

To: Finance, Resources and Customer Services Policy Board

On: 31st March 2021

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

Heading: Provision of Early Learning and Childcare Places - LCC (RC-CPU-20-332)

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 contract to The Committee of Linwood Community Care for the provision of Early Learning and Childcare Places.
 - 1.2. This procurement exercise has been conducted in accordance with Section 12 of the Procurement Reform (Scotland) Act 2014 (as amended) and Regulation 6 of the Procurement (Scotland) Regulations 2016 for below the higher value Regulated Procurement Health and Social Care Services (formerly known as the EU Threshold) and Standing Order 14 of the Council's Standing Orders Relating to Contracts.
 - 1.3 A Request to Negotiate for this contract was approved by the Strategic Procurement Manager on 13th January 2021.
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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 to The Committee of Linwood Community Care for the Provision of Early Learning and Childcare Places;

2.1.2 To award the Contract for six months from 16th August 2021 to 15th January 2022; and

2.1.3 To award the Contract at a maximum value of £202,972.35 for the entire contract period. The exact amount paid will be dependent on the number of eligible Children due funding in accordance with the 2014 Act.

3. **Background**

- 3.1 Section 1 of the Education (Scotland) Act 1980, as amended by the Standards in Schools etc Act 2000 and The Children and Young People (Scotland) Act 2014 ("2014 Act"), directs authorities on their duty to provide pre-school education. Renfrewshire Council has continued to observe this duty through the provision of places in local authority and in private and voluntary sector nurseries.
- 3.2 For continuity of care and in accordance with Section 12 of the Procurement Reform (Scotland) Act 2014 (as amended) and Regulation 6 of the Procurement (Scotland) Regulations 2016 for below higher value Regulated Procurement for Health and Social Care Services (formerly known as the EU Threshold) and the Council's Standing Orders Relating to Contracts order 14, the Head of Policy and Commissioning (HOPAC) agreed to a negotiated contract without competition and negotiated tender documentation was issued to The Committee of Linwood Community Care.
- 3.3 This tender was issued to The Committee of Linwood Community Care via the Public Contract Scotland Tender portal on 26th January 2021 with a tender closing date of 12 noon on 12th February 2021.
- 3.4 The tender document included a Single Procurement Document (SPD) as required by the Council's Standing Orders relating to Contracts and the tender response submitted was evaluated against a pre-determined set of criteria within that SPD by representatives from the following Council Services: Corporate Procurement Unit, Corporate Risk and also by representatives of Children's Services.
- 3.5 The tender documentation detailed minimum requirements in relation to Health and Safety and Insurance, The Committee of Linwood Community Care has satisfied these requirements.

3.6 Community Benefits were sought as part of the procurement process and The Committee of Linwood Community Care advised within their tender submission that the following Community Benefits would be delivered as part of this Contract:

- 1 x Job for an unemployed individual;
- 2 x Modern Apprenticeships;
- 2 x Work Experience Placement 16+;
- 6 x Work Experience Placement 14-16;
- 2 x S/NVQ (or equivalent);
- 4 x Industry Skill Transfer to Schools;
- 1 x Non financial support for a Community Project

Implications of the Report

1. **Financial** - The financial status of The Committee of Linwood Community Care was assessed by undertaking a Dun & Bradstreet 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 – the Setting is within Renfrewshire with many of the people providing the service residing in Renfrewshire
 - Our Renfrewshire is fair - ensuring all eligible children have the opportunity of a place within a local Setting
 - Reshaping our place, our economy and our future – Services delivered under this Contract will be provided by a skilled workforce. People benefit from services that continually improve.
 - Tackling inequality, ensuring opportunities for all – Flexible early learning and childcare places may support parents back into employment
 - Working together to improve outcomes – The services delivered helps to improve outcomes for children within Renfrewshire Council area
4. **Legal** - The procurement of this contract has been conducted in accordance with the Procurement Reform (Scotland) Act 2014 (as amended), Regulation 6 of the Procurement (Scotland) Regulations 2016 and the Council's Standing Orders relating to Contracts using the

below for below higher value Regulated Procurement for Health and Social Care Services (formerly known as the EU Threshold) (below £663,540) for a negotiated contract for the procurement of Health and Social Care Services.

5. **Property/Assets - None**

6. **Information Technology - None**

7. **Equality & Human Rights -**

(a) 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** – The submission was assessed by Renfrewshire Council's Health and Safety Officers, where it was deemed to meet the necessary 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** – The Committee of Linwood Community Care's insurances have been assessed and evaluated and confirm that they will meet the minimum requirements regarding insurable risk.

11. **Privacy Impact** - The Contract contains Renfrewshire Council's General Conditions of Contract data protection provisions. The Committee of Linwood Community Care will be Data Controllers and, as such, have a legal responsibility to comply with Data Protection legislation when collecting, processing and storing personal data of those receiving a service. No Data Protection Impact Assessment was conducted or deemed necessary on the basis the service provided by The Committee of Linwood Care will not involve new technologies or other ways of processing personal data. The Committee of Linwood

Care will be required to complete the Council's Information Sharing Protocol prior to placements commencing under the Contract.

12. **Cosla Policy Position** – N/A
13. **Climate Risk** - The level of impact associated with provision of this service has been assessed using the Scottish Government Sustainability Test and is considered to be low risk.

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