

| | |
|---------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| Cabinet 29 November 2023 |  TOWER HAMLETS |
| Report of: Acting Corporate Director Children’s Services, Lisa Fraser | Classification: Unrestricted |
| Tower Hamlets Young People’s Advocacy Service contract extension | |

| | |
|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| Lead Member | Councillor Maium Talukdar, Deputy Mayor and Cabinet Member for Education, Youth and Lifelong Learning (Statutory Deputy Mayor) |
| Originating Officer(s) | Layla Richards, Covering Director Commissioning and Youth |
| Wards affected | All wards |
| Key Decision? | Yes |
| Reason for Key Decision | Financial threshold |
| Forward Plan Notice Published | 26 October 2023 |
| Exempt information | None |
| Strategic Plan Priority / Outcome | 3. Accelerating education 5. Investing in public services 8. A council that listens and works for everyone |

Executive Summary

The Tower Hamlets Young People’s Advocacy Service is undergoing a service review to plan a transformative recommission to improve the Council’s support offer for our children in our care. The service offers independent and confidential advice, information, representation, and support to our children in our care. It plays a vital role in safeguarding children and young people, protecting them from harm and neglect and helps to empower them to reach their potential and uphold their human rights. The service did not complete the recommission by the end of the contracted period (30th June 2023) and contract extensions were not put in place in a timely manner. An RCDA has been put in place from the 1st July 2023 until the 1st February 2024 to enable time to gain Cabinet approval for the remaining months (6 months) of the requested direct contract award. As a result, this report requests approval for a direct contract award from the 1st February 2024 until the 1st of August 2024 to enable time to design and implement the newly transformed Tower Hamlets Young People’s Advocacy and Independent Visitors service ensuring minimal disruption for our children and young people.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Approve the direct contract award request for the Tower Hamlets Young People's Advocacy service for six months from the 1st of February 2024 to 1st of August 2024 with a value of £55,572.
2. Note the specific equalities considerations as set out in Paragraph 4.1.

1 REASONS FOR THE DECISIONS

- 1.1 To ensure the Tower Hamlets Young People's Advocacy Service contract is extended in line with the transformative recommission timeline and start of the new Advocacy and Independent Visitors contract.
- 1.2 To ensure continued and high-quality service for our most vulnerable children and young people.

2 ALTERNATIVE OPTIONS

- 2.1 To not put a direct contract award in place. This option is not recommended as the Advocacy service is a statutory service that the Council must provide for our vulnerable children and young people.

3 DETAILS OF THE REPORT

- 3.1 This Cabinet report is a direct contract award request for the Tower Hamlets Young People's Advocacy Service contract for six months from the 1st of February 2024 to 1st of August 2024 with a value of £55,572.5. The contract serves the council's children in our care with independent and confidential advice, information, representation, and support.
- 3.2 Service background
- 3.3 Advocacy is a statutory service required for all local authorities with social services responsibilities. The service offers independent and confidential advice, information, representation, and support to our children in our care. It plays a vital role in safeguarding children and young people, protecting them from harm and neglect and helps to empower them to reach their potential and uphold their human rights.
- 3.4 The service is currently delivered by Barnardo's with an annual value of £111,145. The provider ensures up to ninety children in our care (including children with disabilities) per year receive independent and confidential advice, information, and representation, while ensuring they have

their wishes and feelings heard and views responded to appropriately. The service aims to increase 'choice and control' of our children in our care and increase their safety and stability. Moreover, the service aims to consistently empower them by exercising their rights and having their voice heard when key decisions are being made regarding their lives. The service is also crucial in supporting our children in our care in their transition to adulthood.

- 3.5 Commissioners have been continuously working with Children's Social Care and it was identified that it would be in the best interest of, and best meet the needs, of our children in care if the Advocacy service contract was aligned with the Independent Visitors service and they were recommissioned as one integrated contract (this approach has already been approved by Cabinet in 2021).
- 3.6 The requested direct contract award extension period will enable an integrated review of the advocacy and independent visitors service provisions to take place prior to the procurement of an integrated service contract. The intention is to complete the consultations, service review and needs analysis over the next few months with a view of going out to the market in the Spring period.
- 3.7 Contracting approach
- 3.8 This contract was previously extended through an RCDA from 30/06/22 for 1 year to 30/06/23 (£111,145) to enable commissioners to review the current service provision and plan the transformative recommission of the service including:
- Joint service review with independent visitors
 - Market warming
 - Stakeholder consultation – meeting with internal and external stakeholders including Children's Social Care (CSC), and service users.
 - Service specification review – identify gaps in service and include service improvements.
 - Agree contract value and contract term with CSC
- 3.9 Due to unforeseen circumstances, the service did not complete the above actions by the end of the contracted period (30th June 2023) and contract extensions were not put in place in a timely manner. As a result, the service contract therefore requires a direct contract award as the service is now out of contract.
- 3.10 The value of the requested direct contract extension combined with the previous awarded RCDA is above the threshold value of £189,000 for a Record of a Corporate Director Action (RCDA) and therefore it must be referred to Cabinet for a decision. An interim RCDA has been put in place from the 1st July 2023 until the 1st February 2024 to enable time to gain Cabinet approval for the remaining months (6 months) of the requested direct

contract award. Cabinet approval is requested for a direct contract award from the 1st of February to the 1st of August 2024 under a value of £55,572.5.

3.11 Way forward

3.12 As of October 2023, commissioners are focused on ensuring a robust service review is conducted and that incumbent providers are continuously supported and in agreement with the direct contract awards.

3.13 Capacity within the commissioning service is being strengthened through recent permanent recruitment (due to start by January 2024). The newly recruited staff have been identified to lead on the service review, recommission, procurement and implementation of the new integrated contract with support of the permanent senior commissioning manager and Head of Service. In the interim, commissioners have supported the incumbent provider in their continued delivery and the provider has maintained good performance levels.

3.14 It is vital that sufficient time and resource is allocated to complete the integrated service review along with the independent visitor's service, consultations, market warming, procurement, and implementation of the transformed contract. Considering the capacity in the team (newly appointed staff due to start by January 2024), the ongoing transformation of the Tower Hamlets Young People's Supported Living Pathway that is ongoing simultaneously until Summer 2024, as well as the importance of ensuring a quality recommission that minimally disrupts the lives of our service users, commissioners recommend a direct contract award of at least six months.

3.15 Commissioners have held extensive meetings with Procurement and after careful consideration an extension as set out below is recommended. Procurement have advised that a minimum period of six-months is required to complete the procurement process, prior to which the service review, consultations, and service redesign must have been completed. The table below sets out a recommended procurement timetable:

| | |
|-------------------------------------------------------------------------|-----------------------------|
| Integrated service review | Nov/ Dec 2023 |
| Consultations with service users and internal and external stakeholders | Dec 23 / Jan 2024 |
| Pre-market engagements | Jan/ Feb 2024 |
| Final Specifications | Feb 2024 |
| Terms and conditions | Feb 2024 |
| ITT documentation | Feb 2024 |
| Tender stage | March 2024 |
| Evaluation & Moderation | April 2024 |
| Award report & approval | April 2024 |
| Contract Award | April 2024 |
| Mobilisation | May to July 2024 |
| Contract start date | 1 st August 2024 |

- 3.16 As set out in the table above, a mobilisation period of at least three months is recommended. During the mobilisation period, the service changes will have to be put into a clear operational plan with the service users, CSC, commissioners, and the winning provider ensuring the improved service offer will be implemented in a clear and visible manner that speaks to all our children in our care. Moreover, if a new provider wins the contract, young people will have to be (re)matched with new advocates and independent visitors. This will require careful and timely planning between the incumbent and new provider, service users and CSC to ensure that their lives are minimally disrupted.
- 3.17 It would thus be in the best interest of the council and service users to offer a direct contract award, from 1st February 2024 to 1st August 2024.

4 EQUALITIES IMPLICATIONS

- 4.1 An equalities impact assessment is not required at this stage as this direct contract award is to ensure continued service, not a service change or recommission. The Advocacy Service supports our most vulnerable children and young people in our borough and ensuring equal support for them is offered through this contract is of utmost importance.

5 OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
 - Consultations,
 - Environmental (including air quality),
 - Risk Management,
 - Crime Reduction,
 - Safeguarding.
 - Data Protection / Privacy Impact Assessment.
- 5.2 The advocacy service is crucial to safeguard our most vulnerable children and young people offering them support ensuring their voices are being heard and their needs are met.

6 COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 This contract is funded through current budgets and offers a good value option compared to individual purchased cases.

7 COMMENTS OF LEGAL SERVICES

- 7.1 The Council has the legal power to undertake the activities detailed in this report.
- 7.2 The Council has a legal duty to subject these contracts to competition. However, the Council also has a legal duty to provide the services to the individuals and so a break in service provision would be untenable as this would breach the Council's statutory duty and leave vulnerable people at risk. Therefore, the most expedient measure is to extend the existing contracts in order to provide the time to deliver an appropriate tender exercise.
- 7.3 The Council is also required to demonstrate statutory Best Value in terms of economy efficiency and effectiveness in the delivery of its functions. The contract awards will be subject to the existing terms and conditions which will support the Council when monitoring delivery of the services. Also, the award of the short term contracts in themselves represent Best Value as the award will prevent a breach of the Council's statutory duty
-

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- NONE

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- NONE

Officer contact details for documents:

N/A