

West Sussex, Kent and Portsmouth Residential and Intensive Support Service for Looked After Children Market Notification

We are seeking the views from prospective provider partners

Introduction

We would like to discuss with you the best way to move forward with commissioning innovative residential and potentially foster care for our local children in West Sussex County Council, Kent County Council and Portsmouth City Council¹.

We invite you to view our introductory film and slides that can be accessed at this <link>. We then would like to pose a series of questions to you either via a **1 to 1 MS Teams session** or via our **online survey** (or both).

These questions are those outlined in this paper and will support us to develop a procurement that meets the local authority requirements and is attractive to potential providers.

The MS Teams 1 to 1 sessions will be facilitated by a combination of SESLIP/ICHA and commissioning leads from one or more of the three local authorities. The 1 to 1s will give potential providers an opportunity to ask questions about the planned approach and for a structured discussion around the questions raised in this paper. Meetings with potential providers will be open, transparent and their content available for consideration by other parties. Any discussions will be either filmed or notes will be made. You should not disclose anything which you consider is commercially sensitive or confidential to your organisation.

The **online survey** offers potential providers another route to respond to the questions posed in the paper and is suitable for those who do not have any follow up questions. **This consultation is open to all providers.** Whilst the contract will initially be primarily aimed at residential care. We are also interested in effective step across arrangements between residential and foster care for example, as part of the developing relationship during the contract period, so would like to hear from IFAs including those who are currently or considering working with residential providers to deliver this service.

¹ Milton Keynes was part of the earlier stage of this project but is no longer a partner.

All comments will be considered carefully whether they come to us via the 1-to-1 discussions or through the online survey. Please see under the heading **Next Steps** how we will use the information.

Indicative Timetable

- Date of market notification 7th June 2021
- Dates of 1 to 1s 15th- 21st June 2021
- SurveyMonkey opens 7th June and closes midnight 21st June
- Date of closing this stage 21st June 2021
- Planned date of next stage July 2021
- Planned procurement in Autumn/Winter 2021

General and Key Requirements

This consultation is the second in a series of iterative processes and in this stage we are seeking the further views of providers. The support of Leonie Cowen and Andrew Rome in compiling this notification has been appreciated.

We have listened carefully to the views of the providers that took part in the first set of workshops and one-to-one meetings and who have responded in writing. We have incorporated the learning for this in the second stage of the process.

We are inviting you to help us to further develop an approach that supports and nurtures a **creative alliance** between local authorities and providers. We believe this approach is essential to meet the needs of some of the children/young people with the most complex and high levels of need.

This work is being completed by partner authorities (Kent County Council, Portsmouth City Council and West Sussex County Council) as part of their strategies to achieve sufficiency through a mixed portfolio of in-house and purchased placements. All three local authorities are committed to a co-produced approach to working with providers; with contracts of sufficient length and commitment to allow trusting relationships time to develop. In return we are looking for providers who can respond to the needs of the children and young people who need placements with innovation and flexibility.

At the heart of our model is an approach that places meeting the needs of the children in placement as the key measure of success for all parties.

The local authority partners would like to procure and contract together for these services and work is underway to develop the practical and governance arrangements for this and more detail will be provided in the next stage of the process. They are also in discussions with other nearby authorities about their possible involvement. Please see under the heading Formalities how we intend to comply with the Public Contracts Regulations.

It is critical to the success of the project that any provision is local to the child and/or their family and other networks, (although we recognise that there are some children where it is in their interests to move away from their home area). It is essential that this provision is primarily locality based, being within the boundaries of each of these council areas and the areas of any other local authorities who join the partnership of local authorities. The local authorities are open to the possibility of working with multiple providers.

We want to explore if block contracting could help with the difficulties experienced in finding placements for some children. These contracts could include a core element of guaranteed placements and the potential for significant expansion capacity in which providers and local authorities could work more creatively together to find solutions for young people for whom the core block capacity is not the best solution. This is considered in greater detail below.

The aim of this approach would be to enable the size of the block to adjust to meet the needs of the cohort of children and young people and as trust and confidence builds between authorities and providers. This approach will enable providers to build capacity and

work with local authority partners to develop more innovative placement options over the lifetime of the contract. We are open to providers' views about how this can be achieved. This could include a significant increase over the initial value during its lifetime including any extensions and may include additional residential placements alongside other related services (e.g. intensive family support, step across to foster care etc).

This document provides more detail and specific information about what local authorities require in relation to eight topic areas. Each of these topic areas include specific questions for provider feedback, to help identify what is needed to help place children with complex and challenging needs. Your responses will then further inform the final procurement design.

Our detailed questions

Topic 1: How can local authorities and providers best work together to ensure additional local capacity?

Initially we are looking for providers to develop approximately 25-30 placements. We envisage that this will be a mixture of existing and new provision. We do not expect all these placements to be available on day 1 and would seek the views of providers about how the number and type of placements could be grown and developed. We see this as offering the potential for a second phase of the contract which extends by adding to the existing placements or by adding other services. This approach anticipates a staged phased setup with an agreed timeline for new placements coming online.

From our initial work we have identified a current need for the following approximate numbers of residential placements as set out below:

Kent	Core	8
	Optional additional capacity/ services	7
Portsmouth	Core	8
	Optional additional capacity/ services	7
West Sussex	Core	10
	Optional additional capacity/ services	10

To support this aim we are planning longer contracts. Our initial thoughts are that these are likely to be in the region of 5-7 years, with the option to renew for a further 5-7 years. We are open to your suggestions though on contract length, including if it ought to differ depending upon whether the contract is to include only existing provision, or also to include new provision where you provide the capital. We are also interested in your views as to how we can best develop our vision and requirements.

Topic 1: How can local authorities and providers best work together to ensure additional local capacity?

Our questions to you:

- Potentially, would you be interested in bidding for this arrangement? If so, would it be for all the contract, or only some geographical areas and if so, which ones?
- How long a block guarantee would you need to make this a viable proposition?
- Would your answer be different if you are required to produce new provision where you provide the capital?
- If you are interested in developing new provision, over what period of time would you anticipate being able to develop the new capacity?
- Would you be interested in working with authorities who are able to provide suitable premises for the residential provision and, if so, do you have a view about what you would require, including whether this would make a difference to the contract length which is offered?
- What would the best way for the alliance to be supported and managed effectively to meet the needs of all parties
- Do you have any reflections on the option of a staged setup (i.e. placements coming online over a planned schedule)
- Do you have views about what the local authorities could do to help develop new residential provision in their areas?

Topic 2: What extra information is needed about our children and young people in the matching process?

We are looking for you to contract with us to care for some of the children who have the most complex and challenging needs. They are children that we often find difficult to place (either in our own provision or through our existing spot purchasing).

These children may have one or more of the following characteristics

- Tend to be around age 10 – 16 though this age range is likely to include some flexibility
- Are split around 70:30 around male/female
- Have often experienced exploitation - usually criminal, sometimes sexual
- Have had long histories of neglect and exposure to domestic abuse and other forms of childhood trauma
- Have low capacity to make secure and healthy attachments with care givers due to blocked trust
- Have often experienced multiple placements
- Have long histories of low engagement in education and may have unidentified special educational needs
- Are identified as having Special Educational Needs (although not all have EHCP's in place due to lack of educational stability to obtain SEND evidence).
- Have sought safety and belonging in unhealthy and unsafe places
- Have mental health needs which have not always been fully assessed, sometimes because it is not easy to establish how far their behaviours are entirely understandable and healthy reactions to their experiences or relate to diagnosable conditions.
- Have birth families whose circumstances vary; in many cases their birth parents need support themselves to address deep-seated issues and then need a skilled mix of support and challenge to resume their parental roles
- Sometimes need to be placed in an emergency/immediate situation

We are interested in what additional information you would need to inform matching decisions. This will also help us as we describe this group in the subsequent formal specification. Achieving placements is a core requirement and we would not want to continue with a block contract where there is a pattern of refusing placements and/or because of refusals there are persistent voids, despite the authorities considering that the placements are consistent with the specification.

Topic 2: What extra information is needed about our children and young people in the matching process?

Our questions to you:

- What additional information (if any) do you need to allow you to bid and what additional information will need before placements can be made about the children and young people we are seeking to place?
- What would you need from us and other partners such as health and education to deliver this successfully?
- How would you be able to reassure us that you will be willing to offer provision to the children with the most complex needs as specified?

Topic 3: What performance indicators and outcomes measurements would you suggest?

In addition to the basic regulatory requirements and performance standards, the top level outcomes we are seeking to achieve for these children are:

- A period of safety and stability
- Re-engagement with education and learning
- Repaired relationships with family members and friends wherever safe to do so; linked to intensive support for their key family members to meet their own needs and those of the child long-term
- Improved capacity to make and retain relationships with trusted adults and safe peers
- An improved understanding of ways they can keep themselves safe
- A stronger sense of self-worth, agency and self-care

We want to develop this into more granular and specific outcomes and quality frameworks which we can work on with providers to measure the success or otherwise of the provision.

Topic 3: What performance indicators and outcomes measurements would you suggest?

Our questions to you:

- Do you have ideas about how we can measure progress towards these outcomes in a fair and objective way?
- Are there any particular evidence-based tools that you think could be helpful (or unhelpful) for this purpose?
- Do you have any views about how long it could take to develop an effective and measurable performance and quality assurance framework, and the stages?

Topic 4: What kind of provision are we looking for?

We have identified above some essential basic criteria for the placements that we would like to purchase. In this section we further develop this.

We would like the placements to be:

- Small units – we envisage between 1-4 places, but would be open to proposals for other models
- We are interested in working with providers who have experiences of step across to foster care provision and return to birth family available
- Flexible occupancy arrangements (i.e. enable children to spend time with family or return for short periods)
- A psychologically Informed /therapeutic environment - shaped, structured and delivered in such a way as to be psychologically safe for distressed children and able to support their healthy development, although as set out below, health care will be separately purchased.
- Providing extensive access to and engagement with birth parents and other family members wherever safe and appropriate to do so (beyond regulatory requirements)
- Committed to robust 'move-along' planning and support to equip the child and parents/carers to offer a safe and secure exit route into a family-based provision, ideally the child's own family if this is in the child's interests.
- Ability to work with local authority to support access to education in close liaison with the destination school for the child and in line with the child's needs (and EHCP if they have one)
- Relationship-based approach that supports ongoing contact/mentoring post placement

New or Existing Provision

As identified above, we are open to both the setting up of new provision and the also the utilising existing provision for the placements required. We are interested to hear from providers about how both existing and new provision could be mobilised to help deliver the placements/services required.

Where the needs of a child referred to the core block cannot be appropriately met via the core block residential service, we will be looking for additional solutions. These may include additional bespoke residential options, supported fostering options, working with families, for example. What other types of flexible support and services could you envisage bringing to the partnership to support children and young people?

Topic 4: What kind of provision are we looking for?

Our questions to you:

- We appreciate this list of criteria is ambitious – is it realistic and achievable?
- Do you have thoughts about how existing provision and new provision could be mobilised to deliver the services described?
- Do you have a view about what format the extension area might look like and, if so, what is this?
- What would you need from the service specification to help you create this provision?
- Which of these geographical areas would be of interest to you?
- How would you see the arrangements working most effectively?

Topic 5: What is the best mechanism to ensure appropriate education for this cohort?

We are not planning to include education in the core specification. Our intention would be for the successful provider to work with the host local authority to secure education for children placed in local schools and colleges or other training or work experience settings. The local authorities recognise that many of the children placed will arrive without viable education placements. We would be interested to hear ideas from providers about you could work with children to integrate them back into appropriate education or training provision.

Topic 5: What is the best mechanism to ensure appropriate education for this cohort?

Our questions to you:

- What services could be provided to help with re-integrating children into school/education?
- Could flexible (i.e. short to medium term) provision be developed to support children with a range of potentially complex education needs

Topic 6: Health

Health is not included in the core specification. As identified above, we recognise that many of the children will have health needs. We envisage that health will work closely with the local authorities and with you.

Topic 6: Health

Our questions to you:

- How would you envisage that this would be provided?
- What are your expectations of a Child and Adolescent Mental Health Service into your residential settings, and how it should be experienced by young people – so it is accessible, meaningful and maximises the best chances and opportunities for the young people in your care?

Topic 7: Building Trust and Confidence

Our vision is to develop a long-term contracted relationship with a provider that can enable us to work together to deliver excellent outcomes. We recognise that historically the approach to commissioning can be overly transactional, focused on narrow questions of cost (rather than value) and paying too little attention to the responsibility of local authorities for contributing to supporting the arrangement to being successful.

As part of this approach, we would want to work with a successful provider to share information at the earliest possible stage about the pipeline of potential referrals.

We are committed to a different approach in this project, though continue to be working within the Public Contract Regulations. We also need to ensure that we make best possible use of the money spent by each of our local authorities.

We want to work with providers who are committed to:

- continuity and stability in their organisational ethos
- investing in their workforce through continuous CPD
- delivering the best possible services to the children
- willingness to work closely with local authority to match children to suitable placements
- working in very close collaboration with LAs on the quality of provision

Topic 7: Building Trust and Confidence

Our questions to you:

- Is this list achievable in part or whole (and if not, why not)?
- What would you need from local authority partners in return make this a success?

Topic 8: Managing the relationship between block contracts and successful matching

Through the first phase of this project we identified that one of the most challenging elements of a block purchase arrangement is likely to be in relation to the matching of specific children to vacancies. We know that the regulations and guidance from Ofsted place a strong onus on providers ensuring placements are appropriate to the specific roles of homes, and we are committed to working in this way. We also know that many of the children we are seeking to place are often refused placements in the spot purchasing market due to their complex and often challenging needs, and sometimes in emergency situations.

We would want to understand how you consider this is achievable in view of the complex needs of the children whom we anticipate placing and in view of the financial commitment offered by local authorities within a block contracting structure.

Topic 8: Managing the relationship between block contracts and successful matching

Our questions to you:

- Do you have experience or views about what works well (or what doesn't work well) in contracts for matching children in the context of block arrangements and in particular what sort of terms have you experienced, or could you envisage within a block contract that would support the success of this project?
- How do you envisage we can work together to ensure placements are appropriate and a good match for this cohort, whilst still achieving economically viable levels of occupancy and utilisation?
- Do you have thoughts about a contract approach that would work well for your organisation, would encourage you to bid or would deter you from bidding even if not "red lines"?
- Do you have thoughts about what would be unacceptable (red lines) and would prevent you from engaging with a tendering opportunity?
- Do you have views about how you would go about pricing services in a contract of the nature described in this document?
- We would like to know your views on how can we work together to ensure placements are appropriate and a good match for this cohort, whilst still achieving economically viable levels of occupancy and utilisation?

Formalities and next steps

Formalities

This is not a tendering opportunity. We are seeking the further views of providers to help us with the tendering. This current process is part of our commitment to seek your views to help us shape the project in the spirit of collaboration and co-production.

As this is not the start of a procurement process nor a call for expressions of interest, any information which you provide will not form any part of our future procurement.

For the record, we will be required to carry out the proposed procurement in accordance with the Public Contracts Regulations 2015. However, we will fully take into account the flexibilities which are available to us under the 'light touch' regime for social care services.

Next Steps

Thank you very much for your continuing support and assistance. On completion of this stage of the process we will produce a short report with the insights and learnings from our discussions with provider organisations (publicly available upon request if you provide us with your email address). Any comments quoted will be anonymised and not attributable. This report will feed into the third and final stage.

There will be one further final round of seeking views based on a suite of the draft heads of terms of the procurement documents. These will be developed when this current phase of the work has been completed using the learning from it.