

Leadership Advisory Panel

10.00am, Thursday, 23 April 2020

Waiver report for Edinburgh and Midlothian Offender Recovery Service (EMORS)

Executive/routine Wards Council Commitments	Executive All
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1. Recommendations

- 1.1 That the Leadership Advisory Panel approves the direct award of a six-month contract to Change Grow Live (CGL) for the continued delivery of the EMORS for the period 1 October 2020 to 31 March 2021.

Alistair Gaw

Executive Director for Communities and Families

Contact: Rona Fraser, Community Justice Senior Manager

E-mail: Rona.Fraser@edinburgh.gov.uk | Tel: 0131 529 3517

Waiver Report for Edinburgh and Midlothian Offender Recovery Service (EMORS)

2. Executive Summary

- 2.1 This report seeks approval for a waiver of Contract Standing Orders to allow the direct award of a contract to CGL to deliver the EMORS. The contract will enable the service, which supports people in the justice system, to continue uninterrupted from 1 October 2020 to 31 March 2021, pending the finalising of tendering arrangements for a new contract commencing on 1 April 2021.

3. Background

- 3.1 The EMORS delivered by CGL, provides complete continuity of care from community services (point of arrest), to inside prison, and back into the community. It supports service users to address their unmet needs and other issues that have contributed to their offending behaviour.
- 3.2 There is a waiver in place for the contract which expires on 30 September 2020. The Council intended to tender for a new contract to take effect from 1 October 2020 however, to ensure the contract provisions can be delivered within existing budgets, it is necessary to redesign certain aspects of community justice service provision. To facilitate this and allow time for a comprehensive contract review and reconfiguration exercise, this report seeks approval for a six-month waiver to extend the current contract's expiry to 31 March 2021.

4. Main report

- 4.1 EMORS works with men and women in the justice system in Edinburgh to support them move away from their offending behaviour. The service offers a continuum of support across three areas; from point of arrest, to inside prison, and back into the community. Service users are supported to address the contributory factors to their offending behaviour including for example, drug and alcohol use, financial difficulties, mental health, housing, and relationship issues.

- 4.2 Continuity of care is a key element of the service, as it allows service users to benefit from consistency of case worker and/or team across the three elements of an individual's justice journey mentioned above at 4.1. This in turn allows for the development of positive relationships between case worker and service user; supporting reducing reoffending and desistance.
- 4.3 The EMORS contract costs £503,126 per annum and is funded by three parties as follows;
- 4.3.1 Edinburgh Criminal Justice Services - £311,279
 - 4.3.2 Midlothian Criminal Justice Services - £15,150
 - 4.3.3 NHS Lothian - £176,697
- 4.4 During 2018/19, the NHS conducted a health needs assessment (HNA) in HMP Edinburgh to highlight gaps in service provision and establish clear pathways for prisoners accessing prison healthcare, including substance misuse services and psychosocial support. The findings of the HNA are key to shaping the new EMORS contract, as aspects of service delivery will be amended to take account of the report's recommendations.
- 4.5 The HNA findings were completed at the end of 2019 however, due to the delay in finalising the report, it has not been possible to conclude the comprehensive contract review within the timescales required to allow a new contract to commence on 1 October 2020.
- 4.6 Additionally, the Council is required to deliver services within existing budgets and to ensure its contracts deliver best value and maximum efficiency. To support this requirement, justice services are conducting an operational review of the EMORS and redesigning elements of the contract to ensure the continuity model is sustainable.
- 4.7 As stated at 4.3 above, the annual cost of the EMORS contract is £503,126 of which the Council's contribution is £311,279. The Council's contribution to a six-month waiver would therefore be £155,639.
- 4.8 The additional six months afforded by the waiver will ensure that there is sufficient time to fully develop a comprehensive revised service specification for the new tender and new contract, which incorporates service redesign and addresses the HNA recommendations.

5. Next Steps

- 5.1 The parties funding the EMORS will continue to develop the revised service specification and reconfigure service provision to ensure best value and service efficiency under the contract.

6. Financial impact

- 6.1 The cost to the Council for a six-month waiver from 1 October 2020 to 31 March 2021 is £155,639 paid for by Edinburgh Criminal Justice Services. These services are funded by the Scottish Government through a ring-fenced grant under sections 27A and 27B of the Social Work (Scotland) Act 1968. If this funding is not utilised it will need to be returned to the Scottish Government therefore, there is no financial impact on the Council.
- 6.2 The six-month waiver allows sufficient time for the Council to reconfigure the services provided so that best value and efficiencies are achieved under the new EMORS contract commencing on 1 April 2021.

7. Stakeholder/Community Impact

- 7.1 The EMORS provides valuable support to people in the justice system to address unmet needs, problematic substance use, and other issues to reduce their risk of offending. The link between offending behaviour/reoffending and poverty and inequality is well established therefore, the EMORS is a key contributor to equality of opportunity in supporting people, many of whom have experienced significant disadvantage, to improve their life chances.
- 7.2 The EMORS supports the public sector equality duty to foster good relations as it supports people who have committed offences to successfully reintegrate into the community for the benefit of all citizens.
- 7.3 The EMORS supports vulnerable individuals to access supports to address difficulties in their lives including offending behaviour, substance misuse, and housing issues. It also works with service users to build resilience and social capital, improve their health and wellbeing, and supports them towards financial inclusion. This work supports all three Council priorities highlighted in the [Edinburgh Partnership Community Plan 2018-28](#).
- 7.4 The EMORS contract will expire on 1 October 2020. A new contract will not commence until 1 April 2021 therefore, not having a waiver in place to cover the period 1 October 2020 to 31 March 2021 will lead to significant disruption to service provision supporting vulnerable people in the justice system. People who have been arrested and are in custody, those in prison, and those preparing for release and being rehabilitated into their communities, will not receive dedicated support; this will increase their risk of reoffending.

8. Background reading/external references

- 8.1 [Finance and Resources Committee Report](#), 11 October 2018, item number 7.15.

9. Appendices

9.1 None.