

Delegated Officer Report

Decision Maker:	Gerard Jones Managing Director Children and Young People
Date of Decision:	25 August 2022
Subject:	Delegated Decision to award Dispute Resolution Service (DRS) contract from 1 October 2022.
Lead:	Richard Lynch, Director of Education, Skills and Early Years
Report Author:	Andrea Weir and Laura Farnworth
Ward (s):	All

Reason for the decision:

Dispute Resolution Services in Oldham are currently delivered by Together Trust and this contract will end on 30 September 2022. In January 2022, DMT gave approval to undertake a full tender exercise for this service with a funding envelope of £25,000 per annum.

Following a robust and transparent commissioning and evaluation process approval is now sought to award the contact to the highest scoring bidder from 1 October 2022. This will enable the Local Authority to continue to fulfil its statutory responsibilities.

Summary:

Oldham Council is seeking to commission a statutory Dispute Resolution Service from 1 October 2022 following approval from DMT to procure this service.

The Dispute Resolution Service went out to tender via The Chest in June 2022 following market engagement events. A new service specification has been developed as part of this process. All activity has been overseen by a Project Board led by Childrens Commissioning with membership including representatives from the service area, procurement, finance, legal, HR and Integrated Commissioning Partnership (formerly known as CCG).

Contract award will be from 1 October 2022 for an initial period of 3 years up until 30 September 2025 with an option to extend for up to a maximum of two years then up to a further two years dependent on performance, achievement of key performance indicators, continued funding and local need. The funding envelope is £25,000 per annum.

This service supports for some of the most vulnerable and at-risk children, young people and families/carers in Oldham.

A transparent, robust evaluation and moderation process has been undertaken. A total of four bids were received with the preferred provider scoring highest with 95.53 %. The recommendation therefore is that, following the standstill period, this contract is awarded from 1 October 2022 to this provider.

Members of the existing Project Board will work with the new provider to ensure a vigorous implementation plan is in place including key milestones. Planning will also ensure seamless transfer from existing providers of cases and data.

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):

Option 1 – award the contract

Award the contract to the preferred provider from 1 October 2022 within the specified funding envelope.

Option 2 – do not award the contract

Option 2 is not viable as this would lead to a gap in services and a failure of the council to fulfil its statutory responsibilities. This would be reputationally damaging.

Consultation: including any conflict of interest declared by relevant Cabinet Member consulted.

Not required for this report.

Recommendation(s):

Option 1 – award the contract

Award the contract to the preferred provider from 1 October 2022.

Implications:

What are the financial implications?

This report seeks approval to award the contract to preferred provider from the 1st October 2022 for

an initial period of 3 years until 30 September 2025.

The impact per financial year is set out in the table below:

3 Year Contract	FY 22-23	FY 23-24	FY 24-25	FY 25-26	Total
(1/10/22 - 30/9/25)	12,500	25,000	25,000	12,500	75,000

The annual funding envelope is **£25,000** which is built in to the SEND Service budget (R44400 35750).

Vicki Hayes – Senior Accountant

*What are the **legal** implications?*

Procurement comments confirm that all tender activity has been completed in accordance with the Council's Contract Procedure Rules and, therefore, provided a written contract is put in place in the form advertised with the tender documents, there are no known legal implications at this time.

Sarah Orrell, Commercial and Procurement Solicitor

*What are the **procurement** implications?*

An open competitive tender exercise was undertaken as complied with the requirements stated in the OMBC Contract Procedure Rules. The commercial procurement team supports the recommendation to award the contract to the preferred bidder. This was done through the robust evaluation process, which was clearly set out in the Tender documents.

Mohammad Sharif 10/08/2022

*What are the **Human Resources** implications?*

There are no staffing implications at this stage. No further comments to add.

Daksha Mistry Senior HR Adviser 11/8/2022

***Equality and Diversity Impact Assessment** attached or not required because (please give reason)*

Not required as the recommendation is to award the contract allowing services to continue.

*What are the **property** implications*

None

Risks:

If the contract is not awarded Oldham Council fails to deliver its statutory responsibilities resulting in reputational risk to the Council.

Co-operative agenda

The recommended option aligns with the Council's co-operative agenda.

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution?

Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget?

Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council?

No

Report Author Sign-off:	
Andrea Weir/Laura Farnworth	
Date: 25/8/22	

Please list and attach any appendices:-

Appendix number or letter	Description

In consultation with Managing Director Children and Young People (DCS)

Signed:

Date:25/8/22