

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

2156

Author:

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Department:

Children and Families

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Subject:

Fostering Advice and Mediation Service and Intercountry Adoption Service

Total Value:

£67,878 (Type: Revenue)

Decision Being Taken:

1. To dispense with Contract Procedure Rule 5.1.1 in accordance with Financial Regulation 3.29 (Operational Issues) in order to:
 - a. extend the current contract with the Yorkshire Adoption Agency for the provision of the Intercountry Adoption Service for a three year period commencing 1st April 2015 at a cost of £5,000 per annum (to the total value of £15,000);
 - b. extend the current contract with Fostering Networks for the provision of the Fostering Advice and Mediation Service for a three year period commencing 1st April 2015 at a cost of £14,626 per annum (to the total value of £43,878).
2. To join Fostering Networks as an organisations member for an initial period of three years at a cost of £3,000 per annum (at a total cost of £9,000).

Reasons for the Decision(s)

1. The existing services are considered to be of high quality and have a record of good performance. There is also a limited market for the provision of these services (both providers hold a number of contracts with other authorities for the same service), and the associated contract values are low. The current services are considered to provide good value for the Council.

1a. The Intercountry Adoption Service provides support to Nottingham's citizens who wish to adopt a child from abroad. The service fulfills a statutory function that could be delivered by the Council's own Fostering and Adoption Service, although it is considered to be far more cost effective for the Local Authority to commission the service to be delivered by a specialist agency. The provider of the existing service is also considered to hold expertise that allows for the delivery of a higher standard of service to those citizens who require it.

1b. The Fostering Advice and Mediation Service is a statutory service that provides independent and confidential support and advice to both current and former foster carers for Nottingham City Council. This service acts as an independent mediator for disputes between the Council and individual foster carers, provides support to foster carers where allegations of impropriety are raised, and provides advice and guidance around pertinent issues (e.g. changes to payment rates). The provider of the service is a national organisation that employs a local support worker. The organisation is well regarded and is known for its representation as 'the voice of foster carers'.

2. The Fostering Networks Organisational Membership provides support, additional resources and capacity to the Fostering and Adoption Service. Three key areas in which they will be able to provide support include:

- the provision of independent advice and support on the review of carers allowances (N.B. expected to be of particular benefit to a significant area of work currently being led by the Council)**
- the allocation of a regional adviser who will provide specific support as part of the East Midlands consortium**
- the provision of information on national and legislative changes, and advice on the response required from services to ensure they are compliant (N.B. expected to significantly support the work of the Council's Fostering and Adoption Service).**

The benefits realised through the Fostering Networks Organisational Membership are expected to enable the Council to make savings each year through the avoidance of costs of a sum greater than the annual cost of membership.

Other Options Considered:

To take no action. Each service responds to a separate statutory responsibility on the part of the Council. Allowing either of the existing contracts for the provision of these services to expire without taking action to ensure these responsibilities continue to be met is therefore not a legal option.

To use a former social worker to deliver the Fostering Advice and Mediation Service. This option is not recommended on the basis that a single person working independently of a wider organisation would not have access to the wider support network that the current provider is able to deliver. It is also unlikely that foster carers would view someone from this background as an independent party.

To deliver the Intercountry Adoption Service in house. This service requires up to date knowledge and expertise of adoption processes for different countries around the world. To recruit one post to have this knowledge and training would significantly increase the budget of this service from £5,000 per annum to at least £30,000. This option is not recommended on the basis that it offers poor value for money for the Council.

To procure services through a competitive tender process. Consideration of the market has indicated that there are few providers able to deliver these services. A procurement exercise is therefore considered unlikely to produce a better outcome for the Council in terms of quality and/or value for money. A further procurement options appraisal will be conducted during the course of the delivery of these contracts in order to inform future decisions as to the most advantageous approach to procurement.

Background Papers: Background paper with further information related to statutory requirements.

Unpublished background papers: Background - Statutory Requirements - F&A DDM 30.4.15[1].docx

Published Works: None

Affected Wards: Citywide

Colleague / Councillor Interests: None

Dispensation from Financial Regulations: Yes

Consultations: Those not consulted are not directly affected by the decision.

Crime and Disorder Implications: The implementation of these decisions is expected to have a neutral impact on crime and disorder.

Equality: EIA not required. Reasons: There is no change to the existing services and therefore an EIA is not required.

Social Value Considerations: Not applicable - below the Social Value Considerations threshold

Decision Type: Portfolio Holder

Subject to Call In: Yes

Call In Expiry date: 09/09/2015

Advice Sought: Legal, Finance, Procurement

Legal Advice: This report does not raise significant legal issues as the values of the contract extensions are below the relevant 'light touch' procurement financial threshold.

Advice provided by Andrew James (Team Leader Contracts and Commercial) on 22/07/2015.

Finance Advice: It is proposed to extend the current contracts with the Yorkshire Adoption Agency for the provision of the inter county adoption service and with Fostering Networks for the provision of fostering advice, for a period of 3 years, commencing 1st April 2015. In addition, it is proposed to join Fostering Networks as an organisation member for three years. The cost of these proposals is £22,626 per annum and £67,878 over the three years of the contracts. There is provision within the Children's and Adults budget to fund these costs.

This proposal seeks dispensation from Contract Procedure rules (5.1.1) in accordance with Financial Regulation 3.29, and is appropriate in these circumstances.

Advice provided by Stephen Lynk (Finance Analyst) on 14/07/2015.

Procurement Advice: The proposal to extend the current contract for the provision of the Intercountry Adoption Service for a three year period commencing 1st April 2015 at £5,000 per annum (total value of £15,000) and the proposal to extend the current contract for the provision of the Fostering Advice and Mediation Service for a three year period commencing 1st April 2015 at a cost of £14,626 per annum (total value of £43,878) is supported as both of these services are considered to be of good value for money and have good performance records. It is noted that during the contract extension, a thorough option appraisal should be carried out to inform future considerations around procurement options.

There is a limited market for this type of provision. Therefore, dispensation from the provisions of the Contract Procedure Rules (5.1.1) in accordance with Financial Regulation (3.29) (Operational Issues) to allow for the extension of the two contracts is supported from a procurement perspective.

Advice provided by Julie Herrod (Procurement Officer) on 09/07/2015.

Signatures

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| David Mellen (Portfolio Holder for Children's Services) |
| SIGNED and Dated: 28/08/2015 |
| Alison Michalska (Corporate Director for Children and Adults) |
| SIGNED and Dated: 20/08/2015 |
| Theresa Channell (Head of Corporate and Strategic Finance) - Dispensation from Financial Regulations |
| SIGNED and Dated: 20/08/2015 |
| Chief Financial Officer's Comments: |