

NORTH YORKSHIRE COUNTY COUNCIL

Children and Young People's Service

Meeting of the Corporate Director and Executive Members

25th May 2021

COMMISSIONING OF TARGETED SUPPORT UTILISING LOCALITY BOARD BUDGETS

1 Key purpose of the report

To seek approval from CYPS Executive to the development and procurement of an approved provider framework to support the commissioning of targeted support services. The programmes of services will be agreed with individual Locality Boards within an annual spending programme approval process.

2 Report details

- 2.1 Since September 2019, the local authority has supported the operation of five locality boards, with a view to those Boards being engaged in the development of service improvement programmes, designed to address key service challenges in their locality and deliver specific and measurable improvements in pupil and school outcomes. The scope of the activity undertaken within these programmes is in relation to School Improvement and Effectiveness, and Inclusion / High Needs.
- 2.2 The service improvement programmes are to be detailed in annual spending plans – which will be co-produced with the locality Boards. The authorisation of those spending plans resides with the respective Assistant Director and the overall governance framework is overseen by the Assistant Director (Strategic Resources).
- 2.3 The value of the annual budget across all five locality boards is £1,021,500, with the value of individual budget allocations reflecting a range of factors pertinent to the degree of school and pupil performance challenge within each locality.
- 2.4 To date, the commissioning of services has been actioned through the completion of individual Best Value assessments by service managers – but it is envisaged that there would be significant benefit from the development of an approved provider list. It is anticipated that this would secure the benefits of greater reach to potential service providers, ensure that there is equity and rigorous assessment of the allocation of individual projects / services to specific providers, and streamline the process of allocating projects to providers.
- 2.5 This report is seeking permission to initiate the development of an approved provider framework. If permission is granted, then the next stages of the developmental process will involve the development of service specifications, developing robust evaluation criteria for both accessing the framework and allocating individual projects, and engagement with service providers to maximise the reach of the framework. It is envisaged that the framework would go live in September 2021.

3 Significant risks and mitigation

- 3.1 There is significant expertise and understanding of our key performance challenges within our schools and stakeholder communities in each locality – and it will be important that the approved provider framework does not displace these organisations and effectively exclude them from a role in delivering the improvement programmes – provider engagement events will be critical in mitigating this risk.

- 3.2 In addition, some of these local providers may be relatively small in scale and there could be a risk that the business compliance elements of the service specification deter some organisations from expressing an interest – this risk will be mitigated by achieving a careful balance between our statutory need to protect the interests of the local authority, with ensuring that the information requests are appropriately streamlined.
- 3.3 The breadth of the improvement programmes will be significant, and there will be a challenge to define the service specification in sufficient detail to capture the interest of potential providers.
- 3.4 There is a risk that slippage in the roll-out of the approved provider framework will jeopardise delivery of the improvement programme – this risk will be mitigated by judicious use of the Best Value approval mechanism to progress key projects.
- 3.5 There is a risk of legal challenge if the council continues to spot purchase arrangements. This is because such action could be viewed as disaggregation to circumnavigate the rules.

4 Financial implications/benefits

As set out above the annual value of these improvement programmes is circa £1.02 million – so there is considerable scope for robust commissioning arrangements to ensure that efficiencies are generated, and that effectively the reach of the locality budgets, and its capacity to support improvements in outcomes, can be extended.

5 Legal and governance compliance

Public procurement law regulates the purchasing by public sector bodies such as the council.

The Public Contract Regulations 2015 (PCRs) require public sector bodies to undertake an open, fair and transparent process when awarding contracts above a certain financial threshold.

Due to the estimated spend value, circa £1.02million per annum, the commissioning of these services is governed by the PCRs.

This requires the council to undertake a competitive process to establish an appropriate mechanism to deliver the services to support the locality boards.

The continuation of spot purchase arrangements would be seen as disaggregation of the regulations in order to circumnavigate the rules. Failure to undertake a procurement would therefore represent a risk of legal challenge to the council.

6 Recommendations

It is recommended that an approved provider framework is developed and procured to support and enable delivery of the improvement programmes associated with the locality boards.

Howard Emmett
Assistant Director (Strategic Resources)