

Report of: Commissioning, Contracting & Market Management

Report to: The Deputy Director of Children & Families

Date: October 2018

Subject: Leeds Children’s Rights & Advocacy service contract extension



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: 21.1 to extend the existing contract with Barnardo’s for the provision of Leeds Children’s Rights & Advocacy service. Appendix number: N/A	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. The 3 year contract with Barnardo’s for the provision of the Leeds Childrens Rights & Advocacy service is due to expire on 31st March 2019.
2. Provision is made within the terms and conditions of the contract to extend it for a 12 month period. This will be the last of the two 12 month extensions available.
3. This request seeks to invoke this arrangement for a 12 month period, whilst the service is reviewed to ensure continued suitability, focus and alignment with the strategy within Children & Families directorate and more widely, the council’s current Best Council plan.

Recommendations

4. The Deputy Director of Children’s Services is recommended to approve invocation of contract procedure rule 21.1 to extend the contract for a period of 12 months for the provision of the Leeds Children’s Rights & Advocacy service.

1 Purpose of this report

- 1.1 The purpose of this report is to request the invocation of Contracts Procedure Rule 21.1 to extend the contract currently in place with Barnardo's for providing the Leeds Childrens Rights & Advocacy service.

2 Background information

- 2.1 The purpose of this service is to ensure that all Children that are looked after, young people and care leavers including disabled Children, foster Children, those in secure accommodation and those placed out of the authority by Leeds City Council's Children & Families services are informed of their rights as embodied in the Children Act 1989, the UN Convention on the Rights of the Child (UNCRC), National Advocacy Standards and other relevant legislation. The service also provides information and support to children for reviews and assessments.

- 2.2 The service provides support to the following:

- Aged 0 -19 years where they are children who are looked after
- Aged 0 -18 where they are children and young people with SEN and disabilities (up to 25 where they have an Education Health and Care plan)
- Care leavers up to age 21
- Aged 10 to 18 who are currently or about to become subject to a child protection plan with Leeds City Council (younger children may be referred where appropriate)
- Aged 10 – 18 where there is a child in need plan and including those children who are adopted or living apart from their birth parents with extended families or friends.
- Young people in custody, in particular those detained in secure units or youth offending institutions.

- 2.3 The implementation of this contract extension period will allow time for the wider review of the Children's Rights and Advocacy service as a whole and whether service re-design or repurposing is required.

3 Main issues

- 3.3 The contract commenced on 1st April 2015 for a period of 3 years with the option to extend for a further x2 12 month periods. The contract is due to expire on 31st March 2019 and The Department would now like to extend the contract for a period of 12 months until 31st March 2020. This is the final extension permitted under this contract.

- 3.1 This will give the Commissioning Team and Childrens Social Work Services an opportunity to soft market test the service delivered and look at how the services are delivered. Soft market testing is a way to find out what provider organisations think about new ideas and service choices. Soft market testing does not mean the Council must follow through with any of the findings from the test. However, it offers an opportunity to support the decision making process with empirical data

from prospective providers around the fundamentals of the service design and method.

- 3.2 There are no specific implications for, or impact on, a ward or wards. The services affected by this report will work city-wide and so benefit children that are looked after and young people across Leeds, as well as supporting our children and young people placed out of area.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The service provider will seek opportunities to involve users and stakeholders in contributing to service planning and evaluation of service delivery.
- 4.1.2 The service provider will ensure that its Quality Assurance system incorporates a requirement for an annual review of the service provider's management and working practices in relation to the service, to enable such practices to be modified (as necessary) in order to improve and maintain the delivery of the service specification.
- 4.1.3 The service provider will modify its working practices upon request by the service purchaser in order to improve or rectify any weaknesses or faults in its working practices associated with the delivery of the service, which are identified to it by the service purchaser and/or service users.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.4 The approval of this contract extension with the current service provider means that the current service delivery model will continue. The service will be to the same client group. The decision to extend this contract will not have any adverse implications on any equality group.
- 4.2.5 An Equality Impact Screening is attached.

4.3 Council policies and Best Council Plan

- 4.3.1 The outcomes this service will be 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. It also makes a significant contribution to the key obsession to safely and appropriately reduce the number of Children Looked After.

4.4 Resources and value for money

- 4.4.2 Current contract value is set at £167,214. The SEND to EHC advocacy element of the service is funded by Complex Needs and constitutes £16,695. The proposed extension total value would be £183,909. The proposed extension will take us to the end of the next financial year.

4.5 Legal Implications, Access to Information and Call In

- 4.5.3 The Contracts Procedure Rules facilitate the extension and variation of contracts within rule 21. This rule can be invoked by the Director of Children & Families if they believe that there are compelling reasons to do so.
- 4.5.4 This decision is not covered by the full requirements of the EU Procurement Directives, as it falls within Part 1B of the Public Services Contracts Regulations.
- 4.5.5 The total value of the extension is under £250k and does not have a significant impact on any particular ward. Therefore is no requirement for this decision to be included on the forward plan

4.6 Risk Management

- 4.6.6 If these recommendations are not approved, there will be a risk that the provision is not available through an effective contract that is managed efficiently to ensure the appropriate delivery of the required outcomes for children that are looked after.
- 4.6.7 A consequence if this contract extension is not approved, would be that we are not meeting the duties mentioned in 2.1 of this report.

5 Conclusions

- 5.1 The recommendations contained in this report will ensure continuity of provision and that children that are looked after, young people and care leavers are informed of their rights and have access to advocacy whilst this provision is reviewed.

6 Recommendations

- 6.1 The Deputy Director of Children's Services is recommended to approve invocation of contract procedure rule 21.1 to extend the contract for a period of 12 months for the provision of the Leeds Children's Rights & Advocacy service.

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.