

Officer Decision Record – Executive Decision

If Key Decision: Decision Ref. No.

B000/22

If not a Key Decision write n/a above

OFFICER DECISION RECORD ⁱ

Officer Key Decisions are subject to the Council's Call-In Procedure (Annex 9 of the Council's Constitution <https://www.hertfordshire.gov.uk/about-the-council/freedom-of-information-and-council-data/open-data-statistics-about-hertfordshire/who-we-are-and-what-we-do/who-we-are-and-what-we-do.aspx>)

Subject: Provision of Supported Accommodation (Hostels) for Young People aged 16 to 25 years

Type of Decision: Executive

Key Decision (Executive Functions only): Yes

Executive Member/Committee Chairman: Teresa Heritage

Portfolio (Executive Functions only): Children, Young People and Families

Officer Contact: Simon Bidgood

Tel: 01438 844650

April 2020

1. **Decision**

This is formal notice pursuant to Regulation 10 (3) of the 2012 Regulations setting out the reasons why compliance with regulation 9 is impracticable with regard to the Single Tender Action (STA) Contracts/Providers Extension Of Contract.

A Contract extension / variation is being provided to the current 5 Providers, awarded for 1 year (1st April 2022 to 31st March 2023)

2. **Reasons for the decision**

The contract extension / variation has to be delivered from the 1 April 2022, as at present Children's Services are unclear with the anticipated release later this year by Ofsted on new regulations for this currently unregulated sector (hence the need for the extension / variation as we are unable to tender for services at present as it is not known what the regulations are going to be). All 5 Providers have provisionally agreed to a 1-year extension / variation to continue their Supported Accommodation Services to young people aged 16/17 years from 1st April 2022 while we await the new National Minimum Standards/Regulations from Ofsted.

Accordingly, there was insufficient time to include this decision in the next Forward Plan and wait the 28 days required by regulation 9 before making the decision.

3. **Alternative options considered and rejected**

A delay to commencement of contract was considered, but this was not possible due to requirement of a continuation of services to Young People. HCC Childrens Services is currently awaiting announcement of new Ofsted regulations / minimum standards for this current unregulated service (so unable to tender for a service without knowing regulations).

4. **Consultation** (*see Summary of Requirements below*)

Was any Councillor consulted? **Yes** (*delete as applicable*)

If yes:

(a) Comments of Executive Member/Committee Chairman (*delete as applicable*)

None received as of 10/03/2022

April 2020

(b) Comments of other consultees

Nigel Bell commented “as this is urgently needed, I would agree but would be grateful for details as soon as practicable as I am concerned as I have questioned before about this unregulated sector and what the safeguards are to be in place.” – These concerns were addressed via an email.

David Andrews commented on the Key Officer Decision not recorded on the Forward Plan (General Exceptions) email from Michelle Diprose with “Formally noted”.

Mark Watkin commented “Noted but I take Nigel Bell’s point”

5. **Any conflict of interest declared by a councillor who has been consulted in relation to the decision**

No

(If a Councillor declares a conflict of interest DO NOT PROCEED without seeking advice from Democratic Services or Legal Services).

6. **Following consultation with the Executive Member/Committee Chairman, I am proceeding with the proposed decision.**

Signed: Jo Fisher

Title: Executive Director of Children’s Services

Date: 09/03/2022

Copies of record to:

- All consultees
- hard & electronic copy (if required to be made available for public inspection) to Democratic Services Manager - Room 213 County Hall.ⁱⁱ

Summary of Requirements to Inform/Consult Councillors

Significance of Proposed Action	Controversial	Relevant Councillor(s) to be Consulted
Technical/Professional/ Routine	No	No need to inform or consult councillors
Technical/Professional/ Routine	Yes	Executive Functions: Consult relevant Lead Executive Member and, where appropriate, Local Councillor Non-Executive Functions: Relevant Committee Chairman and, where appropriate, Local Councillor
Local	No	Executive Functions: Inform Lead Executive Member and Local Councillor Non-Executive Functions: Inform Local Councillor
Local	Yes	Executive Functions: Consult Lead Executive Member and Local Councillor Non-Executive Functions: Consult Local Councillor
General or County-wide	No	Executive Functions: Consult relevant Lead Executive Member (s) Non-Executive Functions: Consult relevant Committee Chairman
General or County-wide	Yes	Executive Functions: Consult relevant Lead Executive Member (s) and the Leader of the Council Non-Executive Functions: Consult relevant Committee Chairman/Leaders all Political Groups