

## Report of Strategic Commissioning Group

### Report to the Deputy Director of Children and

Families Date: 12 October 2017

**Subject: Request to extend and vary the Regional Framework Agreement, White Rose Looked After Children 16+ Leaving Care and Vulnerable Young People Accommodation and Support and to award to new providers following the refresh process.**



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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: 10.4(3) Appendix number: Appendix 1	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

## Summary of main issues

The report seeks approval to extend and vary the regional Framework Agreement, White Rose Looked After Children 16+ Leaving Care and Vulnerable Young People Accommodation and Support to award to new providers following the refresh process for a period of 12 months to providers from 19/12/2017.

## Recommendations

The Deputy Director of Children and Families is recommended to:

- extend the framework agreement White Rose Looked After Children 16+ Leaving Care and Vulnerable Young People Accommodation and Support framework for a period of 12 months from 19/12/2017;
- vary the framework agreement to reflect the changes to the tiering following the undertaking of the refresh process;
- award to new providers following the undertaking of the refresh process.

## **1 Purpose of this report**

- 1.1 The report is in relation to the regional White Rose Looked After Children 16+ Leaving Care and Vulnerable Young People Accommodation and Support framework agreement and seeks approval to:
- a) extend the framework agreement White Rose Looked After Children 16+ Leaving Care and Vulnerable Young People Accommodation and Support framework for a period of 12 months from 19/12/2017;
  - b) vary the framework agreement to reflect the changes to the tiering following the undertaking of the refresh process;
  - c) award to new providers following the undertaking of the refresh process.
- 1.2 Strategic commissioners across the region have reviewed and amended the existing documentation to ensure that the provision purchased against the contract continues to meet need and is reflective of changes in requirements across the region.
- 1.3 Call offs against the framework will continue to be made against those providers whose service models and prices have determined that they are placed in tier 1; subsequent call offs will be made against tier 2 in the event that a placement cannot be made within tier 1.
- 1.4 The extension of the framework contract does not guarantee the providers any placements. The same practices around identifying the most suitable match in terms of quality and price will continue and will be subject to the current governance processes that are in place. This is the final extension available for this framework agreement.

## **2 Background information**

- 2.1 The White Rose Children's 16+ Accommodation and Support for Care Leavers and Vulnerable Young People Regional Framework for and is between the named placing Authority and the named provider.
- 2.2 The contract commenced on 19/12/2014 for a period of two years and has been the subject of several refreshers to date to add capacity to the framework. This is the final extension available.
- 2.3 The contract was established ensuring that all relevant and current law was embedded into the tender documentation and current contracts with the providers
- 2.4 The contract was established as a regional framework agreement.
- 2.5 The participating authorities share resources across the region to ensure that the contract continues to meet need and that providers are managed in a transparent and consistent manner to help deliver quality

outcomes for the young people placed with the providers on the framework. Strategic issues are also managed through the Strategic Commissioning Group (SCG) that has representation from the participating authorities.

- 2.6 The contract was established with the support of the regions Chief Executives and the regions Directors of Children and Families.
- 2.7 The current participating authorities are:
- i. Leeds
  - ii. Bradford
  - iii. Kirklees
  - iv. Calderdale
  - v. Wakefield
  - vi. Sheffield
  - vii. Doncaster
  - viii. Barnsley
  - ix. Hull
  - x. North East Lincolnshire
  - xi. Rotherham
- 2.8 The decision to extend, vary and award the contract is taken by Leeds after due discussion with other participating local authorities. It should be noted however that the individual contract established within the framework will continue to be the responsibility of the individual authority at the time of the placement.

### **3 Main issues**

#### **Reason for Contract Extension**

- 3.1 The contract was advertised and let with the provision to extend and to refresh on the basis that it continues to meet the needs of the participating authorities.
- 3.2 The Strategic commissioning group have broadly identified that the contract continues to meet need and that the changes made to the contract ensure that this remains so and to enable any placements made to continue to be made in the best interests of the young people placed and to reflect any changes priorities of the participating authorities.
- 3.3 The contract also includes within its key documentation a framework mechanism which states how the providers will be ranked at intervals within the contract – the refresh points. The refresh points facilitate an

ongoing judgement of quality and the opportunity to review prices to allow the providers to be re-ranked within the tiering system described in paragraph 3.4.

- 3.4 For the period of the extension, the contract will continue to be utilised on the basis of the establishment of a tiering system of providers. Providers would be allocated to one of two tiers allocated to each area of activity with the providers who provided the best responses in terms of the price and quality of their bid being placed in tier 1. Those providers in tier 1 would be offered the opportunity of the placement in the first instance with bidders in tiers 2 subsequently being contacted in the instances where the tier 1 providers are unable to provide a placement that matches the needs of the child or young person. This model has been utilised in other consortiums establishing frameworks for the provisions of the same services with an average of 80% of placements being made to providers residing in the first tier.

### **Consequences if the proposed action is not approved**

- 3.5 Purchases of leaving care provision would continue across the region in an uncoordinated fashion with the market place seen to lead on the nature and quality of the provision as future requirements would be outside of the scope of the contract.
- 3.6 Any ongoing efficiency savings that are anticipated would not be realised.
- 3.7 The qualitative benefits as currently established within the framework would not be realised.
- 3.8 The contract may not be fit for purpose and reflect the desire to improve and consolidate best practice.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 Chief Executives and the regions Directors of Children and Families have been updated during the progress of the project.
- 4.1.2 The strategic commissioners across the region have been involved in the contract to date and any changes to future direction.
- 4.1.3 Young people were actively engaged in the development of the specification.
- 4.1.4 Young people were engaged in the initial evaluation of the submissions.
- 4.1.5 The provider market were consulted and engaged with during the development of the project and continue to be engaged in

respect of the proposed changes.

## **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 The Equality Impact Assessment (EIA) screening exercise has been undertaken and indicated no adverse equality impact to the service users, staff and the wider community as the contract will be extended on the same terms and conditions as currently enjoyed. Any amendments to the specification and future provision will need to be subjected to a further EIA assessment.

## **4.3 Council policies and Best Council Plan**

- 4.3.1 The council policies and priorities will continue to be reflected in the contract as the extension and refresh are be on the same terms as currently enjoyed.
- 4.3.2 One of the key obsessions within Children and Families Directorate is in respect of looked after children and this obsession was reflected in the documentation and the quality evaluation model used within the process. It also continues to be reflected in the ongoing quality assessment of provision.

## **4.4 Resources and value for money**

- 4.4.1 There is the potential to deliver efficiency savings through this framework arrangement. This is based on the current price paid by Leeds against the different Lots to be awarded across the framework being higher in the majority of cases than the average price available on the framework.
- 4.4.2 The framework itself also contains mechanisms to help ensure value for money at secondary call off. The framework is based on a tiering system allowing those on tier 1 who offer best value for money (based on price and quality) to have first option to respond to referrals. It is also possible to agree lower than tendered fees based on the needs of the individual young person and to agree a block arrangement with a provider as part of the secondary call to competition and agree reduce costs under this arrangement.

## **4.5 Legal Implications, Access to Information and Call In**

- 4.5.1 The opportunity was advertised on Leeds City Council's supplier contract management system and the Official Journal of the European Union and was advertised on the basis of the contract commencing for a period of two years with the option to extend for a further period of two years.
- 4.5.2 The decision to extend and refresh the contract is classified as a key decision.

- 4.5.3 To comply with the obligations of the Public Contracts Regulations a Voluntary Transparency Notice will be published prior to the contracts being extended.

#### **4.6 Risk Management**

- 4.6.1 The utilisation of the tiering system should ensure that value for money continues to be a key assessment during the operational phase of the framework.
- 4.6.2 The refresh process ensures that it meets the objectives of measuring price and quality to facilitate movement between the tiers should ensure that value for money and quality of provision continues to be an essential consideration when placing young people with providers.
- 4.6.3 On-going quality of provision within the framework will be monitored through the work of the Contracts and Market Management Group that was established after the commencement of the Fostering and Residential Frameworks. This multi-authority group will also be responsible for contract managing this framework.

### **5 Conclusions**

- 5.1 The proposal is to extend, vary and award the contract to the named providers identified within appendix 1 of this report for a period of 12 months.

### **6 Recommendations**

- 6.1 Deputy Director of Children and Families is recommended to:
- extend the framework agreement White Rose Looked After Children 16+ Leaving Care and Vulnerable Young People Accommodation and Support framework for a period of 12 months from 19/12/2017;
  - vary the framework agreement to reflect the changes to the tiering following the undertaking of the refresh process;
  - award to new providers following the undertaking of the refresh process.

### **7 Background documents<sup>1</sup>**

- 7.1 None

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<sup>1</sup> 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.