more specialist work carried out by the advice providers. They are also networked into other initiatives which are designed to address the impacts of welfare reform e.g. BIG Lottery is funding work on improving financial confidence that supports people to address issues of debt and mitigates the need for more specialist advice.

Economic considerations

50. This procurement will build in the following local economic benefits:
- Supporting the role of the Southwark voluntary and community sector in providing employment and volunteering opportunities
 - Improving financial capability and decision making by increasing take-up of affordable credit and reducing unmanageable debt through effective links with London Mutual Credit Union
 - Increasing the Council's collection of rent and council tax by advising clients of the priority nature of these debts
 - Increasing or maintaining employment by liaising with employers where there are employment disputes and maximising take-up of in-work benefits.

Social considerations

51. This service supports council policy objectives to promote well-being and independence by funding services being procured that provide a safety net to those most at risk of destitution due to income poverty, unmanageable debt or poor housing conditions. As part of the tender process Tenderers have confirmed and are contractually bound to pay an hourly wage that, as a minimum, is equivalent to or exceeds the London Living Wage. Given the nature of the services and the providers delivering them this is a priority.

Environmental considerations

52. Not applicable to this procurement.

Market considerations

53. The successful tenderers are registered charities and companies limited by guarantee and based in Southwark. Each has fewer than 50 employees and a predominantly local area of activity. The provider of the Specialist level legal advice services will sub-contract with 2 providers which is a continuation of the Council's investment in other providers.

Staffing implications

54. Tenderers were advised to consider the application or otherwise of TUPE to this invitation and to seek independent legal advice on the matter if they believed it to be necessary. Tenders were considered on the basis that such matters had been accounted for in the tendered price. Remaining TUPE issues relate to two of the unsuccessful Tenderers which are Tenderer B and Tenderer D. One member of staff in each organisation is affected.
55. Whilst the current timetable does not allow for the period usually allowed for between the confirmation of the contract award and service commencement date it should, provided there is no slippage, allow sufficient time for the relevant successful and unsuccessful providers to comply with their obligations under TUPE given the small number of unsuccessful providers (2) and small number of employees (2) affected. If the timetable slips such that there is insufficient time, then a fall back arrangement will be made to extend by a further month the existing contracts of those unsuccessful providers. Legal advice has been sought and provided on this point. Please see the comments from the Director of Legal Services.

Financial implications

56. As is it stated in paragraph 11, the contracts are of a fixed price and therefore providers are aware of the need to manage the caseload within the available budget. In addition, the new contracts contain a clause stating that on the first Monday that follows 1 April of each calendar year during the Contract Period (i.e. the first Monday of the Council's financial year), the Council may agree to vary the Fee in line with any variation in the Council's overall budget (the amount of any such variation is to be determined by the Council).
57. The total budget available in 2013/14 for this grants programme, inclusive of rent subsidies is £1,119,684, whilst the total actual cost of the programme is expected to be £1,183,425, leading to a budget pressure of £63,741 for 2013/14. This pressure is slightly less than the £69,164 pressure experienced in 2012/13, and is the result of a higher amount awarded in the previous contract than the budget actually allowed for. This pressure will continue into 2014/15 and the end of the contract and is expected to be £64,082 in that year. In 2012/13 this pressure was absorbed by the division making use of favourable variances and efficiencies in other areas of the division, and the expectation is that this will once again be possible in 2013/14 and 2014/15.

Legal implications

58. Please see the comments from the Director of Legal Services below.

Consultation

59. Consultation has taken place with a range of internal and external stakeholders on the development of the approach to the commissioning of these services. A stakeholder consultation event took place in July 2012. There has been further consultation with current providers relating to the number of providers that the Council would contract with as a result of this procurement. Commissioners in other departments have contributed to the development of the service specification.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Head of Procurement

60. This report is seeking approval to award four contracts for the delivery community advice services to three providers as detailed in Table 1.
61. The report confirms that the procurement strategy set out in the previously approved Gateway 1 report has been followed with an open competitive process being undertaken.
62. Paragraphs 26 – 35 of the report describe the evaluation process that was carried out and that tenders were evaluated using a weighted model to determine the most economically advantageous tender (MEAT) with the emphasis on quality. Paragraph 33 of the report sets out the scores obtained for each of the service areas.
63. The report highlights that in two of the service areas there was limited or no competition but confirms that the tenders submitted did achieve the quality standards required by the council. The market for these services is fragmented with very specialist elements and this level of response was anticipated.
64. The report confirms the importance for the delivery of joined up services and paragraph 13 states that a pre-mobilisation meeting will be held with the providers to agree how the services will be managed and integrated for the users.
65. Paragraphs 40 and 41 describe how the contracts will be managed and monitored which will go some way to ensuring continuity of services and the joined up working approach that will be required from all providers.

Director of Legal Services

66. The Director of Legal Services notes the contents of this report which seeks the approval of the Cabinet Member for Communities and Economic Well-being to the award of the four (4) community advice service contracts that are described in paragraph 7 for a period of three (3) years from 1 August 2013 to 31 July 2016.
67. CSO 5.4 requires that all reasonable steps are taken to obtain at least five tenders following a publicly advertised competitive tender process. This report confirms that this tender process was publicly advertised, but that for some of the service packages there was only a limited interest in participating in the tender.

68. The decision maker is also required to have due regard to the public sector equality duty (PSED) in section 149 of the Equality Act 2010 specifically, to have due regard to the need to eliminate discrimination, harassment, victimisation or other prohibited conduct; advance equality of opportunity and foster good relations between people with protected characteristics and those who do not. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The PSED also applies to marriage and civil partnership, but only in relation to the need to eliminate discrimination, harassment, victimisation or other prohibited conduct. The report author refers to the fact that equalities have been considered as part of the procurement strategy and that an equalities analysis has been undertaken. This is summarised in the community impact statement.
69. The TUPE implications of the proposal are set out in paragraphs 54 to 55. TUPE compliance is a matter for the outgoing (transferor) and the incoming (transferor) organisations.
70. On the basis of the information contained in this report it is confirmed that this procurement was carried out in accordance with Contract Standing Orders and the relevant legal requirements. A contract award notice will need to be posted in the OJEU within 48 days of the award of the contract. Advice should be sought from Legal Services in relation to this notice.
71. CSO 4.5 details who may approve decisions on contract award. CSO 4.5.2(b) requires the relevant individual decision maker to authorise the award of this contract, after consideration by the Corporate Contracts Review Board (CCRB) of the report. In making this decision, the decision-maker should satisfy him or herself that the award of the contract offers best value.

Strategic Director of Finance and Corporate Services

72. The Strategic Director of Finance and Corporate services notes the financial implications of this report as explained in paragraphs 56 and 57, and acknowledges that this programme is experiencing budgetary pressures. This pressure, despite an undertaking given that it will be accommodated within existing budgets in the relevant division will have to be addressed on a permanent basis either during the 2014/15 budget setting process by way of a commitment, or by finding the additional funds from existing resources.

Head of Specialist Housing Services (For Housing contracts only)

73. Paragraph 32 outlines that the generalist advice contract for the east of the borough will include the 'Independent Advice for Council Leaseholders' service in accordance with council policy. Monitoring reports for this service has shown it to be well used and the deployment of pro bono solicitors Contractor B an innovative and cost effective method of delivering this popular service.

BACKGROUND DOCUMENTS

Background documents	Held At	Contact
Open Gateway 1 – Provision of Community Advice Services August 2013-July 2016	Housing and Community Services, Community Engagement, 160 Tooley St	Andrew Matheson 020 7525 7648
Open Gateway 1 & 2 Procurement strategy approval and award of contract extensions for Community Advice from April-July 2013	Housing and Community Services, Community Engagement, 160 Tooley St	Andrew Matheson 020 7525 7648
Community Advice Services Specification 2013-16	Housing and Community Services, Community Engagement, 160 Tooley St	Andrew Matheson 020 7525 7648
Community Advice Services – Equality Analysis	Housing and Community Services, Community Engagement, 160 Tooley St	Andrew Matheson 020 7525 7648

APPENDICES

No	Title
None	

AUDIT TRAIL

Lead Officer	Stephen Douglass. Head of Community Engagement.	
Report Author	Andrew Matheson. Senior Commissioning Officer	
Version	Final	
Dated	20 June 2013	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Head of Procurement	Yes	Yes
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	Yes
Head of Specialist Housing Services	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		20 June 2013