	<p align="center">ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER 20th November 2017</p>
<p align="center">Title</p>	<p>Authorisation for the extension of a block contract for semi-independent accommodation and support for young people in Barnet</p>
<p align="center">Report of</p>	<p>Commissioning Director, Children and Young People</p>
<p align="center">Wards</p>	<p>All</p>
<p align="center">Status</p>	<p>Public</p>
<p align="center">Enclosures</p>	<p>None</p>
<p align="center">Officer Contact Details</p>	<p>Dawn Ochieng (020 8359 5005) dawn.ochieng@barnet.gov.uk</p>

Summary

The contract LBB currently holds with Elliot Leigh is for the provision of semi-independent accommodation and support for 16 – 17 year old UASC, and other young people that require this service locally and meet the eligibility criteria. In many instances, placements within this service are made on an emergency basis.

The agreement is in the form of a block booking of up to 8 units and includes 24 hours a day on site staff presence and additional key worker support for up to 5 hours per week for each individual in the placement.

These are the conditions required by LBB to ensure a suitable and safe provision for such vulnerable young people.

This contract was awarded to Elliot Leigh as a single source tender on 22 December 2016 due to a sudden increase in the number of placements that local authorities were required to find at short notice for UASC. This increase was expected to be ongoing.

At the time of these requirements both the West London Alliance framework and LBB's in house provision were unable to meet this demand. Barnet identified placement vacancies

with this new local provider, and negotiated a very reasonable price per unit, with the required support costs in line with the market rate.

The current contract with Elliot Leigh is due to expire on 21 December 2017. This report therefore seeks authorisation to extend the contract for a 12 month period to enable continuity of accommodation and support for the young people currently placed in this provision and to ensure safe and suitable local placements for others coming in that will require this service.

A contract extension of 12 months will give LBB time to establish a suitable procurement option that will ensure legal compliance for a longer term arrangement for this service.

The total cost for the contract from the start date with a 12 month extension would be **£568,000** which is below the procurement threshold of **£589,148**.

The plan is for Elliot Leigh to seek to join the WLA Semi-independent Framework at the next opening which is anticipated to take place around February/March 2018. This will enable LBB to call off a block contract with this provider under this framework which would be compliant with LBB's Procurement regulations and legal requirements.

Decisions

- 1. Authorisation for the extension of a block book semi-independent accommodation for young people in Barnet**

1. WHY THIS REPORT IS NEEDED

- 1.1 Elliot Leigh has been fully utilised and has been able to successfully meet the accommodation and support needs for the following cohorts of young people:

- Unaccompanied Asylum Seekers between the ages of 16 and 17
- Young people between the ages of 16 and 17 moving from full time residential provision to prepare for independence
- Homeless young people between the ages of 16 and 17 coming into the service in need of accommodation with support.

- 1.2 The number of UASC coming into Barnet and requiring a service has continued to increase. There was a 26% increase in 2016/17 as figures rose from 35 to 44. The number currently stands at 59 so is a 34% increase from 2016/17 figures. These are overall figures, however, 37 out of the 59 UASC are 16/17 year olds.

- 1.3 **Local Provision:** Elliot Leigh is a local provider with an 8 room provision across two adjoining properties. A local provider is preferable in order to enable young people to access local education, employment and training opportunities as well as maintaining local support networks and accessing a

range of Barnet's support services. A local site also offers the advantage of facilitating age and other assessments within required timescales.

2. REASONS FOR DECISIONS

- 2.1 The provider has the volume of vacancies and has evidenced that they can meet the requirements to have 24 hour security (staff on site 24 hours a day).
- 2.2 The West London Alliance framework and in house provision are unable to meet these requirements / current demand at this moment in time.
- 2.3 This accommodation has created local placements for older UASC and also enabled other young people currently in residential provision to move into the new local semi-independent provision at a much lower cost, freeing up local residential placements for younger and more vulnerable children and young people.
- 2.4 There is a spend to save incentive for sourcing local provision. Moving young people on from local residential provision to local semi-independent provision provides a cost effective placement for this cohort. Costs for placing children and young people outside of the borough are much higher.
- 2.5 A local provider is preferable as it increases the likelihood of age appropriate assessments and support to being delivered within required timescales.
- 2.6 A block booking is also preferable to enable tailored support (including assessments and translators) in a co-ordinated and timely way.

3. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 3.1 An alternative option considered is to do nothing. This is not a viable option as the current contract expires on 22.12.17 and has proved over the last year to be a much needed service. Without this provision, the risk of not having local accommodation when asked to find placements for the cohort of young people that require this service at short notice would be high. This would result in these vulnerable young people being placed outside of the local area. Out of borough provision is more expensive for the local authority and other services and may lead to poorer outcomes due to the ability to place within proximity to local services and support networks.
- 3.2 A tender could be initiated but this would take a significant amount of time and the continuity of this service would be threatened. An alternative procurement approach risks the loss of the current provision within Borough to other local authorities looking to access this type of service.

4. POST DECISION IMPLEMENTATION

- 4.1 LBB will establish a suitable procurement that will ensure legal compliance for a longer term arrangement for this service through meeting with the provider

to discuss the WLA framework that LBB uses in the first instance to secure all placements.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 **Safeguarding** - Outcome 1 of the Children and Young People's Plan 2016-2020 is that Families and children are kept safe. This service includes 24 hour security, along with the ability to respond in person to emergencies on a 24 hour basis which is essential to safeguard young people.

5.1.2 **Resilience** - Outcome 2 of the Children and Young people's Plan is to ensure that Families and children achieve their best. High quality placements for all children and young people in care, including UASC are fundamental to achieving the Family Friendly Barnet vision of Resilient Families: Resilient Children, and to delivering against the Family Service Practice Improvement Plan, which aims to improve outcomes for children.

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

5.2.1 The costs of the identified current placement vacancies have been negotiated.

5.2.2 The contract extension will be for 12 months. The total value of the contract is £568,000. The cost of the extension is £353,000 at maximum usage.

5.3 Legal and Constitutional References

5.3.1 The Council's contract procedural rules ('CPR') apply where the value of social and health care contracts are below £589,148, however the Treaty principles of equal treatment and transparency are still applicable, when making the award.

5.3.2 Section 12.2 of the Council's Contract Procedure Rules states that acceptance of contracts with independent providers of individual placements for children or adults will in the first instance be achieved through approved frameworks or approved lists of providers. Where requirements cannot be met through approved frameworks or approved lists, authority is delegated to the relevant director of a service area as per the scheme of delegation to enter into contract with a new independent provider.

5.3.3 The council's Contract Procedure Rules details the circumstances under which a single tender action can be taken and under which a contract extension can be made. In line with the Contract Procedure Rules, this single tender action has been approved by the Commercial and Customer Services Director. An extension is now required for the reasons set out in this report, including to ensure continuity of provision for vulnerable young people. Due to the service required, a change of contractor cannot be realistically made.

5.3.4 The Council has a statutory duty to provide appropriate and safe placements for children in care and UASC.

5.3.5 The Council has received a letter from the Home Office asking local authorities to be prepared to make arrangements for accommodation and support for UASC and young people as the need arises. This includes a requirement for authorities to confirm any places they have so as to facilitate a timely placement for children into long term care arrangements.

5.3.6 There is a risk that the direct award may be seen as contrary to the Treaty principles of equal treatment and transparency, however such a challenge is very low risk.

5.4 Risk Management

5.4.1 Local placements for children in care are 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 of not meeting the Council's statutory duty.
- Risk of not meeting the needs of high risk children and young people
- Risk of a service that does not meet required standards and timeframes
- Reputational risk of a poor Ofsted report

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

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

5.5.2 Securing local placements for vulnerable children and young people, including UASC promotes positive inclusion of these groups.

5.6 Consultation and Engagement

5.6.1 This booking has been approved at Director Level.

6. BACKGROUND PAPERS

- 6.1 Letter to Local Council Leaders from the Home Secretary 10.14.16 regarding the National Transfer Scheme for unaccompanied asylum seeking children (UASC).

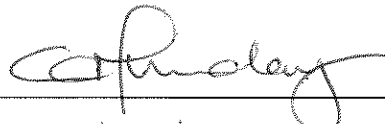
7. DECISION TAKER'S STATEMENT

- 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

Signed



Date

21/12/2017.
