

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	3399
Author:	Marie Cann-Livingstone
Department:	Strategy and Resources
Contact:	Marie Cann-Livingstone (Job Title: Teenage Pregnancy & Early Intervention Specialist, Email: marie.cann-livingstone@nottinghamcity.gov.uk, Phone: 0115 8763511)
Subject:	'Appropriate Adult Service' recommissioning
Total Value:	£150,000 (maximum) (Type: Revenue)
Decision Being Taken:	<ol style="list-style-type: none">1. To approve the procurement of a contract for the statutory Appropriate Adult Service for Nottingham City jointly with Nottinghamshire County Council, through a tender process led by the County Council.2. To delegate authority to the Head of Early Help Services to (i) agree that the County Council award the contract to the successful provider for a maximum period of five years (an initial three-year contract, plus the option to extend for one year plus another one year) commencing on 1 June 2019 following the procurement and (ii) sign any necessary joint contracting arrangements with Nottinghamshire County Council.3. To approve a maximum expenditure of £150,000 over the entirety of the contract term (up to five years).

Reasons for the Decision(s) This service is commissioned by Nottingham City Council's Children's Integrated Services Department and Nottinghamshire County Council's Children and Families Department. The tender process and contract management will be carried out by Nottinghamshire County Council as per the existing arrangements.

It is estimated that the service will cost Nottingham City Council approximately £30,000 per year (based on previous spend). The role of the Appropriate Adult in police stations is to provide support for children and young people aged 10-17 whilst they are detained in police custody. Often a family member or friend will act as an Appropriate Adult and assist the detained person. However, in the circumstances when this is not possible, or the police consider that it is not in the best interests of the person detained, the police may then request an Appropriate Adult from an appropriate adult service in accordance with the Police and Criminal Evidence Act 1984 (PACE).

The key role of the service is to provide an Appropriate Adult for the purposes of accompanying a person at a police interview regarding their involvement or suspected involvement in a criminal offence or offences, or when that person is charged with an offence or offences. The Appropriate Adult has a responsibility to ensure that the detained person:

- a) Understands their rights.
- b) Understands what is happening throughout the interview.
- c) Is able to participate in a properly conducted interview where information is safely obtained.

The procurement of a service through a competitive tender process is recommended in order to secure the best value for Nottingham's citizens.

Other Options Considered: Decommissioning the service was not considered as the service is statutory. The option for Nottingham City Council to manage the procurement was considered, but rejected due to the County Council being the lead for the current joint contract, therefore best placed to manage the process efficiently.

Background Papers: Revised code of practice for the detention, treatment and questioning of persons by Police and Police Officers, Code C 2018, contained within the Police and Criminal Evidence Act 1984 (PACE).
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/729842/pace-code-c-2018.pdf

Published Works: None.

Affected Wards: Citywide

Colleague / Councillor Interests: None

Consultations: The service is statutory and those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

The service is statutory and enables young people to be accompanied at a Police interview regarding their involvement or suspected involvement in a criminal offence or offences, or when that person is charged with an offence or offences.

Equality:

EIA not required. Reasons: The service is a demand-led statutory service, there are no equalities implications as delivery at the point-of-access will remain unchanged.

Decision Type:

Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

18/02/2019

Advice Sought:

Legal, Finance, Procurement, Other: Shelley Nicholls(shelley.nicholls@nottinghamcity.gov.uk)

Legal Advice:

This report does not raise any significant legal issues. As the procurement and contract management is being undertaken by the County Council it is advisable to put in place a contract or SLA between the City Council and County Council to document those arrangements and safeguard the City Council's position.

Advice provided by Andrew James (Team Leader Contracts and Commercial) on 18/12/2018.

Finance Advice:

It is proposed to jointly procure the Appropriate Adult Service with Nottinghamshire County Council for up to five years, with effect from 1st June 2019. Nottinghamshire County Council will lead on the procurement process.

It is estimated that the cost of the new contract will be £30,000 per annum, which would be £150,000 over the maximum five years of the contract.

There is provision with the Family Community Teams budget to fund this contract.

Advice provided by Christine Green (Senior Commercial Business Partner) on 16/01/2019.

Other Advice:

This is a statutory requirement for Nottingham City Council.

Advice provided by Shelley Nicholls (Head of Early Help Services DCIS) on 16/01/2019.

Procurement Advice:

The proposed procurement of an Appropriate Adults Service contract is to be undertaken jointly with Nottinghamshire County Council through a compliant tender process to be led by the County Council. Therefore this decision is supported from a procurement perspective and the Nottingham City Council Procurement Team will engage with this process as required.

Advice provided by Jo Pettifor (Procurement Team Manager) on 12/12/2018.

Signatures

David Mellen (PH Early Intervention and Early Years)

SIGNED and Dated: 06/02/2019

Alison Michalska (Corporate Director for Children and Adults)

SIGNED and Dated: 05/02/2019