

	<b>London Borough of Hammersmith &amp; Fulham</b>  <b>CABINET</b>  <b>22 JULY 2013</b>
<b>TRI-BOROUGH REDUCING REOFFENDING SERVICE</b>	
<b>Report of the Deputy Leader (+ Residents Services) : Councillor Greg Smith</b>	
<b>Open Report</b>	
<b>Classification - For Decision</b>  <b>Key Decision: Yes</b>	
<b>Wards Affected: All</b>	
<b>Accountable Executive Director: Lyn Carpenter, Triborough Executive Director for Environment, Leisure and Residents Services</b>	
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## 1. EXECUTIVE SUMMARY

- 1.1 Following a formal decision by Tri-borough Cabinet members on 6th February to implement the proposed Adult Reoffending Service across the Tri-borough, formally appointing Westminster as the lead commissioning authority, officers have been following the procurement process, with the aim to award in July.
- 1.2 The original timetable meant that the tendering process should have been completed by early June 2013, with a decision report on award of contract being circulated to all Cabinet members across all three boroughs by early July at the latest. However the procurement timetable was delayed waiting for the formal funding announcement from the Mayor's Office for Policing and Crime (MOPAC), and again, whilst the grant conditions were negotiated with MOPAC. Although commissioners have worked to condense the tendering timetable, due to these delays on funding agreements from MOPAC the tendering schedule has been

pushed back by one month. This means that officers are unable to produce a report to award the contract to the successful provider in time for the London Borough of Hammersmith and Fulham's Cabinet meeting on 22 July 2013. The current timetable will mean that the contract award will be in early-mid August 2013 (**see appendix A**).

- 1.3 This report therefore seeks Cabinet approval to delegate the award of the contract to the Deputy Leader (and Cabinet Member for Cabinet Services) in consultation with the Executive Director of Environment, Leisure and Residents Services so as not to delay the contract start date of the service.

## 2. RECOMMENDATION

- 2.1 That the decision to award the contract for the provision of the Adult Reducing Reoffending Service across the Tri-borough be delegated to the Deputy Leader (and Cabinet Member for Residents Services) in consultation with the Executive Director for Environment, Leisure and Residents Services to ensure a timely approach to procurement and appropriate timeframes to deliver on the outcomes agreed with MOPAC and Public Health. (**Details of the proposed service can be found in appendices B and C**)

## 3. REASONS FOR DECISION

- 3.1 If we were to delay the final decision relating to the final award of contract to the successful provider until the next LBHF Cabinet meeting in September the following risks exist:

**A reduction in funding levels from MOPAC in 2014/15 as we would not have had sufficient time to demonstrate the effectiveness of the service offer.**

- The funding from MOPAC is dependent on the service being funded on a payment by results basis. In order for Tri-borough to demonstrate outcomes – or progress towards these outcomes – the service provider needs to be in place, with a service up and running as soon as possible in 2013/14 so that staff can be recruited and as many offenders as possible can be engaged in the first 3 quarters. Whilst we have, in principle, support from MOPAC to fund the service in year 2, there will be a review process which will inform 2014/15 funding settlements. This is expected to take place in January/February 2014 and any future funding will be dependent on demonstration of outcomes to date. It is also important to note that the impact of this delay could affect Westminster and RBKC as well as LBHF.
- Funding for year 2 of the service has been agreed in principle by Public Health colleagues, however the total amount is dependent on the amount MOPAC agree to allocate as Public Health will match-fund.

**A gap in services for offenders, as the LBHF and RBKC Drug Interventions Programme contracts (Blenheim Community Drug Project) and the criminal justice elements of the Westminster Drug Project have been decommissioned and the contract for these services will end on the 30th September 2013.**

- The commissioning and procurement of the new service has been running in tandem with the revisions to the current substance misuse contracts, with the plan for the new provider to be appointed in August, and for the new service model to be fully operational in September 2013. Due to the delays in procurement, it is the intention for the new provider to be appointed in September, which will allow for a one month handover for the DIP element of the service in order that there will be a smooth transition and the new service will take over the custody referral element from the current providers on 1<sup>st</sup> October 2013. If the award of the contract is delayed, there will be a gap in service provision for vulnerable offenders.

#### **4. BACKGROUND**

- 4.1 In October 2012 the Tri-borough submitted a successful Justice business case through to Communities and Local Government (CLG) as part of the wider national Community Budgets Programme. The business case set out a proposal to implement across the Tri-borough an Adult Reducing Reoffending Service that would reduce the reoffending rates of short term sentenced prisoners (SSPs) from across the Tri-borough by 10% over a 2 year period. The justification for this approach was that over a 5-6 year period the Tri-borough's spend on programmes to address reoffending had increased without having a significant impact on our reoffending rates. Changes in funding allocation alongside evidence of impact from smaller programmes focused on short term sentenced prisoners (SSPs) provided an opportunity to scale up an intervention of a similar model. Finally the new proposed service model enabled a £1 million saving on an annual basis across the Tri-borough offering longer term financial sustainability for this type of intervention.
- 4.2 The business case recommended that the plethora of approaches set up to tackle reoffending rates across the Tri-borough be decommissioned, inclusive of the Drug Interventions Programme (DIP), and these funds be redirected to support a more targeted approach focused on offenders resident in the Tri-borough who have received a custodial sentence of less than 12 months (SSPs). The service model does not disregard the lessons learnt from the DIP approach, but more sensibly applies these approaches to Tri-borough residents while extending the focus to all drugs, and to a wider screening model relating to mental health and learning disability assessments. Critically the adult reoffending service provides for the first time an offer to those short term sentenced offenders who repeatedly go in and out of custody and return to Tri-borough communities; with the overall aim of reducing their levels of offending, time spent in custody and importantly improving their access to our mainstream support services.

- 4.3 A formal decision was made by Cabinet members on 6 February 2013 to implement the proposed Adult Reoffending Service across the Tri-borough, formally appointing Westminster as the lead commissioning authority.
- 4.4 The cost of the new service over a 2 year period is **£3.8 million**; the contract to be awarded to an external provider to the value of **£2.723 million** and the remaining budget allocated to support a personalised commissioning fund, additional staffing and evaluation costs. All of the funding comes from either the Crime Prevention Fund (MOPAC) or via Public Health Grant; agreement to allocate the required £3.8 million from both sources was approved by cabinet members across the Tri-borough on 23<sup>rd</sup> May 2013.

## 5. PROPOSAL AND ISSUES

- 5.1 This report seeks LBHF Cabinet approval to arrangements to delegate the award of the contract at a cost to the Tri-borough of **£2.723 million**.

## 6. OPTIONS AND ANALYSIS

- 6.1 Westminster, as the lead commissioner for the Adult Reoffending Service, has worked with officers at LBHF to consider all options for approval; timings only allowed for cabinet to endorse delegated authority on the 22 July 2013. A delay until September for a full cabinet decision could have significant implications on the future levels of funding from the Mayor's Office for Policing and Crime for all 3 boroughs.

## 7. EQUALITY IMPLICATIONS

- 7.1 This report recommends the delegation of the decision making function for the award of contract for the provision of the Adult Reducing Reoffending Service across the Tri-borough Councils, from the LBHF Cabinet to the LBHF Deputy Leader (and Cabinet Member for Residents Services) in consultation with the Bi-borough Executive Director of Environment, Leisure and Residents. There are no equality impacts arising from this decision.
- 7.2 When the contract is proposed for award by officers, the decision makers will need to give the due regard that is necessary under S149 of the Equality Act 2010.

## 8. LEGAL IMPLICATIONS

- 8.1 Under the Council's contract standing orders a Cabinet decision is required to award contracts over £100,000. However, for the reasons set out in this report, it is recommended that authority to award this contract for the provision of the

Adult Reducing Reoffending Service across the Tri-borough is delegated to the the Deputy Leader (and Cabinet Member for Residents Services) in consultation with the Executive Director of Environment, Leisure and Residents Services.

8.2 Implications provided by Cath Irvine, Senior Solicitor (Contracts), tel. 020 8753 2774.

## **9. FINANCIAL AND RESOURCES IMPLICATIONS**

9.1 This report seeks Cabinet approval to delegate the award of the contract to the Deputy Leader & Lead member for Residents Services, in consultation with the Executive Director for Environment, Leisure and Residents Services so as not to delay the contract start date of the service. There are no financial implications with delegating this authority. A full tender appraisal will be carried out and any financial implications will be considered as part of that process.

9.2 Implications provided by Kellie Gooch, Head of Finance ELRS, tel. 020 753 2203.

**Director name:** Lyn Carpenter  
**Director title:** Executive Director of ELRS

### **Local Government Act 1972 (as amended) – Background papers used in the preparation of this report**

Cabinet Decision Reports – The Implementation of the Tri-borough Adult Reducing Reoffending Services (January 2013 and May 2013) - published

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## **APPENDIX A – Revised tendering timetable**



Timetable 27th  
June.doc

## **APPENDIX B – Instructions to tenderers (ITT)**



ITT.DOCX

## **APPENDIX C – Contract Specification**



Specification-25th  
June.docx