

Report to:	Cabinet	Date of Meeting:	11 January 2018
Subject:	Procurement on behalf of the Liverpool, Knowsley, Sefton and Wirral Regional Adoption Agency		
Report of:	Head of Children's Social Care	Wards Affected:	(All Wards);
Portfolio:	Cabinet Member - Children, Schools and Safeguarding		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary:

The purpose of this report is to seek Cabinet approval to make contractual arrangements and the future procurement of statutory adoption related provision on behalf of the Regional Adoption Agency, known as 'Adoption in Merseyside' (AIM), following Sefton being recently nominated as Lead Commissioner for the RAA by the RAA Strategic Board .

Recommendation(s):

Cabinet is recommended to:

1. Note that Sefton has been nominated as the lead commissioner for the new Regional Adoption Agency (Strategic Board) to procure a range of service contracts on behalf of the RAA.
2. Authorise Sefton to procure a range of service contracts on behalf of the RAA on behalf of all participating authorities of the RAA, for future purchasing of statutory adoption activity that all parties have agreed should be procured externally from 1st April 2018. – 31st March 2020
3. Delegate authority to the Head of Children's Social Care in consultation with the Cabinet Member – Children, Schools and Safeguarding, to approve the resulting post procurement contract award.
4. Note that if any of the current service staff within the existing service contracts under TUPE have an entitlement to LGPS pensions, Cabinet authorises officers to enter into arrangements to ensure that the new service provider enters into an admissions agreement and bond in relation to the affected staff.

Reasons for the Recommendation(s) and Background:

Members will be aware of the establishment of Regional Adoption Agencies (RAA) across the Country to enable the process of adoption for Looked after Children to be streamlined and made more efficient through partnership working. Sefton are working in partnership with three other neighbouring Local Authorities, namely, Liverpool; Knowsley

and Wirral to form one of the new Regional Adoption Agencies, and work is advanced towards this new Agency being in place and operational from April 2018.

The new agency will be called AIM – Adoption in Merseyside, and in the interim, a Strategic Board has been established to determine the operational details of the RAA and to determine how it will operate. This includes staffing and who will be hosting the new joint service; and includes managing operational contracts to ensure more efficient procurement of bought in services across all four Authorities, on behalf of the RAA

The AIM RAA staffing model is still in development and there are final details of partnership working still to conclude in the New Year. However, the Strategic RAA Board has agreed recently for Sefton to take the lead in commissioning new adoption service contracts on behalf of the RAA.

This report is therefore seeking Cabinet approval to enable Sefton's commissioning officers to act on behalf of the RAA for the future purchasing of statutory adoption activities for the period 1st April 2018 to 31st March 2020 (2 years) and to commence immediately, a process of procurement for these services, which will involve drawing down existing budgets from across each Local Authority in the RAA.

Currently there are a range of service contracts across all four partners that have been extended until March 31st 2018, and all of these have exhausted the number of extensions permitted..

There are some currently contracted adoption activities, such as Letterbox and Lifebook's, which it is anticipated, would be delivered internally within the new RAA, but it is proposed that procurement of additional activity such as access to records, counselling for birth parents and letterbox is developed within the existing budget to ensure the capacity to meet the RAA's demand. This is mirrored in existing RAAs where parallel commissioning arrangements are in place.

Alternative Options are Considered and Rejected:

The Strategic RAA Board have considered a number of options for delivery of adoption services including a further extension of existing contracts; Spot purchase activities from 1st April and deliver services mostly in-house. None of these options has proven viable or provide adequate market stability. The favoured option is to procure a single contract. with flexibility to meet the demands of the evolving Regional service.

What will it cost and how will it be financed?

(A) Revenue Costs

Based on 2016/17 actual costs and number of placements, the regional anticipated annual cost for the additional activities to be procured externally is around £173,000 p.a. based on known spending levels by Authority :

Liverpool £98,000
Knowsley £17,000
Sefton £30,000
Wirral £28,000

The procured contract will be within the existing budget of £173,000 p.a. which represents the maximum value for adoption contracts available across the four Partner Authorities. The contract will be held in the name of Sefton MBC but with named Local Authorities included within the contract itself. Sefton Council will charge each Authority for the level of support they have agreed to purchase on an annual basis.

It is anticipated that through this new partnership arrangement services will be procured in a more cost effective way which will provide better value for money.

(B) Capital Costs

None

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):

Although there is risk attached to the procurement as gathering usage data from all areas has been problematic; this risk will be mitigated through:

- Shared ownership of the contract by four local authorities
- Structure of the contract in regard to utilising a mixture of block and spot purchasing

Every endeavour will be made to keep costs within the level of available resources across the 4 Local Authorities. In the unlikely event that costs may exceed available budgets, further consultation maybe required to reach agreement as to how these may be accommodated from within the overall RAA resources before proceeding

Legal Implications: Schedule 3 of the Public Contract Regulations 2015 applies which means that this proposed procurement falls under the Light touch regime. The procurement process will need to be carried out in accordance with the Council's Contract Procedure rules.

Equality Implications:

There are no equality implications

Contribution to the Council's Core Purpose:

Protect the most vulnerable:

The key aim of the AIM RAA is to:

- Match children who have adoption as their plan with an adoptive family which meets their needs in a timely manner.
- Ensure all those affected by adoption receive the information, support and advice they need to understand the adoption journey.
- Ensure families are well prepared, enabled and supported to care for children with plans for adoption.
- The Merseyside RAA will focus on improving the child's journey through the adoption process and look to deliver high standards of practice across all four local

<p>authority areas, leading to better outcomes for the children and adopters. Sefton's children and adoptive families will benefit from having a focused service which does not have to manage the competing needs of other services to children and families within the local authority.</p>
<p>Facilitate confident and resilient communities: Not applicable</p>
<p>Commission, broker and provide core services: Commissioning is increasingly recognised as the primary mechanism for delivering better outcomes, while using resources more effectively. Sefton is developing a Commissioning Strategy for children in care and this will ensure that the principles that steer effective commissioning which will have a positive influence on improving outcomes. As part of this strategy Sefton Commissioning will become more proactive in order to ensure ongoing quality and compliance.</p> <p>For those children in our care a happy stable home life and successful placement supports the achievement of all other outcomes. Good commissioning is crucial in raising the quality of placement provision, allowing good providers to flourish and providing an incentive for those who perform poorly to focus on improvement.</p>
<p>Place – leadership and influencer: Not applicable</p>
<p>Drivers of change and reform: Not applicable</p>
<p>Facilitate sustainable economic prosperity: Not applicable</p>
<p>Greater income for social investment: Not applicable</p>
<p>Cleaner Greener Not applicable</p>

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD 4967/17.) and Head of Regulation and Compliance (LD.4252/17....) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

Consultation has been undertaken with all of the participating local authorities. The providers have been kept informed and a further engagement meeting will be held in week beginning 8th January 2018

Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of the Cabinet Meeting

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Appendices:

There are no appendices to this report

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

Members will recall that on 25th May 2017 approval was given for Sefton to become a member of the RAA. Since then much work has been undertaken by a Strategic Board of the RAA to ensure that there is a smooth transition to the Agency commencing work formally on 1 April 2018. One aspect of the work that Sefton has been nominated the lead to conduct is to procure a range of service contracts on behalf of the RAA.

In June 2015 the Department for Education (DfE) published a White Paper that proposed local authorities should create Regional Agencies by 2020 (Regionalising Adoption- June 2015). The White Paper set out an expectation that local authorities should form firm proposals, in partnership with their voluntary partners, to align adoption services into a Regional Adoption Agency (RAA). The Government commitment to this approach was developed further in the Education and Adoption Act 2016 which give the government the power to direct a local authority to enter into a RAA if it has not done so by the end of 2017

Contract Overview and Recommendations

All adoption contracts across the four partner Authorities have been extended until March 31st 2018. All providers have received clear communication regarding the development of the contract across the RAA.

Contract Arrangements

It is proposed that the following contracts will be the subject of this procurement

Letterbox

Letterbox is a way of parents and adoptive parents and children keeping in touch. Currently 3 out of the 4 authorities deliver this service internally. It is proposed that Letterbox is to be delivered within the teams structure, based on the numbers of adoptions per year this would require approximately 600 contacts annually. Some capacity would be included within the commissioned provider to ensure the capacity of the RAA met regional need.

Access to records – Intermediary Services.

Adopted adults and birth relatives are assisted to obtain information in relation to the adoption, where appropriate, and contact is facilitated between an adopted adult and their birth parents if that is what both parties want.

Currently all 4 authorities commission in full or part this activity. The contractual cost does vary, but better value could be gained by commissioning a single contract on behalf of the RAA. There is an expectation that the full contract value will be transitioned into the RAA, and a process to start procurement of these services as soon as possible is therefore considered necessary.

It is anticipated that a new contract would be commissioned by Sefton, on behalf of the RAA, around Access to Records; Support for birth parents and some Letterbox activity.. This would need to be awarded within the budgets and current spending (or lower) as identified in the Revenue costs above.

It is considered that part of such a contract would be fixed, in terms of price and delivery, whilst it is envisaged that some aspects would be spot purchased, based on a fixed rate, as necessary.

Sefton commissioning officers are therefore seeking Member's agreement to commence a process early in 2018 to procure a new contract for these services on behalf of the RAA in the capacity of lead commissioner, to be awarded within current budget levels and under usual contractual procedures.

2. Proposed Procurement

2.1 It is proposed to offer the service for a 1 year period, with options to extend for up to 1 year. The contract will include break for convenience clauses, which will allow the Council to serve notice to terminate the contract on the yearly anniversary of the contract. The notice period will be 6 months from service of the notice to terminate.

2.2 The anticipated value of the contract should it run for the maximum length of 2 years would be less than £450,000. Under Schedule 3 of the Public Contract Regulations 2015 this falls under the Light touch regime so the Procurement isn't captured under the full regulations. We will carry out a Procurement process that is in line with the Council's Contract Procedure rules

2.3 It is proposed that the basis of evaluation will utilise the MEAT (Most Economically Advantageous Tender) approach taking into consideration a balance between Quality and Cost.

2.4 Sefton Council will lead the procurement on behalf of the RAA Strategic Board.

2.5 It is proposed that the Head of Children's Social Care in consultation with Cabinet member for Children, Schools and Safeguarding , to approve the resulting post procurement contract award.