



Report of Commissioning & Market Management Team

Report to Chief Officer – Social Work Services

Date: 10th March 2021

Subject: Qualifications assessment and internal verification of level 3 diploma in ‘working with children and young people in a residential setting.’ - Permission to waive CPRs (Contract Procedure Rules) 8.1 and 8.2 to award a contract to Creativity in Practice for 24 months



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 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
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: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary

1. Main issues

- The purpose of this report is to seek approval to award contract to Creativity in Practice for the provision of Qualifications assessment and internal verification of level 3 diploma in ‘working with children and young people in a residential setting. This decision involves waiving CPRs 8.1 and 8.2 – Intermediate Value Procurements. The contract will be for 24 months.
- Children and Families has a statutory duty to provide this function which supports the LA in meeting the needs of children and young people in care.

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

- Keeping people safe from harm, protecting the most vulnerable.

3. Resource Implications

- The budget available for this contract is up to £47,000. Children & Families Senior Leadership have committed to this funding in recognition of the value that this contract brings.

- All payments relating to this contract will be made within the first 12 months.
- The unit cost is £2,350 and there will be between 10-20 staff members over 2 years.
- This is a call-off arrangement.
- Funding has been agreed as follows:
 - £25,000 from Workforce Development Staffing Budget
 - £22,000 from Residential Children's Homes Budget

Recommendations

- a) The Deputy Director, Social Work is recommended to approve the waiver of Contract Procedure Rules no 8.1 and 8.2 in order to award a contract to Creativity in Practice, without seeking competition, in the sum up to a maximum £47,000. The contract shall commence on the 1st April 2021 and expire on the 31st March 2023, however, all payments for the contract will be paid over the initial 12 months.

1. Purpose of this report

- 1.1 The purpose of this report is to seek approval to waive Contract Procedure Rules 8.1 and 8.2 in order to award contract to Creativity in Practice, without seeking competition, for a period of 24 months from 1st April 2021.

2. Background information

- 2.1 Children and Families has a statutory duty to provide this function which supports the LA in meeting the needs of children and young people in care. The main purpose of the service is to support C&F staff working towards their Level 3 Diploma in Residential Childcare, supporting learners to meet the standards required to achieve the qualification and evidence competence in the relevant knowledge, understanding and skills.

3. Main issues

Reasons for contracts procedure rules waiver

- 3.1 Awarding a contract for 24 months ensures the LA's ability to provide adequate training and support to SW professionals working in residential settings; a statutory duty.
- 3.2 There is no existing contract for this work. Capacity has historically been met by the Workforce Team, however, their capacity has been reduced and they are no longer able to meet this statutory function.
- 3.3 The residential service have recently recruited an additional 50 staff members who require the level 3 qualification. It is a statutory requirement.
- 3.4 This additional demand cannot be met by the Workforce team. The diploma is a 2 year qualification requiring assessor and verification support and it is these services that require commissioning for up to 20 colleagues. The rest of the demand will be met internally.
- 3.5 This contract will only be needed for 2 years.
- 3.6 Creativity in Practice is the only identified provider who use City and Guilds as the awarding body which is the organisation that LCC currently use. Their learning content, systems and processes are therefore the same as the LA's ensuring quality and consistency across the whole service. It is also the only identified provider who deliver individual support and not just remote learning which is a key requirement.

Consequences if the proposed action is not approved

- 3.7 This decision is needed to secure this important training working with young people in residential settings. Without this service, SW professionals may not have access to the necessary information and support which can help reduce risk and help them achieve positive outcomes

4. Corporate considerations

- 4.1 **Consultation and engagement**

4.1.1 The appropriate personnel have been consulted throughout the process of reviewing the service and has been kept up to date with plans for the contract.

4.2 Equality and diversity / cohesion and integration

4.2.1 An equality impact screening form has been completed and is attached as appendix 1, which shows no detrimental impact as a result of this decision.

4.3 Council policies and the Best Council Plan

4.3.1 The service will contribute to the Child and Young People's Plan outcome one: 'All children and young people are safe from harm', and priority two 'ensure that the most vulnerable are protected'.

4.4 Resources, procurement and value for money

4.4.1 The budget available for this contract is up to £47,000. Children & Families Senior Leadership have committed to this funding in recognition of the value that this contract brings.

4.4.2 All payments relating to this contract will be made within the first 12 months.

4.4.3 The unit cost is £2,350 and there will be between 10-20 staff members over 2 years.

4.4.4 This is a call-off arrangement.

4.4.5 Funding has been agreed as follows:

£25,000 from Workforce Development Staffing Budget

£22,000 from Residential Children's Homes Budget

4.4.6 Creativity in Practice will be required to submit a Service Cost analysis Form (SCAF) as part of this contract award. The SCAF will be used to identify any potential areas for saving as part of this interim contract.

4.4.7 The quality and value for money of the service will continue to be monitored by the Commissioning and Market Management Service, Children & Family Services.

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

4.5.1 This is a Significant Operational Decision, which is not subject to Call In and there are no grounds for keeping the contents of this report confidential under the Access to Information Rules.

4.5.2 There is a risk of an ombudsman investigation arising from a complaint that the Council has not followed reasonable procedures, resulting in a loss of opportunity. Obviously, the complainant would have to establish maladministration. It is not considered that such an investigation would necessarily result in a finding of

maladministration however such investigations are by their nature more subjective than legal proceedings.

- 4.5.3 Although there is no overriding legal obstacle preventing the waiver of CPR 8.1 and 8.2, the content of the report should be noted. In making their final decision, the Chief Officer – Social Work Services should be satisfied that the approved course of action represents best value for the Council.

4.6 Risk management

- 4.6.1 There is a potential risk of challenge from other providers who have not been given the chance to tender for this opportunity. The Chief Officer – Social Work Services is asked to accept this request for the reasons stated within this report.

5. Conclusions

- 5.1 This decision will help ensure that SW professionals are suitably equipped to complete their Level 3 Diploma in Residential Childcare, supporting learners to meet the standards required to achieve the qualification and evidence competence in the relevant knowledge, understanding and skills.

6. Recommendations

- 6.1 The Deputy Director, Social Work is recommended to approve the waiver of Contract Procedure Rules no 8.1 and 8.2 in order to award a 24 month contract to Creativity in Practice, without seeking competition, up to the sum of £47,000. The contract shall commence on the 1st April 2021 and expire on the 31st March 2023.

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.