

**To: Finance, Resources and Customer Services Policy Board**

**On: 2<sup>nd</sup> February 2022**

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**Report by: Joint Report by the Chief Executive and Director of Children's Services**

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**Heading: Provision of Functional Family Therapy  
(RC-CPU-20-400)**

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**1. Summary**

- 1.1 The purpose of this report is to seek the approval of the Finance, Resources and Customer Services Policy Board to award a negotiated contract to Action for Children Services Limited for the provision of a Functional Family Therapy (RC-CPU-20-400) ("Contract").
- 1.2 The recommendation to award this Contract for a Social or Other Specific Service follows a procurement exercise which was conducted as a Negotiated Procedure without prior publication in accordance with the Public Contracts (Scotland) Regulations 2015, as amended for a Services contract with value above the GPA threshold (formerly known as the EU Threshold) and the Council's Standing Orders Relating to Contracts.
- 1.3 A Contract Strategy for this Contract was approved on 19<sup>th</sup> April 2021 by the Strategic Commercial and Procurement Manager and the Head of Childcare and Criminal Justice.

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## 2. **Recommendations**

2.1 It is recommended that the Finance, Resources and Customer Services Policy Board authorise the Head of Corporate Governance:

2.1.1 To award the Contract for the Provision of Functional Family Therapy (RC-CPU-20-400) to Action for Children Services Limited upon finalising the Key Subcontracting requirements for the contract;

2.1.2 To award the Contract for three (3) years from 1<sup>st</sup> March 2022 to 28<sup>th</sup> February 2025 with the option to extend at the sole discretion of the council on 2 further occasions each of one (1) year to no later than 28<sup>th</sup> February 2027; and

2.1.3 To award the Contract for up to a maximum value of £1,375,000.00 excluding VAT for the full 5 years, (including the optional extension periods). Note that the agreed price per annum is £275,000 excluding VAT.

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## 3. **Background**

3.1 The Council requires to put in place a contract for the provision of functional family services. The Service is a family based intensive intervention programme aimed at improving the outcomes for young people aged 11-18 who are demonstrating significant behavioural difficulties including involvement in offending, violence and substance misuse.

3.2 The Functional Family Therapy is a licensed therapy and only parties licenced by Functional Family Therapy LLC can provide this therapy and through Action for Children Services Limited, the Council is able to obtain this Service.

3.3 This procurement process was conducted as a Negotiated Procedure without Prior Publication in accordance with the Public Contracts (Scotland) Regulations 2015, as amended for a Social or Other Specific Service Contract with value above the GPA threshold (formerly known as the EU Threshold) for a Social or Other Specific Service and the Council's Standing Orders Relating to Contracts.

3.4 The Invitation to Tender was issued to Action for Children Services Limited via the Public Contracts Scotland Tender portal on 23<sup>rd</sup> April 2021 with a tender closing date of 12 noon on 2<sup>nd</sup> June 2021.

- 3.5 The tender document included a Single Procurement Document (SPD) as required by the Council's Standing Orders relating to Contracts and Action for Children Services Limited confirmed that they met all the SPD requirements.
- 3.6 Action for Children Services Limited's tender response was evaluated against a pre-determined set of criteria by representatives from the following Council Services: Corporate Procurement Unit, Corporate Risk, Health and Safety and also by representatives of Children's Services – all requirements were met. Action for Children Services Limited as part of the tender submission confirmed that they would deliver the Service for the price as detailed in the tender.
- 3.7 The Service will involve a Key Subcontractor and parties are in discussions to finalise those arrangements and agree terms covering that arrangement. Award of a contract is to be subject to the Council and Action for Children Services Limited agreement on suitable Key Subcontractor terms. No change to the price or contract term will result from these negotiations.
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## **Implications of the Report**

1. **Financial** – Using Dun & Bradstreet, the financial status of Action for Children Services Limited was assessed which confirmed that the organisation satisfied the Council's requirements in relation to financial stability.
2. **HR & Organisational Development** - None
3. **Community/Council Planning** –
  - Our Renfrewshire is thriving – Providing early intervention to support service users and their families
  - Our Renfrewshire is well - Ensuring that those who require the service are supported to improve their health and wellbeing and future outcomes
  - Our Renfrewshire is fair - Ensuring that those who require the service are supported to improve their health and wellbeing and future outcomes
  - Tackling inequality, ensuring opportunities for all – Responsive services providing service users and their families with the support they need.
  - Working together to improve outcomes – The services delivered help to improve outcomes of service users within Renfrewshire.

4. **Legal** – This procurement process was conducted in accordance with the Public Contracts (Scotland) Regulations 2015, as amended for a Social or Other Specific Service Contract with value above the GPA threshold (formerly known as the EU Threshold) for a Social or Other Specific Service and the Council's Standing Orders Relating to Contracts.
  5. **Property/Assets** – None
  6. **Information Technology** – None
  7. **Equality & Human Rights** - The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
  8. **Health & Safety** – Action for Children Services Limited Health and Safety submission has been evaluated by Corporate Health and Safety and meets the Council's requirements.
  9. **Procurement** – The procurement procedures outlined within this report shall ensure that the Council meets its statutory requirements in respect of procurement procedures, efficiency and modern Government.
  10. **Risk** – Action for Children Services Limited insurances have been assessed and evaluated and meet the minimum requirements regarding insurable risk.
  11. **Privacy Impact** – The contract contains Renfrewshire Council's General Conditions of Contract data protection provisions. Action for Children Services Limited will be Data Controllers and, as such, have a legal responsibility to comply with Data Protection legislation when collecting, processing and storing personal data to those receiving the service under this contract.
  12. **Cosla Policy Position** – Not Applicable.
  13. **Climate Change** – No climate change implications were noted as part of this Contract.
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## List of Background Papers

none

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