
Report to CABINET

**Short Breaks Play and Leisure – Approval to award contract
from 1 April 2023**

Portfolio Holder:

Councillor Eddie Moores, Cabinet Member

Officer Contact:

Gerard Jones, Managing Director, Children's Services,
Richard Lynch, Director for Education, Early Years and Skills

Report Authors:

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Reason for Decision

To ensure that Oldham has a high quality, flexible and inclusive statutory Short Breaks Play and Leisure offer for children and young people with SEND and their families in place from 1 April 2023

Recommendations

Cabinet are requested to:

1. Approve delegated decision responsibilities to the Managing Director, Childrens Services to award the Short Breaks Play and Leisure contract to be operational from 1 April 2023. This will follow an open, competitive robust commissioning, tendering and moderation process.

Approval will ensure statutory services supporting children and young people with SEND and their families are in place without any gaps in provision when the current offer ceases on 31 March 2023.

Cabinet

1. Background

- 1.1 Local authorities have a statutory responsibility to provide a range of Short Breaks Play and Leisure (SBPL) opportunities for children and young people with SEND and their families. A Short Breaks Duty Statement giving details of the local range of services and how they can be accessed, including any eligibility criteria must be published as a statutory responsibility under The Breaks for Carers of Disabled Children Regulations 2011.
- 1.2 The SBPL offer must provide opportunities enabling children and young people to access development and leisure activities suitable to meet their needs. The broad aims of SBPL are to provide:
 - respite for families preventing breakdown and escalation to higher cost intensive services
 - a safe place for children and young people to develop independence skills, build self-esteem and self-confidence and engage and interact with their peers.
 - an alternative to more costly one to one Personal Advisor support where appropriate to meet individual needs.
- 1.3 Under the existing contractual arrangements, three providers currently deliver SBPL activities for children, young people and their families. They are Ability Wheelz, Sports Works and Starfish Swim, all within contract until 31st March 2023. This arrangement has been extended on an annual basis previously within a funding envelope which has seen no increase since 2017. During this time, demand has continued to rise, this is predicted to be a continuing trend. Data demonstrates that within this same period, demand for Education Health and Care plans has grown by 80% and this is expected to continue.
- 1.4 As part of the commissioning intentions and following discussions at a senior strategic level between Oldham Council and the Integrated Care Partnership (ICP previously known as the CCG), there is now an agreed funding envelope in place.
- 1.5 In order to develop commissioning intentions from 1 April 2023 onwards and as part of governance arrangements, a project group consisting of young people from Barrier Breakers supported by the Youth Service, Parent Carer Forum, Children's Commissioning Team, Children with Disabilities Team, SEND Team, Children's Social Care, ICP, Legal, Finance, HR and Procurement has been established.
- 1.6 A meet the market event to stimulate demand and seek feedback from providers on commissioning intentions and the service specification was held on 18 November 2022. This was advertised via The Chest in accordance with procurement protocols. In total 7 providers attended the event.
- 1.7 The intention is to award the contract with the funding envelope for a period of three years with the option to extend for up to a further two years. The option to extend will be subject to the successful provider achieving outcomes within the specification, the delivery of high quality, value for money services for our children

and young people and continued funding being available. This would support the Council's early intervention approach and contribute to the invest to save agenda by reducing demand for higher cost, more intensive services.

- 1.8 We are seeking one lead provider who will work in flexible partnership arrangements with a range of other organizations including community based and voluntary, faith and social enterprise groups enabling the service offer to respond to identified and emerging needs. There is an expectation within the service specification that the lead provider will be flexible in terms of their delivery model to meet any local and national changes including those arising from the recent SEND Green Paper consultation
- 1.9 The specification has been developed to allow more flexibility and greater choice of activities including music, crafts, digital and creative options. It has been co-produced with the project board, young people and the Parent Carer Forum. The specification reflects learning arising from the pandemic including the expectation providers will be able to deliver services virtually as appropriate and as required.
- 1.10 Consultation has taken place with families in partnership with the Parent Carer Forum and with young people through Barrier Breakers. The consultation tells us the following:
- good quality activities age and stage appropriate from Early Years Foundation Stage and up to the age of 15 to 18 year-olds
 - a wide variety and flexibility of activities to broaden experience, skills and opportunities for young people
 - young people accessing Oldham's Barrier Breakers expressed an interest in volunteering opportunities to be available for them to support other young people
 - outcomes for children and young people
 - increased evening and weekend provision
 - providing information for parents/carers with assistance on how to access services
 - greater community awareness
 - accessible online services to engage, maintain contact and follow-up

2. Current Position

- 2.1 Since 2017, the SBPL offer for Oldham has been delivered by three providers Ability Wheelz, Starfish Swim and Sports Work. Historically all three of the current providers have had high numbers of families accessing their provision. In 2022, a pilot offer delivered through Oldham Music Service was commissioned funded through a non-recurrent budget saving. This funding also enabled the CWD Team to host a number of drop-in sessions for families who might otherwise find it difficult to engage.
- 2.2 In 2021, it was agreed SBPL would form part of the SEND Integrated Commissioning tender alongside Dispute Resolution Services (DRS). Meet the Market events were held with potential providers to help shape the specification.

Following a full and transparent procurement process via the Chest, no bids were received. Market intelligence informed us that the funding envelope was the main barrier to applications being received. As a consequence, DMT approved the retendering of DRS and SBPL as a stand-alone services.

- 2.3 A number of consultations have been undertaken with families to establish their views on the SBPL offer. Whilst families were positive about the current activities available, they felt that the offer could be broader and extended to include none sport based sessions with more availability during evenings and weekends. Building on this existing consultation, the Children's Commissioning Team and Parent Carer Forum held a number of focus groups in September 2022. This is in addition to the Parent Carer Forum supported families to complete their Big SEND Survey which included questions about SBPL and the Local Offer. Consultation feedback have been used to inform both the Market Engagement events and service specification.

3. Timeframes

- 3.1 The Meet the Market event was held on 18 November as the start of the formal commissioning and procurement process. We will move to award the contract to the successful tendered following a robust evaluation and moderation process based on their Invitation to Tender (ITT) submission. This process will include young people and the Parent Carer Forum as part of Oldham's co-production principles
- 3.2 Subject to approval the decision to award will be ratified by the Managing Director, Children's Services with the contract becoming operational from 1 April 2023.

4. Options

- 4.1 **Option 1** - Approve delegated decision making to award and enter into the statutory SBPL contract to the Managing Director, Children's Services. The contract would become operational from 1 April 2023 for a period of three years with the option to extend for up to a further two years subject to performance and continued funding
- 4.2 **Option 2** - Decide not to award the contract. This would mean a failure to meet statutory duties causing reputational risk to the Council and risk of challenge.

5. Recommended Options

- 5.1 **Option 1** - Approve delegated decision making to award and enter into the statutory SBPL contract to the Managing Director, Children's Services. The contract would become operational from 1 April 2023 for a period of three years with the option to extend for up to a further two years subject to performance and continued funding.

6. Consultation

- 6.1 Consultation have been held during 2022 with families in partnership with Oldham's Parent Carer Forum.

6.2 Consultation have taken place in the same time period with children and young people through Barrier Breakers supported by the Youth Service

7. Financial Implications

Comments are contained in the report in the restricted part of the agenda.

8. Legal Services Comments

Comments are contained in the report in the restricted part of the agenda.

9. Co-operative Agenda

The current contract is based on the co-operative agenda of the Council and any future commissioning intentions will also reflect these principles.

10. Human Resources Comments

Comments are contained in the report in the restricted part of the agenda.

11. Risk Assessments

N/A

12. IT Implications

N/A

13. Property Implications

Non for the Council. The provider will have their own property arrangements from which to deliver services.

14. Procurement Implications

Comments are contained in the report in the restricted part of the agenda.

15. Environmental and Health & Safety Implications

None for the Council

16. Equality, community cohesion and crime implications

None for the Council.

17. Equality Impact Assessment Completed?

Not required as the recommendation is for this statutory service to continue meaning there will not be a negative impact on residents

18. Key Decision

18.1. Yes

19. Key Decision Reference

19.1 CHS-11-22

20. Background Papers

20.1 None

21. Appendices

21.1 None

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