

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	3001
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Department:	Strategy and Resources
Contact:	Sarah Emmaline Quilty (Job Title: Comissioning Lead- Children, Email: sarah.quilty@nottinghamcity.gov.uk, Phone: 0115 8762743)
Subject:	Provision of assessments of prospective adoptive parents, foster carers and connected persons
Total Value:	Up to £400,000 (based on previous years expenditure) (Type: Revenue)
Decision Being Taken:	<ol style="list-style-type: none">1. Authority for the Council to extend the Adoptive Parents, Foster Carers and Connected Persons framework until 31/07/18.2. Authority to approve funding for the extension period from 31/07/17 to 31/07/18 up to the value of £400,00.3. To approve dispensation from Contract Procedure Rule 5.1.2. in accordance with Financial Regulation 3.29 to extend the Adoptive Parents, Foster Carers and Connected Persons Assessment framework contract until 31/7/18.
Reasons for the Decision(s)	<p>Nottingham City Council are required by law to carry out assessments of people who formally express a desire to foster or adopt so as to ascertain whether or not they are suitable to look after children/young people. These assessments must be carried out within specific timescales and failure to do so carries serious sanctions . In 2014, it was agreed that a Framework be set up to ensure the continuation of fostering and adoption assessments. The current contract is due to expire in August 2017. Since 2015, assessments for fosters carers and connected persons have been completed by internal 'Form F' Assessors. The prospective adopters assessments have continued to be provided by the external contract.</p> <p>In 2015, the Government announced its intention to establish Regional Adoption Agencies. The Regional Adoption Agency for East Midlands (RAA) will be going live in 2018 but the exact date is not yet known. Going forward, the RAA will be carrying out adoption assessments. Form F assessors will continue to complete the foster carers and connected persons assessments.</p> <p>The extension to the framework contract is requested in order to allow for confirmation of the level of provision required going forward in light of the forthcoming RAA, when we will be in a position to review the need for any additional capacity through an externally commissioned service provider.</p>

Briefing notes documents: 160414 Exec_Report_Adopters_Fosterers_assessments-with legal comments (employment).doc

Other Options Considered:

1. Do nothing. This option is rejected on the basis that it will risk the temporary loss of assessors which are in place to fulfil Nottingham City's statutory duty.
2. Proceed with procurement to award contract for all fostering and connected persons assessments: This option is rejected due to successful recruitment of freelance assessors resulting in a process that is cheaper and under direct control of Fostering and Adoption Team.
3. Proceed with procurement process to award a contract to outsource fostering and connected persons assessments on an 'ad-hoc' basis: This would require further work to review the level of need in light of the \RAA go live date and capacity of RAA and freelance assessors to meet the demand to recruit foster carers and adopters across the East Midlands.

Background Papers:

Published Works: Minutes of Nottingham City Council Executive Board Commissioning Sub-Committee 16th April 2014.

Affected Wards: Citywide

Colleague / Councillor Interests:

Dispensation from Financial Regulations: Yes

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

Crime and Disorder Implications: Not affected

Equality: EIA not required. Reasons: The decision doesn't result in a loss of services

Decision Type: Portfolio Holder

Subject to Call In: Yes

Call In Expiry date: 17/11/2017

Advice Sought: Legal, Finance, Procurement

Legal Advice: This report does not raise any significant legal issues as the value of the contract extension is below the light touch financial threshold set out in the Public Contracts Regulations 2015. As the framework was originally awarded under the Public Contracts Regulations 2006 as a Part B services contract there is no requirement to aggregate the value of the extension with the previous value of the framework. A new competitive procurement should be undertaken for a new contract to commence from 2018. Advice provided by Andrew James (Team Leader Contracts and Commercial) on 07/09/2017.

Finance Advice: The cost of this decision cannot be stated accurately as it will depend on the number of assessments carried out during the period 31/07/17 to 31/07/18. It is estimated that this will be around £400,000 for which there is provision in the current medium term financial plan.

The decision to dispense with contract procedure rules is reasonable in the light of the circumstances explained in the reasons and circumstances leading to the need for the decision section.

Advice provided by Ian Greatorex (Finance Project Manager) on 30/08/2017.

Procurement Advice: The extension to the framework contract for the Provision of assessments of prospective adoptive parents, foster carers and connected persons is requested in order to allow for confirmation of the level of provision required going forward (in light of the forthcoming Regional Adoption Agencies early in 2018). The value of a one year contract extension of up to £400,000 for individual call-off assessments from this framework, is below the threshold for implementation of the EU Light Touch Procurement Regime. Procurement have been consulted and support this decision to extend the current contract which will enable the review of the requirements, informing the commissioning and procurement of a new contract in 2018. Advice provided by Nicola Harrison (Procurement Lead Officer) on 09/08/2017.

Signatures

David Mellen (PH Early Intervention and Early Years)
SIGNED and Dated: 08/11/2017
Alison Michalska (Corporate Director for Children and Adults)
SIGNED and Dated: 02/11/2017
Theresa Channell (Head of Corporate and Strategic Finance) - Dispensation from Financial Regulations
SIGNED and Dated: 01/11/2017
Chief Finance Officer's Comments: Confirmed funding by Ceri Walters