

	<p align="center">CHIEF OFFICER IN CONSULTATION WITH COMMITTEE CHAIRMAN DELEGATED POWERS REPORT</p>
<p align="right">Title</p>	<p>Selection of Panel Providers and award of Contracts from the WLA Dynamic Purchasing Vehicle for Independent Fostering Agencies.</p>
<p align="right">Report to</p>	<p>Strategic Director of Children & Young People acting in consultation with the Chair of the Children, Education & Safeguarding Committee</p>
<p align="right">Exempt Report</p>	<p>None</p>
<p align="right">Wards</p>	<p>All</p>
<p align="right">Status</p>	<p>Public</p>
<p align="right">Enclosures</p>	<p>Appendix 1 – List of successful Providers for Rounds 1 and 2 of the West London Alliance Independent Fostering Services Dynamic Purchasing Vehicle (IFA DPV”)</p>
<p align="right">Officer Contact Details</p>	<p>Joanna Rider Senior Commissioner Commissioning and Business Improvement Family Services Children’s Service</p>

<p>Summary</p>
<p>In response to demand across local authorities, the West London Alliance has developed three Dynamic Purchasing Vehicles (DPVs) across Independent Fostering Agencies (IFAs), Residential Placements and Special Educational Needs (SEN) Placements. Barnet was the lead authority for the DPV for IFAs.</p>

This report seeks permission to select Panel Providers and to award overarching agreements to those Providers that have/are successful in joining the DPV and to call off contracts (individual placements and block contracts) from 2018 to 2024, for fostering services from independent fostering agencies under the newly established electronic purchasing framework, the West London Alliance (WLA) Dynamic Purchasing Vehicle (DPV) for Children's Independent Fostering Agency Services ("IFA DPV").

There is a separate DPR report detailing the approval to award call contracts for residential placements.

The Council's existing Framework Agreement with WLA for Independent Fostering Agencies expired in April 2018 and is to be replaced by the IFA DPV.

As the lead borough for the IFA DPV, the Council will hold the overarching contract agreements with successful IFA providers. The Council will then be able to call off individual fostering placements to meet the needs of local children and young people.

The IFA DPV is capable of use by the 9 WLA Boroughs, and by certain other interested Local Authorities named in the Official Journal of the European Union ("OJEU") Notice.

The aim of the IFA DPV is to ensure that there is sufficient good quality independent fostering agency provision for the period between 2018 to 2024, which represents value for money and is compliant with Contract Procedural Rules.

Decisions

Approval of :

- (1) the Council's selection of Panel Providers and entry into Overarching Agreements with those Providers referred to in Appendix 1 to formalise their appointment to the Provider Panel to the Council's Independent Fostering Agencies Dynamic Purchasing Vehicle ("IFA DPV") retrospectively from 3rd April 2018 from Rounds 1, 2 and to delegate to the Strategic Director of Children, Education & Young People the selection and entry into Overarching Agreements with providers that are successful from any subsequent rounds of the DPV
- (2) until the expiry of the IFA DPV in 2024 the Council's: award by way of call off under the IFA DPV's Call Off Protocol and the Council Officer's Scheme of Delegation, of those Individual Placement Agreements ("IPAs") or Block Contracts ("Call off Contracts") placed by the Council with Providers on the DPV Provider Panel who are chosen directly or who compete successfully for those IPAs or Block Contracts that are to be called off or placed by the Council in accordance with the IFA DPV's Call off Process

(3) entry into Access Agreements with those local authorities both within and outside the West London Alliance which choose to use the Dynamic Purchasing Vehicle ("DPV") procured by the London Borough of Barnet as Lead Authority to purchase of independent fostering services from those Providers appointed to the DPV.

1. WHY THIS REPORT IS NEEDED

1.1 This report seeks approval for

- (a) the appointment of those Providers evaluated and selected by the London Borough of Barnet ("the Council") as Lead Authority for the West London Alliance to a panel of independent agency Providers from which the Council will purchase fostering services for a period of 6 years between 2018 and 2024 by way of individual placements and block purchases of fostering services ("Call Off Contracts") and entering into Overarching Agreements with those Providers so selected.
- (b) the Council's award of the Call Off Contracts for independent fostering agency services throughout the duration of the IFA DPV; and
- (c) the Council's entry into Access Agreements with those other West London Alliance local authority members and non-members permitting them to purchase independent fostering agency services from the Providers in accordance with and on the same terms as those within the IFA DPV.

1.2 The independent fostering agency services referred to in this Report are to be purchased under an electronic purchasing procurement vehicle ("IFA DPV") established by the Council acting as Lead Authority on behalf of its nine local authority Partners in the West London Alliance. The IFA DPV is a form of electronic Dynamic Purchasing or Framework-style Agreement. Further details as to how it operates are contained in the legal comments section of this Report.

1.3 The Council procured this IFA DPV on behalf of both itself and the West London Alliance ("WLA") in a collaborative project. The DPV can be used by the London Boroughs of Ealing, Barnet, Hammersmith and Fulham, Harrow, Hillingdon, Hounslow, Kensington and Chelsea, Westminster ("WLA members"); and any other qualifying Local Authority ("Non-WLA members") to purchase independent fostering agency services.

- 1.4 Providers will be selected at successive monthly/periodic intervals by the Council acting in conjunction with the WLA until expiry of the IFA DPV in 2024 in accordance with the selection process explained in the DPV. Using these procedures the first recruitment and selection round for Providers commenced on 19 February 2018 and closed 9 March 2018 ("**Round 1**"). 29 Providers as listed in Appendix 1 were recommended for selection to join the IFA DPV and the second recruitment and selection round commenced on 9 March 2018 and closed 29 March 2018 ("**Round 2**") There is no limit to the number of Providers who can be appointed to the Provider List. The increased competition helps to maintain competitiveness amongst Providers on the List.
- 1.5 All Providers are chosen in accordance with the Selection Protocol for the IFA DPV. Once so selected they must enter into Overarching Agreements with Barnet Council. These Overarching Agreements set out the terms on which a Call Off Contract (whether an Individual Placement Agreement or a Block Contract) may be placed.
- 1.6 The procurement of fostering services placements is required as part of Barnet's local authority social services functions and in compliance with the statutory duties referred to at the Legal section of this Report.
- 1.7 When the need arises to place a child, Barnet Family Services will always seek to place the child with a fostering family through Barnet's in house Fostering Service, so as to enable the child to stay in Barnet. Independent Fostering Agency Services are required where no suitable local, in house fostering provision is available to meet the needs of the child or children. An appropriate procurement vehicle is required to enable Family Services to call off or to place such children in need of fostering services with foster carers through high quality Independent Fostering Agency Providers to meet the needs and outcomes of children, whilst ensuring value for money and compliance with Contract Procedure Rules.
- 1.8 The Council's Procurement Forward Plan 2016/2017, 2017/18 and 2017/18 included authorisation to procure Children's Social Care placements including Independent Fostering Agencies (IFAs).
- 1.9 Following receipt of the authority to procure, the Council led a transparent collaborative tendering exercise for an electronic (or dynamic) purchasing system for independent fostering agency services ("IFA DPV") in 2017 using the flexibilities allowed under the Procurement Regulations 2015 for the procurement of health, social and other related services .

1.10 This IFA DPV “went live” on 19 February 2018. Round 1 of the Selection process for Providers began on 19th February 2018 and Suppliers began applying to join the Provider List from then on. Those [29] Providers referred to at Appendix 1 have been recommended for selection by the West London Alliance in conjunction with the London Borough of Barnet. Further rounds of Supplier selection will occur throughout the life of the IFA DPV, with Suppliers being selected for membership of the Provider List. This List is reviewed and Suppliers removed annually or as needs be, if they fall below the standard and requirements for membership.

1.11 All successful Suppliers will become Providers and will be placed on the Provider List once they enter into Overarching Agreements with Barnet Council.

1.12 9 WLA Boroughs including Barnet Council, and other qualifying Local Authorities named in the OJEU Notice will be able to place Individual Placement Agreements or Block Contracts (collectively called “Call off Contracts”) under the terms of the Overarching Agreement subject to their signing of an Access Agreement with the London Borough of Barnet. The purpose of the Access Agreement is to set out the basis on which any local authority other than the London Borough of Barnet can use the IFA DPV to purchase independent fostering agency services.

1.13 It is recommended that approval is granted for the Council’s entry into the Overarching Agreements, Call Off Contracts (Individual Placement Agreements and Block Contracts) and Access Agreements referred to above from 2018 to 2024 subject to the Council’s budget and mention on the relevant Forward Plan for the year in which the Call Off Contracts are placed.

2. REASONS FOR RECOMMENDATIONS

2.1 Barnet Council has a number of statutory duties relating to the provision of social care services to children and young people. Services are provided to such children on the basis of an assessment of their individual needs and the services of independent fostering agencies (“IFAs”) are used where in-house fostering provision is unable to meet needs. There has also been a need to

influence and manage the IFA market, so as to ensure value for money and to ensure that a set of standard contract terms are issued.

- 2.2 Unlike a Framework, a DPV allows an unlimited number of new Providers to join the Provider List. Moreover most of the Council's existing Providers will continue to supply independent fostering services under the IFA DPV, This means that the Council will be able to better ensure Borough-based provision throughout the next six years to meet demand.
- 2.3 The Council will gain significant benefit in terms of purchasing power and discounts encouraged by the competitiveness that a collaborative procurement with a large number of purchasing authorities and a large number of Providers can bring. The prospect of a larger market for their services will also incentivise Providers to join the IFA DPV.
- 2.4 The e-brokerage software tool (West London's Careplace system) on which the DPV will operate will assist the Council to identify and secure an appropriate placement for a child or young person from a Panel of pre-approved Providers, each with a clear ceiling price which can be used where permitted under the IFA DPV as the basis for negotiation.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Continuing with the existing Framework with Hillingdon is not possible as the existing Framework did not meet local demand, the framework is expiring and this arrangement would not be in line with Contract Procedure Rules.
- 3.2 Purchasing on a spot purchase basis is not recommended as this may not ensure quality or best value for money to the Council and is not in line with Contract Procedure Rules.
- 3.3 A Barnet-only DPV was considered but rejected as this would not provide sufficient purchasing power to incentivise IFA providers to join a local DPV.

4. POST DECISION IMPLEMENTATION

- 4.1 Providers who apply to join the DPV will be evaluated against a detailed self-certified checklist, including Ofsted rating, evidence of financial risk and sustainability, insurance as well as a range of other business information.
- 4.2 Those Providers that meet required standards will be entitled to be selected as a Provider and to enter into Overarching Agreements with the Council

- setting out the basis in which selection and the provision of the services are supplied under the Call Off Contracts
- 4.3 The Curtis Fitch e-procurement platform will be used to enable the evaluation of successful providers on an ongoing basis. There is no limit to the number of Providers that can join the DPV, enabling a flexible, responsive procurement vehicle to purchase from.
 - 4.4 Quality assurance of all Providers is assured through due diligence and evaluation of the self-certification responses received from each interested Supplier who has applied for selection to the DPV List of Providers and by monitoring after selection by Placement teams for each Lead Borough.
 - 4.5 After they are selected to join the DPV Provider List, Providers will enter into an Overarching Agreement with Barnet Council and will be eligible to compete for any Call off Contract or placement advertised by Barnet Council or by those other local authorities that are entitled to use the IFA DPV.
 - 4.6 The DPV includes the provision for Councils to call off or to make single placements by way of Individual Placement Agreements, or to make multiple placements via Block Contracts, so as to meet the needs of local children and young people.
 - 4.7 These placements are intended to be made using prescribed Call Off procedures using the Careplace placement portal which is provided by the WLA for the purposes of the IFA DPV.
 - 4.8 The Call off Procedures provide that placements are competed for by Providers, but they are also entitled to such contracts without competition in the circumstances where the IFA DPV allows direct awards to be made to Providers without the need for prior competition.
 - 4.9 The Call Off Procedures in the IFA DPV have been designed to ensure the closest possible compliance with the spirit of the requirements of the PCR in this regard.
 - 4.10 8.4 Other WLA local authority members and those local authorities outside the WLA are entitled to use the IFA DPV in the same way as Barnet Council but they must first sign an Access Agreement with the London Borough of Barnet, to enable them to call off or to place independent fostering services under the IFA DPV.
 - 4.11 The Access Agreement sets out the obligations owed by those local authorities to the Council whilst they use the IFA DPV.
 - 4.12 Under the Access Agreement non-WLA members who wish to purchase fostering services from the List of Providers on the DPV pay an entry fee to the WLA.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 The Council's Corporate Plan 2015-2020 states that the council, working with local, regional and national Partners, will strive to ensure that the London Borough of Barnet is a place:

- of opportunity, where people can further their quality of life;
- where people are given the assistance they need in order to enable them help themselves, recognising that prevention is better than cure;
- where responsibility is shared, fairly;
- where services are delivered efficiently to get value for money for the taxpayer.

5.1.2 By ensuring that sufficient high quality, appropriate fostering provision is available , the Council's entry into the Overarching Agreements and the Access Agreements and the award of the Call off Contracts (Individual Placement Agreements and Block Contracts) referred to above ("the IFA DPV Agreements") contributes to the Council's Corporate Plan priority 'To create better life chances for children and young people across the borough'.

5.2 The multi-agency Children and Young People Plan 2016-2020 outlines Barnet's vision to become the most 'Family-Friendly' borough by 2020. This means that children, young people and their families are safe and protected from harm, healthy, resilient, knowledgeable, responsible, informed and listened to. The IFA DPV Agreements contribute directly to the resilience agenda by empowering young people to build personal resilience, foster healthy peer relationships, make informed choices and stay safe. The resilience agenda is included within the Specifications used in the IFA DPV Agreements.

5.2.1 The Children, Education, Libraries and Safeguarding Committee (CELS) Commissioning Plan 2015-2020 sets out proposals to address challenges, reshape services, and to deliver savings for services within the Committee area over the next five years. These include:

- Alternative ways to deliver services, in partnership with other organisations and residents
- Narrowing the gap and targeting support to those that need it
- Greater personalisation, choice and control over services
- Focus of efficiency, effectiveness and impact

By taking a cross-borough approach to purchasing, this IFA DPV provides the best option for Barnet to procure appropriate and tailored independent fostering agency services provision, at the best price.

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

5.3.1 Finance

5.3.2 Prices in the IFA market had been fixed for four years with the original WLA framework. For this reason, it is expected that providers will increase their prices and it is not expected that cashable savings can be made from the new DPV.

5.3.3 The DPV requires providers to include a ceiling cost for their IFA provision, including costs for 0-15 year olds, costs for 16-17 year olds, specialist fostering and costs for parent and child placements. Providers cannot charge above this ceiling rate for the duration of the placement. Price alteration requests for placements will only be considered if a child or young person's needs significantly change and where the Provider is able to provide a robust evidence base for this. There will be an annual opening when providers have the option to re-price their services.

5.3.4 Where children and young people have been with the same IFA for more than 9 months, the provider is required to include a discount of 5% for the remainder of the placement.

5.3.5 There is also a 5% discount for siblings, to be deducted from the agreed weekly fee on all siblings placed within an Agency. For example, if an Agency has two siblings placed within the organisation, the 5% discount will be applied for both placements.

5.3.6 The DPV is a transparent procurement vehicle. Providers can seek to join at any time and six rounds of evaluation will be undertaken in 2018-19 to enable more providers to join. It is therefore not possible to confirm weekly costs for all IFAs that will receive contracts on the DPV, however, the table below summarises average costs from the old framework and the new DPV based on the first two rounds of procurement (29 providers).

5.3.7 Table 1 below should be viewed within the context that whereas the old framework included fixed prices, the new DPV costs are ceiling costs that can be negotiated as permitted within the terms of the Overarching

Agreement. A number of providers included ceiling prices that did not reflect a competitive market price and placements would not be purchased at this rate. These outliers have been excluded from the analysis, so as to reflect an average ceiling price that mirrors likely maximum costs of placements made by local authorities.

Procurement	Service categories and average weekly costs			
	Core fostering age 0-15	Core Fostering age 16-17	Specialist Fostering	Parent and Child Fostering
Old Framework	£783.27	£797.30	£1224.29	£1301.90
New DPV	£877.00*	£909.67*	£1363.00**	£1379.00***
% change from the old framework	+10.7%	+12.4%	+10.2%	+5.6%

*Excludes 2 providers with costs over £1,000 per week

**Excludes 9 providers with weekly costs over £1,500 per week

***Excludes 13 providers with weekly costs over £1500 per week

5.3.8 The financial benefits of the new DPV include the ability for Local Authorities to negotiate costs with the market at the point of placements, the 5% discounts from sibling placements and the 5% discount applied to all longer-term placements (applied after 9 months). As the DPV requires providers to submit a competitive (ceiling) price, placement prices by these providers may have been much higher in the absence of the DPV.

5.4 Procurement

5.4.1 An OJEU Contract notice was issued indicating the services to be procured and award criteria to be used.

5.4.2 A transparent procurement process was undertaken and tender submissions for selection as Supplier were recorded and assessed on the Curtis Fitch e-procurement system. Providers who submitted a tender submission were evaluated and scored during the evaluation stage.

5.5 Social Value

5.5.1 In preparation for this procurement, the WLA and Barnet Council took into

account those relevant and proportionate factors relating to the services being procured that might improve the economic, social and environmental well-being of the Barnet area and how the procurement process might achieve and progress that improvement.

5.6 Staffing, IT, property

5.6.1 TUPE does not apply to this contract and there are no staffing implications for the Council.

5.6.2 The e-procurement portal and software application used as an e-Procurement platform for the purpose of e-sourcing, and supplier selection and management is supplied by Curtis Fitch.

Curtis Fitch software is already used by the Council for e-procurement purposes for other services.

The Lead WLA Boroughs and Curtis Fitch are in the process of agreeing a Licence Agreement in respect of the e-procurement software used for the specific purposes of the IFA DPV.

5.6.3 Careplace e-procurement software is to be used by this Council and the WLA and all other participating local authorities for the Call off or making of placements on an individual or block contract basis.

5.7 Legal and Constitutional References

5.7.1 Barnet Council's entry into those Call Off Contracts referred to in this Report is likely to cost well in excess of £181, 302.00 over the six years of this Dynamic Purchasing Vehicle (DPV). For the purposes of this Full Officer DPR, the estimated value of the Council's expenditure on the IFA DPV is £18, 000, 000.

5.7.2 For the purposes of compliance with the Councils Contract Procedure Rules (CPR's) it is sensible insofar as it is necessary, to treat the DPV as if it were a Dynamic Purchasing System.

5.7.3 Paragraph 8.1 of the (CPR's) requires any procurement resulting in a Framework Agreement, Dynamic Purchasing System or Call off Contract to comply with the approvals process shown within Table A in Appendix 1 of the CPR's. The accepted legal interpretation pending formal change is that Table A requires the award of such procurements over the value of £500,000 to be approved by a Full Officer Delegated Powers Report (DPR") in consultation with the relevant thematic committee chairman. Such approval

is valid so long as the expenditure that will be incurred by the Council as a result of the contracts is within Budget, and on the relevant Procurement Forward Plan(see section 6.2 of this report)

5.7.4 10.7.3 Paragraph 8.5 of the CPR's requires that where call-offs are placed under a Dynamic Purchasing System, they must be carried out in accordance with the rules laid down in the Dynamic Purchasing System. The IFA DPV contains a Call Off Protocol allowing for competed placements and direct award procedures that comply with the Public Contracts Regulations 2015 (PCR's). The requirements are incorporated into Careplace Call off software that will be used by Barnet Council and other purchasing authorities to place Call off Contracts.

5.7.5 As regards the appropriate Decision-Maker and the decisions sought under this Full Officer DPR

(a) under Articles 9 and 10 of the Council's Constitution (Article 9 Chief Officers : Article 10 :Decision-Making) the Strategic Director of Children & Young People is a Chief Officer authorised to make decisions in accordance with the CPR's and the Family Services Scheme of Delegation.

(b) in practice the Council's Officer Scheme of Delegation provides sufficient authority to specified officers (including the Head of Placements) to take all necessary fostering decisions and to place consequential call-off contracts under the DPV

(c) under the CPR's (Table A) the Strategic Director of Children & Young People in consultation with the Chair of the relevant Thematic Committee (in this case Councillor Reuben Thompstone, Chair of the Children, Education, Libraries & Safeguarding Committee) is authorised to make the decisions set out in this report as follows:

- i) agree the Panel of Providers who have been successful under each DPV round carried out
- ii) delegate authority to Strategic Director (should it be necessary) to agree entry of Panel Providers on to the DPV who are successful in subsequent Rounds throughout lifetime of the DPV
- iii) enter into an Overarching Agreement with each Panel Provider appointed now and in the future and
- iv) enter into an Access Agreement as may be necessary with bodies permitted by the OJEU Contract Notice
- subject to expenditure concerned being within the relevant budget and where appropriate compliance with the Officer Scheme of Delegation.

- 5.7.6 10.7.5 Insofar as the Council's selection of Panel Providers and entry into the Overarching Agreements is concerned, although authorised by the decisions made in this report as required by CPR 8.1 and Table A , it does not directly cause the Council to incur any expenditure. However it is suggested that the Summary DPR (or its equivalent) as referred to in section 10.8.4 of this report contain additional information as to the number of Overarching Agreements and Access Agreements that have been entered into in the preceding quarter. This will assist in the Council's contract monitoring, auditing duties and reporting to the EU Publication Office in respect of this DPV.
- 5.7.7 This IFA DPV was established to assist the Council's fulfilment of its statutory duties. It also serves the same role for those WLA and those non-WLA members named in the OJEU Notice who are entitled to use the IFA.
- 5.7.8 The statutory foster care duties which these authorities hold towards Looked After Children (Children in Care) (as described in this Report) emanate from the Children Act 1989, Guidance and Regulations Volume 4 Fostering Services, the Care Standards Act 2000, the Adoption and Children Act 2002, the Children Act 2004 and the Children and Young Persons Act 2008. Specific requirements relating to placement planning for looked after children are contained in the Children Act 1989 regulations and guidance Vol 2, care planning, placement and case review (June 2015) which also contains as section on the delegation of authority to foster carers. The Fostering Services Regulations 2011 and National Minimum Standards as amended provide a clear framework for Fostering Service Providers, Foster Carers and associated staff with regard to how fostering services should be delivered, how foster carers should be assessed and what foster carers can expect to receive by way of support.
- 5.7.9 As regards the tender process and procurement vehicle employed here
- (a) following the receipt of internal Council approval for the procurement of the social care services referred to within this Report in the Procurement Forward Plan, the Council developed the IFA DPV collaboratively with the WLA.
 - (b) The tendering process for the IFA DPV is a collaborative procurement between the WLA and Barnet Council with Barnet Council acting as Lead Authority. Barnet Council benefits from an indemnity from the other eight members of the WLA for acting as such under a Memorandum of Understanding agreed in 2016.

- (c) The IFA DPV allows for electronic purchase of independent fostering agency services from an unlimited pool of Providers. New Providers can be recruited to the IFA DPV throughout its six-year term. The IFA DPV is based on the dynamic purchasing system model for e-purchasing as set out within Regulation 34 of the PCR's, but utilises the "flexibilities" allowed for under the "light touch regime" as set out within Regulations 74 to 76 of the PCR. Under the regime, though public contracts are still required to be advertised transparently and evaluated and awarded fairly and in a non-discriminatory manner, local authorities have more scope for designing their own tender process and tender vehicle.
- (d) Officers are satisfied that the procurement of the DPV has been undertaken in compliance with the PCR including the evaluation undertaken by and the recommendations of the Evaluation Panel included within the Decisions section of this report and shown in the Tender Documentation
- (e) In the case of dynamic purchasing systems Regulation 50 of the PCR's requires the council to send to the EU Publications Office either a contract award notice within 30 days after award or group notices on quarterly basis

5.7.10 Section 13.1 of the CPR's, requires every contract to be in a form approved by the Monitoring officer (in consultation with HB Public law). HB Public law were instructed to approve the contracts drafted by the WLA that were included as part of the core procurement documents. Approval of the final format of the procurement documents was reserved by Commissioners acting for each of the nine WLA authorities.

5.7.11 Section 13.3 of the CPR's, Dynamic Purchasing Systems, entered into with respect to the provision of social care to individual service users must be sealed. Call-off placements under the EU financial threshold do not require sealing and need only be signed by the respective Director in accordance with the Scheme of Delegation.

5.8 Risk Management

5.8.1 Safeguarding is at the centre of this contract and the DPV evaluation included specific questions in relation to safeguarding policies and processes and staff induction, as well as a requirement for staff to have up to date DBS checks. The successful providers will have certified that they have met the quality and safeguarding requirements for this contract and will have produced such proof as is required of them by way of due diligence by the Council and the WLA according to the Selection Protocol.

5.8.2 The specification set out the requirements for the Provider to keep service user records, and to ensure appropriate information sharing, confidentiality;

data protection, data collection and analysis are in place. All aspects of information management and safeguarding, including policies and processes will be examined and checked as part of the robust contract monitoring checks.

5.8.3 To ensure monies are being spent effectively, placements costs will be negotiated at the point of referral and will not exceed ceiling costs provided by the providers. Spend against the DPV contracts will be reviewed quarterly via Procurement Finance Reports. Placements will be performance managed throughout the contract term using robust monitoring systems, including outcomes for children and young people, quality assurance, costs and assurance information.

5.8.4 In order to ensure appropriate governance for spend against this DPV, Summary Delegated Powers Reports ("Summary DPRS") or their future equivalents will be completed on a Quarterly basis describing the number and nature and estimated cost to the Council of the Call off Contracts awarded by Barnet Council in the preceding quarter. The DPRs will provide confirmation that the Council's expenditure on all DPV Contracts remains within the Council's Budget and within the financial limits set in the Authority to Procure the IFA DPV. Such summaries will be completed until the end of the IFA DPV in 6 years time

5.9 Equalities and Diversity

5.9.1 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.

5.9.2 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.

5.9.3 The DPV is for all children that require an Independent Fostering Placement, regardless of their background or other protected groups.

5.9.4 An Equality Analysis Assessment was undertaken for this DPV and is available on request.

5.9.5 Equalities issues relating to individual children and young people are included in the assessment processes.

5.10 Corporate Parenting

5.10.1 This contract will support the Council in its corporate parenting role by enabling Family Services to place vulnerable children and young people) in high quality, appropriate fostering placements that can meet their specific needs and outcomes, as detailed in the Individual Child Agreement.

5.11 Consultation and Engagement

5.11.1 Young people from three different local authorities were engaged with in planning the DPV. The views of young people in care were sought to understand what is most important for local authorities and potential IFA Providers to get right when planning a placement, what can make a difference to them in the early days, for example, when being introduced to a fostering family and what is important for providers to get right in the longer term.

5.11.2 The findings from young people were collated and presented by to Providers at a market event for the DPVs. A young person also provided feedback at the market event on his experiences to being placed and provided key messages for providers on what could have made a difference to his experiences of being in care.

5.11.3 Two market events were help with prospective providers to introduce the DPVs and to detail intentions regarding categories, pricing schedule and the specification. Feedback from the IFA market was used to shape the DPV and to inform future market development plans.

5.12 Insight

5.12.1 Market and financial information was analysed by the WLA to plan the DPV and to inform the pricing schedule. This included past placements made by the 9 WLA boroughs and insight gained by the market from two large scale marketplace events.

6. BACKGROUND PAPERS

6.1 The following background papers are relevant to this DPV:

- Barnet's consultation document with young people
- Policy and Resources Committee to approve the 2016/2017, and 2017/2018 and 2018/2019 Procurement Forward Plans
- Barnet DPV EQIA
- OJEU notice
- Tender documentation

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, Contract Procedure Rules Budget and Policy Framework and Legal issues including Equalities obligations. The decision is compliant with the principles of decision making in Article 10 of the constitution.*

Chief Officer: Chris Munday, Strategic Director- Children & Young People
Decision maker having taken into account the views of the Chairman

Signed



Date 08.08.2018

CONSULTEE'S STATEMENT

7.2 In accordance with the Family Services Scheme of Delegation (March 2016 version) and the Contract Procedure Rules (January 2018) which require decisions to award Contracts of a value exceeding £500,000 made by a decision-maker exercising delegated decision-making powers to be made in consultation with the Chair of the relevant Committee, and as Chair of the Children, Education, Libraries & Safeguarding Committee of the Council, I confirm that I have been consulted by the Decision-Maker.

Chairman: Councillor David Longstaff
Has been consulted

Signed
David Longstaff

Date 08.08.2018

Appendix 1

IFA providers awarded contracts from rounds 1 and 2 of the West London DPV

1. Affinity Fostering Services Ltd
2. All4Ufostering
3. Be My Family Fostering Agency
4. Blue Sky Fostering
5. By the Bridge Limited
6. Capstone Foster Care
7. Chrysalis Care
8. Compass Fostering London Limited
9. Connect Fostering Services
10. Ethelbert Children's Services
11. Fusion Fostering Ltd
12. Futures for Children
13. Greater London Fostering
14. Heath Farm Family Services Ltd.
15. ISP
16. Next Step Fostering
17. Nexus Fostering
18. Orange Grove Fostercare
19. Parallel Parents Ltd
20. Parent and Child Fostering Assessments
21. Rainbow Fostering Services
22. Ryancare Fostering
23. Safehouses Fostering services
24. Sunbeam Fostering Agency Ltd
25. Supported Fostering Services
26. The Adolescent and Children's Trust
27. The National Fostering Agency Ltd
28. Time for Children
29. UK Fostering