

DATE: JULY 7TH 2016

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| Executive Board Member: | Portfolio: |
| Cllr. David Jenkins | Resources |

Subject: Flying Start (Children & Education Dept) – Monitoring Officer and Section 151 Officer Exception Reports/Flying Start Childcare Provision

Purpose: Approval required to comply with CPR Condition 5.3

Recommendations / key decisions required:

An exemption report (attached) was submitted to S151 officer in April 2016 seeking permission to offer a contract to a 2nd placed nursery provider (Serendipity Nursery) in the new purpose built Flying Start facility in Pembrey, in light of the closure of the 1st placed provider, who ceased to trade. It was also requested that Serendipity Nursery be offered the contract to align to the contract duration of the forthcoming renewal and re-commissioning of the other existing childcare contracts (up to 30th September 2020), but only be extended on an annual basis (subject to availability of grant funding). Moreover, it was requested to allow them the opportunity to review their costs to deliver the Flying Start services, from the new Flying Start childcare facility at Pembrey Primary School (Exception and Waiver to the Requirements of Competition – Contract Procedure Rules, Clause 5.3). The S151 officer and Head of Administration and Law have already tentatively approved this exemption on 09/06/2016.

Reasons:

In order to safeguard the physical asset and prevent claw back to the authority due to the Welsh Government capital grant terms and conditions, which states the venues has to be available to deliver Flying Start services for a minimum of 5 years. Due to the nature of childcare service, in order to open to children all venues are required to become registered by Care and Social Services Inspectorate for Wales (CSSIW), which is a lengthy process in normal circumstances. However, following many delays the registration process for this venue took longer, and was not opened until 18 months from the contract being awarded. Subsequently the agency ceased trading after only being open for one month, on 29th January 2016, this year. Contingency arrangements have already had to take place to continue to offer care to children off site, without a gap in service, and a re-tender would further delay the award of contract. This also lengthens the time the purpose built childcare facility remains empty and unused, which could also increase the risk of claw back by Welsh Government funders. Additionally, it could potentially limit the childcare entitlement of 2-3 year olds in the Pembrey ward, should we have to undertake a length re-tender for this ward. This would have a direct impact on the monitoring of the programme and potentially the revenue grant awarded to the authority to fund the childcare element. These are further outlined in exemption report (re-attached).

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| Directorate Education & Children Name of Head of Service: Stefan Smith Report Author: Nia McIntosh | Designation Flying Start Planning & Performance Manager | Tel No. 01554 742447 (2468) E Mail Address: NMclntosh@carmarthenshire.gov.uk |
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Declaration of Personal Interest (if any):

None

Dispensation Granted to Make Decision (if any):

N/A

(If the answer is yes exact details are to be provided below :)

DECISION MADE:

Signed:

DATE: _____

EXECUTIVE BOARD MEMBER

The following section will be completed by the Democratic Services Officer in attendance at the meeting

| Recommendation of Officer adopted | YES / NO |
|---|----------|
| Recommendation of the Officer was adopted subject to the amendment(s) and reason(s) specified: | |
| Reason(s) why the Officer's recommendation was not adopted: | |

EXECUTIVE SUMMARY

Executive Board Member for Resources – Decisions Meeting 7th July 2016

Flying Start, Children and Education – Monitoring Officer & Section 151 Officer Exception Reports/Childcare Provider Exemption

- The Flying Start programme procures the childcare services in order to deliver the key entitlement of the wider programme, free sessional childcare for 2-3 year olds in Flying Start wards across the county, for 2.5 hours a day, 5 days a week, for up to 42 weeks of the year.
- An exemption was requested seeking permission to offer a contract to a 2nd placed nursery provider (Serendipity Nursery) in the new purpose built Flying Start facility in Pembrey primary School, in light of the closure of the 1st placed provider, who ceased to trade, who were appointed via an open and transparent competitive tender exercise previously.
- The existing arrangements which cover the procurement of the current childcare services are due to expire in September 2016 and approval is sought to extend the existing arrangements with Serendipity Nursery to align to the contract duration of the forthcoming renewal and re-commissioning of the other existing childcare contracts (up to 30th September 2020), but only be extended on an annual basis (subject to availability of grant funding).
- It was also requested to allow Serendipity the opportunity to review their costs to deliver the Flying Start services, from the new Flying Start childcare facility at Pembrey Primary School (Exception and Waiver to the Requirements of Competition – Contract Procedure Rules, Clause 5.3).

DETAILED REPORT ATTACHED?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **Nia McIntosh**

Flying Start Planning & Performance Manager

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|-----------------------------|-------------|------------|-------------|------------------------|----------------------------|-----------------|
| Policy and Crime & Disorder | Legal | Finance | ICT | Risk Management Issues | Organisational Development | Physical Assets |
| NONE | NONE | YES | NONE | YES | NONE | YES |

1. Finance

- Relocating the childcare into the Flying Start facility would reduce the overheads and revenue spent in respect of this Flying Start ward, as currently we have to pay all the maintenance and upkeep of the empty facility, in addition to childcare charge which is currently being delivered off site, thus making it not cost effective whilst it remains empty and gives no value for money.
- The overall cost per child will decrease when the provider is located in the purpose built facility, as we would not be expected to pay towards the rental, utility charges in the private venue as we currently are (on top of the running costs of the empty Flying Start cabin). This would avoid duplication and streamline the costs, evidencing value for money.
- The ability to being exempt from re-commissioning services for this area, would reduce costs, and would ensure no more delays to the occupation of the facility to deliver the core entitlement of the Flying Start children in Pembrey.

2. Risk Management Issues

- Failure to occupy the purpose built Flying Start facility could result in claw back to the authority in relation to the Welsh Government capital grant used to create the establishment.
- If agreed, CSSIW registration could be progressed, with a view to the venue being open to children from Autumn 2016 school term. If we delay and coincide with the re-commissioning tender (due from 1st October 16), and progress CSSIW registration from the contract award stage, at that time, we would expect to see the facility being empty and a longer delay in providing services until at least early 2017.

3.Physical Assets

- Failure to adequately adhere to Welsh Government capital terms and conditions in relation to the physical asset could jeopardise the risk of claw back to the authority.
- Would ensure the venue is adequately maintained, to ensure that it is kept in a good state of repair and is fit for purpose. Failure to maintain this asset could lead to deterioration of the venue, and affect the value of the establishment. Also children' care will be delivered from an off site venue, thus not maximising the potential of the purpose built facility for 2-3 year olds, which is designed to aid their child development.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Nia McIntosh

Flying Start Planning & Performance Manager

1. Scrutiny Committee

N/A

2.Local Member(s)

N/A

3.Community / Town Council

N/A

4.Relevant Partners

N/A

5.Staff Side Representatives and other Organisations

N/A

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

There are none

| Title of Document | File Ref No. | Locations that the papers are available for public inspection |
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