

Finance and Resources Committee

10am, Thursday, 20 May 2021

Award of Edinburgh and Midlothian Offending Recovery and Support Service

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 It is recommended that the Finance and Resources Committee
 - 1.1.1 Notes the award of the contract for the Edinburgh and Midlothian Offending Recovery and Support Service (EMORSS) to Change Grow Live (CGL) by the Head of Safer and Stronger Communities in consultation with the Convener and Vice-Convenor of the Committee under urgency provisions set out in paragraph 4.1 of the Committee Terms of Reference and Delegated Functions.
 - 1.1.2 Notes the period of contract is from 26 April 2021 to 25 April 2024 with option to extend annually for a further two years. The estimated value of this contract is £2,076,835 (inclusive of extension options).

Jackie Irvine

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Award of Edinburgh and Midlothian Offending Recovery and Support Service

2. Executive Summary

- 2.1 Due to delays in finalising the NHS Health Needs Assessment (HNA) report to inform the requirement, the timeline for this project was impacted.
- 2.2 The contract for EMORSS was awarded under urgency provisions, on Tuesday 13 April 2021, with the contract taking effect from 26 April 2021. This facilitated the NHS Lothian remand pilot project (Appendix 1) being implemented with minimal delay; and the Council achieving best value and savings identified in paragraph 6 with minimal delay.

3. Background

- 3.1 The first generation contract for this service was implemented following a review and extensive consultation with a broad range of partners (City of Edinburgh Council, Midlothian Council, NHS Lothian, Police Scotland, legacy Lothian and Borders Community Justice Authority, SPS (Scottish Prison Service) and third sector partners).
- 3.2 Following this consultation, the funding partners commissioned an Offender Recovery Service (EMORS) for people, over the age of 18, from Edinburgh and Midlothian, serving sentences in Scottish prisons.
- 3.3 The majority of those are released from HMP Edinburgh and HMYOI Polmont. This Service has provided continuity of care from community services, to inside prison and back into the community. It has brought together the following services under one contract:
 - 3.3.1 Arrest Referral;
 - 3.3.2 Prison treatment and support; and
 - 3.3.3 Voluntary Throughcare.
- 3.4 The model provides complete continuity of care across the three key areas identified in the justice pathway, as per 3.3.

- 3.5 The service works with men and women in the justice system assisting them to address their unmet needs including addictions, financial difficulties, poor mental and physical health, and supports them to move away from their offending behaviour.
- 3.6 The previous contract for EMORSS was put in place in April 2014 for a period of three years, with the option to extend for an additional two years. The successful supplier was Lifeline Project Ltd.
- 3.7 Lifeline Project Ltd provided this service from April 2014 until they went into administration (June 2017). To ensure continuity of service provision, CGL were appointed to continue providing the services.
- 3.8 A waiver was approved in November 2018 which extended the Contract with CGL from 1 April 2019 to 31 March 2020. The waiver was required due to uncertainty regarding funding for the service beyond 31 March 2020 from one of the contributing parties. The contract with CGL was subsequently extended to the 22 April 2021.
- 3.9 The service is funded by three commissioning partners; the Council, NHS Lothian and Midlothian Council. The Council's contribution is paid for by criminal justice services whose budget is funded by the Scottish Government through a ring-fenced grant under Sections 27A and 27B of the Social Work (Scotland) Act 1968.
- 3.10 Historically the funding contribution is broken down as follows (Per annum):
 - 3.10.1 The Council's Justice Services contribute £311,279;
 - 3.10.2 Midlothian Council Justice Services contribute £15,150; and
 - 3.10.3 NHS contribute £176,697.
- 3.11 Prior to the new contract being advertised, stakeholders identified opportunities to streamline and increase efficiencies with regards to service delivery. It was agreed that the changes identified would be included and implemented in the revised specification, as detailed in Appendix 3.

4. Main report

- 4.1 A prior information notice (PIN) was published via Public Contract Scotland (PCS) on 30 July 2020, which attracted eight notes of interest.
- 4.2 A briefing note was issued via the PIN on PCS on 23 November 2020 which advised the market of amendments in the specification for the new contract, as per Appendix 3.
- 4.3 These amendments were agreed by partners with the intention of producing a more efficient and streamlined service for both the service provider and service users. By operating a more streamlined and efficient service, the Council will seek to improve service delivery while realising savings through this contract.
- 4.4 A contract notice was issued via PCS on 2 February 2021, with a return date of the 3 March 2021. Ten bidders noted interest in the contract notice.

- 4.5 Two bids were received via PCS. Commercial and Procurement Services (CPS) then undertook due diligence checks on the bids received including financial stability checks and criminal history checks (undertaken in liaison with Police Scotland). Both bidders passed these checks.
- 4.6 The bidders were evaluated against a Quality/Cost ratio of 65/35. The project team decided it was appropriate to allocate a higher evaluation weighting to the quality aspect of the evaluation. This was due to the complex and specific nature of the Council’s requirements, as well as the importance of high-quality submissions being received to provide assurance with regards to effective service delivery and service user experience.

Contractor	Quality Score % (Max 65%)	Price Score % (Max 35%)	Overall Score %
CGL	51.19	35.00	86.19
Bidder B	39.33	35.00	74.33

- 4.7 Due to the reduction in funding, the Council chose to publish the available budget for this contract. This was to ensure that bidders were aware of the budgetary pressures and to facilitate the Council receiving bids within the available budget.
- 4.8 Both bidders provided the same pricing proposal, which were both within budget. Tenders were evaluated by suitably qualified Council Officers from Safer and Stronger Communities. The evaluation process was overseen by CPS. A summary of the Tendering and Tender Evaluation Processes is included in Appendix 2.

5. Next Steps

- 5.1 Representatives from CGL and the Council will agree an implementation and delivery plan for CGL’s proposed community benefits, summarised at section 7.2.
- 5.2 The Contracts and Grants Management team (CAGM) will engage with the Safer and Stronger Communities (SSC) Contract Manager to ensure that effective contract management is delivered throughout the contract lifecycle. A Contract Management and Handover Report, detailing the necessary steps and measures, will be produced and agreed. It is envisaged that proactive contract management by SSC (to include robust monitoring of all appropriate management information, key performance indicators) will help deliver an effective and efficient service for the city of Edinburgh throughout the duration of the contact.

6. Financial impact

6.1

Funding partner	Year 1 2021/22	Year 2 2022/23	Year 3 2023/24	Year 4 2024/25	Year 5 2025/26

City of Edinburgh Council	£207,520	£207,520	£207,520	£207,520	£207,520
Midlothian Council	£15,150	£15,150	£15,150	£15,150	£15,150
NHS Lothian	£216,697	£216,697	£176,697	£176,697	£176,697
	Total £439,367	Total £439,367	Total £399,367	Total £399,367	Total £399,367

- 6.2 The NHS is contributing an additional £40,000 per annum in year's one and two of the contract, to fund a pilot initiative providing additional health support to people on remand in HMP Edinburgh detailed in Appendix 1.
- 6.3 Anticipated savings due to this award total £518,795.

7. Stakeholder/Community Impact

- 7.1 CGL are an accredited living wage supplier and have committed to paying workers involved in the delivery of EMORSS the real living wage.
- 7.2 CGL have provided assurances with regards to the staff used on this contract, particularly with regards to zero hours contracts not being utilised. CGL have also evidenced a recruitment pathway which provides support and equal access for people with convictions.
- 7.3 A named representative from CGL will liaise with the Council's contract manager to ensure effective delivery of Community Benefits. The community benefits offered include opportunities for local employment, community engagement, use of local supply chain and increased use of sustainable waste management measures.

8. Background reading/external references

- 8.1 N/A.

9. Appendices

- 9.1 Appendix 1 – Pilot Information.
- 9.2 Appendix 2 – Summary of Tendering and Tender Evaluation Processes.
- 9.3 Appendix 3 – Summary of Contract Service Delivery Revisions.

Appendix 1 – Pilot Information

For the first two years of the contract, the service will provide a dedicated resource to people on remand in HMP Edinburgh to improve engagement and uptake of services. This will be in partnership with other agencies to develop effective pathways that better meet their needs. This will be piloted for two years funded by the Edinburgh Alcohol and Drugs Partnership. This is one of the recommendations from the 2019 NHS Lothian report which reviewed the addiction pathway for drug and alcohol treatment in HMP Edinburgh.

During the first two years of the contract, the Provider will pilot a service for people on remand to ensure that they are fully supported. The Service will appoint a dedicated worker and have access to a peer supporter to engage with the remand population; this will be an opportunistic, flexible and responsive resource to pro-actively and creatively support them.

As part of the two year pilot, the Service will work with SPS and the NHS to improve access to those on remand and establish consistency in supporting this group. Where high numbers of referrals are received, the Service will prioritise contacting and supporting those on remand to link them into community addictions services.

The Provider will review the Remand Pilot Project on a quarterly basis and report on the implementation, uptake and effectiveness.

Appendix 2 - Summary of Tendering and Tender Evaluation Processes

Contract	Edinburgh and Midlothian Offending and Recovery Support Service.		
Contract Period	Three years with the option to extend up to an additional two years.		
Estimated Total Contract Value	3 Years - £1,280,000 5 Years - £2,076,835 (If extension utilised).		
Procurement Route	Light Touch Procedure via Public Contract Scotland		
Tenders returned	Two		
Recommended Supplier	CGL		
Price / Quality Split	Price 35%	Quality 65%	
Quality Evaluation Criteria and Weightings	Implementation Plan and Staffing		15%
	Service Provision		20%
	Service Provision - Accessing the Service		15%
	Contract Delivery & Peer support		8%
	Partnership working and Interventions		15%
	Quality assurance		10%
	Business continuity		5%
	Fair Work Practices		5%
	Fair Work Management Information		For info Only
Community Benefits		7%	
Evaluation Team	Three Council Officers from Safer and Stronger Communities.		

Appendix 3 - Summary of Contract Service Delivery Revisions

	Current provision under EMORS	Amendments under new EMORSS contract
Arrest referral	EMORS offers support to those who have been arrested and are in custody both at Edinburgh Sheriff Court (Tuesday to Friday mornings), and at St. Leonard's Police Station (Wednesday, Thursday and Sunday afternoons). Referrals come from various sources including police custody staff and social work staff.	The Council's court, bail and diversion social work team will take over the offering of support to individuals in custody at Edinburgh Sheriff Court. The staff are already on-site Monday to Friday, conducting welfare checks with those in the cells therefore, incorporating arrest referral will streamline service provision in this area. EMORSS will provide the service at St. Leonards Police Station, and support the court, bail and diversion team as required on an ad hoc basis.
Prison treatment	EMORS provides psychosocial support to people in HMP Edinburgh who are receiving NHS treatment for addictions.	EMORSS will provide support to those with addictions and prioritise working with the most vulnerable. This will include supporting the NHS with delivery of the remand pilot working with people on remand who have been identified as a particularly vulnerable group. EMORSS will be part of a governance panel to be set up in HMP Edinburgh to ensure consistency in psychosocial supports across custody, prison, and community settings. EMORSS will take the lead role in conducting custody reviews for any unallocated young people aged 18 to 20 years in HMYOI Polmont; ensuring they receive timely support.
Voluntary throughcare	EMORS offers assistance to those in prison to prepare for their release and supports their successful transition to the community on liberation. This could include support with housing, medication, mental health and linking into community-based services as required.	While the EMORSS will remain open for those who wish to access it, a more streamlined referral system will be introduced to allow greater targeting of the offer of support to the 'unallocated' (those who have no existing connection with a service). This will ensure that the most vulnerable are pro-actively offered a service and encouraged to engage with supports. This process will also reduce any duplication in referrals across the different services available to those in the justice system; supporting better outcomes for them.
Young people	EMORS supports people over the age of 18.	EMORSS target age group will continue to be those aged 18 and over however, it will pick up any 16 and 17 year olds who may not want to engage with the Council's Young People's Service, to assist with transition planning.

Remand pilot project	EMORS supports people on remand who are referred into the service, alongside the mainstream prison population.	An NHS led pilot project providing targeted treatment support to the remand population will be implemented at the start of the new contract and will operate for 2 years in the first instance.
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