

Direct Contract Award to Coram BAAF for Training and Development Support for the National Strategy

Date: 19 May 2022

Report of: National Adoption Strategic Lead

Report to: Director of Children and Families

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

What is this report about?

Including how it contributes to the city's and council's ambitions

- This report seeks approval for the award of a new contract to CoramBAAF for delivery of training and development support for the National Adoption Strategy. This decision is a direct award without competition and is in line with Contract Procedure Rule 9.5.
- This proposal supports the 2020-25 Best Council Plan priority to make Leeds a Child Friendly City where families are supported to give children the best start in life

Recommendations

- a) The Deputy Director of Children and Families is recommended to approve the award of a new contract using Contract Procurement Rule 9.5 to CoramBAAF for Provision of Training and Support for the National Adoption Strategy. The contract shall be for a period of 12 months from 01/06/2022 to 31/07/2023 with the option to extend by two periods of 12 months. The maximum value is £75,800 per annum and so has a potential total of £227,400 if the extensions are taken up in full.

Why is the proposal being put forward?

- 1 The National Adoption Strategy set by the government sets out a bold vision to deliver excellence in adoption services across England. The aim is to ensure that best practice becomes the norm so that every adopted child and their family can access services and support that they need wherever they live and maximise children's outcomes in the short and long term.
- 2 The aim is for all adoptive children to be found permanent loving families as quickly as possible where they will be safe and secure; adopters are recruited from all communities so that we have a range of approved parents able and well prepared to meet the needs of children waiting to be

adopted and that children and families will be able to get the support that they need when they need it.

- 3 Funding for this contract is available from the national adoption recruitment grant from the Department of Education (DfE). Regional Adoption Agencies (RAAs) leaders have once again decided to collectively pool the resources, working collaboratively to achieve better outcomes for children waiting for adoption. The DfE have approved OAWY to act as a central repository for the grant funds on behalf of all RAAs, with Leeds City Council holding the funds as host of OAWY.
- 4 The Director of Children and Families approved the proposal for the Council to enter into an agreement and accept £19.5m grant funding from the DfE on behalf of OAWY for the period 2022/23 – 2024/25 on 27/04/2022 and call in ended 13/05/2022
- 5 Adoption is a very specific and technical aspect of Children’s Social Care and providers in this Field are limited. The range of work within this package requires detailed knowledge of adoption, adoption support, adoption recruitment, the planning of adoption for children, academic practice, and research. Understanding the breadth of this work with one provider who the RAAs can work with across these strands is critical to delivery within the timescales for the work to be delivered effectively and efficiently.
- 6 CoramBAAF has written material that has been written but not yet published around good practice in Adoption Support and the RAAs need to be able to work in partnership with them to bring this adoption practice in a timely manner to improve the support to children and families. This intellectual property is not available elsewhere within the sector in England and the RAAs are working to legislation and regulations within England.
- 7 There are other providers who deal with one element of the provision but for an effective and efficient use of resources, having one provider to deliver All of this makes best use of resource within the time constraints of the funding.
- 8 CoramBAAF has the knowledge and expertise to deliver a high-quality training and development support package to achieve the outcomes set out by the government and outlined above. CoramBAAF are the only provider within
- 9 CoramBAAF are a national membership organisation and work with adoption agencies and Local Authorities across the country to promote effective models of practice in the field of adoption in particular. They have access to professional networks and have access to immediate expert knowledge

What impact will this proposal have?

Wards affected:

Have ward members been consulted?

Yes

No

- 10 No individual wards in Leeds will be impacted by these proposals because the provision is delivered on a national basis
- 11 An Equality Impact Assessment Screening document has been completed. This identifies there is a positive impact in respect of equality and diversity in that it will advance equality of opportunity for children that are looked after

What consultation and engagement has taken place?

- 12 There are no particular legal or statutory requirements to undertake consultation as part of this decision. Consultation has taken place regularly at regional RAA meetings with the National

Adoption Strategic Lead and representatives from the DfE and RAA leaders to explore options on how to best continue management of the grant to achieve positive outcomes for prospective adopters and children awaiting adoption.

- 13 PACS have been consulted and have advised that use of CPR 9.5 is appropriate on this occasion.

What are the resource implications?

- 14 The maximum value of the contract is £78,800 per annum based on the schedule of training and resources that have been identified as a need in the Adoption work that is being undertaken nationally. The potential total value is £227,400 should the extension options be taken in full.
- 15 CoramBAAF have submitted a breakdown of costs for a package of support that includes extensive resources and training sessions for adoption workers. A contract will be awarded and published on Yortender.
- 16 The budget for this contract has been confirmed by finance.
- 17 Performance will be overseen by the National Adoption project team based within Leeds City Council. Support for Contract Management will be provided by the Leeds City Council Commissioning and Market Management Team as required.

What are the legal implications?

- 18 This report involves a Significant Operational Decision due to the maximum potential value being over £100k. It is not subject to call in. There are no grounds for keeping the contents of this report confidential under the Access to Information Rules.
- 19 The value of the direct award detailed within this report is below the threshold for the application of the Public Contracts Regulations 2015 for the procurement of public service contracts and therefore is not subject to the full procurement rules beyond the duty to act transparently, fairly, and non-discriminatory that applies to all contracts.

The decision to enter into a contract with CoramBAAF for the purpose highlighted in this report falls under the provision of CPR 9.5:

Where the relevant Chief Officer considers there is genuinely no competition such that only a particular organisation or provider can meet the Council's specific requirements (e.g., when commissioning a piece of art) a waiver of CPRs 9.1 and 9.2 need not be obtained. However, before making any decision the Authorised Officer must consult with PACS and the lack of competition must be formally evidenced and approved by the relevant Chief Officer before the contract is entered into.

- 20 Awarding a contract directly to the named organisation in this way could lead the Council open to a potential claim from other providers, to whom this contract could be of interest, that it has not been wholly transparent. However, the risk of this would appear to be low as outlined within this proposal in that the council believe there is genuinely no competition because of the wide range of knowledge and expertise in various strands of adoption and the tight timescales in which this contract needs to be delivered in for which only CoramBAAF would be able to deliver in time and deliver nationally.
- 21 Although there is no overriding legal obstacle preventing the use of CPR 9.5 and the award of the contract to CoramBAAF, the contents of this report should be noted

22 In making their finale decision, the Deputy Director for Children and Families should be aware of the risk of challenge to the Council identified above and be satisfied that on balance the course of action chosen represents Best Value for the Council.

What are the key risks and how are they being managed?

23 With any direct award there must be consideration of the risk of challenge. However, this risk is very minimal for the reasons outlined within the report and the benefits outweigh the risks.

24 It will be important to ensure that the contract delivers positive outcomes in support of the National Adoption Strategy. CoramBAAF will provide regular reports of each training session so that progress can be monitored, and learning continues to influence delivery.

Does this proposal support the council's three Key Pillars?

Inclusive Growth

Health and Wellbeing

Climate Emergency

25 This proposal provides a strong support for the refreshed Children and Young Peoples Plan and the Councils ambition to be a Child Friendly City. The outcomes delivered through this contract will contribute to a number of the outcomes and priorities within the plan, including the outcomes to ensure that all young people are safe from harm and the priority to help children live in safe and supportive families.

Options, timescales and measuring success

What other options were considered?

26 No other options were considered for the reasons outlined in this report

How will success be measured?

27 The performance of the service will be measured through regular liaison between the Contractor and the National Project Team. The Contractor will submit regular reports throughout the contract and an annual report capturing outputs, quality, and impact.

What is the timetable for implementation?

28 Following approval for this decision, the new contract award will be processed as soon as possible, with a start date of 01/06/2022

Appendices

29 Appendix 1 – Equality Impact Screening Form

Background papers

30 None