

Officer Decision Record – Executive Decision

If Key Decision: Decision Ref. No.

B000/23

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 16/17 years

Type of Decision: Executive
(Please delete as applicable)

Key Decision (Executive Functions only): Yes
(Please delete as applicable)

Executive Member/Committee Chairman: Fiona Thomson

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

Officer Contact: Simon Bidgood

Tel: 01438 844650

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 is being provided to the current 5 Providers, awarded for 1+1 years (1 April 2023 to 31 March 2025).

2. Reasons for the decision

The contract has to be delivered from the 1 April 2023, as at present Children's Services are unclear with the anticipated release by 1 April by Ofsted/DfE on the new Regulations/National Minimum Standards for this currently unregulated sector (hence the need for the new contract as we are unable to tender for services at present as it is not known what the regulations are). All 5 Providers have provisionally agreed to a 1+1 year contract to continue their Supported Accommodation Services to young people aged 16/17 years from 1 April 2023 while we await the final National Minimum Standards/Regulations from Ofsted/DfE.

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, hence the reason this was granted under the General Exceptions route on 16 March 2023.

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 the final announcement of new Ofsted Regulations/National 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

If yes:

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

Nigel Bell (Councillor for Holywell Ward, Watford) – “I fully support this decision”. Via email (16/03/2023).

David Andrews (Member for Ware North) – “Duly Noted”
Via email (16/03/2023).

(b) Comments of other consultees

None

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

No

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

Signed: Miranda Gittos

Title: Director of Specialist Services and Commissioning (Children’s Services)

Date: 24 March 2023

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