

**Report of the Commissioning & Market Management team**

**Report to the Director of Children & Families**

**Date: 8<sup>th</sup> November 2019**

**Subject: Children's Rights & Advocacy – Award report**



Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has consultation been carried out?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will the decision be open 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: 2	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**Summary**

**1. Main issues**

- This report seeks approval to award a contract to Barnardo Services Limited for the delivery of Children's Rights and Advocacy services.
- This award follows a competitive tendering exercise. The permission to procure was published on 19<sup>th</sup> July 2019.
- The contract will be for 3 years, commencing on 1<sup>st</sup> April 2020 until 30<sup>th</sup> March 2023. There will be two 12 month extension periods available. The value of the contract is £223,909 per annum. The total value of the contract if all extension periods are utilised will be £1,119,545.
- The award criteria was based on a 70% quality, 30% price split. The decision to evaluate on this basis was taken as part of the key decision of the permission to procure.
- Four bids were received. Barnardo Services Limited achieved the highest score against the criteria of the evaluation.

## **2. Best Council Plan Implications** (click [here](#) for the latest version of the Best Council Plan)

- This contract will support the best council plan priorities by keeping people safe from harm and enabling people with care and support needs to have choice and control.
- This contract will assist Children and Families Services commitment to;
  - Ensure that the most vulnerable are protected
  - Improve social, emotional and mental well being
  - Helping young people into adulthood, to develop life skills and be ready for work

## **3. Resource Implications**

- The tender was evaluated on price and quality parameters. The tender was evaluated on a 70% quality, 30% price split.
- Robust contract monitoring has been written into the service specification and will be monitored by the Commissioning and Market Management team to ensure the contract delivers value for money.

## **Recommendations**

- a) The Director of Children and Families is recommended to approve the award of a contract to deliver Children's Rights and Advocacy services to Barnardo Services Limited. The contract will be for an initial 3 years with two 12 month extensions available commencing on 1<sup>st</sup> April 2020 The annual contract will be £223,909. If all extensions are taken up, the total contract value will be £1,119,545.

### **1. Purpose of this report**

- 1.1 This report seeks approval to award a contract to Barnardo Services Limited for the delivery of Children's Rights and Advocacy services in Leeds.

### **2. Background information**

- 2.1 Leeds has a bold and exciting ambition to become the 'best city' and the best council in the UK. This will only be achieved if Leeds becomes the best city for children and young people to grow up in, a 'child friendly city' where:

- All children and young people are safe from harm.
- All children and young people do well at all levels of learning and have the skills for life.
- All children and young people enjoy healthy lifestyles.
- All children and young people are happy and have fun growing up.
- All children and young people are active citizens.

- 2.2 As part of Leeds's ambition, there is a requirement to deliver some statutory provision for particular services. Part of these statutory functions encompass Children's Rights and Advocacy provision. The provision has been externally

commissioned since 2008. There have been several new contracts awarded up to this point.

2.3 The current contract is due to expire in March 2020. It has therefore been necessary to review the current arrangements to understand what has worked well and conversely, what has not. The learning gained from reviewing the current service has allowed commissioners to embed lessons learnt from the review into the new service specification. The review considered the commissioned Children's Rights and Advocacy service in its entirety. The aim was to ensure that provision continued to deliver key outcomes while considering whether any changes to the provision were required. The review looked at a number of factors that impact on the delivery of services to Children that are Looked After and young people with SEND requiring advocacy. Some of these included;

- Ensuring analysis was informed by current data relating to current and the projected future cohort of Children and Young People with advocacy needs, given the rising rates with SEND or becoming Children that are Looked After.
- Appraising the main options for future commissioning of the service.
- Ensuring analysis gave regard to the wider context of services needed in Leeds to support Children that are Looked After, Young People and those with SEND requiring advocacy.
- Clearly identified the time implications of any change to the delivery of the service(s).
- Clearly identified the funding implications of the future delivery of the service(s).

The review considered how to make best use of resources available across the city and provide the best support for service users.

In order to safeguard and promote the rights of children and young people, the new service specification meets the standards set out in the National Standards for the Provision of Advocacy Services 2003;

- Advocacy is led by the views and wishes of children and young people.
- Advocacy champions the rights and needs of children and young people.
- All advocacy services have clear policies to promote equalities issues and monitor services to ensure that no young person is discriminated against due to age, gender, race, culture, religion, language, disability or sexual orientation.
- Advocacy is well-publicised, accessible and easy to use.
- Advocacy gives help and advice quickly when it is requested.
- Advocacy works exclusively for children and young people.
- The advocacy service operates to a high level of confidentiality and ensures that children, young people and other agencies are aware of its confidentiality policies.
- Advocacy listens to the views and ideas of children and young people in order to improve the service provided.
- The advocacy service has an effective and easy to use complaints procedure.

- Advocacy is well managed and gives value for money.

2.5 The review team was made up of colleagues working in Children Looked After services, the Integrated Safeguarding Unit, SENSAP, Voice and Influence and Children and Families Commissioning. The panel met periodically to discuss service provision and the associated issues. Data analysis was undertaken to understand the usage of provision. Comparative analysis work was undertaken to ensure that quality and financial concerns were addressed and that the new specification for the service would be fit for purpose.

### 3. Main issues

3.1 A competitive procurement commenced in September 2019. The tender evaluation comprised of;

- Written tender questions.
- Presentation to young people's panel.

3.2 The tender evaluation panel comprised of;

- 1 member of Commissioning
- 1 member from Integrated Safeguarding Unit
- 1 member from Children Looked After
- 2 young people from the 'Have a voice' council (presentation only)

Also in attendance were colleagues from procurement and commissioning to offer specific guidance and to record evaluation scores.

3.3 A total of four bids were received. The bids were assessed in two stages, consistent with the published tender instruction.

**First stage:** Questions 1 to 3 were assessed in the first instance. Providers were required to meet a minimum of 60% threshold for these questions in order to have the remaining questions of their written method statement assessed. Two providers did not meet this requirement and therefore did not have the remainder of their method statement evaluated and were excluded from further assessment.

**Second stage:** Two submissions met the minimum quality threshold therefore, their full written method statements were assessed.

3.4 The two bidders that were successful in reaching the second stage were then invited to give a presentation to a panel of young people. The presentation topic of, "How will children and young people be supported to have voice and influence in service planning and delivery?" attracted up to 100 points in the evaluation.

3.5 The tender documents were prepared using standard procurement documentation. The award criteria were based on a split of 70% for the quality of the submission and 30% for the price submitted. This quality / price evaluation split was taken as part of the key decision for permission to procure on 19<sup>th</sup> July 2019. Barnardo

Services Limited was not the cheapest option in relation to price but scored the highest number of points overall and therefore, we are seeking to award to them.

#### **4. Corporate considerations**

##### **4.1 Consultation and engagement**

4.1.1 Having reviewed evidence (Wood & Selwyn, 2013) in relation to service user involvement around specification development and advocacy services in general and seeking advice from the Voice and Influence team, the project team made a decision that consultation with service users would not be undertaken at the service development / specification stage. However, CYP were invited to actively take part once providers were invited to presentation stage to ensure there was meaningful engagement with CYP as part of our ongoing Child Friendly agenda.

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

4.2.1 An equality impact screening form has been attached at Appendix 1.

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

4.3.1 This contract will support the best council plan priorities of keeping people safe from harm, improving social, emotional and mental health and wellbeing and supporting families to give children the best start in life.

##### Climate Emergency

4.3.2 Bidders were requested to consider the impact of delivering their services and how they may seek to offset some of the effects that delivering services may cause.

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

4.4.1 The tender was evaluated on price and quality; 70% quality and 30% price.

4.4.2 The value of the contract is £223,909 per annum. The total value of the contract if all extensions are utilised is £1,119,545.

4.4.3 The financial envelope available for this contract provision was increased from £183,909 as a result of the business case supplied by Commissioning and Market Management. The provision had been expanded significantly over a number of years without any increase in the financial envelope.

4.4.4 Robust contract monitoring has been written into the service specification and will be monitored by Children's Services Commissioning, Contracting & Market Management team to ensure the contract delivers value for money.

##### **4.5 Legal implications, access to information, and call-in**

4.5.1 The value of this contract is £223,909 per annum. A key decision gave permission to procure this contract on 19<sup>th</sup> July 2019. This decision is therefore a significant operational decision as a direct consequence of the key decision and is therefore not subject to call in.

## **4.6 Risk management**

- 4.6.1 If this recommendation is not approved, it would result in the loss of a statutory function thus placing the council at risk of significant legal challenge and leaving some of the most vulnerable children and young people without support to challenge the authority in matters concerning them and their care and support.
- 4.6.2 A risk register is in place and has been maintained throughout the project.
- 4.6.3 The contract to be issued will include a break clause requiring a 3 month notice period should financial and planning considerations require change in the conditions for this provision.

## **5. Conclusions**

- 5.1 The recommendations contained within this report will ensure that there is delivery of a Children's Rights & Advocacy service to support Children that are Looked After and Children and Young People with SEND and others. The contract award follows a fair and transparent competitive tendering exercise which involved meaningful consultation with stakeholders.

## **6. Recommendations**

- 6.1.1 The Director of Children and Families is recommended to approve the award of a contract to deliver Children's Rights and Advocacy services to Barnardo Services Limited. The contract will be for an initial 3 years with two 12 month extensions available commencing on 1st April 2020 The annual contract will be £223,909. If all extension are taken up the total contract value will be £1,119,545.

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

- 7.1 N/A

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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.