

PLYMOUTH CITY COUNCIL

Subject: The Peninsula Framework Agreements for Independent Sector Children and Young People's Placements.

Committee: Cabinet

Date: 12 March 2013

Cabinet Member: Councillor Williams

CMT Member: Carole Burgoyne (Director for People)

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Ref: Peninsula Open Frameworks 0213

Key Decision: Yes

Part: I

Purpose of the report:

To ask cabinet to renew the current Peninsula wide arrangements for the commissioning of independent sector children and young people's placements in: foster care; children's homes; special schools; and supported accommodation to help young people achieve independence.

Independent sector placements are provided by the private sector, as well as, the voluntary, community, and social enterprise sectors.

Plymouth City Council has been an active partner since 2008 in the collaboration between Cornwall Council, Devon County Council, Plymouth City Council, Somerset County Council, and Torbay Council that tenders for these services together.

Corporate Plan 2012 – 2015:

The Corporate Plan 2012-2015 creates four shared priority areas for the city. The continued involvement of Plymouth City Council in the Peninsula Commissioning and Procurement Partnership for children's and young people's placements will contribute to the achievement of three of the priorities: raising aspiration; reducing inequality; and providing value for communities by improving quality and value for money of independent sector children's placements, which will improve outcomes for children in care. Also if more services are provided locally, which is an aspiration of the Partnership, this will contribute to the fourth priority, to deliver economic growth.

Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land:

The Peninsula Framework Agreements for Independent Sector Children and Young People's Placements form a key aspect of the medium term financial planning for services for children and young people.

The framework agreements ensure we are commissioning high quality independent placements for vulnerable children and young people at a competitive rate. Furthermore, the on-going effective development of the market is enabling a more competitive environment to flourish.

The overall commitment to the children's social care independent sector children and young people's placement budget for services called off the Peninsula Framework Agreements will be £6,473,601 in 2013/4. The Peninsula Commissioning and Procurement Partnership Framework Agreements do not however commit Plymouth City Council to definitely call off expenditure with the suppliers on the framework. This commitment is only made when individual placement contract decisions are made after an options appraisal.

The Plymouth City Council system at call off ensures that for all new placements, or placement moves, mini competitions take place followed by an options appraisal. This allows value for money judgements to be made at the point when each placement decision is made.

Through good market management the availability of alternative placements is being strengthened and this is increasing the ability to secure savings over time. The framework contract does not preclude successful bidders from lowering their prices during the life of the contract to achieve more placements at the options appraisal stage.

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

The Peninsula Commissioning and Procurement Partnership for children and young people's placements focuses on collaboration between Plymouth City Council and neighbouring authorities on the commissioning of children's placements for children in care.

Improving the quality, choice and value for money of placements will improve long term outcomes for children in care and aims to reduce child poverty.

Equality and Diversity:

Has an Equality Impact Assessment been undertaken? Yes

While no adverse impacts were identified we have agreed a number of actions to ensure a thorough equalities assessment. In particular we will monitor on an on-going basis the improvement to the sufficiency and quality of supply of placements within Plymouth City Council boundaries for children in care.

Recommendations and Reasons for recommended action:

Cabinet are asked to agree

- I. to renew the membership of Plymouth City Council as a contracting body eligible to call off individual placement contracts from providers signed up to the Peninsula Framework Agreements for Independent Sector Children and Young People's Placements. In 2013/4 the children's social care independent sector placement budget will be £6,473,601.

2. that the lead authority, Devon County Council, enters into Framework Agreements with providers appointed under the Peninsula Framework Agreements for Independent Sector Children and Young People's Placements on behalf of members of the Peninsula Commissioning and Procurement Partnership. Plymouth City Council is a member of this partnership.

Alternative options considered and rejected:

An alternative option would be to leave the Peninsula Commissioning and Procurement Partnership for children and young people's placements and to tender a framework agreement alone. This option was discarded because it would increase procurement costs for Plymouth City Council and be less effective in improving the quality and value for money of placements on offer because the five authorities have more impact on the local market of providers if they act together and co-operate.

The next geographically nearest collaborative partnership is informally led by Gloucestershire which is much further from Plymouth than the other authorities that are our geographical neighbours. The Peninsula Commissioning and Procurement Partnership does however maintain good communication links with the Gloucestershire led far South West group, as well as other collaborative groups established elsewhere in England.

Published work / information:

The Corporate Plan 2012-2015

<http://www.plymouth.gov.uk/homepage/councilanddemocracy/ourvision/corporateplan.html>

Plymouth Children and Young Peoples Plan 2011 -2014

<http://www.plymouth.gov.uk/cypp.html>

Equalities Impact Assessment Peninsula 10122012

http://www.plymouth.gov.uk/eia_peninsula.pdf

The Legal Aid, Sentencing and Punishment of Offenders Act

<http://www.legislation.gov.uk/ukpga/2012/10/contents>

Department for Education Sfr20 – 2012 Table LAA1: Children looked after at 31 March, by Local Authority 2009 to 2012 released September 2012

<http://www.education.gov.uk/rsgateway/DB/SFR/s001084/index.shtml>

Background papers:

None

Sign off:

Fin	People FCC 1213 001	Leg	14781/SC	Mon Off	TH0085	HR	n/a	Assets	n/a	IT	n/a	Strat Proc	JK/SPU/ CP/314 /0113
Originating SMT Member				Pam Marsden									
Has the Cabinet Member(s) agreed the content of the report? Yes													

I. Introduction

- 1.1. Plymouth City Council has been a member of the Peninsula Commissioning and Procurement Partnership for children and young people's placements since 2008.
- 1.2. The Peninsula Commissioning and Procurement Partnership is a longstanding collaboration between Cornwall Council, Devon County Council, Plymouth City Council, Somerset County Council, and Torbay Council. It was first set up in 2006.
- 1.3. The Peninsula Partnership member authorities have agreed to collaborate on the commissioning and procurement of independent sector children's placements. Independent sector placements are provided by the private sector as well as the voluntary and community, and social enterprise sectors.
- 1.4. Peninsula partnership members jointly tender for services and co-operate on the monitoring of the quality of provision. The work is steered by a Board of senior staff from all five local authorities.

2. Background

- 2.1. A key strength of the Peninsula Partnership has been in the creation and maintenance of a quality assured provider list for independent sector providers of foster placements, children's homes and day and residential special schools.
- 2.2. Another strength is the level of information sharing and joint monitoring that has developed. The Partnership allows authorities to share information appropriately more easily because information sharing protocols and trust is now well established. The authorities carry out compliance monitoring together, including joint site visits and undertake investigations if needed, as well as jointly running Provider Forums on a regular basis. Forums allow the authorities an opportunity to communicate on a regular basis with providers, letting them know about future plans, as well as discussing new developments in the provision of care services for children and young people.
- 2.3. This joint commissioning arrangement has been recognised by Ofsted as a good practice example in the 2010 Ofsted Report about the Inspection of the Plymouth City Council Safeguarding and Looked After Children Services.
- 2.4. Ofsted noted, "Monitoring of commissioning arrangements are good and has led to improved outcomes for children and young people. Working in partnership with other areas, Plymouth has developed a detailed commissioning strategy that ensures good quality placements that offer value for money. Services are selected through a rigorous initial pre-qualification process followed by a cost and volume test. The initial selection includes policy evaluation, assessment of how well embedded these policies are, their impact on practice and finally a site visit to every children's home which has over five beds and a sample of foster homes, if an independent fostering agency." They also said, "The contribution of partners to achieving value for money is good. Improvements in commissioning and procurement have been achieved through a Peninsula-wide partnership. This has improved the range and quality of placements available to looked after children and young people."

2.5. Improving the quality, choice and value for money of placements will improve long term outcomes for children in care and aims to reduce child poverty. While no adverse impacts were identified in the equalities impact report we carefully monitor on an on-going basis the improvement to the sufficiency and quality of supply of placements within Plymouth City Council boundaries for children in care.

3. Demand

3.1. Demand for placements for children and young people has increased significantly across the Peninsula as between 2009 and 2012. Plymouth has avoided this growth in numbers of placements by implementing early help and other effective social work interventions to de-escalate need in families. This has successfully prevented the need for children to come into care. However increasing demand for placements from other authorities in the Peninsula is affecting placement supply for Plymouth City Council.

Children looked after at 31 March, 2009 to 2012	Mar-09	Mar-10	Mar-11	Mar-12
Peninsula Total	1960	2110	2160	2320
Plymouth	380	435	375	385

Source Department for Education Sfr20 – 2012 Table LAA1: Children looked after at 31 March, by Local Authority 2009 to 2012 released September 2012

3.2. It is also possible that the welfare benefit changes and the implementation of the Legal Aid, Sentencing and Punishment of Offenders Act may increase demand for accommodation for young people over the age of 16.

3.3. The Legal Aid, Sentencing and Punishment of Offenders Act received Royal Assent in May 2012. Implemented between November and April 2013, it is changing local authorities' responsibilities for young people on remand by transferring funding responsibility for this group to local authorities and giving this group 'looked after' status whilst on remand.

3.4. Related changes in the Act aim to reduce the number of young people remanded to custody by the courts. This may take time to implement and it is too early to tell the likely impact locally. As a result support and accommodation for 16 to 25 year olds has been included in Peninsula collaborative work for the first time.

4. The Peninsula Framework Agreements for Children's and Young People's Placements

4.1. The Peninsula framework agreements for children's and young people's placements have been retendered by the Peninsula member authorities jointly on a regular basis. The current period of pre-qualification expires on 31st March 2013. The Peninsula local authorities are co-operating to retender together again so that there will be a new list available in April 2013 which is fit for purpose for the next four years.

4.2. This work is funded by a Working Together Board grant and the procurement work is being led by Devon County Council. The five authorities are sharing the workload by offering staff time for the tender evaluation work.

4.3. The four lots in the tender are -

- Lot 1 - Independent Residential Children's Homes
- Lot 2 - Independent Fostering Services

- Lot 3 - Independent Day and Residential Special Schools
- Lot 4 - Support and Accommodation for 16-25 year olds

- 4.4. For the first time the list will include providers of supported accommodation with host families, and other similar provision, that is specifically designed to assist looked after children and care leavers achieve independence. An element of this 16 to 25 year old provision is unregulated, so the inclusion of this lot in the tender will allow the authorities to work together to quality assure this provision.
- 4.5. Successful providers will sign a framework agreement with Devon County Council.
- 4.6. Once a provider is awarded a framework agreement the provider is approved to supply individual placements to all five authorities, called off using Individual Placement Agreements. Plymouth City Council will be identified, as a contracting body, to call off from the framework agreement provider lists. There is no requirement for any of the contracting bodies to make individual placements at the time the framework is signed. These commitments are only made on an individual placement basis at call off.
- 4.7. The Plymouth City Council system at call off ensures that for all new placements, or placement moves, an options appraisal is undertaken. This allows value for money judgements to be made at the point when each placement decision is made.
- 4.8. Placements are preferred in families, such as with foster or host families, rather than children's homes if possible. Children's homes can however be a positive option in some cases for some looked after children and young people.
- 4.9. Through good market management the availability of alternative placements is being strengthened and this is increasing the ability to secure savings over time. The framework agreement does not prevent successful bidders from lowering their prices during the life of the agreement to achieve more placements at the options appraisal stage.
- 4.10. The Peninsula authorities have been actively advertising the opportunity and will do soon a regular basis over the next four years. They will be encouraging a range of providers for all sectors: community and voluntary; social enterprise and the private sector.
- 4.11. Eventually providers of placements that accommodate parents with their children whilst their parenting capacity is being assessed will also be added. This piece of work will take slightly longer and is planned for 2013/4.
- 4.12. The system is being continuously reviewed and improved. The updated revised system from April 2013 aims to improve the quality and supply of placements. Peninsula authorities have also strongly signalled to providers that together we are working towards using only provision with Good and Outstanding Ofsted grades in order to further improve the quality of provision.
- 4.13. In order to improve supply the geographical area is being widened. Providers from the far south west have been invited to apply i.e. those with provision within Gloucestershire, Wiltshire and Dorset. However, it is being strongly emphasised to prospective providers that all the authorities seek to place locally within, or as near to local authority boundaries wherever possible, and as long as this choice is in the child's best interests. Children are only placed beyond the local authority boundary if placement matching indicates that a placement in another local authority area will best meet their specific needs.

- 4.14. The tender opportunity will be open every four months for new applications, so if new providers need to improve their policies and practice to be successful, they will have an opportunity to receive feedback and improve their systems and reapply in the next round. This also allows the authorities to work on an on-going basis to fill gaps in provision.
- 4.15. The Peninsula authorities have strongly signalled to providers that they are looking for on-going partnerships with providers that can offer increasing value for money over the next four years, as well as collaborative working and offers of new service models to achieve efficiencies and quality outcomes for children.
- 4.16. The authorities also intend to use the lists generated by this procurement exercise as a pre-qualified restricted list for invitation to tender for future joint cost and volume or block tender opportunities in the provision of children and young people's placements where appropriate.
- 4.17. Improving the quality, choice and value for money of placements will improve long term outcomes for some of our most vulnerable children and young people and will therefore further Plymouth City Council's aspiration to reduce child poverty.