

Record of officer decision

Decision title:	Looked After Child Independent Visitors Service Contract
Date of decision:	22 July 2020
Decision maker:	Director of Children and Families
Authority for delegated decision:	<p>A decision was undertaken by the director for children’s wellbeing (now children and families) on 24 July 2015 to award contract to NYAS to deliver the independent visitors service. A further decision was made to extend the contract up to 31st July 2020.</p> <p>Under the Chief Executive Scheme of Delegation – Updated 16 July 2020 SA19 The Director of Children and Families - Commissioning for children’s services including schools, early years, colleges, adult learning, social care and vulnerable</p>
Ward:	All wards
Consultation:	Consultation has been undertaken with the current provider (NYAS), Commercial Services and Legal services.
Decision made:	<p>To direct award the contract for Independent visitors service to NYAS for the period of 3 years, from 1st August 2020 to 31st July 2023, at a total value of £89,931.</p> <p>An exemption to contract procedure rules has been granted. The direct award will support the council to comply with its statutory duty and ensure continuation of service and stability for the 15 children currently accessing the service.</p>
Reasons for decision:	<p>The Independent Visitors service is a statutory duty to the local authority under the Children Act 1989. Section 23ZB of the Children’s Act 1989 states “(1) A local authority looking after a child must appoint an independent person to be the child’s visitor if – (a) the child falls within a description prescribed in regulations made by the appropriate national authority; or (b) in any other case, it appears to them that it would be in the child’s interests to do so. (2) A person appointed under this section must visit, befriend and advise the child.”</p> <p>Independent visitors are volunteers who do not work for social care services, and are there to visit and befriend the child. All volunteers need to be consistent and reliable in order that children can build a trusting, positive relationship with them over time. They will endeavour to become, and remain, a consistent adult in the child’s life who does not change when placements or social workers change and will at all times stay child focused.</p> <p>The service supports some of the council’s most vulnerable looked after children, who have developed relationships with their independent visitor, some of which are more than 3 years standing. Any gap in service will not only be detrimental to the young people</p>

currently accessing the service but also result in the council not complying with its statutory duty.

It is estimated that 18 - 25 of Herefordshire's looked after children and young people will require an independent visitor at any one time. The service will have capacity to support a minimum of 18 children to have an independent visitor.

At March 2020, Herefordshire LAC numbers stood at 350, of which 31% were placed out of county and potentially met the referral criteria to the independent visitor service. 47% (7 out of 15) of the current service user cohort are out of county.

A needs analysis undertaken in November 2019 identified eleven additional looked after children that meet the criteria for an independent visitor, but had not yet been referred to the service. Children's social care will consider various factors in an individual situation and may deem it is not in the child's best interest to immediately refer to the service, although this is kept under review. Influencing factors include individual circumstances, the appropriate time to introduce another element to the child's care plan, and the child's wish to be referred or not.

Outcomes achieved by children who have accessed the independent visitors service include increased confidence and being more able to express feelings and look forward, reduction in negative behavior and Improved social skills, and now in employment.

In December 2019, a full tendering process was undertaken due to the current contract scheduled to end on 31st July 2020. The tender duration was for 3 years with the potential to increase for a further 2 years. The tendering process proved unsuccessful and as a result of no bids being received, the option to deliver the service in-house was being explored.

It was identified that the service could sit within the council's Corporate Service directorate and be managed by Head of Information Compliance & Equality all parties were in principle in agreement with this.

However, in response to the current Covid 19 pandemic, the Information Compliance & Equality team have be redeployed to support the council's Talk Communities efforts. This has resulted in insufficient capacity being available to facilitate a transition to an in-house service before the current contract with NYAS is due to cease.

In the meantime, the incumbent provider has reconsidered its original decision not to tender for the contract in December 2019 and are now willing to continuing to deliver the service beyond July 2020.

The revised service specification includes provision for the provider to undertake targeted recruitment, subject to Head of service for looked after children approval, to reduce the time children have to wait from referral being made to being matched with an independent visitor.

	<p>Having received no tenders through the open procurement process at the end of 2019, it is proposed to award, a new contract to NYAS. NYAS is a national charity that have a range of independent visitors over a wide geographical area, and therefore have the infrastructure to be able to recruit volunteers throughout England and Wales, which will be of benefit to those children who may be placed out of county and wanting to access the service.</p> <p>Being part of a network supports NYAS with implementing new research and service improvements and in providing access to training material for potential independent visitors. NYAS are also able to access grants to support our young people, which may only be open to registered charities. For example they were able to fund a fun day at Oakwood last year for all service users and volunteers.</p>
<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>A competitive procurement process at the end of 2019 received no bids from potential providers. Due to the impact of Covid 19 pandemic, there is limited capacity to a) develop the in-house service or b) undertake a new tendering exercise before the contract ends.</p> <p>If future demand exceeds the contracted number of service users, negotiations can be had with the provider to purchase additional capacity either on a spot purpose basis or negotiate the contract going forward.</p> <p>There is a risk that the provider may be unable to recruit appropriate volunteers within specified timeframes, meaning children being on the waiting list longer. This will be closely monitored during regular performance meetings and children and families social care will assist NYAS in providing appropriate material to use in focus recruitment campaigns.</p> <p>Previously communication issues have been noted with the recognition of the IV service when new cases are allocated to social workers. Ensuring the independent visitors connection with children is recorded on Mosaic is being established currently to identify those young people who have an IV.</p> <p>Finance have confirmed there is sufficient budget allocated for this service within the Contracts budget.</p>
<p>Details of any alternative options considered and rejected:</p>	<ul style="list-style-type: none"> • Do nothing. This is not recommended as it is a statutory duty under the Children’s Act 1989 that every looked after child has the right to request an independent visitor. This would result in the council not complying with its statutory duty which leave a gap in service provision and place children and young people at risk. • To undertake a new tendering exercise. This is not recommended as a tender exercise was undertaken in December 2019, which resulted in no bids being received • Bring the service in –house. This is not recommended as the service requires the ability to recruit volunteers both in and beyond Herefordshire. As of March 2020, 47% (7 out of 15) of the children accessing the service are placed out of county.

Details of any declarations of interest made:	N/A

Signed

Chris Baird
Director for children and families

Date: 22 July 2020