Contains Confidential or Exempt Information | NO
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(If yes, state to which paragraph of the Access to Information Rules the exemption relates)

Title | Permission to Access and Call-Off from the WLA Semi-Independent Living Services Contract

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Portfolio(s) | Cllr Binda Rai, Children and Young People

For Consideration By | Cabinet

Date to be Considered | 17 May 2016

Implementation Date if Not Called In | 31 May 2016

Affected Wards | All

Keywords/Index | Semi Independent Living services, West London Alliance (WLA); Looked After Children, Care Leavers, Accommodation

Purpose of Report:

To seek the approval of Cabinet for the Ealing Children’s Services to enter into an access agreement to enable Ealing Council to call off from the West London Alliance’s (WLA) Contract (led by London Borough of Hounslow) for the provision of Semi-Independent services in order to meet the Council’s statutory duties relating to the provision of care, and support and education.

Where it is not possible to procure due to lack of capacity or other reason, from frameworks or approved lists, spot purchases may be required and so this report seeks for the decision to make spot purchases to be delegated to the Executive Director as stated in recommendation 1.2 below.

1. Recommendations

1.1 It is recommended that Cabinet delegates the authority to call–off and award contracts for semi-independent accommodation services from the WLA Hounslow Council led Semi-Independent Accommodation for Care Leavers framework to the Executive Director of Children, Adults and Public Health, using a competitive bidding approach where possible or through a direct award of contract in accordance with the rules of the framework.

1.2 It is recommended that Cabinet delegates authority to the Executive Director of Children, Adults and Public Health to make spot purchases for Semi-Independent
Accommodation for Care Leavers where it is not possible to make a call off from the Hounslow Council led Semi-Independent Accommodation for Care Leavers in Partnership with West London Alliance (WLA) Authorities.

2. **Reason for Decision and Options Considered**

2.1 Ealing Council has a number of statutory duties relating to the provision of social care and education services to children and young people. Services are provided on the basis of an assessment of individual eligible need.

2.2 The range of services purchased to meet these needs include: Semi-independent services. However, there is one key category of provision, semi-independent accommodation, where there are significant levels of purchasing outside of these types of arrangements.

2.3 For semi-independent accommodation, we are working with other Boroughs via the West London Alliance to establish an approved list of providers. Once completed this should enable most purchasing of this type of service to be done from an approved list. There may be situations though where spot purchasing will continue to be necessary, for example if a young person is living in an area of the country where we do not have any providers on this list.

2.4 There are likely to remain other services that will need to be spot purchased. The reasons for this include:

- Framework contracts and other contractual arrangements being unable to deliver on the capacity that is needed;
- Services are required in emergency situations;
- Services are needed that are very specific to individual need, for example some residential placements and placements that are purchased on a bespoke basis.

2.5 The Council provides semi-independent living services to enable young people to make a successful transition from being looked after to becoming a care leaver and then on to living independently. A Project Group of key stakeholders has reviewed current arrangements and developed a Semi–Independent Living Commissioning Strategy for Looked After Children aged 16/17 and Care Leavers that will deliver improved quality and outcomes for this cohort.

3. **Key Implications**

3.1 Ealing Council would be at risk of failing to achieve its statutory duties to meet assessed need if the proposed arrangements are not put in place.

3.2 However, to help reduce any risks that might be associated with the use of spot purchased services, Children’s Services will:

- Issue a prior information notice indicating the services which will be procured and award criteria to be used;
- Ensure that services are registered, as required, by Ofsted and/or the Care Quality Commission;
- Seek competitive quotes where ever possible;
• Sign individual agreements with providers.

Information will be provided to the Directorate’s Contracts Board about the number of spot purchases

4. Financial

4.1 Financial impact on the budget

All purchasing will take place within the Children’s Leaving Care Placement budget. The semi-independent spend for 2015-16 was £4,695m versus an approved budget of £4.364m. It is as yet unclear what the full impact of savings this will yield, however this will be reviewed quarterly.

4.2 The level of spend will vary year on year to some extent depending on individual needs and the number of care leavers. Officers are continually making strident efforts at managing the demand for the services, and in addition to these efforts, to also reduce the average costs per placement. The cost per placement for a small accommodation with non-24hr presence is currently approximately £900 per week, with the anticipated prices from the WLA at £727.40 per week. The current price for a large accommodation with non-24hr presence is £820.60, with the anticipated prices from the WLA at £752.51 per week.

4.3 However, it is envisaged that the number of care leavers could start to reduce over a period of years if Children’s Services reduces the number of children becoming looked after through the Department for Education funded Brighter Futures programme.

4.4 Officers anticipate capping the support hours that is purchased for this service to £20 or below as these have previously ranged between: £25 - £30.

4.5 In relation to semi-independent accommodation, it is anticipated that the spend should reduce in future years as the number of children becoming looked after decreases as a result of the Department for Education funded Brighter Futures programme of which Ealing was a pilot Local Authority. Also as the new ways of working in Children’s Social Care start to impact on families. Potential savings are incorporated into the Council’s medium term financial strategy.

5. Legal

5.1 The tendering process has been carried out by Hounslow Council on behalf of the WLA was in accordance with Hounslow Council’s Contract Procedure Rules, and Public Contract Regulations 2015 (as amended)

5.3 The Children Act 1989, as amended by the Children (Leaving Care) Act 2000 and the Children and Young Persons Act 2008, sets out a range of requirements on the Council, to support young people moving on from the care system and beginning to live independently. This includes requirements to support them with their education, health, accommodation and employment needs.

5.4 s.22G sets out the general duty on the Council to secure sufficient accommodation for looked after children.
5.4 The general duty to make arrangements for a looked after child requires any planning to be consistent with the child’s welfare and be reasonably practicable. Consequently, it is feasible that the range of options available on the WLA does not meet the eligible needs of an individual in particular circumstances.

6. **Value for Money**
   5.1 Please see finance impact
   5.2 The tendering process which has been carried out by Hounslow Council on behalf of the WLA is in accordance with the Council’s Contract Procedure Rules, UK and EU legal requirements and is governed by the Public Contract Regulations 2015.

7. **Sustainability Impact Appraisal**
   N/A

8. **Risk Management**
   - Statutory duties – the proposed arrangements will help mitigate the risk of the Council being in breach of its statutory duties
   - Financial risk – this will be managed through the budget setting process
   - Contract risk – this will be managed through issuing contract terms and conditions for spot placements
   - Quality risks – this will be managed through the regulatory process and through LBE staff contact with service users

9. **Community Safety**
   None

10. **Links to the 6 Priorities for the Borough**
   This links to keeping the Borough safer and healthier.

11. **Equalities, Human Rights and Community Cohesion**
    Equalities issues relating to individual children and young people are included in assessment processes.

12. **Staffing/Workforce and Accommodation implications:**
    None

13. **Property and Assets**
    No property implications.

14. **Any other implications:**
    None

15. **Consultation**
    The development of this report has involved consultation with senior managers, the Strategic Procurement Unit and Legal Services and colleagues from participating officers from the West London Alliance authorities.

16. **Timetable for Implementation**
    This will take immediate effect from the implementation date of 31 May 2016, preceding Cabinet approval.
17. Appendices
   None

18. Background Information
   None
## Consultation

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<tr>
<td>Cllr Binda Rai</td>
<td>Portfolio Holder for Children and Young People</td>
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<tr>
<td>Judith Finlay</td>
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<td>Justin Morley</td>
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<td>Maggie Wilson</td>
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## Report History

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