

TO: EXECUTIVE MEMBER FOR CHILDREN YOUNG PEOPLE & LEARNING  
30 JULY 2018

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**CONTRACT AWARD FOR SPEECH & LANGUAGE (SALT) SERVICES  
(Director of Children, Young People & Learning)**

**1 PURPOSE OF DECISION**

- 1.1 The current contract for Speech & Language Therapy is due to expire on 31st August 2018, having been extended beyond its original expiry date of 31<sup>st</sup> March 2018. The purpose of the extension was to allow sufficient time for the council to work together with Slough Borough Council to jointly procure a new contract.
- 1.2 A full competitive tendering exercise has been carried out. The tender process was led by Slough Borough Council with representatives of Bracknell Forest forming part of the evaluation. The tender process has been divided into Lots for each council, with Bracknell Forest being Lot 2.
- 1.3 An Invitation to Tender was published on the South East Shared Services Procurement e-Sourcing portal on the 14th May 2018 seeking tenders for the provision of speech and language therapy services.
- 1.4 An urgent decision process is being used to make this decision. This is because, despite running a lawful and thorough procurement process, officers in the council did not follow internal procedure for procurement decision of this size. This meant that we did not complete a Procurement Plan at the start of the process or make provision for the 28 day forward plan prior to a decision. The urgent decision is needed in order that we can award the contract, maintaining essential provision and avoiding the need to run another procurement process.
- 1.5 The current value of the contract is approximately £250k per annum.
- 1.6 Following advertising, a robust evaluation of tenders submitted was carried out. The purpose of this report is now to seek approval to award the new contract due to start on 1 September 2018.

**2 RECOMMENDATION**

- 2.1 **That the Speech & Language Therapy Contract due to commence on 1 September 2018 be awarded to Tenderer A.**

**3 REASONS FOR RECOMMENDATION**

- 3.1 To ensure that the Council has an effective and reliable provider of speech and language therapies in place to meet the needs of children and young people.
- 3.2 Failure to award this contract would result in a disruption of service as the current contract has already been extended to allow for a robust procurement process to take place.

- 3.3 This links to Council Objectives which include that people have the life skills and education opportunities they need to thrive.

#### **4 ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 An alternative option would have been to provide the service in-house. However this was discounted because of the specialist nature of skills required and the need for a provider with sufficient expertise.
- 4.2 We did not consider the option of terminating the service because of the essential impact that it has upon children, and through prevention the long term positive impact it has upon council budgets.

#### **5 SUPPORTING INFORMATION**

- 5.1 Speech and language therapy (SaLT) can help children learn to communicate effectively with others and learn to solve problems and make decisions independently. Communication with peers and educators is an essential part of a fulfilling educational experience. Those children who are able to overcome communication issues feel a great sense of pride and confidence. Often though children with speech and language and communication difficulties maybe withdrawn socially, but with the help of therapy and improved confidence, they can enjoy a fully active social life.
- 5.2 In Bracknell Forest, there is a need to provide high quality speech and language therapy services across Education settings, Mainstream schools and in its Early Year's settings along with stringent performance and contract management arrangements.
- 5.3 In order to ensure the delivery of optimal service quality and best value for money, Slough Borough Council and Bracknell Forest have agreed to jointly commission this service and invited tenders for the provision of speech and language services.
- 5.4 A contract management framework will be drawn up with a schedule of joint contract meetings and individual Performance meetings for each Council to be agreed with the successful Provider for inclusion in the contracts.
- 5.5 In evaluating the tenders, the Councils sought the Most Economically Advantageous Tender (MEAT). Tenders were evaluated against Quality and Price to the prescribed weighting below:

<b>Criteria</b>	<b>Weighting</b>
Quality	80%
Price	20%

- 5.6 In order to establish a robust evaluation process of the Quality part of the submission, a tender evaluation panel was created comprising panel members from both Councils, with an independent chair in place to ensure correct protocols were followed. Each of the three tenderers was invited to deliver a presentation in support of their submission to the Tender Evaluation Panel. These were delivered on 29<sup>th</sup> June 2018 during which the panel members noted the areas met against the award criteria and moderated the scores they awarded for each question.

- 5.7 Tenderer A scored first on quality and second on cost for provision of speech and language therapy. A short-list of 3 tenderers were interviewed on 8 November 2017 to allow the evaluation team to confirm their understanding of the bids submitted and to validate their scoring. No scores were changed by the team following the interviews.
- 5.8 As the service supports the educational requirements of high needs children, the contract is funded through the Schools Budget and not general council resources.

## **6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

### Borough Solicitor

- 6.1 The procurement has been undertaken in compliance with the requirements of the Public Contract Regulations 2015. However, as set out in the report internal processes relating to inclusion on the Executive Forward Plan were inadvertently overlooked and in order to ensure that the decision can be signed off in good time for contract commencement the urgency procedure has had to be utilised. Legal advice has been provided in this regard.

### Borough Treasurer

- 6.2 The Borough Treasurer is satisfied that based on current demand for the service sufficient resources are available in the High Needs Block to fund the proposed award of contract.

### Equalities Impact Assessment

- 6.3 The project team included equality consideration throughout all stages of this service re-procurement. As a renewal of an existing service rather than a substantial service re-design this did not include a full EQIA.

### Strategic Risk Management Issues

- 6.4 The evaluation team has determined that Tenderer A is a properly constituted and experienced organisation with appropriate finances in place to support the life of the Contract.
- 6.5 If this decision is not taken, using the Urgent Decision Procedure then Slough Borough Council will be forced to proceed to award without Bracknell Forest as a signatory. This in turn would mean that the council would need to independently re-start a procurement process, and would mean that service provision in Bracknell Forest would be disrupted.
- 6.6 Even accepting the use of the Urgent Decision Procedure the contract award will leave a small amount of time for contract mobilisation. It will be important for both councils to work closely with the successful tenderer to ensure a smooth transition to the new contract.

## 7 CONSULTATION

### Principal Groups Consulted

- 7.1 The Tender Evaluation Team was drawn from the Slough Borough Council and Bracknell Forest Council. From Bracknell Forest this included the Strategy & Development Manager Under 5s, and the Virtual Headteacher for Vulnerable Pupils.

### Background Papers

- Confidential Annexe hereto

### Contact for further information

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