

**Report of Children and Families Commissioning Team**

**Report to the Deputy Director of Children and Families**

**Date: 25 October 2018**



**Subject: Request to award the Leeds *Interim* Leaving Care and Vulnerable Young People Accommodation and Support (16-25 years) Framework Agreement for Leaving Care Providers.**

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: 10.4 (3) Appendix number: Appendix 2	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

**Summary of main issues**

1. This report seeks approval to award a Leeds *Interim* Framework Agreement to the providers listed at Appendix 1 to this report for the provision of leaving care services for vulnerable young people and care leavers (16-25 years).
2. The award is for an *Interim* Framework Agreement from 19/12/2018 to 31/01/2020, with the option to extend for a further period of 6-months from 01/02/2020 to 31/07/2020.
3. This Framework Agreement will be a Leeds interim position to support Leeds City Council to identify placements within the constraints of an agreed contract specification and terms and conditions against which to deliver quality accommodation and support for vulnerable young people and care leavers (16-25 years).
4. This interim position will allow us to undertake a longer-term review of accommodation and support for vulnerable young people and care leavers (16-25 years).

years) with colleagues in Adults and Health; the review is expected to be complete by January 2020.

## **Recommendations**

The Deputy Director of Children and Families is recommended to award a Leeds *Interim* Framework Agreement to leaving care service providers identified at Appendix 1.

## 1. Purpose of this report

- 1.1 This report seeks to award an *Interim* Framework Agreement to leaving care service providers identified at Appendix 1.
- 1.2 Service delivery models submitted have been evaluated and deemed appropriate by the project team (tender evaluation summary is attached at Appendix 2 - confidential). The Leeds *Interim* Framework Agreement comprises of three service categories (Lots) and one age range across the service categories (Lots).

The service categories/ lots are:

- Category 1 (Lot 1) – Group Living;
- Category 2 (Lot 2) – Supported tenancy (including accommodation and support); and
- Category 3 (Lot 3) – Floating support only.

The age range for all service categories is:

- 16-25 years.

## 2. Background information

- 1 The Children (Leaving Care) Act 2000 amended the Children Act 1989 and this, along with the Care Leavers (England) Regulations 2010 and the Children Social Work Act 2017 increased the powers and duties on Local Authorities to better support young people leaving care through support and accommodation arrangements to improve the life chances of young people leaving local authority care. Its main aims are; to delay young person's discharge from care until they are prepared and ready to leave; to improve the assessment, preparation and planning for leaving care; to provide better personal support for young people after leaving care; and to improve the financial arrangements for young people in and leaving care.
- 2 *Existing arrangement* - The White Rose Leaving Care and Vulnerable Young People Accommodation and Support (16-25 years) *Framework Agreement* commenced in December 2014 to December 2018; this Framework Agreement was a regional agreement and included 10 other Local Authorities across Yorkshire and Humber.
- 3 *Longer-term arrangement* – we are currently reviewing accommodation and support for vulnerable young people and care leavers (16-25 years) with colleagues in Adults and Health and is expected to be live from around January 2020. The aim of this commission is to ensure that one service meets the full range of accommodation and support needs of vulnerable young people and care leavers in Leeds.

- 4 Therefore, in order to ensure that Leeds continues to meet the needs of vulnerable young people and care leavers (16-25 years) and comply with the Public Contracts Regulations 2015, an interim contractual arrangement is required to follow on from the existing White Rose Framework Agreement and prior to the commencement of the longer-term accommodation and support review with colleagues in Adults and Health.
- 5 This request seeks approval to award a Leeds *Interim* Framework Agreement to service providers at Appendix 1, delivering leaving care services for care leavers and vulnerable young people (16-25 years) from which individual placements will be purchased.
- 6 This interim Framework Agreement will deliver support services for vulnerable young people and care leavers 16–25 years, however, support services will be provided based on an individual assessment of need and in line with the Leeds offer for care leavers. To further support this Framework Agreement, there are a range of accessible housing related support services for vulnerable young people and care leavers over the age of 25 to ensure continued support is provided to those in need.
- 7 This *interim* framework agreement will commence on 19/12/2018 to 31/01/2020 with the option to extend for 1 x further period of 6-months to allow time for Leeds to establish future commissioning arrangements, via the accommodation and support review.
- 8 The end date of 31/01/2020 and options to extend for this interim framework agreement is aligned with the other contracts in scope for the longer term accommodation and support review.
- 9 Leeds forecasted spend for 2018/19 for leaving care services in Leeds is in excess of £4m, spend in relation to this *Interim* Framework Agreement will be in the region of £3m.
- 10 This Framework Agreement will enable Leeds to make placements as required but there is no commitment to any expenditure and offers leaving care service providers no guarantee of placements.
- 11 Robust contract management will ensure quality service delivery, improved outcomes for children and focussed discussions to ensure value for money is being achieved.
- 12 This *Interim* Framework Agreement has been established with support from officers in the Procurement and Commercial Services and Children and Families Commissioning Board, who have been briefed on the longer-term plans for the development of accommodation and support services.

### **3 Main issues**

- 3.1 It is necessary to purchase leaving care placements in order to meet our legal obligations, but, more importantly, our aim is to improve outcomes for all our vulnerable young people and care leavers to support them to develop life skills towards independence, to prepare them for adulthood and improve their opportunities for achievement and attainment.
- 3.2 It is important to note that a robust contract management framework is in place to ensure quality service delivery, improved outcomes for our vulnerable young people and care leavers and to ensure value for money is being achieved in an *unregulated* market.
- 3.3 The placement of vulnerable young people and care leavers with leaving care service providers will continue to exert significant pressure on budgets within children and families services. This *Interim* Framework Agreement has undergone a robust procurement exercise to enable the best quality and price to be obtained for new placements.
- 3.4 A refresh of the needs assessment of children looked after was undertaken, along with an Equality Impact Screening.
- 3.5 Providers will be monitored according to their performance against this *Interim* Framework Agreement and restorative support and challenge delivered to ensure the highest standards are achieved.

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

- 3.7.1 The purchase of vulnerable young people and leaving care placements in an *unregulated* market would continue but it would mean that providers would be outside of the scope of a contract and its terms and conditions against which to deliver quality provision.
- 3.7.2 Leeds may potentially be in breach of the Public Contracts Regulations 2015 in the absence of an agreed Framework Agreement.
- 3.7.3 The absence of a Framework Agreement would limit opportunities to improve and consolidate best practice and, any anticipated efficiency savings and qualitative benefits, would not be realised.

## **4 Corporate Considerations**

### **4.2 Consultation and Engagement**

- 4.2.1 The Children and Families Commissioning Board has been updated during the progress of this *Interim* Framework Agreement and longer term plans for accommodation and support for vulnerable young people and care leavers.
- 4.2.2 Young people were actively engaged in the development of the specification White Rose Framework Agreement (leaving care), which is closely related to this

one. Young people are also actively engaged the longer-term accommodation and support arrangements for vulnerable young people and leaving care placements.

- 4.1.4 The provider market has been consulted and engaged with during the development of the agreement.

### **4.3 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. Any amendments to the specification and future provision will need to be subjected to a further EIA assessment.

### **4.4 Council policies and Best Council Plan**

- 4.4.1 The council policies and priorities are reflected in the Framework.
- 4.4.2 One of the key obsessions within Children and Families Directorate is in respect of looked after children and this obsession is reflected in the documentation and the quality evaluation model used within the process. This will continue to be reflected in the ongoing quality assessment of provision.

### **4.5 Resources and value for money**

- 4.4.1 This Framework Agreement has no guarantee of business for service providers. The tender process was evaluated on a 60:40 quality/price split at the outset to ensure quality service providers onto the Framework Agreement.
- 4.4.2 At the point of placement (call-off) and to ensure value for money a mini-competition has been introduced. At this point Leeds City Council will change the 60:40 **quality/price** split to 60:40 **price/quality**.
- 4.5.3 This Interim Framework Agreement also incorporates a License to Occupy – License Agreement, allowing Leeds City Council to recoup monies associated with housing costs for vulnerable young people and care leavers (dependent upon the age and legal status of the child/ young person).

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

- 4.5.1 The decision to implement this Framework Agreement is classed as a significant operational decision.
- 4.5.2 Appendix 2 to this report has been marked as confidential under Access to Information Procedure Rules 10.4 (3) on the basis that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information) which, if disclosed to the public, would, or would be likely to prejudice the commercial interests of that person or of the Council.

## **4.6 Risk management**

- 4.6.1 A risk log was implemented during the tendering phase and will continue to be maintained during the operation of the Framework Agreement.
- 4.6.2 The contract management process ensures that value for money continues to be a key assessment during the operational phase of the framework.
- 4.6.3 There are 2 price elements within this *Interim* Framework Agreement – indicative costs can change at mini-competition but will not exceed those submitted in the Pricing Schedule at the outset of this Framework. Actual costs will be fixed for the term of this Interim Framework Agreement.
- 4.6.4 The Quality Assurance Framework within this *Interim* Framework Agreement ensures that providers are continually monitored in respect of the quality of provision and that placements are only made with those providers demonstrating quality services.

## **5 Conclusions**

- 5.1.1 The commissioning process has taken account of the needs of vulnerable young people and care leavers and the tender process has been conducted using the open procedure and in accordance with Public Contracts Regulations 2015. The commissioning process was robust and there will be on-going quality assurance assessments of providers throughout the lifetime of this *Interim* Framework Agreement.
- 5.1.2 This request is to award Leeds *Interim* Leaving Care and Vulnerable Young People Accommodation and Support (16-25 years) Framework Agreement for the period of 13 months with the option to extend for a period of 6-months to those providers identified at Appendix 1.

## **6 Recommendations**

- 6.1.1 The Deputy Director of Children and Families is recommended to award the Leeds *Interim* Leaving Care and Vulnerable Young People Accommodation and Support (16-25 years) Framework Agreement to the organisations identified at Appendix 1.

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

- 7.1.1. 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.