

From: Roger Gough, Cabinet Member for Children, Young People and Education
Matt Dunkley, CBE, Corporate Director of Children, Young People and Education

To: Children's, Young People and Education Cabinet Committee – 29 November 2018

Subject: Award Report: Mobilisation of Independent Adoption & Special Guardianship Order (SGO) Support Services

Classification: Unrestricted

Past Pathway of Paper: 8 March 2018 - Children, Young People & Education Cabinet Committee

Future Pathway of Paper: N/A

Electoral Division: All

Summary: This report summarises the activity taken to commission and mobilise a new contract for the provision of Independent Adoption & Special Guardianship Order (SGO) Support Services.

The contract commenced on the 1st October 2018 for a term of 3 years with the option to issue a further 2-year contract extension.

A cabinet member decision was recorded on the 26th March 2018 (decision number 18/00013), where the Cabinet Member for Children, Young People and Education took the following decisions:

- a) **AGREE** to procure a new contract for Independent Adoption and Special Guardianship Order Support Services; and
- b) **DELEGATE** authority to the Corporate Director of Children, Young People and Education, or other nominated officer, to undertake the necessary actions to implement the decision.

Recommendation(s)

The Children's, Young People and Education Cabinet Committee is asked to **NOTE** the new contractual arrangements for the provision of Independent Adoption and Special Guardianship Order Support Services.

1. Introduction

- 1.1 This report details the activity undertaken to commission and mobilise a new contract for the provision of Independent Adoption & Special Guardianship Order (SGO) Support Services.

- 1.2 The previous contract held by Barnardo's expired on 30th September 2018 and following a paper presented to the Children, Young People and Education Cabinet Committee, a decision was recorded on the 26th March 2018 (decision number 18/00013) agreeing to the procurement of a new service. This decision delegated authority to the Corporate Director of Children, Young People and Education, or other nominated officer, to undertake the necessary actions to implement the decision.
- 1.3 Following an Open Tender exercise in accordance with the guidelines set out in the EU Procurement Contract Regulations (PCR 2015), the Council awarded a contract to Barnardo's who were successful through the selection and award stages of the published tender. The new contract began on 1st October 2018.

2. Background

- 2.1 KCC's Independent Adoption and SGO Support Services have been successfully outsourced for more than 10 years and have previously been subject to 3 competitive tenders. The last contract holder was Barnardo's.
- 2.2 There are four individual elements to the overall contract and the following gives a brief description.

An independent support service to birth parents

To provide a support and counselling service to birth parents prior to an adoption taking place, where a child is (or children are) looked after by the Council, and for whom adoption has been identified as the permanency plan.

A service that provides access to birth records and intermediary services for adult adoptees

To assist adopted persons either adopted through the Council or who are resident in Kent, and who are aged 18 and over, to obtain information in relation to their adoption and to facilitate contact between such persons and their adult birth relatives.

Access to information and intermediary services for birth relatives and those with a prescribed relationship

To provide advice and support to birth relatives and those with a prescribed relationship aged 18 years and over, who require intermediary and counselling services and access to non-identifying information regarding their adoption.

Contact services (direct contact and letterbox contact)

To provide a direct and indirect contact service for children under the age of 18 who have been adopted or who are subject to a Special Guardianship Order and who have agreed contact with their birth relatives.

- 2.3 These are statutory services which all local authorities are required to make available for those meeting the relevant criteria.

- 2.4 Work to develop the new arrangement followed full analysis of the out-going contract arrangement covering utilisation of the service, its effectiveness and the resources required to deliver the service. This evidence was used to inform the commissioning and procurement plan.

3. Consultation and Stakeholder Engagement

- 3.1 As part of the planning process feedback was sought from a range of stakeholders to assist in determining future key issues that needed to be addressed within the new contract.
- 3.2 Of particular note, service users reported that they felt valued and supported by the service and valued highly specific elements of service delivery such as the letter writing workshops and support groups. These activities were included within the new contract.
- 3.3 Activity was undertaken with the aim of stimulating the market and this included issuing a Prior Information Notice (PIN) onto the Kent Business Portal. Market engagement events also provided an opportunity for suppliers to find out about future commissioning intentions and to discuss ideas, views and suggestions directly with commissioners.

4. Procurement Approach

- 4.1 Following a review of the performance of the previous contract, and collaboration with the Adoption Service on the service model, a new service specification, contract management schedule and Key Performance Indicators were produced which will be used to evaluate the effectiveness and contribution of the Provider and the successful delivery of the contract.
- 4.2 A competitive Open Tender process was undertaken, with the tender offering one contract covering the 4 distinct services. The tendering process was run through the Council's e-tendering system, Pro-Contract, which is available via the Kent Business Portal.
- 4.3 Providers were required to self-certify a number of pass/fail questions including statutory questions required to be asked by local authorities e.g. history of insolvency etc. Other areas covered as part of the evaluation process were
- Health & Safety
 - Financial Stability
 - Ofsted Rating
 - Ofsted Registration
 - Quality questions aligned to each service and linked to the Regulatory Framework
 - Pricing Schedule
- 4.4 The tender evaluation which was carried out by Kent Finance, Strategic Commissioning and Kent Practitioners. Barnardo's were successful through the Selection and Award stages and were awarded the contract.

4.5 Following the award process the new contract began on 1st October 2018. As there has been no change in provider following the tendering exercise, issues regarding mobilisation have been minimal with no disruption to on-going cases.

5. Financial Implications

5.1 The maximum 3-year cost for the new service is £1,128,498. The savings achieved through the procurement process have been minimal, but cost avoidance has enabled the Council to price protect these services for the last four years through the previous contract and this will continue for the next 3-years.

5.2 The new contract specifies that if referrals levels drop below the specified minimum threshold then contract management mechanisms will be instigated and funding levels will be revised according to the costs submitted as part of the tender process for below minimum thresholds.

6. Legal Implications

6.1 There are no legal implications as a competitive procurement process has been undertaken, and we have awarded a legitimate contract under EU Procurement Contract Regulations (PCR 2015).

6.2 The Council is obliged to fulfil its statutory responsibilities regarding Adoption and Special Guardianship; the services which are delivered under this contract are subject to specialised additional legislation and guidance which provides a comprehensive framework within which adoption agencies are expected to operate and deliver the services.

6.3 The following is some of the legal framework applicable to accessing adoption information:

- Adoption Agencies Regulations 1983
- Adoption and Children Act 2002
- The Adoption Information and Intermediary Services (Pre-Commencement Adoptions) Regulations 2005
- The Disclosure of Adoption Information (Post commencement Adoptions) Regulations 2005

7. Equalities Implications

7.1 An Equality Impact Assessment (EQIA) was carried out which indicated a low impact. This EQIA was submitted with the original key decision paper submitted to the Children, Young People & Education Cabinet Committee in March 2018.

8. Conclusions

- 8.1 The contract for the new Independent Adoption & Special Guardianship Order (SGO) Support service was awarded to Barnardo's. The new contract has been operational from 1st October 2018 and deliver to continue to meet the needs of children who have been adopted, and to birth families and adoptive parents.

9. Recommendations

Recommendation(s):

The Children's, Young People and Education Cabinet Committee is asked to **NOTE** the new contractual arrangements for the provision of Independent Adoption and Special Guardianship Order Support Services.

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