

Cabinet – 15 June 2016

Sub Regional Supported Accommodation Framework

Portfolio: Councillor Burley, Children's and Education

Related portfolio: N/A

Service: Children's Commissioning – Sub-Regional Supported Accommodation Framework

Wards: All

Key decision: No

Forward plan: No

1. Summary

- 1.1 On 13 April 2011 Cabinet approved that Walsall Council join the Sub Regional Supported Accommodation Framework from 23 November 2012 to 22 November 2016.
- 1.2 This report seeks delegated authority for the Executive Director Children's Services to enter into Call-off contracts with supported accommodation providers under the Sub Regional Supported Accommodation Framework to be awarded in August 2016 ("the Framework"), following Staffordshire County Council's completion of a competitive tender process.
- 1.3 The Framework will last for two years from 23 November 2016, with the added provision to extend for an additional one year + one year from 23 November 2018.
- 1.4 The Framework will allow all Walsall eligible young people (defined in paragraph 1.6) access to a range of supported accommodation within the region. Of the current 43 supported accommodation providers, Walsall Council has made placements with 13 different providers. Walsall Council currently spot purchases with 5 providers who are not part of the Framework and these placements will remain spot purchased.
- 1.5 The local commissioning intention is to procure services within a competitive Supported Accommodation market where quality has been pre-measured and evaluated and rates have been benchmarked by accommodation cost and hourly support rate for the lifespan of the Framework. This will allow

more accurate forecasting of cost based on the pattern of demand and analysis by age group.

- 1.6 The Children's (Leaving Care) Act 2000 requires Local Authorities to provide a comprehensive service to all young people leaving care after age 16 and who have been looked after for 14 weeks or more. As part of the Act, Local Authorities must also ensure Young People aged 16 and 17 leaving care have access to a range of suitable accommodation options, and that this accommodation should be appropriately supported.
- 1.7 The Framework will have a positive impact on the Council's Looked After Children (LAC) sufficiency responsibility which requires the Local Authority to secure sufficient accommodation within the authority's area. Alongside local in-borough provision, this Framework will support LAC closer to home by helping them remain within the region wherever possible when there is no Walsall placement possible.
- 1.8 All young people who are currently in placements will remain in their accommodation after 23 November 2016 with providers who are successful in their tender for the Framework. Transition arrangements will allow for any young people placed with unsuccessful providers to either remain or move to another provider on the Framework.
- 1.9 All of Walsall Council's existing spot purchase providers that are successful in tendering to join the Framework will transfer to the Terms and Conditions which are prescribed by the Framework, via the call-off contracts and the new Individual Placement Agreements which the Council puts in place with each of such providers.

2. Recommendations

- 2.1 That Cabinet approve Walsall Council to continue to be a member of the sub regional supported accommodation framework approach, where applicable, for 16 and 17 year old looked after young people in the process of leaving care and vulnerable and homeless 16 and 17 year olds supported by Children's Social Care.
- 2.2 That Cabinet delegate authority to the Executive Director of Children Services, in consultation with the Portfolio Holder of Children's Services and Education, to enter into call-off contracts with supported accommodation providers that successfully tender to Staffordshire County Council for the Framework.
- 2.3 That Cabinet approve that any contracts which are called off by Walsall Council under the Framework mirror the contractual term of the Framework which will be for 2 years + 1 year + 1 year from and including 23 November 2016 (or are otherwise for the residue of this period depending on exactly when each call-off contract is put in place).

3. Report detail

The Procurement Process

Implementing the Sub Regional Supported Accommodation Framework

- 3.1 In November 2015 Staffordshire County Council commenced leading the sub regional procurement process which will result in Staffordshire County Council's award of the Sub Regional Supported Accommodation Framework, commencing on 23 November 2016. The tender exercise will be conducted in accordance with the Public Contracts Regulations 2015.

- 3.2 The Table below shows the proposed timeline from the issue of tender documentation:

EVENT	DATE
Tender Published	May 2016
Tender Deadline	30 days after publication
Evaluation of bids	July 2016 (4 to 5 weeks)
Notification to Award (Standstill period)	August 2016 (10 days)
Contracts issued for Signatures	September 2016
Contract Commencement Date	23 rd November 2016

- 3.3 The Council has participated in the regional process for this tender from the outset. The contracting authority (Staffordshire County Council) has also procured the Framework Agreement for the benefit of the other Local Authorities which are named below:

Staffordshire County Council, Telford and Wrekin Council, Wolverhampton City Council, Walsall Metropolitan Borough Council, Herefordshire Council, Birmingham City Council, Worcestershire County Council, Stoke on Trent, Sandwell Metropolitan Borough, Council, Coventry City Council, Dudley Metropolitan, Borough Council, Warwickshire County Council and Solihull Metropolitan Borough Council.

- 3.4 The Service Specification and the pricing schedule are being developed to commission the best quality service at the most competitive cost. The rates

for accommodation and the hourly support rate will be benchmarked and split into the following four service categories;

- 1) Single Household
- 2) Shared 2-4 Accommodation
- 3) Shared 2+ (sleep in staff) – Not 24 hours
- 4) Outreach Support

- 3.5 All providers will have to submit a tender submission which will have to meet the following essential criteria to join the Framework;
- Correct and full submission.
 - Financial checks.
 - Minimum Qualifications (80% achieved or working towards – NVQ 3, QCF level 3 or equivalent) and 1 year experience working with young people.
 - Pass/Fail Score.
 - 1) Quality Scores less than 25% of the 40% quality Score.
 - 2) Scores of 0 or 1.
 - No limit of operating period or current provision.
- 3.6 Young people may require additional support or services as part of their Supported Accommodation placement. Additional service requirements are either defined at the point of referral by the case holding Social Worker or requested as part of the ongoing review of individual placements in response to changing needs.
- 3.7 In preparation for a 23 November 2016 contract start date; a project group of regional commissioners has been coordinating the commissioning and transition process in preparation for contract awards.

This has included:

- Amending the Service Specification
 - Procurement Decisions
 - ITT Questions and Scoring
 - Transfer to new provider if needed in a planned way
 - Amend Individual Placement Agreements if needed
 - Review Individual Placement Agreements to identify additional expenditure arrangements to ensure value for money if needed.
 - Establish the implementation arrangements to ensure continuity and smooth transition of existing service provision
- 3.8 Each Local Authority is independently responsible for the conduct of its call-off of Contracts under the Framework and required to abide by the calling-off process detailed in the Framework.
- 3.9 The West Midlands Placements database is being redesigned to act as the main tool for sourcing placements. It is intended to incorporate a tracking system which ensures that each Local Authority which calls off placements under the Framework is using the agreed tiered process.

- 3.10 Maintenance of service quality and best value will be monitored and assured throughout the lifetime of the Framework by commissioning contract management, social work feedback and the attainment of the young peoples' outcomes. Continuous intelligence will be shared between the participating Local Authorities and analysis reporting will be carried out on a regional level with Local Authority commissioners.

4. Council Priorities

Improving safeguarding, Learning and the Life Chances for Children and Young People

- 4.1 All commissioned services are explicitly designed to deliver the above priority by putting the needs, life chances and outcomes of vulnerable children at the centre of their care planning.
- 4.2 Walsall Looked After Children Strategy 2014-17 Priorities (identified by children and young people)
- a) Find care leavers properties (particularly supported housing) in areas or buildings which are nice and, most importantly, safe. Help us learn about independence skills for when we grow up and have a family.
 - b) Home: Children, young people and care leavers are in good, safe homes where they feel cared for, safe and supported and can stay for as long as they need to. They receive information about their placement in advance and are listened to if they have concerns about their placement at any time. Their placement feels like home. We will support care leavers to 'stay put' if that is what they and their foster carer want
 - c) Moving to Adulthood: Children and young people are supported as they move towards adulthood and enter it feeling confident about their future. Those leaving care will have a home to live in, life skills to look after themselves and be supported to continue in education whether that is through training, an apprenticeship or higher education so that they can earn a living to support themselves.
- 4.3 LAC Sufficiency Strategy 2014 / 2016
Recommendations to improve sufficiency and efficiency

- a) Improve the number of care-leavers in suitable accommodation and Education, Employment and Training
- b) Address cause of reduction in suitable accommodation for care-leavers
- c) Ensure that children are placed in “good or better” settings by working with providers to improve quality.

4.4 Ofsted Single Inspection Framework:

A ‘Good’ authority will have the following characteristics in relation to accommodation:

- a) care leavers are safe and feel safe, particularly where they are living, and are helped to understand how their life choices will affect their safety and well being
- b) care leavers succeed in their transition to greater independence and adulthood at a time that is right for them. Young people aged 16 and 17 are encouraged to remain looked after until their 18th birthday where (and this is usually the case) this is their best interests. They can remain in placements beyond their 18th birthday, or where more appropriate, live in permanent and affordable accommodation that meets their needs and those of their children, where relevant.
- c) care leavers are helped to find housing solutions that best meet their needs. Risks of tenancy breakdowns are identified and alternative plans put in place.
- d) accommodation for care leavers is appropriate for each young person to safely develop their independence skills. Houses of multiple occupancy are only used when it is a young person’s preferred option and it can be demonstrably shown to be in their best interests.

5. Risk management

- 5.1 The risks relating to both the procurement and implementation of the Framework have been actively assessed and managed as part of the tendering process.
- 5.2 Joining the Framework will enhance Walsall Council’s ability to purchase quality, value for money placements for looked after children and young people, whose needs cannot be met within internal provision, thus mitigating the risk for the Council being reliant on spot purchasing supported accommodation placements.

- 5.3 Risks of securing poor value for money services are mitigated by having an effective and properly resourced Placement and Resources Team and a Social Work workforce able to identify Supported Accommodation framework needs as early as possible, so that the right placement at the right cost in the right locality can be called off.

6. Financial implications

- 6.1 There is no financial cost to the Council to continue to be a member of the Framework. The Framework sets the overall terms and conditions for the service including contractual terms and pricing. An individual contract is called off once a placement is made by a Local Authority. It is not unusual for a provider to have no guaranteed minimum business or financial commitment through a Framework.
- 6.2 It is not possible to calculate specific cost savings at this time as savings will be achieved through the development of robust contracting processes and delivering efficiency savings throughout the contract period. The Framework will achieve a standardised process for securing supported accommodation for young people leaving care aged 16/17. This process will deliver procedures that enable the Council to better manage stability, cost and best value.
- 6.3 The tendering process is based on 40% quality, 60% cost. Providers are advised of their obligations under fair pricing and tenders may be penalised if not competitive on cost. The service specification commits providers to discussing efficiency savings within the life of the contract and carries the expectation that annual reviews will result in continuous development through measured key performance indicators. Specific service monitoring and the option to withdraw providers from the Framework, will deliver best value for young people and the Council.
- 6.4 Within 2015/16 29 young people aged up to 18 have lived in supported accommodation placements, mainly with providers on the Sub Regional Framework. The total spend for 2015/16 is £337k of which £239k was through the Sub Regional Framework. The average cost per framework placement is £10k, with the average stay being 17 weeks. £97k was spent on spot purchased high need placements with tailored support that could not be met by the Framework providers. The average cost per spot purchase placement is £19k with the average stay 20 weeks.

7. Legal implications

- 7.1 Staffordshire County Council is committed to procuring the Framework in compliance with the requirements of the Public Contracts Regulations 2015 and in accordance with the County Council's own Contract Rules. The Award Notice which is published by the County Council in due course will be checked to ensure that Walsall Council is named as one of the benefiting Local Authorities, so that the Council can then commencing calling off the required contracts and placements from the successful tenderers.

- 7.2 All new placements via the Framework will be evidenced by a call-off contract with the provider in question and an Individual Placement Agreement.
- 7.3 Securing Sufficient Accommodation for Looked After Children, S.22G The Children Act 1989 and Chapter 7, The Children Act 1989 Guidance and Regulations Volume 3, Planning Transitions to Adulthood for Care Leavers 2010, revised 2014, requires Local Authorities to do more than simply ensure that accommodation is 'sufficient' in terms of the number of beds provided. The statutory duty requires that they must have regard to the benefits of securing a range of accommodation through a number of providers. The accommodation must also meet the needs of young people. These needs can be wide-ranging, in line with the individual's care plan / pathway plan.
- 7.4 The Children Act 1989 places the primary duty for homeless 16/17 year olds with Children's Services, R (G) v London Borough Southwark 2009. The Housing Act 1996, part 7 and S. 199(1) and the Homeless Code of Guidance sets out when a young person, including care leavers post 18, have priority housing need and local connection. R (on the application of SO) v Barking and Dagenham 2010 sets out that in certain circumstances the duty to support some care leavers in post 18 accommodation remains with Children's Services.
- 7.5 The Homeless Act 2002 places a duty on Local Authorities to ensure that Children's Services and Housing departments work together to ensure that the accommodation needs of young people leaving care are met and, have priority need status. The Homelessness (Priority Need for Accommodation) (England) Order 2002. Joint working is also recommended in non-statutory good practice guidance 'Joint working between housing and Children's Services', Department for Communities and Local Government and Department for Children, Schools and Families 2008.
- 7.6 Children's Services will continue to work with the Supported Housing Team and Money, Home, Job to ensure that the Council delivers through this Framework.

8. Property implications

- 8.1 The Framework providers will provide all required premises from which to deliver their service. There are no direct property implications as these services are delivered by contracted providers external to any Local Authority owned property.

9. Health and wellbeing implications

- 9.1 The Council has a statutory responsibility to promote the health and wellbeing of its population. This procurement supports the Corporate Plan priorities for the Council by ensuring that these services protect and promote the health and wellbeing of all vulnerable LAC. The quality of service to be provided will contribute to reducing health and wellbeing inequalities by providing care leavers with healthy, stable life experiences, an explicit objective of the Joint Strategic Needs Assessment and Health and Wellbeing Strategy.
- 9.2 The Framework will also adhere to the objectives of the Marmot Review:
- Give every child the best start in life – by providing care and support
 - Enable all children, young people to maximise their capabilities and have control over their lives – by providing stable care and support and transition to adulthood
 - Create fair employment and good work for all – by providing local work Opportunities, where appropriate, in those regions where accommodated

10. Staffing implications

- 10.1 The Framework requires dedicated input from Corporate Parenting Team, Transition & Leaving Care (TLC) Officers, Placement & Brokerage Team, Legal Services, Safeguarding and Family Support, Children's Commissioning and Finance Services.

11. Equality implications

- 11.1 No Equality Impact Assessment (EqIA) has been required as this service will be available to all eligible service-users and people with protected characteristics. Therefore, no major change would be required.

12. Consultation

- 12.1 Consultation was undertaken by regional commissioners collectively for this project and a consultation event for Supported Accommodation stakeholders was held on 7 March 2016 in Birmingham as part of the tender process.

Background papers

None

Author

David DeMay – Senior Commissioning Manager

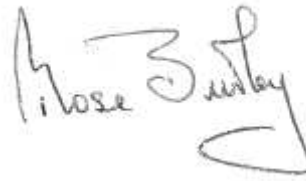
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✉ david.demay@walsall.gov.uk

Signatures

A handwritten signature in black ink that reads "David Haley". The signature is written in a cursive style with a large, stylized 'D' at the beginning.

Signed:
David Haley
Executive Director
25 May 2016

A handwritten signature in black ink that reads "Rose Burley". The signature is written in a cursive style with a large, stylized 'R' at the beginning.

Signed:
Councillor Burley
Portfolio Holder
7 June 2016