

DECISION NUMBER: PCCG-2019-035

OFFICE OF THE POLICE AND CRIME COMMISSIONER

LEAD CHIEF OFFICER:	Nigel Stephens, Assistant Chief Officer Resources
TITLE:	Tender for Women's Pathfinder Whole System Approach and 18-25 Early Intervention
DATE:	12th June 2019
TIMING:	Urgent
PURPOSE:	For decision

1. RECOMMENDATION

1.1 In accordance paragraph 84 - 86 of the Manual of Corporate Governance Part 3e –Standing Orders Relating to Contracts it is recommended to provisionally Award Lot 1 and 2 of the Tender to **Women's Pathfinder Whole System Approach and 18-25 Early Intervention** to Future 4 for a period of 2 years with the option to extend for a further 2 years.

2. INTRODUCTION & BACKGROUND

2.1 The Police and Crime Commissioner for Gwent on behalf of himself and the Police and Crime Commissioner for South Wales has conducted a collaborative tender for the Provision of Women's Pathfinder Whole System Approach and 18-25 Early Intervention service. The collaboration also includes Her Majesty's Prisons and Probation Service (HMPPS) and Welsh Government who are not contracting parties of the service but are providing finance and resources for the service.

The tender was separated into 2 LOTS. Lot 1 – Gwent Police, Lot 2 – South Wales Police.

2.2 Currently the 18-25 Early Intervention Service is known under two different schemes – 18-25 Diversion Triage and 18-25 Divert and is only currently live in South Wales.

The Police and Crime Commissioner for South Wales first established the 18-25 Diversion Triage-scheme in 2005. Initially the scheme was piloted in Cardiff Bay Custody Centre and subsequently rolled out to Swansea and Bridgend Custody Centres.

The 18-25 Divert scheme covers Rhondda Cynon Taf and Merthyr.

The 18-25 Early Intervention Service shall supersede the 18-25 Diversion Triage and the 18-25 Divert schemes.

The Police and Crime Commissioner for Gwent does not currently have any schemes for 18-25 Diversion. This is a new scheme.

2.3	<p>The current Women's Pathfinder service is available in both forces but is very fragmented with different pilots and schemes running across different areas.</p> <p>The scheme has been led by Her Majesty's Prisons and Probation Service (HMPPS) in Wales, the four Police Forces and four Police and Crime Commissioners in Wales with support from Welsh Government and a wide range of other partners, in particular female focussed third sector agencies already delivering local services.</p> <p>The requirement was to establish a common service in both forces and provide whole system approach across all pathways of the Criminal Justice System.</p>
2.4	<p>The four Police and Crime Commissioners within Wales are members of the Women in Justice Programme. The Deputy Police and Commissioner for South Wales, who is the Senior Responsible Officer for this programme, formally wrote to all Police and Crime Commissioners in Wales to establish if they wished to be involved in this commissioning project. The Police and Crime Commissioner for North Wales and the Police and Crime Commissioner for Dyfed Powys confirmed that they wished to remain members of the program but they did not want to form part of the commissioning group or part of the tender exercise.</p>
<u>ISSUES FOR CONSIDERATION</u>	
3.1	<p>An open Official Journal of the European Union (OJEU) advert was published (OJEU REF: 100872-2019 (2019/S 044-100872) on 24th February 2019 with an initial closing date of 29th April 2019 (This was later extended to the 1st May 2019). The procurement exercise was completed on the E Tender Wales web system. 33 organisations accessed the document on the system.</p> <p>4 organisations declined to respond.</p> <p>We received TUPE data requests and signed Confidentiality Agreements from 7 organisations.</p>
3.2	<p>Two bids were received for Lot 1 - Gwent Police.</p> <p>Bid 1 - Future 4 - Consortium made up of G4S, Include, Llamau and Safer Wales.</p> <p>Bid 2 – Newport Women's Aid in collaboration with St Giles Trust.</p>
3.3	<p>Two bids were received for Lot 2 - South Wales Police.</p> <p>Bid 1 - Future 4 - Consortium made up of G4S, Include, Llamau and Safer Wales.</p> <p>Bid 2 - Beacon Group - Consortium made up of Calan DVS, Atal Y Fro, Cardiff Women's Aid, Media Academy.</p>
3.4	<p>The Evaluation Criteria was set at</p> <p>Commercial Response (Price) – 30%</p> <p>Technical Response - 60%</p>

	Presentation – 10%
3.5	<p>Evaluation of the Technical and Commercial Responses took place on Wednesday 8th May 2019.</p> <p>The evaluation panel consisted of the following representatives:</p> <p>Head of Criminal Justice and Information Services, Gwent Police</p> <p>Principal Finance & Commissioning Manager, Police and Crime Commissioner for Gwent</p> <p>IOM Cymru Women's Pathfinder Project Manager, HMPPS</p> <p>Women In Justice Programme Manager, HMPPS</p> <p>Operations and Policy Manager, South Wales Police</p> <p>Strategic Policy Lead for Youth Justice and Young Adults, Police and Crime Commissioner for South Wales</p> <p>At the conclusion of this stage of the evaluation both suppliers who bid for Lot 1 moved on to the presentation stage.</p> <p>For Lot 2 the Beacon Group could not mathematically be ranked Number 1 for this lot even if they scored full marks for the presentation and Future 4 obtained a zero score. The decision was made by the Evaluation Panel not to invite Beacon to present (this scenario was identified and communicated in the tender document).</p>
3.6	<p>The presentations from Future 4 and Newport Women's Aid/St Giles Trust took place on Thursday 23rd May 2019.</p> <p>The evaluation panel consisted of the following representatives:</p> <p>Head of Criminal Justice and Information Services , Gwent Police</p> <p>Principal Finance & Commissioning Manager, Police and Crime Commissioner for Gwent</p> <p>IOM Cymru Women's Pathfinder Project Manager, HMPPS</p> <p>Women in Justice Programme Manager, HMPPS</p> <p>Strategic Policy Lead for Youth Justice and Young Adults, Police and Crime Commissioner for South Wales</p>
3.7	Based on the criteria detailed in 3.4, Future 4 provided for the Most Economic Advantageous Tender for Lot 1 and Lot 2.
4.	<u>NEXT STEPS</u>
4.1	Upon approval of this report, in accordance with the Public Contract Regulations and Paragraph 89 of Force Manual of Governance Part 3e – Standing Orders Relating to Contracts all unsuccessful bidders who submitted a bid will be issued with a feedback letter that also contains details of the ten

	day standstill period notifying them of our intention to award. The letters shall be sent via the E-Tender Wales web portal.																												
4.2	The preferred bidder shall receive an Intent to Award letter detailing the possibility of a legal challenge from an unsuccessful bidder.																												
4.3	Once the ten-day standstill period has ended and if there has been no legal challenges raised then a formal award shall be sent to the preferred bidder.																												
5.	<u>FINANCIAL CONSIDERATIONS</u>																												
5.1	Two years funding (money and resources) for this service has been provided by Welsh Government, Police and Crime Commissioner for Gwent, Police and Crime Commissioner for South Wales and HMPPS. The parties will have to agree if this funding will be available beyond the initial two years contract period. If funding is available then the contract provides for a two year extension.																												
5.2	The annual funding for Women's Pathfinder Whole System Approach element of the contract is : <table border="1" data-bbox="300 891 1428 1438"> <thead> <tr> <th>PARTNER</th> <th>Policing %</th> <th>%</th> <th>COST</th> </tr> </thead> <tbody> <tr> <td>HMPPS in Wales</td> <td></td> <td>24</td> <td>£314,042</td> </tr> <tr> <td>Welsh Government</td> <td></td> <td>29</td> <td>£370,205</td> </tr> <tr> <td>Policing</td> <td></td> <td>47</td> <td>£604,669</td> </tr> <tr> <td>TOTAL</td> <td></td> <td>100</td> <td>£1,288,916</td> </tr> <tr> <td>South Wales PCC</td> <td>73</td> <td>36%</td> <td>£441,408</td> </tr> <tr> <td>Gwent PCC</td> <td>27</td> <td>13%</td> <td>£163,261</td> </tr> </tbody> </table>	PARTNER	Policing %	%	COST	HMPPS in Wales		24	£314,042	Welsh Government		29	£370,205	Policing		47	£604,669	TOTAL		100	£1,288,916	South Wales PCC	73	36%	£441,408	Gwent PCC	27	13%	£163,261
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5.3	The Police and Crime Commissioners provide the funding for the 18-25 Early Intervention element of the contract. The Police and Crime Commissioner for Gwent is providing £140,000 per annum. The Police and Crime Commissioner for South Wales is providing £230,000 per annum.																												
5.4	The Tendered Costs for the 2 year initial term are: Lot 1 – Gwent Police Year 1 and 2 Cost Future 4 - £82,6752.43 Newport Women's Aid - £58,5424																												

	<p>Lot 2 – South Wales Police Year 1 and 2 Cost Future 4 - £1,919,282.30 Beacon Group - £1,919,859.40</p> <p>Future 4 have indicated in their response that there may be small savings should they be successful in both lots.</p>
6.	<u>PERSONNEL CONSIDERATIONS</u>
6.1	TUPE is applicable to this contract. If the decision to award to Future 4 is approved then a TUPE transfer will take places from both Force's incumbent suppliers.
7.	<u>LEGAL IMPLICATIONS</u>
7.1	This tender was reviewed by the Force Legal Services Department who drafted the Terms and Conditions for the contract.
8.	<u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u>
8.1	This proposal has been considered against the general duty to promote equality, as stipulated under the Strategic Equality Plan and has been assessed not to discriminate against any particular group.
8.2	In preparing this report, consideration has been given to requirements of the Articles contained in the European Convention on Human Rights and the Human Rights Act 1998.
9.	<u>RISK</u>
9.1	<p>There could be a reduction in the rate that people are not reoffending through the loss of service provision. The current schemes in place have resulted in an increase of 26% of people who do not go on to re-offend.</p> <p>This whole system approach will work on increasing the percentage of people not reoffending even higher.</p>
9.2	If the contract is not awarded and the services are not available then there will be a risk that the rate of people re-offending will return back to the rate they were before the current schemes were put into place and potentially increase even higher.
9.3	There may be reputational damage for the Police and Crime Commissioner for Gwent within the Women In Justice Program as they have previously agreed that they will be part of the Commissioning Group for this service and have led the procurement process.
10.	<u>PUBLIC INTEREST</u>
10.1	This decision is not to be made public until after the standstill period has finished and the contracts have been signed.

10.2	Details of the value of bids and the funding breakdown should not be made public. They may be considered as commercially sensitive information.
11.	<u>CONTACT OFFICER</u>
11.1	Sian Gunner, Head of Procurement
12.	<u>ANNEXES</u>
12.1	None.

For OPCC use only

Office of the Chief Constable

I confirm that Tender Award for FILE 1239 – Tender for Women's Pathfinder Whole System Approach and 18-25 Early Intervention report has been discussed and approved at a formal Chief Officers' meeting.

It is now forwarded to the OPCC for approval purposes.

Signature:



Date: 18.06.2019

Police and Crime Commissioner for Gwent

I confirm that I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct.

The above request has my approval.

Signature:



Date:

28/6/19

