

## **NOTTINGHAM CITY COUNCIL**

### **COMMISSIONING AND PROCUREMENT SUB-COMMITTEE**

**MINUTES of the meeting held at LB 31 - Loxley House, Station Street, Nottingham, NG2 3NG on 16 September 2015 from 14.00 - 14.15**

#### **Membership**

##### Present

Councillor Alex Norris (Chair)  
Councillor David Mellen (Vice Chair)  
Councillor Alex Norris (Chair)  
Councillor Nicola Heaton

##### Absent

Councillor Jon Collins  
Councillor Nick McDonald  
Councillor Dave Trimble  
Councillor Jane Urquhart

#### **Colleagues, partners and others in attendance:**

Kim Pocock	- Governance Manager
Katy Ball	- Director, Procurement and Children's Commissioning
Elsbeth Clowes	- Assistant Operations Manager Catering
Antony Dixon	- Strategic Commissioning Manager
Clare Gilbert	- Lead Commissioning Manager
Lee Kimberley	- Head of Trading Operations

#### **Call-in**

Unless stated otherwise, all decisions are subject to call-in and cannot be implemented until 28 September 2015.

#### **24 APOLOGIES FOR ABSENCE**

Councillor Jon Collins (other Council business)  
Councillor Nick McDonald (other Council business)  
Councillor Dave Trimble (other Council business)  
Councillor Jane Urquhart (work commitments)  
Helen Kearsley-Cree, Nottingham Council for Voluntary Service

#### **25 DECLARATIONS OF INTERESTS**

None.

#### **26 MINUTES**

The minutes of the meeting held on 15 July 2015 were confirmed as a true record and they were signed by the Chair.

#### **27 VOLUNTARY SECTOR UPDATE**

Helen Kearsley-Cree of Nottingham Community and Voluntary Service (NCVS) provided a written update for the Sub-Committee on the following:

- (a) The contribution of the Children and Young People's Provider Network (CYPPN) and Vulnerable Adults Provider Network (VAPN) to City Council services and commissioning. This includes involvement in:
- the child development review;
  - the health and wellbeing strategy and the vulnerable adult plans;
  - the next phase of Looking After Each Other which will focus on children;
  - the Homelessness Strategy Implementation Group;
  - the Safeguarding Boards for children and adults;
  - the emerging Compact work.

Network members (CYPPN – 155 members and VAPN – 163 members) are made aware of all services out to tender and offered support to bid for services.

- (b) The Economic Value of the Voluntary and Community Sector in Nottingham  
The report 'Mighty oaks from little acorns grow' was published in July 2015. Highlights of the report include:
- The value of volunteering activity delivered in 29 organisations in Nottingham is £1,697,532;
  - 50 organisations surveyed support 2,108 volunteers;
  - For every £2 invested in volunteering activity the organisation gets over £3 worth of activity back from the volunteer;
  - For every £1 invested by the local authority Nottingham's voluntary and community sector brings in another £5;
  - 17% of funding received by surveyed voluntary sector organisations comes from the local authority;
  - 89% of money spent on service delivery by surveyed organisations is spent locally;
  - 13 organisations spend over 90% of their money locally;
  - £821,820 is paid per year to the 51 employees who answered the personal spend survey;
  - 44% of employee wages is kept in the city of Nottingham;
  - 449 client groups are served by 50 organisations surveyed;
  - 440 services are provided by those surveyed, which is an average of 8.8 per organisation.

- (c) Area Based Grant and Communities of Identity Grant Consultations  
The voluntary sector is engaging in these sessions which complete shortly. There is interest in what changes there will be to the model. Helen also noted that, the current Voluntary and Community Sector landscape for communities of identity has seen a recent development with the launch of Equality Challenge - a partnership of 9 organisations across Nottingham and Derby. The partnership's mission is 'to progress the social and economic standing of people from areas of disadvantage and ethnic minority communities, joining and contributing to their efforts through enterprise, job creation, skills development and social support programmes in D2N2'.

**RESOLVED to note the update.**

**28 WHOLE LIFE DISABILITY STRATEGIC COMMISSIONING REVIEW  
PROGRESS UPDATE**

Clare Gilbert, Lead Commissioning Manager, presented the report of the Strategic Director for Early Intervention and the Director of Procurement and Children's Commissioning on the proposals that are being developed in relation to the Adult Learning Disability Strategic Commissioning Review (LDSCR) and the key work streams in relation to the Children's Special Educational Needs and Disability (SEND) Review, which together form the Whole Life Disability Review. Clare highlighted the following points, which include responses to councillors' questions:

- (a) The LDSCR review started a year before the SEND review and the findings from the LDSCR are being used to shape and inform the key lines of enquiry of the SEND review;
- (b) The work has been influenced by the Winterbourne expose by the BBC, which has led to increasing scrutiny on inappropriate accommodation of people with learning disabilities;
- (c) There will be a focus on rapid rehabilitation of people with learning disabilities;
- (d) The work of the SEND element of the review will support the Council to meet the requirements of the new SEND Inspection Accountability Framework – inspections may take place at any point from 1 January 2016;
- (e) Financial savings and new monies are being identified as the proposals develop and the flow of funding will be directed towards community provision;
- (f) Review work is being carried out jointly with Health colleagues and there will be joint commissioning arrangements with the Clinical Commissioning Group (CCG);
- (g) The review has been well planned and organised and will meet all deadlines to ensure that everything is in place before the new inspection regime referred to in (d) above begins;
- (h) Reports on the SEND review will be available in November.

**RESOLVED to**

- (1) agree the activity outlined in relation to the options being developed in the Adult Learning Disability Strategic Commissioning Review;**
- (2) agree the scope of the Children's Special Educational Needs and Disability Review;**
- (3) request that Clare Gilbert provides more detailed timescales for the Reviews to Councillor David Mellen.**

## **29 EAST MIDLANDS REGIONAL CHILDREN'S FRAMEWORK**

Katy Ball, Director of Procurement and Children's Commissioning, presented her report. The East Midlands Regional Provider Framework for Looked After Children placed in Independent Foster Care and Residential Care has been under review in 2015 with a view to all 9 local authorities committed to the current agreement committing themselves to the new agreement from February 2016. Katy highlighted the following points, which include responses to councillors' questions:

- (a) The current framework is due to expire and following a review the committee needs to decide whether the Council should commit to being a partner under the new proposed arrangements;
- (b) The cost will be £37,000 per annum plus £10,000 in 2015 for market development work. This cost is based on all 9 local authorities continuing to sign up to the agreement;
- (c) It is proposed that the Council signs up subject to a number of caveats, including that a minimum of 6 authorities sign up to the agreement and that the evaluation of the providers' process is robust;
- (d) The focus of the partnership is restricted to the East Midlands rather than more widely as this enables the Council to place children as closely to the city as possible;
- (e) The benefits of working as a regional partnership provide the Council with flexible buying power and the ability to make savings while providing quality placements.

### **RESOLVED to**

- (1) support the Nottingham City Council's commitment to the new East Midlands Regional Children's Framework Agreement, with the following caveats in place:**
  - (a) a minimum of 6 local authorities also confirm their commitment;**
  - (b) the process is developed to encourage providers to tender on best price and quality to ensure that the proposed removal of tiers doesn't result in a preferred provider list with no distinction between the quality and cost of provision;**
  - (c) the tendering and evaluation process is robust enough to ensure that those providers who are placed on the framework have passed rigorous scrutiny on their quality and cost;**
- (2) agree funding of £37,000 per annum plus an additional £10,000 for 2015/16 for development costs as Nottingham City Council's share of the East Midlands Regional Provider Framework cost.**

### **Reasons for recommendations**

- (1) The current East Midlands Regional Provider Framework for Looked After Children placed in Independent Foster Care and Residential Care has provided a structure for the commissioning of external placements for Looked After Children in Nottingham City since April 2011. This has supported the Placements Service in sourcing appropriate placements, taking into account quality, price, location and children's individual needs. The Framework has driven reduced costs for Nottingham and enabled a platform to share information about the quality of providers.
- (2) The framework agreement has been developed throughout the review process to enable all local authorities within the region to be engaged, which increases the scope of the framework and the influence on the external market, but has also led to some fundamental changes in the specification. The local authority is keen to remain engaged but requires additional assurance in relation to the evaluation of tenders and the commitment of other local authorities.

### **Other options considered**

- (1) None. Without the East Midlands Regional Provider Framework, Nottingham City Council would need to invest resources in developing a local framework for residential and fostering providers to ensure robust management of the quality and cost of provision being commissioned. This would minimise Nottingham City Council's influence, particularly in relation to the cost of placements and there would be a reduction in the infrastructure of support provided by working as a consortia with other local authorities.

## **30 SUPPLY OF FRUIT, VEGETABLE AND MEAT CONTRACTS FOR SCHOOL, COMMERCIAL AND CARE HOME CATERING**

Lee Kimberley, Head of Trading Operations, presented the report on behalf of the Strategic Director for Commercial and Neighbourhood Services, on the procurement process of both Fruit and Vegetables and Meat. He highlighted the following points, which include responses to councillors' questions:

- (a) Procurement of Fruit and Vegetables and Meat covers a range of operations, including schools and commercial catering (such as in Loxley House and Harvey Hadden Sports Village) and care homes;
- (b) Current contracts are due to expire and a new supply needs to be procured from January 2016. This will require an extension to existing contracts to the end of December 2015;
- (c) Procurement will be staggered to enable the procurement team to devote the necessary capacity to ensure a robust process;

- (d) Procurement will be organised into lots to enable local suppliers and small businesses to consider and potentially submit tenders, subject to their relative size and capabilities.

**RESOLVED to**

**(1) approve expenditure of up to £2.97 million for**

**(a) extending the current contract arrangements from 1 October 2015 to 31 December 2015 at a total cost of approximately £165,500: approximately £52,500 for Fruit and Vegetables and approximately £113,000 for Meat;**

**(b) the supply of Fruit/Vegetable (approximately £0.65m) and Meat (approximately £1.4m) contracts for school, commercial and care home catering for 3 years from 1 January 2016, with an option to extend for a further 1 year at a cost of £0.75 million;**

**(2) delegate authority to the Strategic Director of Commercial and Neighbourhood Services (Corporate Director of Commercial and Operations from 14 September 2015) to select and award the contracts, including an option to extend for one year as appropriate, to the most economically advantageous tender.**

**Reasons for recommendations**

- (1) The supply of Fruit, Vegetables and Meat is fundamental to the delivery of catering services to schools, care homes and commercial establishments. The current contracts expire on 1 October 2015 and these need to be extended until 31 December 2015 whilst the main framework contracts are procured. These procurements should be completed by 2 January 2016. If these contracts are not extended with the current suppliers for this short period of time, there is a significant danger that there will be an interruption in the supply of essential sustenance to the educational establishments and the care homes.
- (2) The estimated value of the extension is based upon current annual spend on Fruit, Vegetables and Meat.
- (3) The supply of Fruit, Vegetables and Meat is fundamental to the delivery of catering services to schools, care homes and commercial establishments.

**Other options considered**

- (1) Do nothing. In relation to the main agreements, the values of the main agreements are over the Public Contract Regulations thresholds and must be procured by a statutory tender process. Therefore doing nothing is not a realistic option.

**31 WORK PROGRAMME**

Antony Dixon, Strategic Commissioning Manager, submitted a work programme for the Sub-Committee, covering the period October 2015 to March 2016.

**RESOLVED to note the work programme.**

**32 EXCLUSION OF THE PUBLIC**

**RESOLVED to exclude the public from the meeting during consideration of the remaining item in accordance with Section 100A(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighed the public interest in disclosing the information, as defined in paragraph 3 of Part 1, Schedule 12A of the Act.**

**33 EAST MIDLANDS REGIONAL CHILDREN'S FRAMEWORK - EXEMPT APPENDIX**

**RESOLVED to note the information in the exempt appendix to the report on the East Midlands Regional Children's Framework without substantive discussion.**