

**Report of Commissioning Officer**

**Report to Head of One Adoption West Yorkshire**

**Date: 6/2/18**



**Subject: Request to waive Contracts' Procedure Rules 8.1 and 8.2 in order to award a contract for delivery of the Prospective Adopters Training Programme.**

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. The purpose of this report is to seek permission from the Head of One adoption West Yorkshire to waive Contracts' Procedure Rules 8.1 and 8.2 to award a contract to PC for delivery of the Prospective Adopters Training programme.
2. The contract will form part of the Regional Adoption Agency (RAA) arrangements and delivery of the programme will be coordinated across West Yorkshire.
3. The contract will be a call off contract based on a unit price. Call off will be subject to need & budgetary decisions. The maximum contract value will be £18k p.a. The total value over two years will be a maximum of £36k.
4. The contract will commence on 1<sup>st</sup> April 2018 and will expire on 31<sup>st</sup> March 2020. There will be no option to extend.
5. One of the work streams undertaken in preparation for the creation of a Regional Adoption Agency has looked at the adoption related services commissioned by the West Yorkshire local authorities. These services have been mapped and it has been agreed that the services across the West Yorkshire region will be re-commissioned on an interim basis whilst a review of commissioned activity takes place in the context of a Regional Adoption

Agencies across the region moving forward. This will ensure consistency of service whilst the regional agency is established.

## **Recommendations**

6. It is recommended that the Head of One Adoption West Yorkshire approves the waiver of Contracts' Procedure Rules 8.1 and 8.2 to award a contract to PC for delivery of the Prospective Adopters Training Programme. The contract will commence on 1<sup>st</sup> April 2018 and will expire on 31<sup>st</sup> March 2020. The contract will be a call off contract and the maximum contract value will be £18 K pa. The total maximum contract value over two years will be £36k

## **1 Purpose of this report**

- 1.1 The purpose of the report is to seek approval from the Head of One Adoption West Yorkshire to approve the waiver of Contracts' Procedure Rules 8.1 and 8.2 to award a contract to PC for delivery of the Prospective Adopters Training Programme. The contract will commence on 1<sup>st</sup> April 2018 and will expire on 31<sup>st</sup> March 2020. The contract will be a call off contract and the maximum contract value will be £18k pa. The total contract value over two years will be £36k.

## **2 Background information**

- 2.1 The Education and Adoption Act 2016 is clear about the regionalisation agenda and government is clear that all local authorities will be part of a Regional Adoption Agency (RAA) or will have delegated their adoption functions to a RAA by 2020.
- 2.2 The Yorkshire and Humberside Local Authorities and Voluntary Adoption Agencies have been part of an adoption consortium for many years and have worked pro-actively to develop the best arrangements as we move towards a regionalised approach for the delivery of adoption services in the region. This has been assisted with transitional funding from the Department for Education (DfE).
- 2.3 There will be three groupings who will become separate Regional Adoption Agencies within the wider Yorkshire and Humberside (Y &H) region; South Yorkshire, North and the Humber and West Yorkshire. The West Yorkshire councils are Bradford, Calderdale, Kirklees, Leeds and Wakefield.
- 2.4 One of the work streams undertaken in preparation for the creation of a Regional Adoption Agency has looked at the adoption related services commissioned by the West Yorkshire local authorities.
- 2.5 Leeds City Council and Wakefield Council have previously held contracts with PC for delivery of Prospective Adopters training. These have been low value contracts as the level of demand for stand-alone Local Authorities has been low. Delivery of Prospective Adopters training will now be coordinated across West Yorkshire and therefore the demand is greater. This provider provides continuity through a period of change in the agencies formation and will assist in stabilising and providing consistency regarding a key area of preparation training for adopters.

## **3 Main issues**

### **3.1 Strategic Context**

- 3.1.1 One Adoption West Yorkshire are committed to placing children for adoption in a timely manner as set out by the government reform agenda which aims to increase the supply of adoptive families nationally, reduce

the backlog of children waiting for adoption and speed up the adoption process generally. Access to expert, quality training for prospective adopters supports these commitments.

- 3.1.2 A number of other commissioned services are also in place across the West Yorkshire area that supports the work of the Regional Adoption Agency hosted by Leeds.

### 3.2 Performance

The performance of this contract will be monitored by a service manager of One Adoption West Yorkshire.

### 3.1 Strategic Review

The issuing of this contract will ensure continuity of service whilst a review is undertaken of the adoption services commissioned by the Regional Adoption Agency. A review of whether this service will be provided in house or re commissioned will take place during this contract period.

### **3.2 Consultation and engagement**

- 3.2.1 This report seeks to establish a contractual arrangement for delivery of Prospective Adopters Training as part of the Regional Adoption Agency arrangements.

- 3.2.2 Further consultation specifically in relation to future delivery of commissioned adoption services will take place to inform future commissioning.

- 3.2.3 Consultation has taken place with the provider to confirm they are able to deliver the contract.

### **3.3 Equality and diversity / cohesion and integration**

- 3.3.1 An Equality Impact Assessment Screening document has been undertaken and there is no impact in respect of equality and diversity as the new contract will continue on the basis of the existing provision.

### **3.4 Council policies and best council plan**

- 3.4.1 The outcomes these services are commissioned against are those within the Leeds Children and Young People's Plan 2015 – 2019. This contract will contribute to a number of the outcomes and priorities within the plan including the outcome to ensure all young people are safe from harm and the priority to help children live in safe and supportive families.

### **3.5 Resources and value for money**

- 3.5.1 This decision is to establish a contract with PC for delivery of Prospective Adopters training.

- 3.5.2 Leeds City Council has held a contract with PC for a number of years for delivery of this programme. The value of this contract has been low and the Head of Service has been satisfied that the contract delivered excellent value for money. The training has evaluated extremely well and has helped support the priorities in the Leeds Children & Young Peoples Plan.
- 3.5.3 Wakefield Council has also previously held a contract with PC; again this was a low value contract due to the level of demand.
- 3.5.4 As part of the regional adoption arrangements the demand for this service, across the region, means that this contract will exceed £10k and is therefore a significant operational decision.
- 3.5.5 The contract will be a call off contract subject to need and budgetary decisions. The maximum contract value will be £18k. The total contract value over two years is £36k.
- 3.5.6 The budget for these services is held within the Regional Adoption Agency budget. Work has taken place with the regional adoption Project Manager and finance colleagues to ensure the regional agency budget reflects the costs of these commissioned services. The Head of Service for the RAA has confirmed approval for establishing these contracts with Leeds City Council.

### **3.6 Legal Implications, access to information and call In**

- 3.6.1 This report seeks approval to waive Contracts' Procedure Rules 8.1 & 8.2 to enter into a contract with PC for the delivery of Prospective Adopter training.
- 3.6.2 The decision requested is a significant operational decision and is therefore not subject to call in. This report does not contain any exempt or confidential information under the Access to Information Rules.
- 3.6.3 Giving the work to this provider without competition could leave the Council open to a potential claim from other providers, to whom this contract could be of interest, that it has not been wholly transparent. In terms of transparency it should be noted that Contracts Procedure Rules suggests that contracts of this value should be subject to a degree of advertising. It is up to the Council to decide what degree of advertising is appropriate. In giving the work to this provider without competition there is a potential risk of challenge from other providers who have not been given the chance to tender for this opportunity.
- 3.6.4 The Local Authority believes that awarding this contract without competition represents good value for money.

### **3.7 Risk management**

- 3.7.1 In mapping the commissioned adoption support services across West Yorkshire and agreeing relevant actions to ensure continuity of service for children and families the Commissioning and Market Management service

has worked closely with the regional adoption Project Manager, Finance, Legal, Procurement and other local authorities across the region in addition to the providers of adoption support services across the region.

- 3.7.2 In the event that the actions required in order to establish this contract is not approved there is risk prospective adopters will not receive this vital training. This could therefore have an impact on the council's priorities as outlined in the Child and Young People's Plan 2015-2019 and could detract from the successful implementation of the Regional Adoption Agency.

#### **4 Conclusions**

- 4.1 A contract is required with PC to deliver Prospective Adopters Training as part of the Regional Adoption Agency arrangements whilst a full review is undertaken of commissioned adoption service.

#### **5 Recommendations**

- 5.1 It is recommended that the Head of One Adoption West Yorkshire approves the waiver of Contracts' Procedure Rules 8.1 and 8.2 to award a contract to PC for delivery of the Prospective Adopters Training Programme. The contract will commence on 1st April 2018 and will expire on 31st March 2020. The contract will be a call off contract and the maximum contract value will be £18kpa. The total contract value over two years will be £36k.

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

- 6.1 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.