

# North Somerset Council

## Report to the Executive

**Date of Meeting: 6 September 2023**

**Subject of Report: Joint Commissioning & Procurement Plan for the Provision of the Holiday Activities and Food (HAF) Programme 2024**

**Town or Parish: All**

**Officer/Member Presenting: Deputy Leader of the Council and Executive Member for Children's Services, Families and Life-Long Learning**

**Key Decision: Yes**

**Reason:** The value of the decision is over £500,000 and will affect communities living or working in an area comprising two or more wards in the area of the Local Authority.

## Recommendations

To approve this joint Commissioning and Procurement Plan.

### 1. Summary of Report

To protect and support the most vulnerable families and children of North Somerset - this service will provide consistent provision in key school holidays to tackle the inequality experienced by children and families regarding health, income and life chances from the areas that experience the highest deprivation. This provision is even more of a priority during the current cuts to services and rising costs to living.

The HAF (Holiday Activities and Food) programme will support and work in collaboration with parents/carers and service delivery partners to ensure consistent high standard provision and equal opportunity for children who receive Free School Meals. A percentage of those children are from other vulnerable backgrounds such as looked after children, children and young people who have an EHCP, children whose families do not have access to public funds and those children of armed forces serving personnel and veterans.

### 2. Policy

Our statutory responsibility is to ensure the protection of children and ensure they receive the opportunities to reach their full potential.

The HAF programme was introduced for a three-year period in 2021 after a successful trial period.

HAF is a fund provided by DfE for the key provision of supporting families, providing equal opportunities and reducing inequality and improving life chances for children and young people. HAF provides enriching activities, education and advice and guidance during key school holidays Easter, Summer and Winter. Evidence showing that free

holiday clubs can have a positive impact on children and young people, and that they work best when they:

- Provide consistent and easily accessible enrichment activities
- Cover more than just breakfast or lunch
- Involve children (and parents) in food preparation
- Use local partnerships and connections, particularly with the voluntary and community organisation sector.

North Somerset has received funding for this use. Each Holiday period fund is calculated as 85% for children who qualify for free school meals and the discretion to use up to 15% for those who meet one of the other vulnerable criteria:

- children assessed by the local authority as being in need, at risk or vulnerable;
- children living in areas of high deprivation or from low-income households who are not in receipt of free school meals;
- children who have low attendance rates at school or who are at risk of exclusion;
- children in transition phases between nursery and primary school or primary and secondary school;
- young carers;
- looked-after children or previously looked after children;
- children with an EHC (education, health and care) plan.

### **3. Details**

In 2022 the Council went out to tender for HAF provision for the 2023 school holiday period. This resulted in achieving greater control over the provision of services and service providers became accountable to ensure funding was used consistently across the authority and in accordance with DfE guidance.

In Summer 2023, the HAF activity providers opened their website for summer sessions on the 31 May, on the 7 July 80% of our sessions were booked to capacity. Parents said “they were pleased that they were able to rely on the provisions” schools were more willing to distribute information to parents as they had reliable professional relationships with the providers using their premises and felt the scheme was a substantial offer for their families.

### **Requirement**

To procure sufficient HAF provision to ensure consistency across the authority for the 2024 and 2025 holiday periods, putting a flexible framework in place for 4 years (this is subject to allocated funding). A place on the flexible framework does not guarantee that funding will be allocated to a provider.

North Somerset has areas in which children and families experience severe deprivation. Within North Somerset 5150 children qualify for Free School Meals. Only 28% of eligible children accessed a holiday provision in the summer holidays (1457 children). HAF would like to achieve 50%- 75% attendance which we feel can be attained from changes to how the scheme is commissioned to ensure needs are met within the communities and funds are used equitably and fairly.

Often families struggle with finding activity sessions for their children who have SEND needs but are not complex enough to attend specific provisions. North Somerset has 1050 children with a ECHP, 850 in Weston-Super-Mare. During the summer activity days only 16% of children with SEND and who qualified for FSM attended sessions.

Whilst the providers that have previously received funding have tried to provide an inclusive service, there is a need for more enriching and frequent sessions for all children.

As a result of consistency and appropriate funding, a greater number of children will be able to access activities that provide food, physical activity, embedding nutrition education for both children and families.

HAF will work with and support providers to enable them to feel confident in meeting the needs of all children with SEND, providing many children the opportunity of mixing with their peers, and preventing barriers that effect parent's/carers choice of using holiday activity sessions.

Procurement of service providers will determine the right agencies for the sessions, allow knowledge of sessions to be used to determine which provider is right for the children attending, for the activity providers to be accountable for using funds and the children attending and the outcomes for those children.

### **Contract Structure and Value**

Providers will be awarded a place on a four-year Flexible Framework (DPS) under the light touch regime. This will be opened once a year (if required), and providers will be able to apply (call offs) for funding at the beginning of each financial year. This is dependent on receiving DfE funding for each year.

The funding available is circa £521,520 to cover the holiday periods from April 2024 to January 2026. A proportion of this funding covers the salary of the commissioner. The funding will be split between all successful providers depending on the schemes awarded.

The contracts will include a sliding scale enabling the commissioner to claw back funding where the numbers of attendees fall below the expected numbers described in the tender submissions.

### **Market**

Following the successful pilot (including a market engagement morning), the providers are fully aware of the process they need to follow. The commissioner also regularly engages with the providers who could be applying for these services.

As the requirements need to be delivered within North Somerset, it is anticipated that the interested organisations will either have already or be prepared to lease/borrow/purchase premises within the local area.

### **Route to Market**

The requirements fall under the Light Touch Regime of the Public Contracts Regulations 2015 and as such the procurement process can be fairly flexible as long as it upholds the Treaty principles of equality of treatment, transparency, mutual recognition and proportionality.

The intention is to run a procurement process, under the Light Touch Regime, following the general rules of an Open Procedure to create a Flexible Framework arrangement.

## Outline Indicative Timescales

Action	Timing
Commissioning and Procurement Plan sign off (Executive)	06/09/2023
Tender advertised on the portal	September 2023
Tender Closes	October 2023
Evaluation of tenders	Oct/Nov 2023
Framework commencement	December 2023
Call off Contracts commence	01/04/2024

## Governance

Any subsequent Contract Award is subject to approval by the Director of Children's Services; the Head of Procurement & the S151 Officer.

## Social Value, Sustainability & VCSE

There will be a method statement question that covers Social Value. The tender documents will require applicants to consider Social Value however, due to the value of the individual contracts, we will not be using the full TOMs measures.

## Evaluation Criteria

It is proposed that the following split is used:

Criteria	Weighting/split
Quality	60%
Price	25%
Social Value	10%
Climate Emergency	5%

NSC commissioners' previous experiences have shown that some providers may have been using the funding provided to make excessive profits and therefore price needs to have more of a bearing than then the previous contract.

**Ofsted registration** – there will also be a scored question around Ofsted; providers will score more highly if they are registered but it is not compulsory.

### Qualitative and Pricing Evaluation

### **Quality Assessment – 75% (Inc 10% Social Value & 5% Climate Emergency)**

The quality evaluation criteria are proposed as:

Quality Questions/Method Statements
Q1 – Project overview
Q2 – SEND provision
Q3 – Promotion/advertisement
Q4 – Feedback/sharing of information

NSC will reserve the right to exclude applicants who score less than 40% out of 60% in the quality assessment.

The scoring matrix used during the procurement process is the following:

<b>Score</b>	<b>Classification</b>	<b>Award Criteria</b>
5	Excellent	A response that inspires confidence; specification is fully met and is robustly and clearly demonstrated and evidenced. Full evidence as to how the contract will be fulfilled either by demonstrating past experience or through a clear process of implementation.
4	Good	A response supported by good evidence/examples of the Bidders' relevant ability and/or gives the council a good level of confidence in the Bidders' ability. All requirements are met, and evidence is provided to support the answers demonstrating sufficiency, compliance and either actual experience or a process of implementation.
3	Satisfactory	A response that is acceptable and meets the minimum requirement but remains limited and could have been expanded upon.
2	Weak	A response only partially satisfying the requirement with deficiencies apparent. Not supported by sufficient breadth or sufficient quality of evidence/examples and provides the council a limited level of confidence in the Bidders' ability to deliver the specification.
1	Inadequate	A response that has material omissions not supported by sufficient breadth and sufficient quality of evidence/examples. Overall the response provides the council with a very low level of confidence in the Bidders' ability to deliver the specification.
0	Unsatisfactory	No response or response does not provide any relevant information and does not answer the question.

### **Pricing Evaluation – 25%**

In the interest of fairness and transparency it is proposed that the pricing evaluation will be based on a price per child attending the proposed schemes.

The tender with the lowest price per child will receive the maximum score of 25% and the prices of all other tenders will be expressed as a percentage of the maximum score.

### **Evaluation Panel**

The evaluation panel will consist of officers involved with Safeguarding, Public Health, Education, Strategy Policy Officer, Commissioning Officer and EYFS.

### **Contract Management**

Each provider will receive several unannounced visits during the activity sessions spread across the year. HAF terms these Quality assessment visits. Each aspect of the HAF guidance is considered at these visits, feedback is given immediately to allow for specific changes to be made if needed. After the holiday service delivery, a meeting is held with each provider to look at what went well, what needs improvement and how this happens.

Quality Assurance visits children and parents' quality assessment surveys will take place regularly.

#### 4. Consultation

From previous service delivery in 2021/22 feedback was gathered from parents/carers and children. This was gathered by the activity service providers and also from visits to parents' carers forums, schools and face to face discussions.

Parents asked for service delivery to be within walking distance of where they lived, many children who qualify for funding from the HAF programme, reside in areas of high deprivation and poverty, they do not their own vehicles.

Parents of children with SEND or any type of additional need asked for consistent activity providers and staff, this made the children happier about attending and parents felt that the staff were able to form a professional and trusting relationship with the child and family, the service providers felt that this was a priority to enable them to converse with parents and give guidance and information on some sensitive subjects such as needing support from community resources.

#### 5. Financial Implications

Costs must not exceed the allocated grant amount in each financial year, and the conditions of the grant require any resultant underspend against forecast expenditure to be repaid to the Department for Education. As such there is no impact on the MTFP and no scope to deliver any savings.

Financial risk will be managed through routine budget monitoring and as part of the mandatory reporting process to the Department for Education after each holiday period. In addition, a certificate of expenditure (statement of grant usage) certified by the s151 Officer will be submitted to the Department after the end of the financial year.

#### Costs

The table below summaries the grant and expenditure, from the commencement of the programme in 2021/22 to 2023/24. The Commissioning and Procurement Plan is only for the Food and Activities element, as such this Decision is being treated as non-key.

	2023/24 Forecast	2022/23 Forecast	2021/22 Actual
<b>HAF Grant Allocation</b>	<b>(£521,520)</b>	<b>(£531,660)</b>	<b>(£316,814)</b>
<b><u>Expenditure</u></b>			
Food and Activities	£459,484	£478,094	£266,303
<b>Other</b>			
Administration (staffing)	£47,036	£26,393	£50,511
Free School Meals			
Database		£24,750	
Training		£500	
Mobile Phone		£400	
Contingency	£15,000	£1,523	
<b>Total Expenditure</b>	<b>£521,520</b>	<b>£531,660</b>	<b>£316,814</b>

Net		£0	£0	£0
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## Funding

All costs will be fully funded from the Holidays, Activities and Food Programme grant from the Department for Education.

### 6. Climate Change and Environmental Implications

Following completion of the climate emergency risk register, it was agreed that the environmental implications are relatively low in relation to this tender and service. The tender will encourage the provider to consider the climate emergency and use of local suppliers/businesses.

### 7. Legal Powers and Implications

The services considered in this report meet our statutory requirements and as such are covered by the Care Act 2014, Mental Capacity Act 2005, Mental Health Act 1983 as amended in 2009 and, where appropriate, the Children's and Families Act 2014.

In addition, the Corporate Procurement Policy is adhered to, alongside the Contract Standing Order Rules.

### 8. Risk Management

An overall risk rating of LOW has been determined, applying the principles of the corporate risk scoring matrix.

Mitigation of identified risks are supported by a thorough risk assessment completed by the Commissioner and the Procurement Team, against each individual activity, and will be monitored and mitigated throughout the procurement process and subsequent contract monitoring.

### 9. Equality Implications

An EIA summary has been completed and has not highlighted any negative impact.

### 10. Corporate Implications

None, external funding

### 11. Options Considered

- Do nothing
- Revert back to grants/expressions of interest
- Preferred option: Go out to tender. Tender completed in 2022 / 2023 has provided exceptional results and the stability required.

#### Author:

Shelley Smith

#### Appendices:

None

**Background Papers:**  
[Holiday activities and food programme](#)