

Record of officer decision

Decision title:	Continued participation in an extended sub-regional contract for an independent Fostering Advice and Mediation Service.
Date of decision:	15 May 2020
Decision maker:	Director for Children and Families
Authority for delegated decision:	<p>Under the Chief executives Scheme of Delegation (updated April 2020), Commissioning for children's services including schools, early years, colleges, adult learning, social care and vulnerable children may be undertaken by the Director for Children and Families (SA19, page 22)</p> <p>As set out under Section 4.6.5 (f) of the council's contract procurement rules (CPRs), updated January 2020, contracts procured in collaboration with other local authorities where the council is not the lead authority are exempt from the local CPRs (subject to the necessary approvals having been obtained from the appropriate decision maker at the council). In such collaborative approaches, the CPRs of the lead authority shall apply. Herefordshire's children and families commissioner will seek assurance that the lead authority is complying with their contract procurement rules.</p>
Ward:	All wards
Consultation:	Staffordshire County Council, as lead authority for this sub-regional joint contract, have undertaken consultation with the current contracted provider, The Fostering Network; who are willing to extend current arrangements up to 31 st September 2020.
Decision made:	<p>a) To extend the contract with Fostering Network for 6 months from 1 April 2020 to 31 September 2020. This will be at a maximum cost to Herefordshire of £2,410 funded from the safeguarding budget. During the extension period, a tender exercise will be undertaken. However current exceptional circumstances resulting from the Covid 19 pandemic, could delay the tender exercise</p> <p>b) To delegate authority to the assistant director education, development and skills, to approve a further extension of up to 6 months to 31 March 2021, if required, at an additional cost of £2,410.</p> <p>Staffordshire County Council, acting as the lead authority for procuring the joint contract on behalf of six authorities including Herefordshire Council, have confirmed that a waiver have been gained against their procurement rules.</p>
Reasons for decision:	<p>Fostering Service (England) Regulations 2011, form the basis of the regulatory framework under the Care Standards Act 2000 (CSA) for the conduct of foster services.</p> <p>The local authority is required to meet the national minimum standards (Fostering Services), together with Regulations relevant to the placement of children in foster care.</p> <p>To meet the National Minimum Standards the local authority is required to provide independent support, advice, mediation and advocacy for its foster carers where they are subject to an investigation following an allegation.</p>

	<p>Under the standards, allegations and suspicions of harm are handled in a way that provides effective protection and support for children and the person making the allegation, and at the same time supports the person who is the subject of the allegation.</p> <p>During an investigation, the in-house fostering service is required to provide support, which is independent of the fostering service, available to the person subject to the allegation and, where this is a foster carer, to their household, in order to provide:</p> <ul style="list-style-type: none"> a) information and advice about the process; b) emotional support; and, c) if needed, mediation between the foster carer and the fostering service and/or advocacy (including attendance at meetings and panel hearings). <p>Herefordshire Council, alongside 5 other Local authorities, have in place a sub-regional joint contract for the delivery of Advice and Mediation services. The contract is monitored as a sub-region and Fostering Network meet with individual authority at least annually to discuss local issues.</p> <p>The initial contract was awarded for 3 years from 1 April 2016 to 31 March 2019. Approval was given in April 2019 for a 12 month extension to enable the sub-region to undertake a review of future commissioning options. http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=5952&LLL=0</p> <p>Due to the length of time taken to establish collectively agreed service specification and access agreement between the 5 local authorities, Staffordshire County Council have been unable to go out to tender as planned within the required time frame, and have therefore gained a waiver to extend the current contract agreements, at the current contract value.</p> <p>The total contract value from 1st April 2016 to 31st September 2020 is £181,000, with Herefordshire's contributing £26,420. Each authority's contribution is proportionate to the number of foster carers eligible to receive the service in each partnering authority. The cost of Herefordshire's contribution to the proposed extension to 31 September 2020 is £2,410, with an additional cost of £2,410 if the option is taken-up to further extend to 31 March 2021.</p>
<p>Highlight any associated risks/finance/legal/quality considerations:</p>	<p>If this decision is not approved, Herefordshire Council will not be meeting its statutory duty as set out in the minimum national standards from April 2020.</p> <p>Herefordshire Council's children commissioners are working with Staffordshire County Council and the four partnering authorities (Shropshire Council, Stoke-on-Trent County Council and Telford & Wrekin Council) to determine future commissioning approach, with the intention of ensuring new arrangements are in place by 31 September 2020 and no later than 31 March 2021.</p>
<p>Details of any alternative options considered and rejected:</p>	<ol style="list-style-type: none"> 1. Do nothing. This is not recommended, as Herefordshire Council would not be meeting its statutory duty. 2. Herefordshire Council to go out to tender to commission a service independent of the region. This is not recommended as it is unlikely to secure best value given the limited market and low number of foster carers supported by the Council.

Details of any declarations of interest made:	N/A
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Signed

Date: 15 May 2020