

CABINET

10 JANUARY 2023

GATEWAY 3 CONTRACT AWARD - FAMILY TIME (CONTACT SERVICE) FOR CHILDREN IN CARE AND FAMILIES

Portfolio Holder: Councillor Mrs Josie Iles, Portfolio Holder for Children's Services
(Lead Member)

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Summary

This report seeks permission for the award of the Family Time (Contact Service) for Children in Care and Families Contract.

Procurement Overview

Total estimated Contract Value: £975,024 (4 years)
Project Budget: £1114,252 (inc. staffing and building)
Contract Term: 4 years plus 1 year extension option

1. Budget and Policy Framework

1.1. The budget is part of the Children's Service's annualised budget. It is a statutory requirement to provide this service to children in care who live away from their families and require family contact time.

2. Background Information and Procurement Deliverables

2.1. The Family Contact Service undertakes the supervision and observation of contact between children who are the subject of care proceedings and family members. Care Proceedings are when a Local Authority issues an application to a court for a "Care Order" or "Supervision Order". These orders are requested when in the opinion of the local authority, action is required to

safeguard the wellbeing of a child (children) and they are taken into the care of the local authority.

- 2.2. The Council acts as the Corporate Parent for vulnerable children whom for various reasons cannot currently live with their families and recognises the importance of supervised contact which ensures the safety and wellbeing of children and care. The Council aims to create a stable, secure, and sensitive set of arrangements between parents/caregivers and children.
- 2.3. The Family Contact Service will only be provided up until the final court hearing. Most contact will be court directed and contact for families follows the same structure nationally. Social Workers oversee the referral process to the service for children and families. The frequency of family time will always be considered on a child-by-child basis, legal and court instructions and will be regularly reviewed as part of the care planning process.
- 2.4. The number of hours of direct contact and associated activity for this service is approximately 8,000 per annum. Contact sessions range from 1 to 4 hours duration. Most sessions average 1.5 to 2 hours.
- 2.5. As part of the successful delivery of this procurement requirement, the following procurement project outputs / outcomes within the table below have been identified as key and will be monitored as part of the procurement project delivery process. (This is not an exhaustive list as further outputs/outcomes will be agreed as part of the contract negotiation process at award).

Outputs / Outcomes	How will success be measured?	Who will measure success of outputs/ outcomes	When will success be measured?
Scheduled Contact time times between child/young person and parent/caregiver to enable stability, belonging, cultural and other identity	Number of and type of risk ranked meetings that take place over the duration of contact period Number of family reunifications and achievement of permanency supported through contact time	Senior Commissioning Officer/Programme Lead and Group Manager for Fostering	Quarterly
Number of scheduled family time sessions held	DNAs/cancellations vs full attendance and duration of each session	As above	As above
Use of the views of children and young people to shape the development of the service	Number of service development reviews and feedback collected from children and young people through quarterly reviews	As above	As above
Improvement in relationships and family dynamics	SDQs Feedback questionnaire	As above	6 monthly

- 2.6. The provider will be responsible for undertaking internal performance management of the service and will evidence good practice and compliance with the service specification by means of a quality assurance programme.
- 2.7. The provider must demonstrate that the service provided is delivered using outcome bases accountability models, best value frameworks and good practice standards including:
- Quality Assurance Accreditation
 - Customer Satisfaction Surveys

- Service User Feedback and Participation
- National Accreditations
- Supervision and Management Information
- Service Delivery Groups

2.8. Family time is a beneficial part of the reunification process, but it should be considered that there are a number of factors will also have an impact on successful reunification.

2.9. There is evidence that children who have regular and positive contact are more likely to be reunited with their birth parents. However, while such children are likely to remain in care for shorter periods, this is not a result of the contact per se. Rather it relates to a range of positive factors such as stronger parent-child attachment and good social work support with parents (Biehal, 2006). Cleaver's (2000) research found that successful returns may be promoted by 'purposeful, planned, well-paced, well-resourced and reviewed contact, supported by parental motivation, a positive child response to increased contact and a good attachment between parent and child' (Sinclair 2005). Often, too little work is done with birth families prior to children returning home; contact offers the opportunity for purposeful work to be done in preparation for return home (Boddy, 2013; DfE, 2012).

2.10. Parent Company Guarantee/Performance Bond Required

2.10.1. Not required

3. Procurement Process

3.1. Procurement Process Undertaken

3.1.1. Medway Council conducted the tender process in accordance with the Open procedure laid down by the Public Contracts Regulations 2015.

3.1.2. The project is standalone with no linkage to any other procurement and has no dependencies to other connected projects or programmes.

3.1.3. Tenders were received on 4 November 2022. The key project timelines going forward are detailed in the table below:

Date	Stage
Dec 2022 - Jan 2023	Internal Governance for Approval of Gateway 3
Jan 2023	Notifications sent to Successful & Unsuccessful Bidders (subject to standstill period)
Feb 2023	Contract Preparation & Mobilisation
1 Apr 2023	Contract Start Date (depending on duration of mobilisation period)

3.2. Evaluation Criteria Used

3.2.1. The award criteria for the ITT were the most economically advantageous tender (MEAT) based upon a ratio of 60% Quality and 40% Price.

3.2.2. Bidders were initially checked for compliance in accordance with the requirements of the Selection Questionnaire. Compliant tenders were evaluated against the evaluation criteria set out below:

Quality Evaluation (Technical Questions)	Weighting
ABILITY TO DELIVER THE SERVICE	
i) Please confirm how your organisation will be able to deliver all elements of the specification. Should you not be able to evidence any area(s) of the specification then please detail below how you will ensure you will comply regardless, including mobilisation and transition phases.	15.00%
ii) How would you ensure that your service model addresses the quality of trauma-informed practice in working with and supporting children and families with multiple and complex needs who have experienced trauma and abuse-both as adults and children.	5.00%
WORKFORCE - Please provide details of how you will fulfil the requirements of the specification in the following areas: <ul style="list-style-type: none"> • Safer recruitment and retention of staff • Training • Management of staff including supervision • Administrative staff/coordinators of the Family Time Service 	10.00%
SAFEGUARDING, QUALITY ASSURANCE AND QUALITY CONTROLS - Please provide details of your Quality Controls in terms of how you monitor the quality and safety of the services you provide (Quality Assurance Framework) within the following key areas:	
Service Delivery	10.00%

Quality of Contact Reports	5.00%
Engagement	2.50%
Voice of the child/young person	2.50%
HEALTH AND SAFETY - Please provide details of how you will manage and monitor the requirements of Health and Safety legislation during the proposed Contract	3.00%
DATA PROTECTION - Please provide details of how you will manage and monitor the requirements of data protection in the delivery of Family Time both at the Sunlight Centre and within the community settings.	2.00%
SOCIAL VALUE - The Council has a requirement to consider the Social Value Act 2012 when it is procuring goods and services. Please define the quantities within the table below and explain how you will support Medway Council in delivering the measures identified. The spreadsheet must be completed and returned with the tender response.	5.00%
Quality Total	60.00%
Price Evaluation	40.00%

3.3. Key Performance Indicators

KPIs are set out in the table below:

Outcome I Standard	Indicator/ measurement	Who will measure success of outputs/ outcomes	Reporting frequency
<p>Children and Young people will have positive experiences of family time with their family or other significant people, according to their best interests and assessment of need.</p> <p>Family time will be compatible with child age, disability, gender, race, religion or belief, or sexual orientation.</p>	<p>A list of children attending family time, the frequency of family time and status of the child (i.e., Child Protection or Looked After) and the total number of hours used for the service broken down by the following:</p> <ul style="list-style-type: none"> • Month • Travel time • Total number of sessions missed, broken down by reason (e.g., cancelled by parent /carer, sessions cancelled by lead professional, session cancelled by other professionals etc.) and whether or not there is a financial loss incurred by the council due to the missed sessions • Total number of referrals received, declined, closed and reason • Total number of re-referrals and reason • Total number of sessions that have taken place in each designated venue 	<p>Senior Commissioning Officer/ Programme Lead and Group Manager for Fostering</p>	<p>Monthly – submitted to contract manager one week prior to contract management meeting</p>
<p>Use of the views of children and young people to:</p> <ol style="list-style-type: none"> 1. shape the development of the service 	<p>Number of service development reviews and feedback collected from children and young people through quarterly reviews</p>	<p>As above</p>	<p>Quarterly</p>

Outcome I Standard	Indicator/ measurement	Who will measure success of outputs/ outcomes	Reporting frequency
2. to demonstrate the looked after child's aspirations have been raised through the family time			
Improvement in relationships and family dynamics	SDQs or an equivalent measuring tool (agreed by the Council prior to use)	As above	6 monthly
<p>The provider will provide an annual report which includes the following information:</p> <ol style="list-style-type: none"> 1. A summary of the information provided on a monthly basis 2. Recommendations for improving the service, including efficiency savings that can be made 3. A summary of formal feedback received through customer 		As Above	Yearly

Outcome I Standard	Indicator/ measurement	Who will measure success of outputs/ outcomes	Reporting frequency
satisfaction surveys undertaken in the period			
Information to be easily available on: <ul style="list-style-type: none"> • Comments • Complaints • Compliments received, action taken, and full and complete written record in relation to these. 	Records		Monthly

3.4. Contract Management

3.4.1. Contract management will be the responsibility of the Programme Lead for Quality Assurance and Commissioner for Children in Care.

4. Risk Management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Not recommissioning contract	Not recommissioning the contract leads to safeguarding risk, poor quality and non-compliance of statutory duty.	Recommissioning of contract using the open market process followed	N/A
Utilise a framework	The model would have required a dedicated building and some additional community spaces such as parks or play centres to operate as a service. The risks to the Council are financial and poor cost effectiveness. In addition, given the annual budget, a framework is not an attractive option for providers.	Recommissioning of contract using the open market process followed	N/A
Open Market Procurement (Preferred Option)	Procure through open tender a Supervised Family Time in Medway for approximately 8,000 hours of direct contact hours. Risk that delivery of the service and mobilisation of staff who may not be readily available should the new provider be selected, and current staff are not subject to TUPE arrangements.	Ensure that relevant arrangements are made ahead of contract mobilisation.	D2

Likelihood	Impact:
A Very high	1 Catastrophic (Showstopper)
B High	2 Critical
C Significant	3 Marginal
D Low	4 Negligible
E Very low	
F Almost impossible	

5. Financial implications

- 5.1. The procurement requirement and its associated delivery as per the recommendations will be funded from existing revenue/capital budgets.

6. Legal Implications

- 6.1. The functions (including powers and duties) of local authorities in relation to children who are looked after by them are set out in the 1989 Act as principally amended by the Children (Leaving Care) Act 2000, the Adoption and Children Act 2002 and the Children and Young Persons Act 2008, and the associated Regulations and guidance in relation to those functions.
- 6.2. Section 22(3) of the 1989 Act sets out the general duty of the local authority looking after a child to safeguard and promote the welfare of the child. This duty underpins all activity by the local authority in relation to children in care.

7. Other implications

7.1. TUPE Implications

- 7.1.1. There are no TUPE implications.

7.2. Procurement Implications

- 7.2.1. The value of the requirements exceeds the public procurement threshold (£663,540) for such services and therefore an open tendering procedure was conducted in accordance with Public Contracts Regulations.

7.3. ICT Implications

- 7.3.1. The existing building will be managed by the Council and Council staff will continue to use the building and the WIFI within these buildings (Open access and Govroam) services. However, the Provider will need to have access to IT and it is their sole responsibility for the purchase, maintenance and management of their systems.

8. Social, Economic and Environmental Considerations

- 8.1. The tender process through method statements, provision of policies and procedures will address the requirements and adhere to those of the Council.
- 8.2. By having multiple sites for delivery, it means reduced travel time for professionals and families therefore contributing to the reduction of the Council's carbon emissions footprint. All sites are accessible by public transport therefore further reducing car use.
- 8.3. Economically using Council's own buildings means the model is financially and economically sound as this would be cheaper than using external facilities. And any contribution to the improvement wellbeing of children and adults as a result of reconnecting and potential reunification will be financially beneficially not just to the local authority but all public Sector agencies in Medway.

9. Recommendation

- 9.1. It is recommended that the Cabinet agrees to award the Family Time (Contact Service) for Children in Care and Families contract to the provider named in 3.2.1 of the Exempt Appendix.

10. Suggested reasons for decision

- 10.1. The provider named at 3.2.1. of the Exempt Appendix has been evaluated as the most advantageous against the Council's award criteria.

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Appendices

Exempt Appendix 1 – Financial Analysis

Background Papers

[Gateway 1 Procurement Commencement - Family Time \(Contact Service\) for Children in Care and Families – Cabinet, 26 July 2022](#)