

Report to the Executive Director of Children, Young People and Learning

March 2021

Award of a contract for the provision of 24-hour wraparound support for short-term/emergency supported accommodation for children looked after

Report by the Assistant Director, Children's Commissioning

Electoral divisions: All

Summary

The Council has a statutory duty to provide placements for all children looked after (CLA) that are appropriate to meet each individual's specific needs. Due to the level and complexity of their needs and the lack of availability of appropriate care and support elsewhere, during the last 6 months of 2020 it has been necessary to accommodate 4 young people in solo placements. This followed exhaustive placement searches nationwide, including registered children's homes and foster care agencies, which resulted in no offers and a number of failed placements.

These solo placements were established at short notice and, due to the timescales involved and the safety of the children concerned, a competitive tender process was unable to take place. The 24-hour care packages needed for each of these 4 children are staffed by Bespoke Guardians Ltd, a specialist staffing agency and the only provider able to respond to each placement. Approval to contract with Bespoke Guardians for this service was retrospectively sought, and approval given, via a standing orders waiver for a single tender.

The need for this type of specialist 24-hour care package for young people is anticipated to continue. Although the services have already been put in place due to urgency a contract is required to deliver these services for a 12-month period whilst options for the longer term are considered. The total cost of the services provided by Bespoke Guardians over this period is estimated at £1.8m.

Recommendation

- (1) That the Executive Director of Children Young People and Learning approves in retrospect the award of a contract with Bespoke Guardians Ltd for the provision of 24-hour wraparound support for short-term/emergency accommodation for looked after children, for a period of 12 months from June 2020.
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Proposal

1 Background and context

- 1.1 The Council has a statutory duty to safeguard children and young people under the Children Act and to ensure sufficient and appropriate accommodation is provided for children looked after (CLA).
- 1.2 During the period June to September 2020, four children were placed in solo arrangements due to the level and complexity of their needs and the lack of availability of appropriate care and support elsewhere. Three were housed in separate, re-purposed and vacant Council residential properties, with the fourth housed in holiday let accommodation. Ofsted have been made aware of each of these placements as they have been made.
- 1.3 These children have significant and complex needs and, either for their own or others' safety, require care and support within a solo children's home setting to enable their needs to be met in a placement away from other children. Due to the sudden nature of the family or placement breakdown which can precede such placements, and consequently the short notification periods, this service has been mobilised very quickly for each placement in order to provide vital care and support in a safe environment.
- 1.4 There was insufficient time to complete a competitive process for each placement and for each placement Bespoke Guardians Ltd were the only provider able to respond to and offer services that met the requirements of the children. This is despite, in some instances, a nationwide search for suitable placements taking place. Consequently, approval for a contract via single tender was sought and given.

2 Proposal details

- 2.1 The requirement is for 24-hour wrap-around care packages to support children in emergency solo occupancy placements. The accommodation where the child would live is sourced separately by the Council and is not within the scope of the contract.
- 2.2 Due to the sudden nature of the family or placement breakdown which can precede such placements, the notification period for this service is generally very short and can be as little as 48 hours.
- 2.3 For each child, staffing is generally on a 3:1 ratio initially, provided 24 hours per day, 7 days a week. This is then reviewed periodically, with the expectation that staffing levels will reduce over time as the child settles and work is able to take place to address their complex needs.
- 2.4 All children requiring this level of care are the subject of multi-disciplinary specialist network meetings, including social care, health, child and adolescent mental health services (CAMHS) and other specialist teams from across children's services. This ensures that all other avenues are exhausted prior to considering this type of placement.
- 2.5 These placements are temporary, with initial arrangements likely to be for a minimum of 12 weeks for each child. However, a longer period may be required dependent on progress made. Detailed care planning will take place via the multi-disciplinary network in order to monitor progress, with the aim always being to support each child to step down to a placement that is suitable to meet

their needs and reflect the progress they have made, or potentially to return home.

- 2.6 It is essential that these children are based within West Sussex to ensure the right wraparound support services can be provided and that the care plan can be delivered directly by West Sussex services.
- 2.7 Due to the lack of suitable provision within the wider care market and the fact that, due to the short timescales involved, Bespoke Guardians are already providing care and support for 4 children in solo placements, it is proposed to contract with Bespoke Guardians for a period of 12 months for this service, whilst options for the longer term are considered. The contract will be retrospectively dated to start on 14th June 2020, the date of the first placement, and will run until 13th June 2021.

3 Other options considered (and reasons for not proposing)

- 3.1 **Source solo care placements from a registered children's home provider via existing arrangements** – following exhaustive placement searches, including registered children's homes and foster care agencies in a nationwide search which has resulted in no offers being forthcoming, and a number of failed placements, it is clear that existing providers are unable to meet the support needs of these children. Secure care has also been considered, however, all professionals involved agree this would not meet this level of need and would not be able to provide the wraparound care package to enable de-escalation of behaviours. In addition, secure care requires agreement from the Secretary of State, which is rarely given for children of this age (two of the children placed so far are 12 years old). There is also a lack of capacity in the market more generally at this time, in part due to the COVID-19 outbreak.
- 3.2 **Run a separate competitive tender for this service** – These packages needed to be put in place very quickly because of the urgency of each situation. These children are in acute distress and require specialist care from experienced and trained specialist staff. There has therefore been insufficient time to complete a competitive process. Planning is underway to put in place a more competitive process for this requirement.

4 Consultation, engagement and advice

- 4.1 Prior to any child being placed with Bespoke Guardians, the provider underwent a service readiness inspection by members of the Children's Commissioning and Contracts Team to test their viability and ability to deliver quality, safe and effective services. Commissioners continue to monitor the delivery of services through regular monitoring visits. The Council has also sought references from two other local authorities with whom this provider has previously worked.
- 4.2 Ofsted have been notified when each of these placements have been made.
- 4.3 Advice from procurement, commercial finance and legal officers was sought as a part of the single tender waiver process.
- 4.4 Managers and subject matter experts from the Council's own children's Residential Service have been involved in the initial review of the provider, the

setting up of each placement and the ongoing monitoring and support of each placement.

5 Finance

5.1 Revenue consequences

The cost of the care provided by Bespoke Guardians for 3 of the placements is £10,621 per placement per week, although this may reduce if staffing ratios drop below 3:1. The cost for the fourth placement is £7,200, due to differences in the needs of the child. Whilst the projected cost of the care provided by Bespoke Guardians (based on total commitments for all 4 placements, with capacity built in for 1 further placement should this be required), form the majority of the revenue impact, shown in the table, other costs are incurred from these placements, specifically;

- Other care costs for specialist support (e.g. nursing) sourced through separate arrangements, and
- Building and accommodation-related costs

All costs will be met from the placements budgets, which in 2020/21 total £30.5m (excluding disability). With the planned growth allocation, the budget in 2021/22 will total £37.8m.

	Current Year 2020/21 £000	Year 2 2021/22 £000	Year 3 2022/23 £000	Year 4 2022/23 £000
Bespoke Guardians costs	1,217	583	-	-
Other costs				
Other specialist care costs (e.g. psychological and nursing support)	226	-	-	-
All accommodation/building costs	62	-	-	-
<i>Total estimated expenditure on solo placements</i>	<i>1,505</i>	<i>583</i>	-	-

The cost of the service provided by Bespoke Guardians is the focus of this report. Other costs outlined above are shown for context only, to show the overall cost of these placements. Accommodation has been sourced separately from the services provided by Bespoke Guardians, in vacant Council properties wherever possible, due to the flexibility and efficiencies this offers. The other specialist care costs mentioned would likely be required regardless of the care provider or setting of the placement.

5.2 The effect of the proposal:

(a) **How the cost represents good value**

Although, by virtue of the level and complexity of their needs, there is no viable alternative for these children, a comparison can be made with the most expensive placement at the time of writing for a child placed in externally sourced provision, which is £9,965 per week in a registered children’s home. To make an accurate comparison with solo occupancy placements, all costs, including the cost of accommodation, must be factored in, which gives an average across the solo occupancy placements of £12,126 per week per placement. The difference reflects both the increased complexity of need as well as the short time frame in which these packages have been sourced. This difference will be reduced in the short term by the anticipated reduction in the ratio of staff as each child’s needs are addressed, and in the longer term as the intensive support offered in these placements results in greater stability in future placements.

(b) Future savings/efficiencies being delivered

There are no savings/efficiencies to be delivered through this service, the focus of which is providing critical support for vulnerable young people for whom the Council has a statutory duty. In the longer term, commissioners will work with the market to identify the most efficient way to source this type of service.

(c) Human Resources, IT and Assets Impact

Three vacant Council properties are currently in use to accommodate three of the four young people currently in solo occupancy placements. Two of these are on a short-term basis due to other plans linked to these assets. The service has agreed timelines to vacate these buildings with the Property and Assets service which will not impact plans for these assets. A fourth property is also being brought forward against the likelihood of a further placement.

6 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
Constraints to disposal of Council assets currently used for solo placements.	Timelines have been agreed with Property and Assets by which the two assets identified for disposal will be vacated.
Further placements of this nature occur.	Capacity for one further placement has been allowed for. Commissioners are working with the market and with the in-house Residential Service to increase capacity. There is a regional project in which the Council is involved, to develop a joined-up approach to sourcing this type of service.
The placements are currently unregistered.	Since starting work with the Council, the provider has secured Care Quality Commission (CQC) registration. Commissioners continue to conduct regular monitoring visits and all placements continue to be directly supported by the Council’s own Ofsted-registered children’s Residential Service. Ofsted have also been notified as each of the placements have been made.
Reliance on a single tender and newly established supplier;.	Financial standing checks have been conducted with Commercial Finance and procurement advice sought throughout this process. References were also obtained from two other local authorities with

Risk	Mitigating Action (in place or planned)
	whom the provider has worked. The current situation in the market is that no other provider has been able to respond to this need. Commissioners are continuing to work to develop this area of the market.

7 Policy alignment and compliance

7.1 Legal implications

The Council is a Contracting Authority as defined in the Public Contract Regulations 2015 ("PCR") and as such is governed by those regulations. The value of the proposed contract will be for one year. The value of the proposed contract is above the relevant thresholds as referred to in the PCR 2015 of £615,278 for Social and other specific Services ("Light Touch Services").

Risks associated with a single tender were mitigated by the undertaking of market research and discussions with other providers in the market and have been accommodated due to the urgency of these service requirements.

The Council will enter into a services contract using terms and conditions approved by Legal Services and compliant with Standing Orders on Procurement and Contracts.

7.2 Equality duty and human rights assessment

This proposal will support the Council in meeting its statutory duties and will provide essential services for young people who are at a significant disadvantage. These placements will help stabilise the lives of vulnerable young people and improve their outcomes in the future. Equality of opportunity will also exist for those children with protected characteristics, for example for children with disabilities who have already been placed in these arrangements.

7.3 Climate change

One of the aims of this service is to keep this type of placement within West Sussex, close to children's families, limiting the need for extensive travel, and therefore emissions, for staff supporting these placements.

7.4 Crime and disorder

All providers with whom the Council places children are encouraged to work with young people in a restorative way, with the aim of building healthy communities, increasing social capital, decreasing crime and antisocial behaviour, repairing harm and restoring relationships.

7.5 Public health

Two of the key goals for the West Sussex Joint Health and Wellbeing Strategy 2019-24, under the 'starting well' priority, are;

- Children, young people and families have good emotional wellbeing and mental health, and

- Children grow in a safe and healthy home environment with supportive and nurturing parents and carers

This service will be critical for delivering on these goals for the vulnerable young people who require this level of care and support.

7.6 **Social value**

This service will work with young people to develop confidence and self-esteem. It will also support young people to stay near to any home and family connections, enabling them to better hold a sense of belonging and ownership of the community they live in and a connection to society in general, rather than being placed at a distance from West Sussex.

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Background Papers: None