

Open Report on behalf of Debbie Barnes, Executive Director of Children's Services

Report to:	Councillor Mrs P A Bradwell, Executive Councillor responsible for Children's Services
Date:	31 October 2016
Subject:	Open Select List for Children's Services Placements
Decision Reference:	I011946
Key decision?	Yes

Summary:

This report seeks to make recommendations regarding Lincolnshire County Council's (LCC) commissioning approach for placing children and young people (C&YP) in:

- Independent Residential Care;
- Independent Foster Care;
- Independent Non-Maintained Schools (INMS) – including the commissioning of additional therapeutic services;
- Intense Needs Supported Accommodation; and
- Supported Accommodation for Unaccompanied Asylum Seeking Children (UASC).

There are currently seven 'strands', involving nearly 800 individual placements, covered by the placement function in the Children's Strategic Commissioning Team. This involves sourcing suitable placements for Looked After Children (LAC), children with Special Educational Needs and/or a Disability (SEND), UASC and C&YP aged 16-17 years and Care Leavers at risk of homelessness in the following:

- Independent Non-Maintained Schools (INMS) – 97 LAC and/or children with SEND are currently in a placement. In 2015/16 the cost of such placements was c. £8.49m per annum.
- Independent Residential Care – 22 LAC are currently in a placement. In 2015/16 the cost of such placements was c. £3.74m per annum.
- Independent Foster Care – 30 LAC, including UASC, are currently in a placement. In 2015/16 the cost of such placements was c. £1.2m per annum.
- Unaccompanied Asylum Seeking Children (UASC) Supported Accommodation services - 17 UASC are currently in a placement. In 2015/16 the cost of such placements was c. £0.6m per annum.
- Intense Needs Supported Accommodation services – 20 LAC, young people and/or care leavers at risk of homelessness are currently in a placement. In 2015/16 the cost of such placements was c. £1.33m per annum.
- Youth Housing services – 92 LAC, young people and/or care leavers are

currently in a placement. The cost of the commissioned service is £0.87m per annum.

- Post-16 SEND placements in Further Education Colleges – nearly 500 young people currently attending a Further Education College placement. The cost of such placements is c. £2.40m per annum.

For two of those strands there are already commissioning arrangements in place:

- Youth Housing - there is a contract in place for all Youth Housing placements that went through a competitive procurement exercise in 2014/15 and runs until June 2018 with the option of a further two years (1 + 1).
- Post-16 SEND placements - the decision is made by the Young Person about which setting they want to attend and LCC facilitate the top-up payments directly with the school or college in line with the SEND funding panel's decision.

For the other five strands, placements are spot purchased, after a competitive process, from providers who can meet the needs of the child and offer value for money.

The Executive Councillor is now asked to approve the commissioning route for placement activity in those five strands, namely to go out to procurement to develop an Open Select List for each of the strands to ensure that the Council: -

- undertakes its placement activity on a sound contractual footing, demonstrating fairness, openness and transparency;
- provides a consistent, aligned approach across the different strands of placement activity;
- delivers value for money through enhanced competition; and
- promotes the development of the market-place in Lincolnshire to help deliver sufficient and sustainable provision in the county.

Recommendation(s):

That the Executive Councillor responsible for Children's Services

1. Approves the commissioning approach of undertaking a procurement exercise to secure the above five strands of Children's Services Placements.
2. Delegates to the Executive Director for Children's Services, in consultation with the Executive Councillor responsible for Children's Services, authority to establish an open select list and approve the final form of contract to be utilised upon the award of a contract under the open select list.

Alternatives Considered:

1. Do Nothing
2. Decommissioning
3. Influencing

4. Partnership
5. Insourcing
6. Procurement

Reasons for Recommendation:

- To provide the opportunity to enhance the service specification; improving the level of provision and outcomes achieved for Lincolnshire children and young people (C&YP).
- To provide a consistency of approach and alignment of the placement functions within Children's Services.
- To encourage the development of the market-place for this provision within Lincolnshire and promote a greater choice of provision.
- To ensure there is sufficient and sustainable provision when making urgent and planned for placements which meet the individual needs of Lincolnshire C&YP.
- To enhance competition and deliver value for money.
- To ensure services are commissioned in line with the Public Contract Regulations 2015.
- To place the Council on a firm contractual footing and promote LCC's standard terms and conditions.

1. Background

In January 2016, Children's Services Departmental Management Team (DMT) considered a report regarding the advantages and disadvantages of joining the East Midlands Regional Children's Framework for Independent Residential and Foster Care. The decision was made not to sign up to the Framework for placing in residential and independent foster care but to adapt Lincolnshire's current methodology in alignment with the Public Contracts Regulations 2015.

This decision allows LCC to create a tailored methodology for Lincolnshire, which provides the opportunity to align this work to other types of placement undertaken within the Children's Strategic Commissioning Team, as well as ensuring providers sign up to LCC's standard terms and conditions. The proposed new methodology will ensure the Council is on a firm contractual footing and services are commissioned in line with the Public Contract Regulations 2015.

Current Methodology

There are currently seven 'strands', involving nearly 800 individual placements covered by the placement function in the Children's Strategic Commissioning Team:

- Independent Non-Maintained Schools (INMS) including the commissioning of additional therapeutic services
- Residential Care
- Independent Foster Care
- Unaccompanied Asylum Seeking Children (UASC)
- Intense Needs Supported Accommodation
- Youth Housing

- Post-16 SEND placements

For two of those strands there are already commissioning arrangements in place:

- Post-16 placements - the decision is made by the Young Person about which setting they want to attend and LCC facilitate the top-up payments directly with the school or college in line with the SEND funding panel's decision
- Youth Housing - there is a contract in place for all Youth Housing placements that went through a competitive procurement exercise in 2014/15 and runs until June 2018 with the option of a further two years (1 + 1).

For each of the other five strands, quotes are sought from providers by sending information detailing the individual child's needs and type of provision required and then requesting a quotation for the placement. Keyworkers from the relevant service area will then make the decision based on the responses received from those selected providers regarding which option best meets the needs of the child and the commissioning function seeks to ensure value for money. The Children's Strategic Commissioning Team then complete the necessary paperwork to put the agreement in place with all the relevant contract assurance documentation and contract manage the placement.

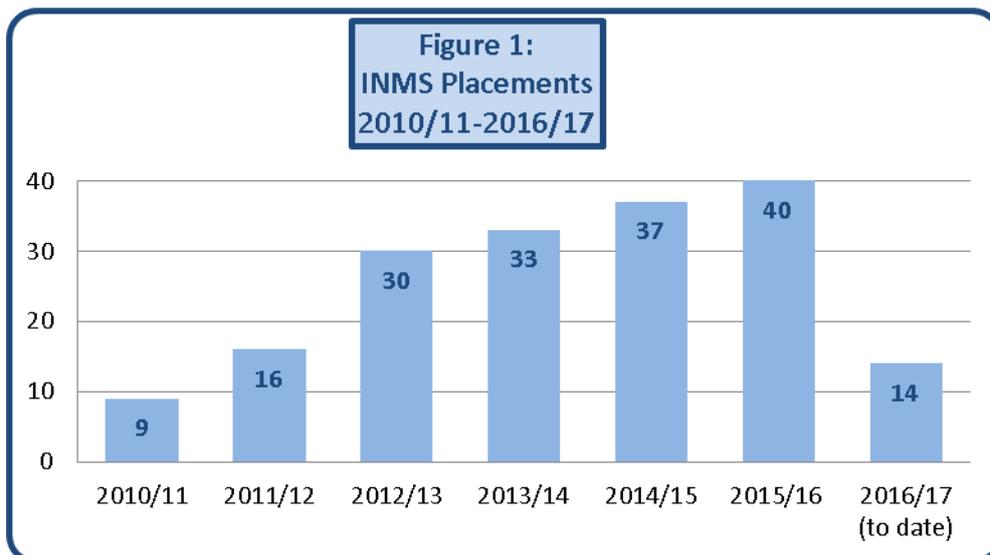
Where an emergency placement is required for any of these strands, providers that are used on a regular basis are often contacted directly by phone and the child may be placed where there are vacancies that meet that child's needs, without further quotes being sought. This is specifically the case with UASC where placements routinely need to be made within hours of an age assessment being undertaken and LCC has dedicated contracts with two providers who can meet the needs of UASC.

Placement Activity and Expenditure for the remaining five strands

Since the 'Core Offer' in 2010, the Children's Strategic Commissioning Team has continued to support the overall functioning of children's LAC and SEND services through the absorption of a number of placement related functions, aligned with supporting service areas to manage increasing numbers of children and young people requiring a specialist placement function.

INMS:

Figure 1 below shows the increase in the number of placements to INMS in delivering support to colleagues in the SEND (and LAC) team(s):



There are currently a total of 97 placements across 35 different providers at 45 different sites. The total expenditure on such placements in 2015/16 was c. £8.49m.

Residential Care, Independent Foster Care and UASC:

Figure 2 below shows the growth in the numbers of independent sector LAC placements in both Residential and Foster Care, including the numbers of Unaccompanied Asylum Seeking Children (UASC) who were under 16yrs at the time of placement, since 2011. There are currently 52 LAC, including UASC, placed within Independent sector Residential Care homes (22 children) and Independent Foster Care Agency provision (30 children).

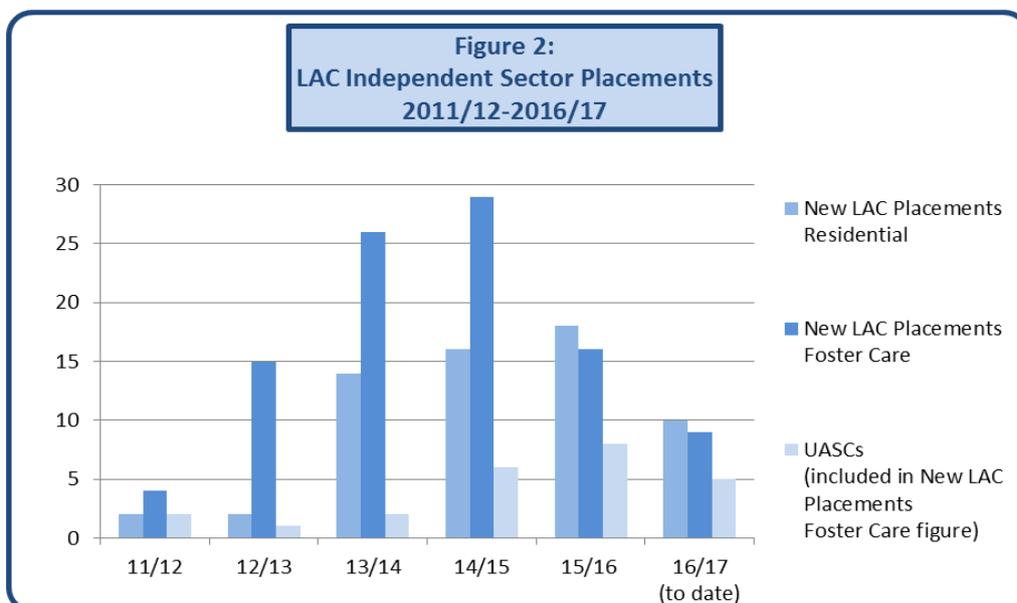
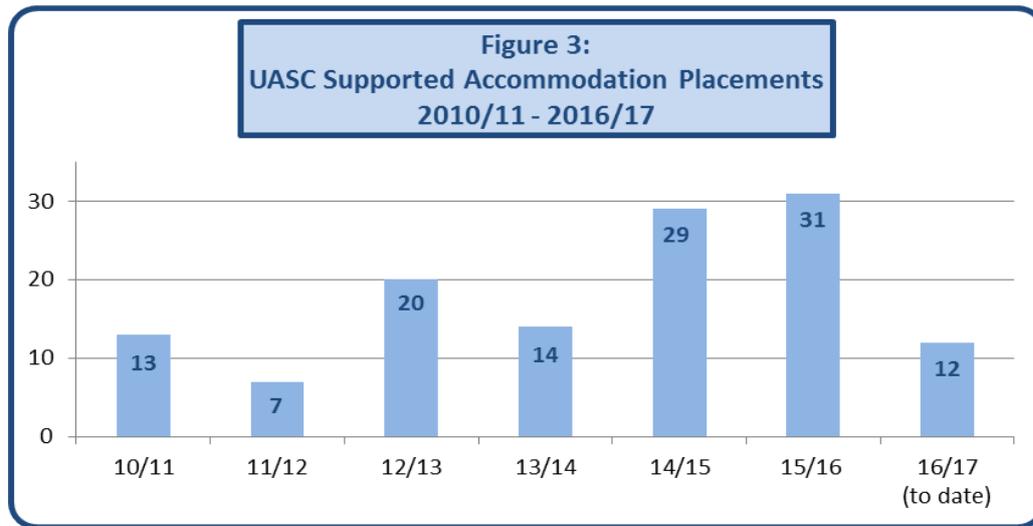


Figure 3 shows the growth in placement requests for UASC in supported accommodation placements since 2010/11. There are currently 17 UASC in out-of-

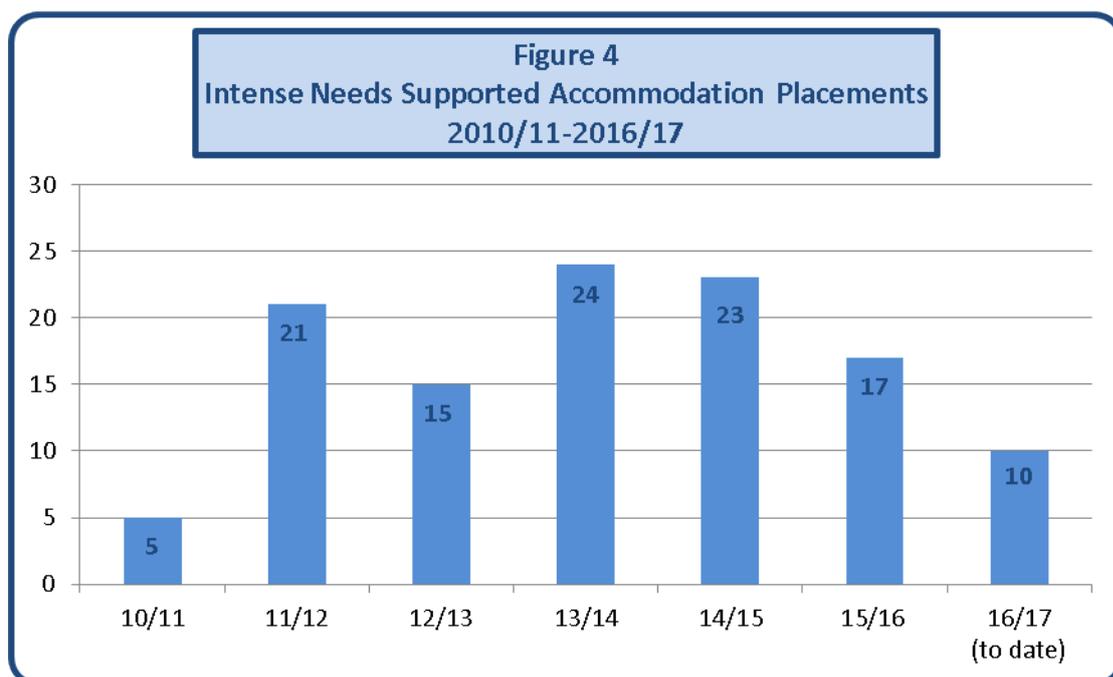
county supported accommodation placements who were aged 16-17yrs at the time of placement.



The total expenditure on independent sector Residential care placements in 2015/16 was c. £3.74m. The total expenditure on independent sector Foster care agency placements in 2015/16 was c. £0.77m (excluding UASC – which is funded via central government grant and cost c. £0.48m in 2015/16). The total expenditure on UASC Supported Accommodation placements – again funded directly via central government grant – in 2015/16 was c. £0.6m.

Intense Needs Supported Accommodation:

Up until recently, Children's Commissioning were primarily involved in placement requests regarding intense supported accommodation for Young People aged 16-17 and Care Leavers. Figure 4 shows the growth in numbers between 2010/11 and 2016/17.



There are currently 20 Young People in such provision across five different providers. The total expenditure on Intense Needs Supported Accommodation placements in 2015/16 was c. £1.33m.

The total expenditure for all five strands in 2015/16 was c. £14.93m.

Alternatives considered:

Options

1. Do Nothing - this means continuing with current contractual arrangements and not altering the methodology.
2. Decommissioning - this means not commissioning any services beyond existing contracts and that such services would effectively cease.
3. Influencing - this means not commissioning any services beyond existing contracts but working with other agencies to try secure the continuation of services through them acting either as a commissioner/co-commissioner or provider/co-provider
4. Partnership - this means establishing a partnership agreement for the delivery of services.
5. Insourcing - this means bringing the services within the Council with staff, potentially being subject to TUPE rights, then being employed and managed by the Council
6. Procurement - going out to the market, by means of a competitive tender process, with the intention of continuing to outsource the service to meet the requirements of service users.

Option 1 – Do Nothing

This would mean continuing with the current methodology for placements.

Advantages

- Systems are familiar to Children's Commissioning and operational staff, and have proved both practical and durable
- No additional costs associated with procurement

Disadvantages

- Public Contracts Regulations 2015 may offer providers renewed opportunity to challenge LCC placement methodology
- Less likely to encourage current providers to sign up to new terms and conditions for future placements
- Less scope to drive competition and cost savings within strands such as UASC and Intense Needs Supported Housing
- Reduces opportunity to send clear statement to market regarding LCC focus and priorities e.g. placements closer to home
- No opportunity to update current specification documents with new legislation and guidance

Option 2 – Decommissioning

The services commissioned support the Council in fulfilling statutory duties. Decommissioning would be likely to result in the Council facing significant legal challenge if these services were no longer available. This is not a legitimate option for consideration and for this reason no further detailed options analysis has been conducted.

Option 3 – Influencing

There is no requirement for any organisation, other than the Council, to commission or provide these services. The responsibility for commissioning clearly lies with the Council. This is not a legitimate option for consideration and for this reason no further detailed options analysis has been conducted.

Option 4 – Partnership

There is no requirement for any organisation, other than the Council, to commission or provide these services. The responsibility for commissioning clearly lies with the Council. This is not a legitimate option for consideration and for this reason no further detailed options analysis has been conducted.

Option 5 – Insourcing

This means bringing the services within the Council with staff, potentially being subject to TUPE rights, then being employed and managed by the Council. This option has been considered on a strand-by-strand basis:

INMS

C&YP with SEND are placed into independent non-maintained school placements when there are no suitable placements within existing mainstream and special schools in Lincolnshire. Whilst every effort is made to try and meet the needs of C&YP within Lincolnshire maintained and special schools, it is not always possible to meet the needs of each and every C&YP with SEND and some specialist provision e.g. for children with hearing impairments is always likely to be required. Therefore this option has not been considered and for this reason no further detailed options analysis has been conducted.

Residential Care & Foster Care

C&YP are only placed into independent residential and foster care services where existing capacity and/or the needs of the individual C&YP are beyond the scope of the internal residential and foster care services.

Internal residential care occupancy rates are normally high. To expand capacity near two-fold would require a much longer-term consideration involving substantial capital and revenue investment and a solution is still required in the short-to-medium term to meet the needs of C&YP where they cannot be met within existing internal residential care regardless of whether that it is due to capacity or skills issues.

Efforts to expand both the numbers and skills within the internal foster care service are continuous. However, there are always likely to be individual C&YP with specialist needs beyond the scope of internal residential and foster care services

that require more specialist placements e.g. child sexual exploitation placements etc. and an effective solution to deliver such placements needs to be in place. Therefore this option has not been considered and for this reason no further detailed options analysis has been conducted.

UASC

UASC are routinely placed into supported accommodation within hours of an age assessment being undertaken. This requires a rapid response with both accommodation and support to be available immediately. It is considered that the nature of the service is therefore best met through placement with designated providers able to respond quickly and mobilise resources according to need that does not tie up internal resources. Therefore this option has not been considered and for this reason no further detailed options analysis has been conducted.

Intense Needs Supported Accommodation

Advantages

- The provision will be located in Lincolnshire, so there is assurance that links with existing services such as Youth Offending Services and CAMHS can be maintained, as well as potentially offering Social Value in terms of employment within the county.
- The time and cost of workers travelling to placements outside of Lincolnshire will be reduced.
- As the provision is in Lincolnshire the existing commissioned Youth Housing services can be used for step-down.
- Those Young People with the most complex needs can have their needs met within the in-house commissioned response thereby reducing the most expensive out-of-county placements.
- In-house provision allows LCC to dictate the nature of the service to be delivered including commissioning any relevant specialisms e.g. therapeutic input or substance misuse treatments that may be included as standard to help address root causes of issues. In addition, existing relationships with Key Workers can be maintained and a flexible approach can be adopted to meet the needs of residents.
- Any additional placements required can continue to be spot purchased.

Disadvantages

- If demand falls and/or a high occupancy rate is not maintained, the unit cost increases and valuable resources may be tied up.
- Given the complexity of young people most likely to access the provision, turnover is not likely to be high. In spot purchased placements support can gradually be reduced without the need for the young person to move, whereas in this model, they would have to move, supportive key worker relationships will be broken and may lead to the young person re-engaging in negative behaviour without a very careful/well managed transition.
- Young people may refuse to move to the units if they are not in an area of the county they wish to live. This could lead to beds being empty, raising the cost per person, or being filled with less complex cases in order to fill voids.
- Attempting to staff from within existing resources may put pressure on other areas of Children's Services.

- In securing suitable accommodation, it is likely Children's Services will have to underwrite the costs of any damage to the property.
- Excluding the comparisons with 24/7, 1:1 provision with the main existing providers, the comparative cost of an in-house service is likely to be as much as 20-25% higher than indicative costs for similar services from the independent sector and the current average cost of an intense needs supported accommodation placement. By not putting the provision out to market, the best value for money cannot be guaranteed.

Given the advantages listed above can also be met through developing a bespoke specification and putting the provision out to market – whilst avoiding some of the disadvantages such as tying up resources – it is considered that Option 6 is the most suitable option both for this and the other four strands.

Option 6 – Procurement

Proposed Commissioning Approach

The proposed procurement approach would be to create an Open Select List for each strand, with the additional proviso that one of the strands – Intense Needs Supported Accommodation – may be bolstered by the commissioning of a block contract if market engagement activity suggests this is likely to deliver better value for money (Further work is being currently being undertaken on this and will be reported directly to the Executive Director for Children's Services and the Executive Councillor responsible for Children's Services in due course). The approach adopted will ensure there is some flexibility therein so that the process adequately meets the requirements of individual placements within that strand. The Open Select List will be procured under the Public Contracts Regulations 2015 and the application of the "light touch regime" as set out in Chapter 3 of Part 2 of the Regulations as the value of the contracts exceed the EU Threshold for services. The "light touch regime" allows the Council greater flexibility in the design of the procurement process than is allowed under some of the other procurement procedures laid down in the Regulations. It enables the Council to design a fair and transparent process to identify a list of suitable providers for the services in question. The proposed process would ensure that the Council undertook its placement activity on a sound legal footing, demonstrating fairness, openness and transparency and reducing the Council's risk of challenge. The Open Select List shall be opened up to new entrants on at least a six monthly basis. This will ensure that all providers in the market get a fair opportunity to become part of the resources available to the Council to meet the needs of the individuals in question.

Main features of the methodology for each Strand:

Placement Strand	Features of Open Select List
Residential Care Independent Foster Care INMS (including the commissioning of additional therapeutic services)	<ul style="list-style-type: none"> • A selection form to be completed for providers to join the list - this form would include specific information about the provider to allow the Open Select List to be filtered by, for instance, geography, specialism, Ofsted rating etc. • In line with current methodology , a form of 'mini competition' would be held for each placement required with only suitable providers, utilising the identified filter(s), on the Open Select List invited to

	<p>quote in the first instance</p> <ul style="list-style-type: none"> • For each mini competition, weightings would be applied to key criteria on an individual basis, in accordance with that child's needs e.g. location, type of support required etc. alongside the cost of the placement • A timescale for return will be advised as part of the competition document; if no quotations are received by the deadline, or the proposed cost is deemed 'excessive', the Council will reserve the right to go 'off list' • At the time of placement with a provider, further quality assurance checks will be undertaken to ensure compliance with statutory obligations and to validate the financial stability of the provider. The performance of such additional checks shall be disclosed to providers as part of the invitation to participate in the procurement process.
<p>Intense Supported Accommodation</p> <p>(N.B, this is a minimum measure and further work will be considered regarding alternative approaches for step-down, block contracting etc.)</p>	<ul style="list-style-type: none"> • A selection form to be completed for providers to join the list - this form would include basic information about the provider to allow the Open Select List to be filtered by, for instance, geography, specialism, nature of accommodation etc. • At this point, providers for this strand will be asked to submit a price list for their accommodation/support packages • A 'mini competition' would be held for each placement required with only suitable providers, utilising the appropriate filter(s), on the Open Select List invited to quote in the first instance • For each mini competition, weightings would be applied to key criteria on an individual basis, in accordance with that child's needs e.g. location, type of support required etc. alongside the cost of the placement • A timescale for return will be advised as part of the competition document, if no quotations are received by the deadline, the Council will reserve the right to go 'off list' • At the time of placement with a provider, further quality assurance checks will be undertaken to ensure compliance with statutory obligations and to validate the financial stability of the provider. The performance of such additional checks shall be disclosed to providers as part of the invitation to participate in the procurement process.

UASC	<ul style="list-style-type: none"> • It is proposed that the UASC strand of placement process and Open Select List will operate differently. Due to the immediacy of this strand and the more common needs of the children involved, an Open Select List that is ordered according to the Supplier responses to an more detailed selection form. This will allow the Service Area to directly call-off a provider from the list to place the child immediately. • A selection form to be completed for providers to join the list - this form would include more detailed information about what the provider can deliver; their pricing structure; and all the necessary quality assurance and compliance information including safeguarding and financial stability. • Once received, all applications for this Open Select List would be evaluated against set criteria and an ordered Open Select List will be created. The ordering will be adjusted at each point where the Open Select List is opened up for new entrants to come onto the list. • At the time of placement, the Service Area will access the Open Select List and contact the providers in the order they appear on the list until a suitable placement is sourced.
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Further Information:

- Value for Money - In all cases relating to Residential Care, Independent Foster Care and INMS, the Council will reserve the right to seek a placement 'off-list' if it is deemed that the quotation(s) from providers on the Open Select List does not offer 'reasonable' value for money in comparison with similar placements. Legal Services form part of the project board and will be fully involved in signing off the terms and conditions and assisting in setting out what is considered 'reasonable' to ensure the process is open, transparent and fair.
- Meeting the Child's Needs – If the only quotation(s) received are not deemed suitable or adequate by the Service Area in meeting the child's needs, the Council will also reserve the right to go 'off-list' to ensure that there is no adverse impact upon any child.
- Emergency Placements – There are often instances where emergency placements are sought, sometimes required for the same day. In those cases, providers on the Open Select List will still be offered the opportunity first; however, there is likely to be a very short turnaround time for them to respond. If a response has not been received during that time, the Council will be able to source a placement off-list to ensure that the child is not adversely impacted.

It should be noted that under the Open Select List process, no provider will be guaranteed any business. Thus, whilst there is likely to be significant expenditure incurred given the monies currently disbursed within each of the strands (see above), the Council will not be awarding contracts of any specific value to any provider as a result of the tender process. Successful providers will instead be

admitted onto the relevant Open Select List with the opportunity to compete, on a priority basis, for placements required within the relevant strand.

Advantages

- Legal basis for placement activity without resorting to waiver
- Alignment and consistency of placement process for all strands
- Tailored approach to each strand to ensure needs of all children being met whilst delivering value for money
- Opportunity to 'migrate' current providers onto the current standard terms and conditions and update the specification, which will be beneficial to the Council
- Opportunity to encourage new providers to Lincolnshire through market engagement activities planned with the Open Select List project and send clear statement to the market regarding LCC focus and priorities e.g. placements closer to home
- An Open Select List can be opened periodically throughout its duration to allow new providers to join and be considered for placements - this ensures that new entrants to the market and improving providers can bid to join the Open Select List
- Opportunity to drive competition and associated cost savings within strands such as UASC and Intense Needs Supported Housing
- Opportunity to develop greater understanding of costs and the impact of external factors on those costs such as national living wage through requirement in contract to provide breakdown of costs. This will assist in challenging the price of different levels of support and/or fee increase requests

Disadvantages

- Resource costs associated with procurement exercise, including reduced capacity within Children's Strategic Commissioning team
- May be poor take up of the list if providers deem terms and conditions less favourable or evaluate the bidding process as too onerous, which could limit placement options and choice of provider before going 'off-list'.

Equality Act 2010

The Council must comply with the public sector equality duty set out in S149 Equality Act 2010 when coming to a decision on the proposals. In doing so, the Executive Councillor as decision-maker must have due regard to the needs to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it: Equality Act 2010 section 149(1). The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation: section 149(7).

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

Compliance with the duties in this section may involve treating some persons more favourably than others.

A reference to conduct that is prohibited by or under this Act includes a reference to:

- (a) A breach of an equality clause or rule
- (b) A breach of a non-discrimination rule

It is important that the Executive Councillor is aware of the special duties the Council owes to persons who have a protected characteristic as the duty cannot be delegated and must be discharged by the Executive. The duty applies to all decisions taken by public bodies including policy decisions and decisions on individual cases and includes this decision.

To discharge the statutory duty the Executive Councillor must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.

An Impact Assessment has not been completed relevant to this report as approval is sought merely to go to procurement with a view to adapting the Council's internal methodology for commissioning such services and the nature of the contractual relationship with suppliers of such services. An Impact Assessment will be considered as part of an evaluation of the outcome of any decision to go out to procurement.

Child Poverty Strategy

The Council is under a duty in the exercise of its functions to have regard to its Child Poverty Strategy. Child poverty is one of the key risk factors that can negatively influence a child's life chances. Children that live in poverty are at

greater risk of social exclusion which, in turn, can lead to poor outcomes for the individual and for society as a whole.

In Lincolnshire we consider that poverty is not only a matter of having limited financial resources but that it is also about the ability of families to access the means of lifting themselves out of poverty and of having the aspiration to do so. The following four key strategic themes form the basis of Lincolnshire's Child Poverty strategy: Economic Poverty, Poverty of Access, Poverty of Aspiration and Best Use of Resources.

The Strategy has been taken into account in this instance and the following comments are made:

Economic Poverty

Family breakdown and crisis, leading to C&YP becoming looked after, can lead to economic disadvantage for C&YP, given the educational outcomes often achieved are lower than that for their peers and heightens the risk of being unable to sustain education, training and employment opportunities in the future. This can also be problematic for C&YP seeking alternative accommodation as a result of becoming homeless. Service provision within the placement strands will focus on ensuring young people maximise education, training and employment prospects. Services will also look, wherever appropriate, to mediate with C&YP and their families to help them return to the familial home where it is safe to do so.

Poverty of Access

Poverty of access is concerned with vulnerable groups that are at risk of poor outcomes compared with their peers. Services commissioned through the placement function are charged with ensuring that C&YP are offered the right information, advice and guidance as well as practical support to enable them to maintain the same education, training and employment opportunities as their peers. Each and every C&YP entering a placement participates in the development of an individual support plan to help meet their needs and further their future prospects.

Poverty of Aspiration

Commissioned services provide dedicated support to C&YP. They will empower the C&YP to maintain aspirations through the development of support networks, including family ties where appropriate, and an individual support plan that includes improving the young person's life chances through a focus on education, training and employment.

Best use of Resources

Best use of Resources aims to ensure that all key stakeholders contribute to reducing child poverty and improving the life chances of C&YP in a coordinated way. The services commissioned will be charged with ensuring that best value for money is achieved within the contracts to meet the needs of C&YP requiring a placement. The current high numbers of referrals and significant level of involvement from partner agencies – such as Health, District Councils and Education - demonstrates the partnership approach to the provision of placements within Children's Services.

Joint Strategic Needs Assessment (JSNA)

The Council in exercising its functions must have regard to the JSNA. The proposals contribute to the following themes:

Be Healthy

C&YP likely to be placed will include some C&YP with issues such as substance and alcohol misuse, Offending behaviours and mental health problems. The support offered will empower C&YP to address such issues as they move towards independent living. Those C&YP will be offered tailored support, including opportunities for education and training leading to enhanced employment prospects.

Stay Safe

The primary focus of placement activity is to provide C&YP with a safe and stable environment in which to learn and achieve and, for the older cohort, to prevent young people from becoming homeless. The support offered will prepare them for living independently in the community whilst keeping them safe from harm.

Enjoy and Achieve

A key part of many of the placement strands is to enable C&YP to enter and/or maintain education and training opportunities. Individual support plans will be tailored to meet the needs of C&YP with regard to education and training. Services support C&YP to attend educational establishments and often give C&YP the chance to maintain their educational commitments whilst making the transition to independent living.

Positive Contribution

Individual support plans are predicated on meeting the needs of the C&YP with the individual active in creating those support plans and the outcomes they wish to achieve. Services will also empower C&YP to maximise the use of universal services, where appropriate, that are available locally to prepare them for independent living.

Achieve Economic Wellbeing

Service provision within placements will retain a focus on ensuring C&YP maintain education, training and employment prospects.

Joint Health and Wellbeing Strategy (JHWS)

The Council in exercising its functions must have regard to the JHWS.

The Lincolnshire Health & Well Being Strategy includes five main themes, with an additional theme of “mental health” running throughout the document. Placement activity supports the following themes.

Promoting healthier lifestyles

Commissioned services may support some C&YP with substance and alcohol misuse issues as well as helping C&YP's sense of mental wellbeing. Furthermore, the primary focus is to provide C&YP with a safe and stable environment, and

preventing homelessness amongst older cohorts of C&YP which can often lead to negative health outcomes and inequalities.

Improve health and social outcomes for C&YP and reduce inequalities

Services within the five placement strands focus on supporting C&YP to enter and/or maintain education and training opportunities enhancing employment prospects, life chances and reducing inequalities. They will also empower C&YP to build up support networks both within the provision itself and in the wider community through access to universal and targeted services, wherever appropriate.

Tackling the social determinants of health

As indicated above, accessing and maintaining education, training and employment opportunities are an integral part of the support being offered through commissioned services in each of the placement strands. With regard to the older cohort of C&YP, commissioned services will also serve to ensure C&YP have access to adequate and decent housing which is often a strong contributory factor to determining health.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

The services commissioned, especially those targeted at the older cohort of C&YP, may from time to time be in contact with C&YP and their families who may be experiencing or partaking in crime and disorder and services are tasked with providing support to those most at risk and indirectly prevent crime and disorder.

In addition, services commissioned through the placement function seek to offer a secure and stable environment for C&YP, removing them from households where they may have experienced crime and disorder, and enabling those C&YP to learn and achieve more readily.

2. Conclusion

The proposed commissioning approach will provide the opportunity to enhance the service specification, improving the level of provision and outcomes achieved for Lincolnshire children and young people (C&YP). It will place the Council on a firm contractual footing and promote LCC's standard terms and conditions, whilst ensuring services are commissioned in line with the Public Contract Regulations 2015.

By adopting the approach across all five strands, it will provide a consistency of approach and alignment of the placement functions within Children's Services. It will also encourage the development of the market-place for this provision within Lincolnshire and promote a greater choice of provision, helping to ensure there is

sufficient and sustainable provision when making urgent and planned for placements which meet the individual needs of Lincolnshire C&YP.

In addition, the proposed methodology offers the opportunity to test the market through enhanced competition, particularly in the Intense Needs Supported Accommodation and UASC strands, to ensure the Council is achieving best value for money.

3. Legal Comments:

The procurement law implications and the other matters to which the Executive Councillor must have regard are dealt with in detail in the Report.

The decision is consistent with the Policy Framework and within the remit of the Executive Councillor if it is within the budget.

4. Resource Comments:

The recommendation to approve the commissioning approach of undertaking a procurement exercise for five strands of Children's Services placements will provide the opportunity to potentially improve service delivery; enhance competition in the market, and value for money. There are no financial implications arising from this initial procurement exercise.

5. Consultation

a) Has Local Member Been Consulted?

N/A

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

The Children and Young People Scrutiny Committee will consider this report at its meeting on 21 October 2016. Comments from the Committee will be reported to the Executive Councillor.

d) Policy Proofing Actions Required

N/A

6. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

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