	<p style="text-align: center;">ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER 5 December 2017</p>
<p style="text-align: right;">Title</p>	<p>Authorisation for single source contract award</p>
<p style="text-align: right;">Report of</p>	<p>Strategic Director, Children and Young People</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Enclosures</p>	<p>None</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Dawn Ochieng (020 8359 5005) Dawn.ochieng@barnet.gov.uk</p>

Summary

This report seeks authorisation for a 6 month single source contractual agreement with St. Christopher's to deliver Return Home Interviews to children and young people placed out of borough. The Council has a statutory duty to offer children and young people who go missing from home or care a Return Home Interview.

This decision is needed to secure a short term formal arrangement for the delivery of Return Home Interviews to children and young people placed out of borough in an urgent situation. Following the extremely poor performance of a previous provider, a successful pilot with the current provider requires a formal commitment in order to ensure appropriate resourcing to continue to deliver effective Return Home Interviews.

The cost to the Council will be £18,750 for 6 months. This includes 50% subsidy through St. Christopher's existing charitable foundation relationships.

Decisions

1. To enter into a 6 month single source contractual agreement with St. Christopher's to deliver Return Home Interviews to Children and Young People placed out of borough.

1. WHY THIS REPORT IS NEEDED

- 1.1 This report seeks authority for a 6 month single source contractual agreement with St. Christopher's to deliver Return Home Interviews to children and young people placed out of borough. This decision is needed to secure a short term formal arrangement for the delivery of Return Home Interviews to children and young people placed out of borough in an extremely urgent situation.
- 1.2 **Statutory Requirement:** The Council has a statutory duty to offer children and young people who go missing from home or care a Return Home Interview.
- 1.3 **Crucial to safeguarding:** Return Home Interviews are crucial to safeguarding children and young people. Return Home Interviews are a valuable and important opportunity to engage with the young person (Home Office, 2011). The key benefits are to: identify children and young people at risk; understand the risks and issues faced by the child whilst missing; reduce the risks of future episodes of missing or running away; equip them with the resources and knowledge of how to stay safe if they do choose to run away again (DfE, 2014).
- 1.4 **An Ofsted recommendation:** Ofsted undertook a Single Inspection Framework (SIF) of Barnet's Children's services during April and May 2017 and judged them to be inadequate. One of the nineteen recommendations Ofsted made was to "*Ensure that timely action is taken to understand and reduce risk to children who go missing from home or care and who are vulnerable to child sexual exploitation. When risk does not reduce, or increases, ensure that effective additional safeguarding action is taken*".
- 1.5 Ofsted specifically noted that "*Young people who go missing from care receive a poor service*". The majority of children and young people placed out of borough are children in care.
- 1.6 **The Barnet Children's Services Improvement Action Plan** includes a specific action "*To improve the approach and assessment for children missing from home and from care to ensure robust tracking and multi-agency assessment of risk*". The delivery of Return Home Interviews to children and young people placed out of borough are critical to the successful delivery of this action to achieve Ofsted's recommendation.
- 1.7 **Previous provider:** despite substantial contract management there have been significant challenges with the previous provider which has led to the ineffective delivery of this statutory service, and evidence of unacceptable levels of safeguarding risks.
- 1.8 To **mitigate this risk** the use of the call off arrangement with the previous provider was ceased and the Council entered into a temporary spot purchase pilot arrangement with St. Christopher's who were able to provide an

immediate and effective solution to delivering Return Home Interview's for children and young people placed out of borough.

2. REASONS FOR DECISIONS

- 2.1 Authorisation for a 6 month single source contractual agreement with St. Christopher's to deliver Return Home Interviews to Children and Young People out of borough is needed because of an extremely urgent situation.
- 2.2 An extremely urgent situation has arisen by events unforeseeable by the Council. This means the time limits for the open or restricted procedures or competitive procedures with negotiation cannot be complied with.
- 2.3 The current provider requires formal commitment in order to ensure appropriate resourcing to continue to deliver effective Return Home Interviews to children and young people out of borough.
- 2.4 Children's services in Barnet were judged by Ofsted to be inadequate when Ofsted undertook a Single Inspection Framework (SIF) during April and May 2017. The Council is working collectively with the partnership to drive the improvements needed to transform social care services for children, young people and their families from inadequate to good rapidly.
- 2.5 Ofsted will undertake a series of monitoring visits to assess progress and has confirmed the first monitoring visit will take place on 14 and 15 November 2017. To ensure the continuity and effective delivery of these Return Home Interviews during this time, the formal arrangement with St. Christopher's needs to be in place.
- 2.6 The risk of the previous provider being unable to deliver these Return Home Interviews to out of borough children and young people poses too much of a safeguarding risk during a time of significant scrutiny. This risk is increased due to significant challenges with previous providers to deliver this service.
- 2.7 St. Christopher's have been delivering high quality Return Home Interviews to children and young people placed out of borough. This is evidenced through quantitative and qualitative performance monitoring data.

3. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 3.1 An options appraisal was completed and approved by the Operational Director (Corporate Parenting, Disability and Permanence).
- 3.2 **Use previous provider.** This is not a safe or viable option due to significant challenges with this provider which has led to the ineffective delivery of this statutory service, and evidence of unacceptable levels of safeguarding risks. This provider has also contacted Barnet to propose that the contract is dissolved.

- 3.3 **Tender.** The time limits for the open or restricted procedures or competitive procedures with negotiation cannot be complied with due to the extremely urgent situation set out in section 2 of this report.

4. POST DECISION IMPLEMENTATION

- 4.1 Once the decision has been approved a contract will be issued.
- 4.2 Work will also continue to develop a longer term sustainable solution for the delivery of Return Home Interviews to children and young people placed out of borough through a competitive procurement which will be completed within the next 6 months.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The implementation of Barnet Children's Services Improvement Action Plan is a key mechanism through which Barnet Council and its partners will deliver the Family Friendly Barnet vision to be the most family friendly borough in London by 2020.
- 5.1.2 This supports the following Council's corporate priorities as expressed through the Corporate Plan for 2015-20 which sets out the vision and strategy for the next five years based on the core principles of fairness, responsibility and opportunity, to make sure Barnet is a place;
- Of opportunity, where people can further their quality of life
 - Where people are helped to help themselves, recognising that prevention is better than cure
- 5.1.3 This service also supports key outcomes within with the Children and Young People's Plan 2016 – 2020:
- **Safeguarding:** Outcome 1 of the Children and Young People's Plan 2016-2020 is that Families and children are kept safe. This service is essential to understand risks that young people may be exposed to, including exploitation, drugs and alcohol, sexual and physical health and mental wellbeing as well as risks associated with gangs and criminal activity.
 - **Resilience:** Outcome 2 of the Children and Young people's Plan is to ensure that Families and children achieve their best. High quality delivery of this service is fundamental to achieving the Family Friendly Barnet vision of Resilient Families: Resilient Children, and to delivering against Barnet Children's Services Improvement Action Plan, which aims to improve outcomes for children. This includes supporting young people in achieving successful outcomes, and hearing the voice of the child.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT,

Property, Sustainability)

Finance & Value for Money

- 5.2.1 The cost of a 6 month contractual agreement with St. Christopher's to deliver Return Home Interviews to Children and Young People out of borough will be £18,750. This is based on £75,000 per annum with a 50% subsidy through St. Christopher's existing charitable foundation relationships. This expenditure will be funded through existing resources.
- 5.2.2 This funding opportunity offers value for money for a block contract which guarantees resource unlike the previous spot purchase arrangement.

Staffing

- 5.2.3 This guaranteed resource would be a runaway's service team comprising of 0.4 Runaways Service Manager, 1 FTE Experienced Runaways worker and additional staffing input as required. It also includes follow up work, a helpline, support to other professionals and sharing best practice and attendance at strategy meetings and operational panels.

Procurement

- 5.2.4 The Council's Contract Procedure Rules (CPRs) set out limited circumstances where the Council can proceed with a single tender action. These are set out in paragraph 9.1 of the CPRs.
- 5.2.5 Having considered alternative means of procuring the service (as per section 3), it has been determined that the Council may enter a 6 month single source contractual agreement with St. Christopher's pursuant to CPR 9.1.
- 5.2.6 As detailed in section 4.2 of this report, work will also continue to develop a longer term sustainable solution for the delivery of Return Home Interviews to children and young people placed out of borough through a competitive procurement.

5.3 Legal and Constitutional References

- 5.3.1 The Council has a legal duty to offer Return Home Interviews to children who go missing from home or care, as defined by:
- Statutory Guidance on children who run away or go missing from home or care (January 2014)
 - The Council's requirements in relation to safeguarding duties are defined by the following:
 - Working together to Safeguard Children and related statutory guidance (2013)
 - The Children Act (1989)
 - The Children Act (2004), and,
 - The Children and Families Act (2015)

5.3.2 The Council's Contract Procedure Rules (CPRs) set out limited circumstances where the Council can proceed with a single tender action. A single tender action or commitment is not allowed unless it is in compliance with the Law and approved in advance by the Director of Commercial Services. This contract award is not subject to the Public Contracts Regulations 2015 and is therefore lawful and The Director of Commercial Services has approved the direct contract award to St Christopher's. .

5.3.3 Under the Council's Constitution - the Family Services Scheme of Delegation - the Commissioning Director, Children and Young People, has authority to 'Sign off of single source tender action'.

5.4 Risk Management

5.4.1 High quality delivery of this service is fundamental to achieving the Family Friendly Barnet vision of Resilient Families: Resilient Children which aims to improve outcomes for all children and young people. The risks of not implementing this recommendation would include:

- Risk that Barnet would not have the resources to deliver these Return Home Interviews and not meet the needs of high risk children and young people during a time of significant scrutiny from Ofsted
- Risk of not meeting the Council's statutory duty.
- Risk of a poor service that does not meet required quality standards and timeframes of delivery

5.5 Equalities and Diversity

5.5.1 The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies **to have due regard** to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- advance equality of opportunity between people from different groups
- foster good relations between people from different groups

5.5.2 The broad purpose of this duty is to integrate considerations of equality into day business and keep them under review in decision making, the design of policies and the delivery of services

5.5.3 Return Home Interviews are offered to all Children and Young People that go missing and supports Family Service staff to meet the diverse needs of Barnet's communities.

5.5.4 An Equalities Impact Assessment has been completed for this service.

5.6 Consultation and Engagement

5.6.1 There are a number of forums for practitioners and children and young people

to share their views and experiences of Barnet's services, these include,

- Youth Board
- Barnet on Point (Children in Care Council)

5.6.2 The views of children and young people who have received a return home interview will be sought in order to shape future service delivery. In addition, we will seek to involve children and young people in the evaluation of the competitive procurement exercise to ensure their views are at the forefront of future delivery.

5.6.3 The provider will be required to ensure that the voice of the child is embedded in practice and continual service development.

6. BACKGROUND PAPERS

6.1 None

7. DECISION TAKER'S STATEMENT

7.1 *I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision making framework of the organisation which includes Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations.*

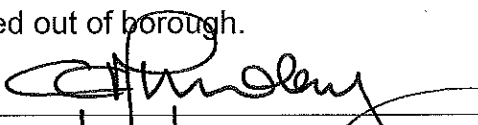
8. OFFICER'S DECISION

I authorise the following action

To enter into a 6 month single source contractual agreement with St. Christopher's to deliver Return Home Interviews to Children and Young People placed out of borough.

Signed

Date



05/12/2017