

Executive Decision Making by an Officer with Delegated Powers

Decision to be taken by: Wendy Williams, Assistant Director for Integrated Children and Families Commissioning

Pursuant to an Authorisation from: Cabinet Decision (28/09/2016) and subsequent Officer Decision (01/06/2017 (publication date 19/06/2017))

Procurement of Advocacy and Related Services (Cabinet meeting date 28/09/2016 (Item 8))

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(2). Authorise the Commissioning Director: Children and Families, to:

(a) Conduct an EU compliant competitive tender process for the award of a 5 year contract (with an initial term of 3 years and an option to extend for a further 2 years) with an estimated maximum total value of up to £550k for the delivery of Independent Social Care Advocacy for Children in Care and Disabled Children the “Children’s Service”;

(b) Conduct an EU compliant competitive tender process for the award of a 7 year contract (with an initial term of 5 years and an option to extend for a further 2 years) with an estimated maximum total value of up to £280k for the delivery of Independent Visitors for looked after children and

(c) Upon conclusion of these competitive tender processes, in consultation with Cabinet Member for Children & Young People, to enter into a contract with the preferred provider who is evaluated as achieving the highest score against the evaluation criteria set by the Council for each contract. In the event that that the preferred bidders for the contracts are either unable or unwilling to enter into those contracts with the Council then Officers are authorised to enter into such contracts with the next willing highest placed suitably qualified providers.

Publication date: 28/09/2016

Date of decision: 28/09/2016

Decided at meeting: [28/09/2016 - Cabinet](#)

Effective from: 06/10/2016

Accompanying Documents:

- [Item 8 - PROCUREMENT OF ADVOCACY AND RELATED SERVICES](#)
- [Item 8 - Due Regard Statement \(Advocacy\)](#)

Report title: Independent Visitor Services for Children and Young People Contract Extension

The decision	To exercise the option to extend the Independent Visitor contract for an additional 2 years as documented in the contract.
Background documents	<ul style="list-style-type: none">• Children’s Act 1989• Advocacy, participation and independent visitor services to children and young people (2016) –

	<p>https://glostext.gloucestershire.gov.uk/ieDecisionDetails.aspx?ID=792</p> <ul style="list-style-type: none"> • Contract Variation relating to conducting a single tender negotiation to provide Independent Visitor Services to Children and Young People (2016) – https://glostext.gloucestershire.gov.uk/ieDecisionDetails.aspx?ID=794 • Procurement of Advocacy and Related Services Cabinet Decision (2016) - https://glostext.gloucestershire.gov.uk/mgAi.aspx?ID=14675 • Award of a new Contract for the provision of Independent Visiting Services to Children and Young People (2017) - https://glostext.gloucestershire.gov.uk/ieDecisionDetails.aspx?ID=962
<p>Reasons for the decision</p>	<p>It is the statutory duty of the Local Authority to have in place an Independent Visitor service, in line Section 23ZB of the Children’s Act 1989. The current contract has been successful, but the initial term is coming to an end. The recommendation to extend the contract, under the existing terms, will continue a good service with a provider which has the expertise and infrastructure to provide a befriending service to children and young people in the care of the Local Authority.</p> <p>Throughout the course of the extension period the service, in partnership with the Children and Families Commissioning Hub, will undertake a demand and capacity review of the current service, which is currently running at full capacity. The review will understand whether the current agreement enables the Provider to deliver a quality service to children in care. If it is identified that additional capacity is required, which is likely given the increase in Children in Care, this will help to develop a business case to increase capacity through the re-tender of the service. This extension will also allow the service to understand further the potential impact of the Independent Review of Children’s Social Care who have recommended that <i>‘Local authorities should redesign their existing Independent Visitors scheme for children in care and care leavers to allow for long term relationships to be built’</i>.</p>
<p>Resource implications</p>	<p>The current contract initial term expires on 31st July 2022. The projected maximum spend for this extension will be £65,903 for 24 months commencing 1st August 2022 to 31st July 2024.</p> <p>The current contract states the following costs for the extension years:</p>

	<p>(a) Year 6 from 1st August 2022 to 31st July 2023 - £32,778 (plus matched individual charges);</p> <p>(b)Year 7 from 1st August 2023 to 31st July 2024 - £33,125 (plus matched individual charges).</p> <p>The budget for Independent Visitor Services is held within an existing budget within Children and Families Commissioning Hub.</p> <p>There is no capital or revenue funding arising from this report.</p>
<p>Who has been consulted?</p>	<p>The following have been consulted:</p> <p>Cllr Stephen Davies, Cabinet Member for Children’s Safeguarding and Early Years</p> <p>Internal Support Services:</p> <ul style="list-style-type: none"> • Legal Services • Strategic Procurement • Strategic Finance • Information Management Service (IMS)
<p>What were their comments?</p> <p>Cllr Stephen Davies, Cabinet Member for Children’s Safeguarding and Early Years – Happy to add his approval for this decision and no further comments to add.</p> <p>Legal Services – There is no objection to the recommendation: The extension of the contract term which is being sought was provided for in the original tender process.</p> <p>Strategic Procurement – Comments and amendments have been incorporated into this decision paper.</p> <p>Strategic Finance – No objections to the proposal.</p> <p>IMS – IMS has no objections to the recommendation. A variation was implemented in 2020 to make the contract GDPR compliant, meaning that data protection considerations were duly considered.</p>	
<p>Background/Context</p> <p>The Independent Visitors service is a statutory duty to the local authority under the Children Act 1989. Section 23ZB of the Children’s Act 1989 states “(1) A local authority looking after a child must appoint an independent person to be the child’s visitor if – (a) the child falls within a description prescribed in regulations made by the appropriate national authority; or (b) in any other case, it appears to them that it</p>	

would be in the child's interests to do so. (2) A person appointed under this section must visit, befriend and advise the child."

Independent visitors are volunteers who do not work for social care services and are there to visit and befriend the child. All volunteers need to be consistent and reliable in order that children can build a trusting, positive relationship with them over time. They will endeavour to become, and remain, a consistent adult in the child's life who does not change when placements or social workers change and will at all times stay child focused.

The aim is that an IV will visit, talk with, listen, share interests and hobbies, help with any worries, speak up for the child/ young person and be an adult friend. The relationship maybe be for months but can often continue for years. IVs are asked to commit to supporting children and young people to whom they are matched for at least 12 months. IV are not paid but can claim expenses. An independent visitor can remain in place up until the young person is 18, though it is encouraged that the friendship continues beyond this.

The service is currently run by Change, Grow, Live (CGL) and the service is running at full capacity as per the service specification. The service did see a reduction in referrals during the pandemic and so an extension will allow Children and Families Commissioning Hub to understand the impact covid had on the service provision as well as undertaking a full demand and capacity review of the current service, which is currently running at full capacity. The review will understand whether the current agreement enables the Provider to deliver a quality service to children in care. If it is identified that additional capacity is required, which is likely given the increase in Children in Care, this will help to develop a business case to increase capacity through the re-tender of the service. This extension will also allow the service to understand further the potential impact of the Independent Review of Children's Social Care who have recommended that *'Local authorities should redesign their existing Independent Visitors scheme for children in care and care leavers to allow for long term relationships to be built'*.

Alternative options considered and why they were rejected

Do nothing

This is not recommended as it is a statutory duty under the Children's Act 1989 that every looked after child has the right to request an independent visitor. This would result in the council not complying with its statutory duty which leave a gap in service provision and place children and young people at risk.

Bring the service in-house

This is not recommended as the service requires the ability to recruit volunteers both in and beyond Gloucestershire, and it would be appropriate to continue the contract to undertake a demand and capacity exercise to establish what the re-tendered service should like going forward.

Undertake a procurement exercise and re-tender the contract

Re-tendering the contract at the end of the initial contract term has been an option, however due to the impact of the pandemic, referrals decreased, and the service was operating on a virtual basis. Given that all restrictions have now been removed the service is back to operating at full capacity, though there continues to be impacts of individuals testing positive. It would be appropriate to continue the contract to undertake a demand and capacity exercise to establish what the re-tendered service should like going forward.

Risk Analysis

The allocated budget not being adequate to meet demand. This risk shall be mitigated through adequate procedures/processes for monitoring budget expenditure, escalating any potential shortfall at the earliest opportunity.

If future demand exceeds the contracted number of service users, negotiations can be had with the provider to purchase additional capacity either on a spot purpose basis or negotiate the contract going forward.

There is a risk that the provider may be unable to recruit appropriate volunteers within specified timeframes, meaning children being on the waiting list longer. This will be closely monitored during regular performance meetings and children and families social care will assist CGL in providing appropriate material to use in focus recruitment campaigns.

Previously communication issues have been noted with the recognition of the IV service when new cases are allocated to social workers. Ensuring the independent visitors connection with children is recorded on LiquidLogic is being established currently to identify those young people who have an IV.

This extension to the contract was set out in the original tender and contract documents and is therefore compliant with Public Contract Regulations 2015.

Equalities considerations

This service specifically supports young people who are in the care of the Local Authority. All children in care should be offered the opportunity to be allocated an Independent Visitor, but particular priority should be given to young people who have little or no contact with their family, this would include Unaccompanied Asylum-Seeking Children.

Has an Equality Impact Assessment been completed? Yes. An Equality Impact Assessment has been completed and has concluded that the proposed decision does not present any adverse equality impact.

In coming to this decision, I have given due and full regard to the requirements of the Public Sector Equality Duty contained in section 149 of the Equality Act 2010 ("the Act") by reference to the law itself and also the relevant Equality Impact Assessment, which was prepared in accordance with the requirements of the Act.

Having fully considered all available information, I have decided to reject any alternative options and take the recommended decision(s), for the reasons set out in this report.



Signed:

Wendy Williams, Assistant Director for Integrated Children and Families
Commissioning

Date: 15/08/2022

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