

Report of: Commissioning and Market Management Service

Report to: Deputy Director (Children's Social Work)

Date: 03/08/2018

Subject: Permission to procure a new contract for the provision of Regulation 44 independent visitor service to Leeds City Council Children's Homes by way of competitive tender.



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 aim of this report is to seek permission from the Deputy Director, Children's Social Work, to procure the Regulation 44 Independent Visitor service, with an approximate value of up to £60,000.00 per annum. The contract will be for 4 years with two of options to extend for a further 12 month period. Total value over the life of contract is approximately £360,000.00
2. The purpose of the contract will be to provide the independent visit and report for each Leeds City Council Children's Home each month. The report provided by the independent visitor will, in particular, identify whether in that home children are appropriately safeguarded and their wellbeing promoted. This will identify good practice and areas for development that the provider will support the homes to implement in order to maximise positive outcomes for children and young people.
3. This is a statutory requirement under the Children's Homes Regulations and will form the independent view that is used to guide service development and compliance with current Ofsted/Government themes and priorities.
4. Given the significant importance of the service in ensuring the safety and wellbeing of children and young people within our internal children's homes and the importance in driving continuous improvement the project team feel a significant emphasis should be placed on the quality of the service. This report therefore

seeks permission to waive contract procedure rule 15.2 and for the tender evaluation to be split on 70% quality and 30% on price

Recommendations

5. The Deputy Director, Children's Social Work, is requested to approve the procurement of a contract to deliver the Regulation 44 Independent Visitor service, by way of a competitive tendering process. The contract will be for 4 years, with the option to extend by a further two 12 month periods, with a maximum value of up to £60,000.00 per annum.
6. The Deputy Director, Children's Social Work, is also recommended waive contract procedure rule 15.2 and to approve the tender evaluation split of 70 % quality and 30% price.

1 Purpose of this report

- 1.1 To seek permission from Deputy Director, Children's Social Work, to procure the Regulation 44 Independent Visitor service for our Local Authority Children's Homes. With a maximum value of £60,000.00 per annum.
- 1.2 To seek approval to waive contract procedure rule 15.2 and to approve the split of 70% quality and 30% price for use in this tender.

2 Background information

- 2.1 Currently in Leeds the regulation 44 service is delivered by internal staff as part of the Independent Reviewing Officer service. Prior to this arrangement a competitive tendering exercise was undertaken which demonstrated there was a potential market for the service however a decision was taken to deliver regulation 44 as an internal service at this time.
- 2.2 The delivery of the regulation 44 service as an internal service has continued to be reviewed and following a number of changes within the local authority during this time it has been determined that the best course of action is to commission an external provider to deliver an independent regulation 44 service.
- 2.3 This contract for the provision of a regulation 44 service will cover all internally delivered children's homes in Leeds. This is a total of 10 homes including the two disability homes and secure unit at Adel Beck however as Adel Beck has three registrations it required three reports therefore a total of 12 reports are required each month.

3 Main issues

- 3.1 Provision of a regulation 44 service is a statutory requirement and the Children's Homes Regulations 2015 guidance states that regulation 44 visitors must undertake an independent quality assurance role and have no vested interest in the home they are visiting.
- 3.2 Independent person's undertaking a regulation 44 visit must visit each home at least once a month and produce a report which as a minimum sets out the independent person's opinion on whether -
 - Children are effectively safeguarded; and
 - The conduct of the home promotes children's wellbeing
- 3.3 A good quality regulation 44 service is essential in contributing to our ambition to ensure good and outstanding internal residential provision for children and young people in Leeds. In order to achieve a good quality service we require the independent visitors to have a high level of knowledge and experience of the range of residential settings covered under this contract. We also require independent visitors to have the skills to restoratively challenge staff and services in order to drive service improvement where required.

- 3.4 The value of this contract therefore reflects the requirement for highly skilled and experienced staff to act as independent visitors and the requirement that appropriate contingency arrangements are in place to ensure a high quality regulation 44 visit each month at every home.
- 3.5 It should be noted this service is an important contributor to positive outcomes for children and young people and the quality of our Local Authority Children's Homes as well as the reputation of Leeds Children and Families Services.
- 3.6 In order to ensure the best quality and value for money service possible a project team has been established comprising of the Commissioning and Market Management Service, relevant Service Delivery Managers, Independent Safeguarding Unit and representatives from the council's Procurement and Finance sections.
- 3.7 The team are seeking to procure a service that reflects our approach to restorative practice and ensuring Child Friendly Leeds values. We aim to do this by working in partnership with the successful provider to identify both good practice and areas for improvement that enhance positive outcomes for our Looked after Children. Young people will also be involved in evaluating tender submissions.
- 3.8 Time has been allowed in the procurement timetable for a mobilisation period which will allow discussions with the service area to develop joint working relations and protocols with the successful provider.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 There has been consultation with the procurement team to ensure compliance in these areas. Residential Service Delivery Managers are part of the consultation and will continue to be involved throughout the tender process to identify how to assess what is needed in the specification.
- 4.1.2 Young People will be involved in the evaluation stage of the tender process.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 We have undertaken Equality and Diversity screening and there are no concerns. Equality and Diversity will be addressed within the specification.

4.3 Council policies and Best Council Plan

- 4.3.1 There is a statutory requirement under the Children's Home Regulations 2015 to provide an independent assessment of the homes we provide.
- 4.3.2 This service will play a key role in supporting the outcomes and priorities in the Leeds Children and Young People's Plan 2018-2023 for some our most vulnerable young people.

4.4 Resources and value for money

- 4.4.1 As we have a statutory obligation to provide this service this competitive tender will allow us to ensure we are maximising value for money and ensuring a good quality service to support our ambition for our Local Authority Children's Homes. The contract will be subject on going contract management to monitor quality on an ongoing basis and develop ensure positive working relationships with the successful provider.
- 4.4.2 This report is seeking permission for the tender to be evaluated on price and quality: 70% quality and 30% price. When considering the significant importance to the authority in delivering good quality children's home provision and the relatively low value of the contract the project team has decided an evaluation based on 70% quality would deliver the best overall value for money when considering both cost and outcomes.
- 4.4.3 Although this service has previously been delivered as an internal service our assessment is that given the high quality of service required, from staff experienced and knowledgeable in the range of residential settings and particularly regulation 44 visits, it is unlikely this could be delivered for a maximum budget of £60k per annum as an internal service.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 Based on the maximum value of this contract this will be a Significant Operational decision.
- 4.5.2 Due to the value of this contract, it will not be subject to call-in.

4.6 Risk Management

- 4.6.1 A project team has been established which will consider any risks in relation to the project and manage these are we proceed.

5 Conclusions

- 5.1 We have concluded that in seeking permission to procure this service via a competitive tender, we will be able to secure the best quality and value service.

6 Recommendations

- 6.1 That the Deputy Director, Children's Social Work, is requested to approve the procurement of the Regulation 44 Independent Visitor service, by way of a competitive tendering process. The contract will be for 4 years with the option to extend by two further 12 month period with a value of up to £60,000.00 per annum. Total value over the life of contract approx. £360,000.00
- 6.2 The Deputy Director, Children's Social Work, is also recommended waive contract procedure rule 15.2 and to approve the tender evaluation split of 70 % quality and 30% price.

7 Background documents¹

7.1 None

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.