



Title of report: Recommissioning of Children's Rights & Advocacy and Independent Visitors Services

Decision maker: Cabinet member - Children & Young People

Decision date: 28 August 2026

Report by: Commissioning Officer – Starting Well (Children's Commissioning) & Commissioning Manager – Starting Well

Classification

Open

Decision type

Key

This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Wards affected

(All Wards);

Purpose

This report seeks approval to undertake an open procurement in accordance with the Procurement Act 2023 and the Council's Contract Procedure Rules (CPRs) under the Light Touch Regime for the Children's Rights and Advocacy Service and Independent Visitor Service. The procurement will ensure the council continues to meet its statutory duties by providing independent advocacy, representation and trusted adult support to vulnerable children and young people across Herefordshire.

It will also support the transition of the Children's Rights and Advocacy Service from an in-house model to an externally commissioned service, strengthening the independence of advocacy in line with



national guidance and recognised best practice, while maintaining continuity of support for children and young people.

Recommendation(s)

That:

- a) Approval is given to undertake an open procurement, in accordance with the Procurement Act 2023, and the Council's Contract Procedure Rule (CPRs) for the provision of an externally commissioned Children's Rights and Advocacy Service (CRA) and an Independent Visitor Service (IV).
- b) Approval for an initial contract period of five years, commencing on 1 January 2027 (CRA) and 1 February 2027 (IV), with the option to extend for up to a further 24 months, within the approved budget. The procurement will allow for phased mobilisation, including commencement of the Children's Rights and Advocacy Service, ahead of the Independent Visitor Service where operationally required.
- c) Authority is delegated to the Corporate Director for Children and Young People to:
 - i) award the contract(s) following completion of the procurement process;
 - ii) take all operational decisions necessary to complete the procurement process and to manage the resulting contract(s), in accordance with the council's Contract Procedure Rules and within the approved budget and;
 - iii) to approve the exercise of the extension option for a period of up to 24 months, subject to satisfactory contract performance, continued service need, available funding and compliance with the council's governance arrangements.

Alternative options

1. **The council could continue to deliver the Children's Rights and Advocacy Service in-house whilst separately procuring the Independent Visitor Service.** This option is not recommended. Whilst this would maintain existing arrangements for advocacy, it would not strengthen the operational independence of the advocacy service from the Local Authority, in line with national guidance and recognised best practice. It would also miss the opportunity to recommission both services through a single procurement exercise, supporting a consistent approach to commissioning, improved contract management and value for money, whilst maintaining the distinct statutory functions of each service.
2. **The council could undertake separate procurement exercises for the Children's Rights and Advocacy Service and the Independent Visitor Service.** This option is not recommended. The services have previously been commissioned jointly and have been successfully delivered under a single contractual arrangement. Procuring the services separately would increase procurement activity and contract management requirements without providing additional benefit to the children and young people or the council. A single procurement exercise supports a coordinated commissioning approach, whilst maintaining the distinct statutory purpose and operational independence of each service.

Key considerations

3. The council has statutory duties to secure the provision of independent advocacy and independent visitor services for eligible children and young people in accordance with the Children Act 1989, the Children and Social Work Act 2017 and associated statutory guidance. These services play a key role in ensuring that children and young people are able to express their views, participate in decisions that affect them and have their rights promoted and upheld.
4. The current contract for the Independent Visitor Service expires on 31 January 2027. The Children's Rights and Advocacy Service is currently delivered in-house. This provides an opportunity to recommission both services through a single procurement exercise, whilst transitioning the advocacy service to an externally commissioned model. Procuring both services together will provide a coordinated commissioning approach, whilst maintaining the distinct statutory purpose and operational independence of each service.
5. The external commissioning Children's Rights and Advocacy Service will strengthen the operational independence of the service from the Local Authority, reflecting national guidance and recognised best practice. This builds on previous externally commissioned arrangements and will provide additional assurance to children and young people that their views, wishes and feelings are represented independently, whilst supporting the council in fulfilling its Corporate Parenting responsibilities.
6. The proposed commissioning approach reflects national guidance and recognised best practice, ensuring that the council continues to provide high-quality, independent advocacy and independent visitor services that meet statutory requirements and support positive outcomes for children and young people.
7. The recommissioning of these services also supports the council's wider improvement journey following the outcome of the council's recent Ofsted inspection in November 2025. Ensuring that children and young people have access to high-quality, independent advocacy and independent visitor services reinforces the council's commitment to listening to the voices of children and young people, promoting their participation in decisions that affect them and continuously improving the quality of services provided to them.
8. The procurement will allow for phased mobilisation where required, including the commencement of the Children's Rights and Advocacy Service ahead of the Independent Visitor Service to support service continuity and an effective transition. As the Children's Rights and Advocacy Service is currently delivered in-house, the transition to an externally commissioned service will have implications for existing staff. Appropriate arrangements will therefore be put in place as part of the mobilisation process, including consideration and management of any applicable TUPE arrangements for staff to ensure a supported transition and continuity of service for children and young people.
9. The recommissioned services will continue to ensure that children and young people have access to high-quality, independent support to help them understand their rights, have their voices heard and influence decisions that affect their lives. This supports the council's ambition to improve outcomes for children and young people and deliver high-quality services that meet statutory requirements.

Community impact



10. The recommissioning of the Children's Rights and Advocacy Service and Independent Visitor Service will contribute positively to the wellbeing of children and young people by ensuring continued access to high-quality, independent support. These services enable children and young people to understand and exercise their rights, have their views heard and participate in decisions that affect their lives.
11. The proposed commissioning approach supports the council's Corporate Parenting responsibilities and its commitment to putting children and young people at the centre of decision-making. Strengthening the operational independence of advocacy through an externally commissioned service will provide additional assurance that children and young people are able to access independent representation where required.
12. The proposal also supports the delivery of the Herefordshire Children's Services and Partnership Improvement Plan by strengthening opportunities for children and young people to participate in decisions that affect them, ensuring their voices and lived experiences inform service delivery, and reinforcing the council's commitment to continuously improving outcomes for children and young people through high-quality, independent services. It also contributes to the Council Plan priorities by supporting the 'People' priority through helping children and young people feel safe, supported and able to realise their potential, and the 'Transformation' priority through the delivery of high-quality, sustainable and value for money services.

Environmental impact

13. Herefordshire Council provides and commissions a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors the council shares a strong commitment to improving environmental sustainability, achieving carbon neutrality and protecting and enhance Herefordshire's outstanding natural environment.
14. Environmental considerations will be embedded within service specifications, requiring providers to minimise waste and reduce energy consumption and carbon emissions and maximise the use of digital systems and remote delivery where appropriate to improve efficiency and reduce unnecessary travel whilst ensuring that the service quality and accessibility are maintained.
15. The environmental impact of this proposal has been considered through the service specification, which includes proportionate requirements for the successful provider to minimise waste, reduce energy use and carbon emissions, and consider opportunities to protect and enhance biodiversity where appropriate.

Equality duty

16. The Public Sector Equality Duty requires the council to consider how it can positively contribute to the advancement of equality and good relations and demonstrate that it is paying due regard in its decision-making and the design and delivery of services.
17. Due to the scope of the recommissioning and its potential impact on protected groups, particularly looked after children and eligible care leavers, a full Equality Impact Assessment has been completed and is attached as an appendix to this report.



18. The Equality Impact Assessment concludes that the proposal is expected to have an overall positive impact by:
 - a. Maintaining equitable access to independent Children's Rights and Advocacy and Independent Visitor services for eligible children and young people, including disabled children and those with other protected characteristics.
 - b. Advancing equality of opportunity by requiring providers to deliver accessible, inclusive and person-centred services that respond to individual needs and remove barriers to participation.
 - c. Supporting children and young people to have their voices heard, participate in decisions that affect them and access independent support in accordance with their statutory rights.
19. No disproportionate adverse equality impacts have been identified. Equality considerations have informed the development of the service specifications and procurement approach and will continue to be monitored through contract management, service review and ongoing engagement with children and young people.

Resource implications

20. The costs associated with the recommissioning of the Children's Rights and Advocacy Service and Independent Visitor Service will be met from existing approved Corporate Services and Children and Young People revenue budgets. No additional funding is required as a result of this decision.
21. The proposed contract has an estimated annual value of £190,000, comprising approximately £137,000 for the Children's Rights and Advocacy Service and £53,000 for the Independent Visitor Service. The initial contract term will be five years, commencing on 1 February 2027, with the option to extend for up to a further 24 months. The total estimated contract value, including the optional extension period, is £1,330,000. These values are excluding VAT.
22. The estimated contract values are based on current approved budget assumptions, including a 3% provision for annual pay awards. The national local government pay award has not yet been agreed. Any financial implications arising from the final agreed pay award will be managed through the Council's normal budget monitoring arrangements.
23. As the Children's Rights and Advocacy Service is currently delivered in-house, the transition to an externally commissioned service will have implications for existing staff. Appropriate arrangements will be put in place to manage any applicable TUPE requirements, with any associated costs managed within existing directorate budgets.
24. The Commercial Team will support the delivery of the procurement exercise and has already been actively engaged throughout the process. Ongoing contract management will ensure that expenditure remains within the approved budget throughout the life of the contract and that the council continues to achieve value for money.



25. Any future decision to exercise the optional extension period will be subject to satisfactory contract performance, confirmation of ongoing service need and the availability of approved funding.

Legal implications

26. The relevant legal provisions for this decision can be found in the council's constitution, www.herefordshire.gov.uk/constitution.

Risk management

27.

Risk Identified	Risk Management / Mitigation
Limited or no tender submissions due to market capacity and the timing of the procurement exercise	Early market engagement will be undertaken to raise awareness of the opportunity. The procurement will be widely advertised through the council's procurement portal and other appropriate channels to maximise market interest and competition.
Delay to service mobilisation resulting in a later than planned contract commencement.	A detailed mobilisation and implementation plan will be developed, including agreed milestones, TUPE arrangements (where applicable), transition planning and regular project governance to monitor progress and manage risks.
Potential disruption to children and young people currently receiving Independent Visitor or Advocacy support during the transition to a new provider	A comprehensive transition plan will be implemented to ensure continuity of service. This will include clear communication with children and young people, appropriate handover arrangements and close monitoring throughout mobilisation to minimise disruption.
Procurement challenge or delays arising from governance or legal issues.	The procurement will be undertaken in accordance with the Procurement Act 2023 and the council's Contract Procedure Rules, with ongoing support from Legal, Procurement and Finance colleagues throughout the commissioning process.
Failure of the recommissioned services to deliver the intended outcomes for children and young people.	Robust performance measures and contract monitoring arrangements will be established, including regular performance reviews, contract management meetings and engagement with children and young people to inform continuous service improvement.



Consultees

28. A representative from the Commissioning Team attended the Herefordshire Children in Care Fun Day event on 23 July 2026 to engage directly with children and young people, listen to their views and experiences, and gather feedback to help inform the recommissioning process.
29. To maximise opportunities for participation, children and young people will also be provided with a QR code linking to a short anonymous questionnaire. This will enable those attending the event, and others who wish to contribute, to provide feedback on their experiences of the current services and identify any improvement they would like to see within the commissioned services. Feedback received will be considered, where appropriate, during the development of the final service specification and procurement documentation.
30. A Political Group Consultation (PGC) was held on Wednesday 5 August 2026 to consider the proposed recommissioning of the Independent Visitors and Childrens Rights and Advocacy services. Members received an overview of rationale for the recommissioning, the current service arrangements and performance, the procurement and funding arrangements.

Members sought clarification on a range of matters, including the benefits and efficiencies of commissioning the two services through a single procurement process, current Independent Visitor capacity and volunteer recruitment, service visibility and promotion, links with the wider voluntary and community sector, and how the impact and outcomes of the Independent Visitor Service are captured through the voice and experiences of children and young people.

Officers responded to the questions raised and provided further information following the meeting where required. Feedback from the Members, including around volunteer recruitment, service visibility, partnership working and evidencing outcomes for children and young people, has been considered as part of the development of the service specification and tender documentation.

Following consideration of the issues raised, no changes were required to the overall proposed recommissioning approach and recommendations.

Appendices

- [Completed Equality Impact Assessment July 26](#)

Background papers

- [Children Act 1989](#)
- [Children and Social Work Act 2017](#)



- [The Children's Act 1989 Guidance and Regulations, Volume 2: Care Planning, Placement and Case Review \(advocacy and independent visitors\)](#)
- [The Advocacy Services and Representations Procedure \(Children\) Regulations 2006](#)
- [Herefordshire Children's Services and Partnership Improvement Plan \(Phase 3\)](#)
- [Herefordshire Council Plan 2024–2028](#)
- [Procurement Act 2023](#)

Glossary of terms, abbreviations and acronyms used in this report