

Report of Assistant Head of Service Looked After Children

Report to the Director of Children's Services

Date: 30/07/2014

Subject: Report to seek approval to bring in-house the Supported Lodgings and Adopted Supported Lodging Services provided by Barnardo's (this includes a small befriending service to care leavers)



Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. Leeds City Council currently relies on private providers to meet its accommodation needs for young people who are leaving the care system (excluding 'Staying Put'). We currently use a variety of supported living providers but our only current supported lodgings provider is Barnardo's who use volunteer host families. The Supported lodgings contract includes a small service of befrienders who support care leavers.
2. The Looked After Children Service has decided to issue notice to Barnardo's in order to bring the supported lodgings provision 'in house' and the adoption supported lodgings scheme to enable the service to:
 - Have a greater degree of oversight of the service
 - Expand and develop the service so Supported Lodgings can be offered to a wider circle of young people from a varying degree of backgrounds including 'hardest to reach'.
3. Legal and HR advice has been sought which indicates that TUPE will apply for the Barnardo's employees directly involved in the delivery of these services. This is believed to be up to seven employees.

Recommendations

- 3.1. It is recommended that approval is given to issue three months' notice to Barnardo's and for the Supported Lodgings scheme and Adoption Supported Lodgings scheme to be brought in house. Payments will be increased to these providers to bring them in line with staying put level 1 foster carers. Detail of this change will be finalised before the service comes in-house on 1st December 2014
- 3.2. It is recommended that approval is given to undertake a process to TUPE transfer staff involved in the delivery of these services from employment of Barnardo's to Leeds City Council as appropriate based on relevant legal and HR advice.

1 Purpose of this report

- 1.1 The purpose of the report is to seek approval to bring in-house the Supported Lodging and Adopted Supported Lodging Services provided by Barnardo's. Three months' notice will be issued to Barnardo's from 1st September 2014 which will result in the service being brought in house on 1st December 2014.
- 1.2 Advice from colleagues in HR and Legal departments have indicated that Barnardo's staff who spend the majority of their time directly involved in the delivery of these services have the right to TUPE into the council. This report therefore seeks approval to undertake a process to transfer staff into the council where appropriate.

2 Background information

- 2.1 Supported Lodgings offers a stepping stone between care and independent living and provides young people with an opportunity to acquire the necessary skills to achieve this transition successfully. Young people will be provided an opportunity to develop their own identity and lifestyle with increased personal responsibility while receiving guidance and support.
- 2.2 The schemes are for eligible care leavers 16 -21 and adopted young people. Over 18's experiencing breakdown of housing situations / presenting as homeless can also be referred.
- 2.3 The aims of the scheme are structured support in 'family' setting / to achieve preparation for independence skills / to provide a maximum of 21* 'host' households / households based in culturally and geographically appropriate areas (e.g. Leeds / Bradford).
- 2.4 In 2013/14 Barnardo's provided an average of 17.75 placements at one time while still receiving full staffing costs.
- 2.5 The current provision by Barnardo's works on the premise that all supported lodgings providers are classed as volunteers and receive "carer" payments of £90.77 p/w, training and support.
- 2.6 Both the Supported Lodgings and Adopted Supported Lodgings Services were on formal contracts with Barnardo's however they now continue on an implied contract basis.

3 Main issues

- 3.1 The Barnardo's scheme has supplied up to a maximum of 21 Supported Lodgings placements to Leeds care leavers however staffing v's carer ratio costs have been high.
- 3.2 The adoption supported lodgings scheme (known as ASL) has been an excellent adoption support service for young people and their families. It has prevented adoption disruption and helps young people to make the transition to independence, whilst working with adoptive parents to ensure support continues

into adulthood. The service has provided ASL for short to longer term support for up to 6 young people at any one time (included in the 21 figure above).

- 3.3 The provision of Supported Lodgings providers needs to be increased to meet the needs of projected care leavers and to provide a range of supported lodgings providers for a wider range of young people with a diverse range of needs.
- 3.4 The smaller befriending element of the supported lodgings contract will also move in house and work alongside the Independent Visitors service. Further exploration on the development of this service will be undertaken over the next 6 months within the Independent visitor service.
- 3.5 Leeds' Looked After Senior Management have decided not to renew the Barnardo's contract and that the supported lodgings services should come 'in house' and be based within the Fostering service. Barnardo's will be issued with three months' notice of the 'termination' of the implied contracts for the Supported Lodging and Adopted Supported Lodging contracts.
- 3.6 Payment to Support Lodging Providers would be increased from the current Barnardo's 'boarding out' payment of £90.77 p/w to bring it into line with level 1 foster carer rates. This increase is intended to encourage current providers to care for more challenging young people and assist in the recruitment of new Supported Lodgings Providers.
- 3.7 Supported Lodging payments for young people aged 16 & 17 years old will continually track the 16 & 17 year old 'Fostering Maintenance Allowance rate' (£242.08 p/w – 2014/15). However for the sake of this scheme this payment will be called 'Supported Lodgings 16 & 17 Yr. old allowance'. Supported Lodging Providers will be expected to provide all looked after young people aged 16 & 17 with pocket money (£15.00 p/w), clothing allowance (£20.00 p/w) and a personal element rate (£22.35 p/w). Total income through allowances (after deductions) received by the Supported Lodgings Provider equals £184.73 p/w
- 3.8 The service is looking to recruit new supported lodgings providers.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Consultation has been undertaken with young people receiving the Supported Lodgings and Adopted Supported Lodging service with all young people given the opportunity to comment on the services received. No concerns or issues were raised by the young people.
- 4.1.2 Consultation with young people regarding the befriending service which forms part of this contract is ongoing.
- 4.1.3 Two consultation sessions have already taken place with the households that provide the supported lodging placements and supported lodgings providers indicating a wish to transfer to the council.

4.1.4 There has been regular communication with Barnardo's to date which will continue throughout the notice period to ensure a smooth transfer of the services in-house to be provided by Leeds City Council

4.1.5 Relevant consultation will also be scheduled with Barnardo's staff who have the right to TUPE transfer into the council based on HR and legal advice.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 An equality impact screening document has been undertaken which indicates there will be no adverse effect on Equality, Diversity, Cohesion and Integration and a full screening document is not required.

4.3 Council policies and City Priorities

4.3.1 Bringing the Supported Lodging and Adopted Supported Lodgings services provided by Barnardo's in-house will allow children's services to work in partnership with housing to expand and develop the service so Supported Lodgings can be offered to a wider circle of young people from a varying degree of backgrounds including 'hardest to reach'. It will also enable young people from residential care to have another opportunity for family life prior to moving onto independence, thereby improving outcomes for our looked after children.

4.4 Resources and value for money

There shall be a one of cost of undertaking the re-assessment of Barnardo's carers, this will be completed in house at a neutral cost. The staffing being TUPEED is less than the contract value.

			2014/15 Cost	Adj 2014/15 Costing for contract ceasing 30/11/14	2015/16 Cost	Notes
Contracts						
LCC503748/LCCW28392	Befrienders After	Barnardos	£142,780.00	£95,186.67	0	Adjusted figure is for 8 months
DSIN-93V9FH	Adoption	Barnardos	£45,000.00	£30,000.00	0	
Total			£187,780.00	£125,186.67	£0.00	
Payments to carers						
		Rate				
Supported Lodging Payments		£90.77	£99,120.84			Based on 21 placements, 52 weekly payments Based on 6 placements, 56 weekly payments Based on 9 placements, 52 weekly payments Based on 6 placements, 56 weekly payments
New Supported Lodging Payments 16-17 year olds		£184.73		£20,689.76	£62,069.28	
New Supported Lodging Payments 18+		£127.38		£19,871.28	£59,613.84	
New Supported Lodging Payments Adoption Support		£184.73		£20,689.76	£62,069.28	
Total			£99,120.84	£61,250.80	£183,752.40	
Staffing Costs						
	FTE	Cost				
Project Worker	1					
*Administrator	0.59					
Volunteer Co-ordinator	0.98					
*Social Worker	1					
Project Worker	0.5					
Project Worker	0.41					
Total			£133,217	£0.00	£44,405.67	£134,549.17
Totals			£ 286,901	£ 230,843	£ 318,302	

4.5 Legal Implications, Access to Information and Call In

4.5.1 Advice from colleagues in legal services and HR has been sought which states that TUPE will apply when this service is brought in-house. Workforce information

has been requested from Barnardo's which indicates that up to seven employees of Barnardo's may have the right to transfer into the council.

- 4.5.2 Colleagues from legal and HR will continue to be involved throughout the notice period to ensure due process is followed and the transfer of staff into the local authority is undertaken as smoothly as possible.
- 4.5.3 The value of the current implied contract with Barnardo's is £142k per annum therefore this decision is not subject to call in. The value of the current implied adoption supported lodgings contract is 45k per annum so is not subject to call in.

4.6 Risk Management

- 4.6.1 A project team has been formed to manage any risk associated with giving notice to Barnardo's for the Supported Lodgings and Adopted Supported Lodgings Services which includes the Contract Manager, Assistant Head of Service Looked After Children, Fostering Managers and representatives from the council's HR and Legal Departments. An action plan has been developed and the project team will continue to manage any associated risk throughout the notice period and up to 1st December when the in-house service commences.

5 Conclusions

- 5.1 Approving the recommendations below will allow the Supported Lodgings, Adopted Supported Lodgings and Befriending elements of the service to be brought in-house to be provided by Leeds City Council.

6 Recommendations

- 6.1 It is recommended that approval is given to issue three months' notice to Barnardo's and for the supported lodgings scheme and adoption supported lodgings scheme to be brought in house. Payments will be increased to these providers to bring them in line with staying put level 1 carers. Detail of this change will be finalised before the service comes in-house on 1st December 2014
- 6.2 It is recommended that approval is given to undertake a process to TUPE staff involved in the delivery of these services from employment of Barnardo's to Leeds City Council as appropriate based on relevant legal and HR advice.

7 Background documents¹

- 7.1 EIA screening document

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.