

Cabinet – 17 June 2020

New Independent Foster Care Contract for West Midland Authorities (April 2020 – April 2023)

Portfolio: Councillor Wilson – Children's

Related portfolios:

Service: Children's Services

Wards: All

Key decision: Yes

Forward plan: Yes

1. Aim

- 1.1 To ensure our looked after children can live in safe, nurturing homes or settings that offer value for money, this report seeks approval to join the new West Midlands Regional Foster Care Framework (the 'new Framework') and to call off (order, arrange and pay) for foster placements.
- 1.2 Children's Services in the West Midlands region have a good history of working together and jointly commissioning services through frameworks for a range of services, including foster placements and this new Framework has been procured on behalf of the West Midlands region by Sandwell Children's Trust.

2. Summary

- 2.1 There are 674 Walsall children and young people who are looked after (as at 31st March 2020): 540 live with foster carers, of which 228 live with foster carers approved by Independent Fostering Agencies (IFAs). The previous West Midlands Regional Foster Care Framework ended in March 2020. Sandwell Children's Trust led the subsequent tender on behalf of the West Midlands Region to secure these subsequent arrangements, the tender exercise was compliant with the Public Contract Regulations 2015.
- 2.2 In order to continue to source foster placements compliantly with IFAs, Walsall Children's Services need to ensure continued access to the new Framework, offering placements with foster carers who have been subject to competition and

due diligence, with agreed terms and conditions and prices. The value of these arrangements is substantial with £8.108m spent by the Council on IFA foster placements during 2019/20. These new Framework arrangements will reduce the need to 'spot' purchase which often leads to more costly placements.

- 2.3 The Council has been party to the tender and is named in the tender documentation and OJEU notice along with 12 other West Midlands Local Authorities and 2 Children's Trusts.
- 2.4 Approval is sought in this report to call off foster placements from the new Framework, which commenced on 1 April 2020. The new Framework will last for three years with the provision to extend for up to an additional one year.
- 2.5 This is a key decision due to the estimated value of £23.9m over the initial 3 years of the Foster Care Framework.

3. Recommendations

- 3.1 That Cabinet authorise the Council to enter into the Access Agreement with Sandwell Children's Trust to join the new West Midlands Regional Foster Framework.
- 3.2 That Cabinet delegate authority to the Executive Director of Children's Services, **in consultation with the Portfolio Holder for Children's Social Care**, to enter into 'call off' contracts with Independent Fostering Agencies who are awarded 'Fostering Framework Agreement' contracts by Sandwell Children's Trust pursuant to the new West Midlands Regional Foster Care Framework for a period of 3 years from 1 April 2020 with the provision to extend the ability to call off for up to one further year.
- 3.3 That Cabinet delegate authority to the Executive Director for Children's Social Care, in consultation with the Portfolio Holder for Children's Social Care, to subsequently authorise the sealing of deeds and/or signing of contracts and any other related documents for the provision of such services, as appropriate, including any agreement with Sandwell Children's Trust to facilitate these services.
- 3.4 That Cabinet delegate authority to the Executive Director for Children's Social Care, in consultation with the Portfolio Holder for Children's Social Care, to authorise any variations to the contractual arrangements or other related documents for such services should this be required throughout the duration of the term of any contracts.
- 3.5 That Cabinet note that the Executive Director of Children's Services approved a waiver dated 29/05/2020 to enable placements to take place compliantly from the

new West Midlands Regional Foster Framework from 1 April 2020 pending full Cabinet approval set out in the above recommendations to access and use that framework.

4. Report detail – know

Context

- 4.1 Work was undertaken on a regional basis between April 2019 and September 2019 by various West Midlands Local Authorities to understand the changes which have taken place both at a national strategic level and in the local foster care market. This included analysing trends locally and regionally and participating in engagement events with providers, promoting effective joint working.
- 4.2 This work informed the development of the specification and contractual process for the new Framework. The key features of the new Framework are:
 - 4.2.1 Price cap – All providers that are part of the new Framework were required to tender a price below a set capped price.
 - 4.2.2 Existing placements – those existing placements with providers who have been accepted onto the new framework will not change just because updated contractual arrangements are in place. Children and young people will remain with their carers; with the most economically advantageous price applied at the point of transfer, being whichever is the lowest price of either the existing price or the newly tendered price.
 - 4.2.3 Price review – The new Framework includes a mechanism for annual price review capped at 2% or Consumer Price Inflation (CPIH), whichever is lower, to encourage providers join and remain on the framework. Analysis of existing foster placement costs has identified that ‘spot’ purchase prices for placements are on average 23% higher than framework placements generally.
 - 4.2.4 Price/Quality –All providers are ranked based on the scoring mechanism outlined in the tender document published by Sandwell Children’s Trust. Placements will be made with providers that are highest placed on the list and able to meet the needs of the child. Providers are only allowed to join the new Framework if they have obtained an Ofsted Inspection judgement of ‘Requires Improvement to be Good’ or above at the point of tender. Inadequate providers cannot be part of the new Framework.
 - 4.2.5 Annual tender submission – To enable providers that were not in a position to join the new Framework initially, it will be opened again at other dates. This will be in January of each year and will enable new entrants to the market and providers

that chose not to tender initially, to work with us under these arrangements. This will help us to maximise the effectiveness of framework arrangements.

- 4.2.6 Step down and residential avoidance specification – The new Framework includes a service focussing on children in residential care or on the edge of entering residential care that could be placed with foster carers with an enhanced package of support.
- 4.3 The contractual arrangements for the new framework include:
 - 4.3.1 Fostering Framework Agreement between Sandwell Children's Trust and each IFA.
 - 4.3.2 Access Agreement, between Sandwell Children's Trust and each Local Authority who has joined.
 - 4.3.3 'Call Off' contracts between a Local Authority and IFA, outlining the terms and conditions under which each Local Authority will order, arrange and pay for individual foster care placements under the new Framework.
- 4.4 In order to support Sandwell Children's Trust to lead on commissioning the new Framework, the West Midlands Association of Directors of Children's Services (WMADCS) agreed contributions from each Local Authority. These equate to a payment of £2,500 from each participating Local Authority to Sandwell Children's Trust for the development and procurement phase. These costs contribute to the commissioning, procurement and legal resource for the tender and ongoing management of the new Framework. This regional approach to commissioning and managing the new Framework delivers efficiencies and competitive costs for foster care placements.

5. The Procurement Process

- 5.1 Tenders were sought for the provision of foster care placements with IFAs through an open procurement process using Sandwell Council's e-tendering system. This is the procurement system used by Sandwell Children's Trust which now manages Sandwell Council's Children's Services.
- 5.2 The regional Fostering Task and Finish Group, which included representation from Walsall Children's Commissioning, oversaw the development of the tender and tender documents. The Group also undertook parts of the quality evaluation, including the evaluation of the enhanced foster placement service, supporting young people stepping down from residential placements or preventing them from moving into residential placements.

- 5.3 A total of 59 tender submissions were received and 58 IFAs have been awarded contracts by Sandwell Children's Trust.

The tenders were evaluated against the criteria included in the Invitation to tender as outlined below:

Price	80%
Quality	20%

The tenders for the Step Down and Residential Avoidance Service were evaluated against a 60% price and 40% quality criteria.

Officers from the Children's Services commissioning service were involved with both setting the evaluation criteria within the regional group and the evaluation on tenders to ensure that any bid accepted would be suitable to the Council.

- 5.4 This report seeks authority to join the new Framework from its commencement on 1 April 2020, so in order to ensure compliance from that date, the Executive Director of Children Services approved a waiver report to ensure foster placements were ordered compliantly pending approval by Cabinet. This Waiver report is **Appendix A**.

6. Council Corporate Plan priorities

- 6.1 The Council's Corporate plan: 2018-2021, sets out a commitment to give children and young people the best possible start in life ensuring they are safe from harm, happy, healthy and learning well. The provision of quality foster placements which keep children safe is central to this priority.

7 Risk management

- 7.1 Potential risk and liabilities as identified through the implementation and procurement process are managed through the development of and enforcement of the terms of the overall Framework, individual call off contracts and the Access Agreement, all developed by Sandwell Children's Trust.

8. Financial implications

- 8.1 The Council spent a total of £8,1098,000 (£8.108m) on foster placements for foster carers managed by IFAs in 2019/20. There are currently 225 young people in foster placements purchased through frameworks and 6 spot purchases. Work has been completed to maximise the use of our internal foster carers, however we

have more children and young people who are placed in IFAs due to overall demand increases. The average cost for internal foster care is £390 per week compared to the IFA average of £777 per week. Spot purchase placement costs are on average £955 per week, which is 23% higher than the cost of an IFA on the new Framework. The majority of IFA placements are made through the new Framework arrangements, with only 3% of IFA placements on more costly spot purchases. This evidences that the previous Framework arrangements are utilised comprehensively and highlight the importance of sustaining access to these arrangements.

- 8.2 The prices on the previous Framework had been in place since April 2016 and because there had been no uplift this led to several providers removing themselves from the Framework, with the risk of an increase in more costly spot purchases.
- 8.3 The tender process has led to an increase in prices tendered by IFAs and although these fall below the cap set as part of the new Framework, there will be an average increase of 9% on new placements from April 2020. Existing young people currently placed within an IFA prior to 1 April 2020 will remain at the existing rate and will not move to the new rate, unless it is cheaper. Based on the Medium Term Financial Outlook predictions for new starters and expected movers, the projected increase for 2020/21 is £131,000. This will be funded from the £2,800,000 (£2.8m) looked after children investment for 2020/21.
- 8.4 In addition to being the right care setting for the majority of our young people, IFA placements remain more cost effective than expensive residential placements even though there will be a slight increase in cost for new placements.

9 Legal implications

- 9.1 The new Framework contractual documents have been developed by Sandwell Council's Legal Services. The Access Agreement has been considered by Legal Services and Commissioning to review its provisions and identify impact for the Council.
- 9.2 While Sandwell Children's Trust will be contracting with each IFA, for each Council placement, the Council will enter into a 'call off' contract with an IFA, which will specify the terms on which each foster care placement is ordered, arranged and paid for. These call offs will meet the needs of Walsall children and young people who are looked after.
- 9.3 The overarching Framework and Access Agreement outline the responsibilities and accountability of Sandwell Children's Trust and each participating Local Authority in relation to their use of the Framework and include indemnities that

protect the Council from the actions of other participating Local Authority in their use of the new Framework.

10. Procurement Implications/Social Value

- 10.1 The procurement process has been conducted in accordance with the procurement rules which are set out in the Public Contract Regulations 2015, the Council's Contract Rules and Social Value Policy.
- 10.2 Collaborative procurement process have the benefit of shared resource, knowledge and experience however care has been taken protect the Council's interest and minimise any increased procurement related risk that may be associated with such arrangements. Procurement advice was sought to minimise procurement-related risk, however, there will always remain an inherent risk of legal challenge associated with any procurement undertaken by the Council.
- 10.3 Social value is an integral part of this contract and all tenders have been evaluated based on their ability to bring social value including employment and volunteering opportunities as part of their service delivery. The proposed successful bidders clearly demonstrated their social value through a commitment to create opportunities for local people and voluntary sector organisations.
- 10.4 The Executive Director of Children Services has approved a waiver report which enabled the Council to continue to place new packages compliantly pending further approval being granted by cabinet. The recommendation to award report is attached at **Appendix A**. This report provides full details on the procurement process followed and how the evaluation was carried out.

11 Property implications

- 11.1 There are no property implications.

12. Health and wellbeing implications

- 12.1 The provision of fostering placements will keep children safe and reduce the impact of adverse childhood experiences on the Looked After Childrens population and associated health inequalities. This is an explicit objectives of the Joint Strategic Needs Assessment, Walsall Plan – Health and Well Being Strategy 2017-2020. The proposals are tested against the Marmot Objectives.

13 Staffing implications

- 13.1 Foster placements are sourced by Walsall Children's Services Placements Team. These new Framework arrangements support this small team to source foster placements in a more effective, efficient and compliant way.

14. Reducing Inequalities

- 14.1 These new Framework arrangements will support looked after children and aim to maximise opportunities for them, reducing inequalities for this cohort of children and families.

15. Consultation

- 15.1 The tender was developed in consultation with key stakeholders, including IFAs at provider events to discuss the tender. These looked at gaining feedback from them on current provision and needs and also identified issues to be considered within the new Framework. The opportunity for price review was identified by several providers and this has been built into the new Framework. There are many opportunities for engaging with children and young people on an individual basis and these inform the ongoing management and delivery of services.

16. Decide

- 16.1 This report recommends approval to join the new Framework and to enter into 'call off' contracts with providers to ensure the purchasing of individual foster care placements which are compliant, subject to due diligence and quality checks and offer value for money. The report also outlines the action taken with regard to use of the new Framework to address the gap in time between the start of the new Framework on 1 April this year and Cabinet's decision.

17. Respond

- 17.1 The implementation and management of the new Framework is managed by Sandwell Children's Trust in partnership with all West Midlands regional authorities. This includes both individual authority and collective contract management as well as processes for addressing concerns. Walsall's Children's Placements Service are embedding the new Framework arrangements within their Placements Process, supported by the Children's Commissioning Team.

18 Review

18.1 The new Framework Arrangement is monitored and managed by Sandwell Children's Trust, with performance measured collaboratively across the region. Performance information will be reported to both the Operational and Strategic Regional Commissioning Groups at which Walsall Children's Services has consistent representation.

Background papers

Appendix A – Recommendation to award report

Author

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Sally Rowe
Executive Director

9 June 2020



Councillor Wilson
Portfolio holder

9 June 2020



Walsall Council

Procurement Recommendation to Award Report

The Provision of: Regional IFA Framework – Transitional Award/ Waiver

Project Ref: WP3624

Date: 29/05/2020

Proposed Contract Start	01/04/2020
Proposed Contract End	31/03/2023
Option to extend subject to approval	12 months

Walsall Council
Civic Centre
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This report complies with the requirements of Reg 84 of the Public Contracts Regulations 2015

Version History

Version no:	Description	Date
V0.1	Chris Wagner, Procurement Business Manager drafted and sent to Laura Wood, Commissioning Manager.	06/05/2020
V0.2	Following further information from Laura Wood, Chris Wagner redrafted report and circulated to legal services and Sharon Wright, Head of Procurement, when sending back to Laura Wood to seek sign off.	22/05/2020
V1.0	Comments received from Legal Services and document updated by Chris Wagner and Laura Wood	28/05/2020

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1. Purpose of the Procurement Report

The purpose of this report is to seek approval from the Nominated Officer (with delegated the relevant authority under the Council's Contract Rules) in order to progress to the access this regionally procured framework agreement on a transitional basis until Cabinet has approved this award at the cabinet meeting of 17 June 2020.

This report provides information to satisfy the Nominated Officer that the procurement process has been undertaken in accordance with Public Contract Regulations 2015, and details of the element of contract rules which will need waiving in order to award this agreement on a transitional basis, pending cabinet approval.

2. Introduction

There are 657 Walsall children and young people who are looked after (as of 09 March 2020.) 479 live with foster carers, with 213 living with foster carers who are approved by Independent Fostering Agencies ('IFA's) The previous West Midlands Regional Foster Care Framework ended on 31st March 2020. Sandwell Children's Trust have led the subsequent tender on behalf of the West Midlands Region to secure these subsequent arrangements.

In order to continue to source foster placements compliantly with IFAs, the Council's Children's Services need to ensure continued access to the new framework arrangements, offering placements with providers who have been subject to competition and due diligence, with pre-set prices and terms and conditions. The value of these arrangements is substantial with £7,952,000 spent on IFA placements during 2019/20 in Walsall. Framework arrangements should reduce the need to 'spot' purchase which often leads to more costly placements.

3. Procurement Process

A public advertisement was placed on through Sandwell Children's Trust's e-tendering portal (intend). An Open Procedure Procurement Process was used to invite tenders for the provision of West Midlands Fostering Framework 2020

The Council has been party to the tender and is named in the tender documentation and OJEU notice along with the following authorities: Birmingham Children's Trust, Coventry City Council, Dudley Metropolitan Borough Council, Herefordshire Council, Sandwell Children's Trust, Shropshire County Council, Solihull Metropolitan Borough Council, Staffordshire County Council, Stoke-On-Trent City Council, Borough of Telford & Wrekin, Walsall Council, Warwickshire County Council, Wolverhampton City Council and Worcestershire County Council.

Work was undertaken on a regional basis between the West Midlands local authorities to understand the changes which have taken place both at a national strategic level and in the foster care market. This included analysing trends on local and regional basis and participating in engagement events with providers, promoting effective joint working.

This work informed the development of the specification and contractual process. The key features of the New Framework are:

- Price cap – All providers were required to tender at a price below a set capped price.

- Existing placements - existing placements transferred to the terms and conditions of the New Framework but at the most economically advantageous price, whichever is lower out of the existing or newly tendered price.
- Price review – The New Framework includes a mechanism for annual price review capped at 2% or Consumer Prices Index (CPIH), whichever is lower, to encourage providers join and remain on the framework. Spot prices for placements are on average 16% higher than framework placements.
- Price/Quality – All providers are ranked based on the score they achieve. When placements are sourced, the provider that is highest placed on the list and able to meet the needs of the child will be contracted with. Providers are only allowed to join the New Framework if they hold an OFSTED rating of requires improvement or above. Providers with an Inadequate OFSTED rating cannot be part of the framework.
- Annual tender submission – In order to enable providers that were not in a position to join the New Framework, it will be re-opened in January of each year to enable new entrants to the market and providers that chose not to tender initially to work with us under these arrangements. This will help us to maximise the effectiveness of the New Framework arrangements.
- Step down and residential avoidance specification – The New Framework includes a service focussing on children in residential care or on the edge of entering residential care that could be placed with foster carers with an enhanced package of support.

A total of 58 tender submissions were received and all have been awarded contract by Sandwell Children's Trust. A full list of the organisations who have submitted a tender is attached at appendix A.

4. Evaluation

4.1 Evaluation Process

Submissions were evaluated using the following price/quality split and successful bids would be ranked in separate 'Age Bands'.

OVERALL EVALUATION CRITERIA FOR STANDARD AND SOLO PLACEMENTS		
SELECTION CRITERIA	AWARD CRITERIA	
Stage 1	Stage 2	Stage 3
Supplier Information	Quality	Pricing Summary
Pass / Fail	20%	80%

OVERALL EVALUATION CRITERIA FOR STEP DOWN & RESIDENTIAL AVOIDANCE		
SELECTION CRITERIA	AWARD CRITERIA	
Stage 1	Stage 2	Stage 3
Supplier Information	Quality	Pricing Summary
Pass / Fail	40%	60%

The Quality Assessment was undertaken as per the following methodology:

Quality will be assessed for each Tenderer and will account for 20% or 40% in total of the tender evaluation, as per the overall split. The highest Quality score will be given 100% for Quality. Other Quality scores will then be expressed as a proportion of the highest score. This gives the adjusted Quality score. The % weighting for Quality is then applied to each adjusted Quality score to give the Weighted Quality Scores.

The breakdown of Quality is shown in the tables below:

STAGE TWO – QUALITY (20%) – Standard and Solo Placements	
Criteria	Overall Weighting
Regulatory Body Inspection Reports	20%

STAGE TWO – QUALITY (40%) – SDRA	
Criteria	Overall Weighting
Regulatory Body Inspection Reports	20%
Quality Questions	20%

Full details of the quality criteria and how they were evaluated was provided in the following tables:

QUALITY SCORED QUESTIONS - ASSESSMENT METHODOLOGY Standard and Solo Placements			
Question No.	Question/Requirement		Assessment Methodology
8.1	<p>Assessment of Regulatory Body Report</p> <p>Report will be required to be uploaded to Intend</p>		<p>The most recent full regulatory body report, where available, will be assessed and then scored, as detailed below.</p> <p>The total scores will be aggregated and then divided by the number of reports assessed to give a final Regulatory Body Report score.</p> <p>The score will then be converted into a weighted percentage using the following formula: $(\text{Your Regulatory Body Report score} \div 4) \times 20\% = \% \text{ (your awarded percentage)}$ </p>
Criterion for Question 8.1	Score	Evaluation Measure	Definition
Assessment of last full Regulatory Body Report	5	Excellent	a service of exceptional quality that significantly exceeds the minimum requirements in the provision of foster care
	3	Good	a service of high quality that exceeds the minimum requirements in the provision of foster care
	1	Adequate	a service that only meets the minimum requirements in the provision of foster care or has not yet been inspected

QUALITY SCORED QUESTIONS - ASSESSMENT METHODOLOGY SDRA			
Question No	Question/Requirement		Assessment Methodology
8.1	Assessment of Regulatory Body Report Report will be required to be uploaded to Intend		<p>The most recent full regulatory body report, where available, will be assessed and then scored, as detailed below.</p> <p>The total scores will be aggregated and then divided by the number of reports assessed to give a final Regulatory Body Report score.</p> <p>The score will then be converted into a weighted percentage using the following formula: (Your Regulatory Body Report score ÷ 5) x 20% = % (your awarded percentage)</p>
Criterion for Question 8.1	Score	Evaluation Measure	Definition
Assessment of last full Regulatory Body Report	5	Excellent	a service of exceptional quality that significantly exceeds the minimum requirements in the provision of foster care
	3	Good	a service of high quality that exceeds the minimum requirements in the provision of foster care
	1	Adequate	a service that only meets the minimum requirements in the provision of foster care or has not yet been inspected
	0	Poor	a service that does not meet the minimum requirements in the provision of foster care
Question No	Question/Requirement		Assessment Methodology
8.2	Providers model of delivery for step down and residential avoidance service		<p>The providers submitted response for this question will be assessed and scored utilising the scoring below.</p> <p>The score will then be converted into a weighted percentage using the following formula: (Your score ÷ 5) x 20% = % (your awarded percentage)</p>

Criterion for Question 8.2	Score	Evaluation Measure	Definition
Panel scoring of submitted question	5	Excellent	a service of exceptional quality with a model of delivery that that significantly exceeds the minimum requirements in the provision of Step Down or Residential Avoidance
	3	Good	a service of High quality with a model of delivery that that exceeds the minimum requirements in the provision of Step Down or Residential Avoidance
	1	Adequate	a service that meets the minimum requirements in the provision of Step Down or Residential Avoidance
	0	Poor	a service that does not meet minimum requirements in the provision of Step Down or Residential Avoidance

The pricing evaluation was undertaken using the following methodology:

Price assessment will be assessed for each age band and accounts for 60% or 80% of the tender evaluation for that age band, as per the overall split. The Trust shall require suppliers to explain their price or cost proposed in the tender where tenders appear to be abnormally high or low in relation to the services. The Trust may reject tenders where evidence supplied does not satisfactorily account for the high or low level of price or cost submitted.

If a Tenderer submits prices in excess of the set caps to access the framework for any given Age Band or service type, the Council will as an absolute minimum withdraw the tender from the evaluation of that age band, but may at its discretion find the whole tender non-compliant.

The Tenderer will submit the component costs for standard, solo and SDRA placements, as outlined in the pricing summary for each age band.

The Tenderer will also submit a range of discounts and a range of costs for additional services and variations, for all placement types.

As part of the assessment costs and discounts will be evaluated against the sample cohort detailed below.

The lowest total cost will be given 100% for price in each age band. Other tender prices will then be expressed as a proportion of the lowest total cost. The % weighting for Price is then applied to give the weighted price score.

Bidders were provided the following placement profile (and details of the age bands')

PLACEMENT PROFILE				
Type of Placement	Age Band 1 (0-4yrs)	Age Band 2 (5-10yrs)	Age Band 3 (11-15yrs)	Age Band 4 (16-17yrs)
Standard Placement	107	178	264	112
Long Term Placement	65	174	336	159
Sibling Group Placement	145	256	206	48
Long Term Sibling Group Placement	19	249	258	52
Solo Placement	2	19	39	22
Solo Placement Long Term	1	11	26	9
Step down from residential/ Residential avoidance placements	1	22	33	8
Reservation Fee	1	8	6	0
Retainer Fee	1	3	16	7
Parent and One Child Placement			18	
Parent and Two Children Placement			1	

The final tender scores were calculated using the following methodology with a minimum threshold that each bidder had to score a minimum of 50% overall to achieve a place on the framework agreement:

The weighted quality score and the weighted price score for each tender will be added to produce a total score for each age band. The Providers will be ranked for each age band for each service type based on the total score and recommended for acceptance onto the framework.

Officers from Walsall Council participated in the evaluation of the quality questions and our involvement in the process was undertaken by Laura Wood, Commissioning Manager.

Tender evaluation results were collated by Sandwell Children's trust and approved by Sandwell Children's Trust Executive Management Team in January 2020

The final list of successful bidders are set out below:

Abacus Fostering Limited
Acorn Fostering
Acorn House (Fostering Services) Limited
Active Care Solutions (Acs)
Anchor Foster Care Services Ltd
Barnardo's
Capstone Foster Care Se Ltd
Care Today / Parallel Parents
Caretech Community Services (Park Foster Care)
Child Care Bureau Ltd
Children Always First Limited
Children's Family Trust
Clifford House Fostering
Compass Fostering Central Limited
Compass Fostering West Limited
Credo Care Ltd

Dmr Services
Elite Fostering
Ethical Fostering Service
Family Care Fostering Limited
Family Foster Care
Familyplacement.Com
Father Hudson's Society - New Routes Fostering
Five Rivers Child Care Limited
Foster Care Associates Limited
Foster Care Cooperative
Foster Care Link
Fostering Dimensions Ltd
Fostering Options
Fostering People Limited

Fostering Solutions
Fosterplus Ltd
Foundation Fostering
Freedom Fostering Ltd
Fusion Fostering
Ideal Fostering Limited
Ikon Fostering Limited
Jay Fostering
Match Foster Care Ltd
National Fostering Agency
New Chapters Foster Care
New Life Fostering Agency Ltd
Nexus Fostering
Olive Branch

Orange Grove Fostercare Ltd
Paramount Foster Care
Perpetual Fostering
Priory Education Services Limited T/A Priory Fostering Services
Progress Children Services Ltd
Quality Fostering Ltd
Rainbow Fostering
Social Work Assessment Partners Ltd (Swap Foster Care)
St Christophers Fellowship
Sunbeam Fostering Agency Ltd
Swiis Foster Care Ltd
The Adolescent Children's Trust (Tact)
Uk Fostering
Voice Fostering
Wholistic Fostering Ltd

4.2 Evaluation Outcomes

The outcomes from the tender evaluation process are through having a comprehensive list of IFAs to use means that the Council will be less likely to require to use spot

purchasing arrangements, which following some analysis across the region on average cost 16% more than using the framework agreement.

5. Waiver of Contract Rules

The Executive Director for Children's services is asked to waive the Council's Contract Rules to enable this framework to be joined on a transitional basis, from 1st April until the decision is ratified by the Council's cabinet.

The value of the existing business under the previous framework agreement is £7.9m per year (approximately £658k per month), which would transfer under this agreement once the Council signs up to it, however new business is more ad hoc and is expected to be in the region of 20 placements per month at an average cost of £830 per week.

The Council's Contract Rule 9.1.2 (Waivers of or Exemptions from the Contract Rules) state that contract rules can be waived if 'A breach of statutory duty will occur', and it is requested that rule 12.9 (Strategic Contracts) is waived to enable this transitional award to occur (pending full cabinet approval).

The contract rule being waived is:

12.9 One or more tenders shall be accepted following a resolution of the Cabinet. Cabinet may resolve to delegate acceptance of tenders for individual contracts to a Chief Officer.

This will enable the Executive Director of children's services to award the contract on a transitional basis until a full report goes to Cabinet on 17th June 2020.

6. Recommendation

The recommendations set out in Section 6 of this report are made on the following basis:

The Bid(s):

- Were fully compliant
- Passed the Due Diligence Checks
- Demonstrated value for money in the tender proposal including social value
- Demonstrated the ability to fulfil the requirements of the tender for the relevant LOT
- That the cost of the contract can be met within the existing budget


A report is going to Cabinet on 17th June 2020 to approve the contract award for Walsall Council for placements over the full 3 year term (with an option to extend for another 12 months).

It is recommended that Sally Rowe, Executive Director of Children's Services, approve:

- To waive Contract Rule 12.9 as per section 5 of this report.
- The transitional award of this framework pending cabinet approval following the successful running of this collaborative procurement with Sandwell Children's trust, to the providers listed in the table above.

The contract period is 1st April 2020 until 31st March 2023 (with a 12 month extension option). Based on current utilisation levels the lifetime value of this contract is anticipated to be in the region of £23.856 million for Walsall Council over the three year initial term (however the whole framework has an advertised value of £133m per annum).

7. Approval

Recommendation approved by:	I, Sally Rowe, Executive Director Children's Services approve the recommendations set out in paragraph 6 of this report
Signature:	
Date:	29/05/2020
Alternative Decisions/Instructions:	I, Insert Name –Insert Job Title, Insert Service Area authorise and instruct the following alternative decisions/actions

