

Report of the Deputy Director of Children's Specialist Services to the meeting of the Children's Services Overview & Scrutiny Committee to be held on 26th July 2016

Subject: **H**

Block contract call-off from the White Rose Looked After Children Residential Framework within the Bradford & District Area

Summary statement:

The plan is to block buy a number of residential children's homes beds from the existing White Rose Framework to provide better outcomes for looked after young people in Bradford. By undertaking this young people stay in the Bradford area and this will provide a more cost effective result for the Council.

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Overview & Scrutiny Area:

Children's Social Care

1. SUMMARY

- 1.1 We are seeking to block purchase, through a procurement process, 2 lots of 6 beds (12 in total) of which all will be available in a mixed sex home(s) for 10-18 year old children & young people from R1 type children's homes registered properties on the White Rose Looked after Children's Residential Framework.
- 1.2 The White Rose Framework is made up of 12 member Local Authorities (Bradford, Barnsley, Calderdale, Doncaster, Hull, Kirklees, Leeds, North East Lincolnshire, Rotherham, Sheffield, Wakefield and York). The framework consists of three tiers based on price and quality. The object of the framework is to reduce prices through the buying power of the Local Authorities within the consortium. There is a facility for block arrangements to be called off the framework by a competitive process.
- 1.3 An R1 type home is classed as 'mainstream' provision in a children's homes providing 24 hours a day care, staffing and support for the children and young people placed.
- 1.4 Placements will likely be short to medium term in duration, and may include referrals for emergency beds which may last for less than a week in length.
- 1.5 The homes will be located in the Bradford District area plus 20 mile radius.
- 1.6 The contract on offer is for a period of 2 years with an option to extend for a further two x 1 year extensions (four years in total). A shorter contract will allow the flexibility to review the contract or retender if the need for block residential placements changes e.g. there is a greater need for more specialised placements.
- 1.7 By using a block purchase we are anticipating a more cost effective result for Bradford Council than the current method of buying off the existing White Rose Looked After Children Residential Framework.

2. BACKGROUND

- 2.1 There is a requirement on Local Authorities to ensure access to a sufficient range of placements, with the necessary support, in respect of all children who are defined as 'looked after' under the Children Act 1989. This is called 'the Sufficiency Duty.' It also applies to children in need, who are at risk of care or custody.
- 2.2 Section 22C of The Children Act 1989 requires the Local Authority in determining the most appropriate placement for a child to take into account the duties to safeguard and promote welfare; allow the child to live near his/her home; not to disrupt the child's educational achievement or training; ascertain the wishes of the child and family; enable the child and a looked after sibling to live together; meet the particular needs of a disabled child; and give due consideration to religious persuasion, racial origin and cultural background. Regular reviews will evaluate whether the child's needs are being met and address any emerging issues.
- 2.3 Local Authorities must be able to show that they are taking steps to provide, wherever it is 'reasonably practicable,' accommodation within their area for those children for whom a local placement would be consistent with their welfare.

2.4 In June 2015 Bradford Council met its sufficiency duties in a number of ways:-

- In-house residential provision consisting of 7 homes with 8 beds, 1 home with 12 beds and a 3 bed respite home (71 beds in total)
- Block residential contract of 17 placements across 3 providers (homes)
- External placements through the White Rose Looked After Children Residential Framework Agreement
- Individual Spot Contracts for out of area placements
- In-house fostering
- External fostering placements through the White Rose Independent Fostering Association Framework Agreement

2.5 The block residential contract (17 beds) expired on 30 September 2015. This contract ran for a full 5 years from 01 October 2010 and no more extensions were permitted. This contract was put in place before the White Rose Framework.

2.6 The White Rose Looked After Children Residential Framework Agreement commenced on the 08 July 2013 for a period of 2 years with an option to extend for a further period of two x 1 years. One of the extensions has been taken up and the contract is in the process of being extended further to July 2017.

2.7 During the last 18 months a thorough review of our 'Sufficiency Duty' has taken place including an independent review of our internal residential provision. The updated Sufficiency Strategy takes into account the projected need in the Bradford District and statement of purpose which will underpin a reshaping of placement provision for Looked After Children, those who have left care and those who are in need and at risk or care or custody (children 'on the edge of care.')

2.8 By commissioning provision on the basis of 'best evidence' of future need and demand Bradford Council aims to ensure there is sufficient 'slack' in the system to respond to unexpected demand and need while avoiding 'void beds' / underuse, or provision 'lying idle', which is not cost effective.

2.9 The review identified a continued need for external residential placements, particularly in the short to medium term whilst we continue to grow our in-house foster carers and reduce the number of in-house residential beds.

2.10 Appendix A to the White Rose Looked After Children Residential Framework Agreement allows participating member authorities, during the operations of the framework to procure a number of block placements. This will operate in the same manner as other placements within the framework in that the option to purchase block provision will be offered in the first instance to those providers who are allocated to Tier One.

- 2.11 The block contract call off from the White Rose Looked After Children Residential Framework Agreement will ensure that there is adequate provision within the Bradford District plus 20 mile radius for us to comply with our 'Sufficiency Duty'. Presently there are a number of children and young people from neighbouring Local Authorities who currently reside in external children homes within the Bradford District thereby restricting the number of placements available to children who are resident within the Bradford District. In addition, there are only 4 external children's homes within the Bradford District but none of these are currently registered on the White Rose Framework.
- 2.12 Local placements will reduce an adverse impact on the child's well-being by facilitating continued contact with family and friends. It will also promote 'change' work with the child and family increasing the probability of reunification / return home. In addition, local placements avoid disruption of education and facilitates social worker visits.

3. OTHER CONSIDERATIONS

- 3.1 In calculating the number of beds required for the block contract call off from the White Rose Residential Framework the overall re-shaping of Bradford Council's provision for Looked After Children was taken into account.
- 3.2 The reshaping of placement provision is one of five related work streams within the "*Journey to Excellence*" – Children's Service transformation programme:
- (i) Refocusing and strengthening in-house children's placement provision, particularly residential care and local foster care for adolescents with the most complex needs.
 - (ii) Restructure and integration of key teams and strengthening of the "Early Help Offer"
 - (iii) Rolling out the "Signs of Safety" approach across the children's partnership with an initial priority focus on edge of care and the front door of Children's Social Care / child protection.
 - (iv) Refocusing emergency and 'out of hours' responses, particularly for young people in crisis.
 - (v) Implementation of an integrated service across Children, Adults and Health for young people aged 14 plus with complex health issues and or disabilities.
- 3.3 The "Journey to Excellence" programme reflects the wider council's "New Deal" initiative, the priorities of the district's Children's Plan, the aspirations of NHS England around prevention of avoidable harm and West Yorkshire's Police and Crime Plan.

3.4 The re-shaping of provision for Looked After Children in order to meet our Sufficiency Duty will include:-

- Reducing the number of children coming into the looked after system through Journey to Excellence
- Reduce, where safe to do so, the length of time children stay in the looked after system through Journey to Excellence
- Ensure placement stability (child's needs matched to the right placement, first time)
- Reduce the number of beds in our in-house residential units from 68 beds to 40 beds (2 homes with 4 beds, 5 homes with 5 beds and 1 home with 7 beds) to address the struggle to deal with the level of and conflict between the needs of individual children while maintaining high quality care for all. The internal provision will allow higher need children to receive the support they require to promote better outcomes and value for money.
- Ensure the availability of procured placements which meet the requirements of some of our most needy children
- Address the mis-match between the type of foster carer approvals and vacancies and the characteristics of those children and young people who need a placement
- Increase the in-house fostering capacity, particularly for teenagers and promote other lower cost placements that meet the needs of Looked After Children (e.g. Adoptions)
- Increase our in-house fostering provision
- Children are only placed outside of Bradford based on need
- Increasing the number of sibling groups who are placed together
- Lowering the high number of open / allocated 'leaving care' cases
- Improving Education, Employment and Training Outcomes for Looked After Children
- Ensuring the best outcomes for children and value for money with all placements.

3.5 The number of beds and duration of the contract is designed to be flexible enough to support the re-shaping of the looked after provision. The table below shows the statistics of where children and young people were placed over the last year.

| Impact Measurement at Quarter End No of children placed with:- | Q4 31/03/15 | Q1 30/06/15 | Q2 30/09/15 | Q3 31/12/15 | Q4 31/03/16 |
|---|------------------------|------------------------|------------------------|------------------------|------------------------|
| Family and Friends | 218 | 207 | 207 | 200 | 201 |
| Internal Fostering | 344 | 362 | 364 | 366 | 366 |
| Purchased Foster care | 31 | 27 | 31 | 32 | 33 |
| Internal Residential | 63 | 64 | 67 | 58 | 57 |
| Purchased Residential | 49 | 53 | 52 | 46 | 50 |

3.6 The quality of service and resource provision has to be maintained at a level sufficient to:

- Continue to meet the needs of individual children and young people.
- Meet minimum legal / statutory requirements.
- Meet Ofsted inspection standards.

4. FINANCIAL & RESOURCE APPRAISAL

4.1 Under Contracts Standing Orders 4.4 before inviting tenders or quotations, the Authorised Officer must:

4.4.1 for contracts with a total estimated contract value in excess of £2m, report details to the relevant Overview and Scrutiny Committee using the agreed pre-contract reporting process determined by the Assistant Director of Commissioning & Procurement. For clarity, details of call-off contracts from a framework do not need to be separately reported providing the original framework has been reported except where the relevant Overview and Scrutiny Committee request a separate report.

4.2 There are currently 14 children placed in “R1” residential homes. In May 2016, the average cost of a bed within a 6 bedded unit on the White Rose Framework for all tiers is £2,261 per week. Therefore the cost of 12 beds for a full year will be £1.4m. It is expected that the contract will be commissioned at a lower weekly cost than the current weekly average price of £2,261. The anticipated contract value is estimated to be over £2m over two financial years.

4.3 The external residential placement budget for 2016-17 is £4.7m. This budget overspent by £2.3m in 2015-16 due to an increase in the prices paid for external placement and also an increase in the number of placements. The Council in setting the 2016-17, allocated £1.5m to the placement budget to address the increase in price paid for placements.

4.4 Any saving made through this procurement exercise will firstly address the current budget overspend and, secondly, contribute to the service budget savings requirement for 2016-17 and 2017-18.

4.5 Referrals to providers will be made that match their Statement of Purpose and information contained in their Children’s Social Care Registration Forms. Refusals to take referrals must be detailed in writing and agreed by both parties. Any refusals not agreed by both parties will mean forfeiture of the weekly block and void bed cost until the placement is filled. This will minimise any potential void bed costs.

4.6 The block contract will be designed to allow Bradford Council to sell surplus provision to other Local Authorities, thereby mitigating the void bed costs.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

5.1 The homes would be subject to regulatory inspection and would need to evidence good outcomes from these inspections. The provider will ensure that the home receives a monthly independent inspection and that the subsequent report is sent to both Ofsted and the local authority.

6. LEGAL APPRAISAL

6.1 There are no stated issues from legal.

7. OTHER IMPLICATIONS

- 7.0.1 Providers who are proposing to set up a new home in accordance with the White Rose Framework can negotiate up to a 4 month implementation period which will be agreed at award stage to allow time for the accommodation to be ready for occupation by commencement of the agreed contract start date or earlier by agreement.
- 7.0.2 In this period the provider must give regular written progress updates on their implementation plan and supply appropriate evidence which will include the following, but not limited to:-
- 7.0.2.1 The site for the new accommodation is in an area that is deemed suitable for the young people in the specific cohort.
 - 7.0.2.2 Planning permission is agreed and consultation has taken place with residents in the locality.
 - 7.0.2.3 Local facilities/amenities identified and professional links established with police, schools, health services etc.
 - 7.0.2.4 The accommodation must be registered by the provider on to the White Rose Framework prior to commencement of the contract
 - 7.0.2.5 The new home must be registered by Ofsted and Certification of Registration produced.
- 7.0.3 Potential bidders with existing larger homes may reduce bed sizes in current homes resulting in a planned and co-ordinated movement of Children and Young People.
- 7.0.4 Potential bidders with existing homes may have other Local Authority Children and Young People residing in them resulting in a planned and co-ordinated movement of Children and Young People.

7.1 EQUALITY & DIVERSITY

Moving to a block contract will provide a greater choice of provision within the locality, keeping Bradford children in district and preventing placement potentially at distance, this will improve the outcomes for these young people as they will access local services and maintain links.

7.2 SUSTAINABILITY IMPLICATIONS

The establishment of a block contract will provide savings for the duration of the contract as opposed to purchasing from the White Rose Framework.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

Local placements will reduce travel time and costs, including greenhouse gas emissions. It also avoids disruption to education and facilitates social worker visits in a timely manner.

7.4 COMMUNITY SAFETY IMPLICATIONS

Any new provision will be carefully located and will need a locality risk assessment completing this will be in conjunction with partners and the Police.

7.5 HUMAN RIGHTS ACT

None

7.6 TRADE UNION

None

7.7 WARD IMPLICATIONS

7.7.1 There is likely to be sensitivity from the local community if/when new Children's Home provision is established within the district. This will need to be carefully managed in terms of communication to the wider community and require support from elected members.

7.7.2 All Children's Homes need to have a comprehensive locality risk assessment in place showing the risks in the area, partners will need to be involved in decisions regarding the location of any planned new provision.

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS (for reports to Area Committees only)

7.8.1 The block contract will contribute to the priorities within the Bradford District Plan 2016 – 2020 through:-

7.8.1.1 Better skills, more jobs and a growing economy – creating the conditions to make Bradford the best place to set up, grow and run a business. Local external provision will support local jobs for the district and help local businesses flourish.

7.8.1.2 A great start and good schools for all our children – children and young people placed locally will minimise education disruption by virtue of school moves keeping the focus on educational attainment.

7.8.1.3 Better health, better lives – promote children and young people to be healthy and active through wrap around support.

8. NOT FOR PUBLICATION DOCUMENTS

Appendix 1 – Bradford Council’s Sufficiency Strategy - Not for publication and is exempt from disclosure in accordance with paragraph 3 of schedule 12a (financial or business affairs) of the Local Government Act 1972. It is considered that in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information

9. OPTIONS

None

10. RECOMMENDATIONS

10.1 That the Children’s Overview & scrutiny panel note the contents of this report.

11. APPENDICES

Appendix 1 – Bradford Council’s Sufficiency Strategy

Not for publication.

12. BACKGROUND DOCUMENTS

None.