



Update on the East Midlands Regional Childrens Framework and External Care providers

SUMMARY

1.1 Children in Care Council Summary:

The East Midlands Regional Childrens Framework is used by Derby City Council to find placements for children/young people who come into the care of Derby City Council or who are already cared for by Derby City Council. It is a list of people who will be able to support children and young people in either a fostering place or in a children's home. Derby City Council uses this list to make sure that safe and good placements are found for children and young people.

The list has provided Derby City Council with a lot of placements in and outside of Derby. It works fairly well to support children and young people. At the moment, out of 514 children in care in Derby, 286 are placed with people on the list. The other placements are made with Derby City Council's own Foster carers and own Childrens homes.

This report shows the work that takes place and the good providers who have helped Derby City Council to make safe placements.

- 1.2 This report details the use of the East Midlands Regional Children's Framework (EMRCF), and work that has been undertaken with local providers to support local placements and local sufficiency.
- 1.3 The current flexible framework under the Light Touch Regime commenced on 1st February 2016 and has an end date of 31st January 2020. A review has commenced with discussions taking place at a regional level and sub-regional level. The flexible framework has encouraged market development within the East Midlands Region, encouraging new providers to make application to join reassuring local authorities of good quality and value for money provision. However, local sufficiency remains a challenge.

RECOMMENDATION

- 2.1 To note the contents of the report.

REASONS FOR RECOMMENDATION

- 3.1 To understand the use of external provision for Derby City's Children in Care and the

work undertaken to secure safe, quality placements.

SUPPORTING INFORMATION

- 4.1 The East Midlands Regional Children's Framework (EMRCF) is used by Children's services to source external placements for Fostering and Residential Children's Homes within the East Midlands region.
- 4.2 The focus of the Commissioning team is to source local placements for our children in care, enabling access to local services and social care support. However, there are circumstances when there is a requirement to source placements at a distance due to risks for the child/young person. The EMRCF facilitates this with providers who have placements available at a distance.
- 4.3 Providers apply for to join the flexible framework through a process which requires them to meet high quality standards. They are vetted on the quality of support and provision, their Ofsted rating, financial costs and models. The evaluation team comprises representatives from each Local Authority who uses the framework. Over the three years of the framework there have been several providers who have applied but not met the high standards of the tendering process.
- 4.4 The EMRCF is managed by seven Local Authorities who have agreed to work collaboratively to use the framework and manage providers. These are Derby City Council, Derbyshire County Council, Nottingham City Council, Nottinghamshire County Council, Leicestershire County Council, Rutland and Northamptonshire County Council.
- 4.5 This consortium meets quarterly to review, challenge, and ensure quality and value for money services. As part of the consortium there is a central contract management team based in Northampton who support with the contract management for the region. Derby City Council along with the other Local Authorities (above) contributes toward an annual payment for the central team.
- 4.6 The Children's Integrated Commissioning team work locally and regionally to ensure the quality of the provision. The Quality Assurance process includes: visits to provisions, reviews of placements with social care teams (ensuring needs and outcomes are being met for the child/young person), contract management meetings locally with each provider and regional contract management meetings facilitated by the Central team. This enables discussion of costs/outcomes with providers for individual placements, ensuring they reflect needs, and change where they can be adjusted.
- 4.7 Placements and providers are challenged to ensure they are meeting the needs of our Children in Care and providing safe and nurturing environments.
- 4.8 We encourage the voice of the child, ensuring there is the opportunity to have a voice regarding the placement. We receive feedback through social workers, speak to young people in placement, collate views through the Children In Care Council, and are planning to work with the Care Leavers forum for better ways to consult and ensure all young people have a voice.

- 4.9 The framework has been crucial in supporting the commissioning function for sourcing placements for our children; we are seeing an ongoing increase in the use of the framework and the number of external placements we make. We are exploring how we can work more effectively at a sub-regional level to support local market development and sufficiency, ensuring more offers for Derby City Children within the boundaries and within 20 miles area of Derby City. The sub-regional group consists of Derby City Council, Derbyshire County Council, Nottingham City Council and Nottinghamshire County Council known as D2N2.
- 4.10 In August 2018, of the 286 placements with external providers (i.e. not Derby City Council Childrens Homes or Derby City Council foster carers), these consisted of:
- 257 external fostering placements,
 - 19 external children's home placements,
 - 10 external disabled children homes placement.
- 4.11 The numbers of external fostering placements have increased significantly with a 73.5% increase since August 2015.
- 4.12 The increase is due to a number of factors; capacity to place internally, recruitment of fosters carers, changing needs and increase in the number of young people in care or entering care. We continue to analyse this, and consider how we can improve our services.
- 4.13 External providers need to be able to support children and young people with a range of specialist needs, including:
- ADHD/behavioural
 - Criminal behaviours
 - Sexual behaviours
 - Attachment
 - Mental health
 - Self-harming behaviour
 - CSE/missing
 - At risk of neglect/harm
- 4.14 We make this clear to providers by stating different categories of need in the framework (called 'lots').
- 4.15 There also has been a rise in sibling groups needing accommodation and support, which can be up to six children in one family group. This is a challenge for both the internal and external market to facilitate placements together.
- 4.16 The Local Authority has a 'Sufficiency Duty', which means we need to ensure enough local placements. The framework is one of the tools used to do this. However, this does not come without issues. Whilst we are continuing to work with local providers to ensure placements are made local to Derby, due to the shortage of carers and our boundaries of 20 miles merging into our neighbouring Local Authorities we have a challenge making as many local placements as we would like to.

- 4.17 Currently just over half of external placements are within 20 miles of Derby, the others being further away. There is ongoing partnership work with local providers to facilitate local placements for Derby children, with regular meetings and updates sent to providers to inform their recruitment of carers. However, a national shortage of foster carers remains a challenge.
- 4.18 Where the needs of some of the children/young people are extremely high, we have not been able to meet their needs on the framework and have to utilise providers who are classed as 'off-framework'. The number of these types of placements has reduced over the last few years and remains very low, only 6% of our overall placements made. We carry out robust quality assurance of these providers before we place young people there, to ensure quality and safety. Providers are then encouraged to join the framework when it opens, increasing contract compliance.

OTHER OPTIONS CONSIDERED

5.1 N/A

This report has been approved by the following officers:

Legal officer Financial officer Human Resources officer Estates/Property officer Service Director(s) Other(s)	Karen Griffin, Commercial Lawyer Alison Parkin, Head of Finance (Children and Young People) Gurmail Nizzer, Director of Commissioning Lisa Melrose, Head of Integrated Commissioning (CYP)
For more information contact: Background papers: List of appendices:	Catherine Young, Children in Care Commissioning and Placements Manager 01332 642703 catherine.young@derby.gov.uk None Appendix 1 – Implications

IMPLICATIONS

Financial and Value for Money

- 1.1 The increase in the number of external placements, together with the increase in numbers of children in care has had a significant impact on the cost of external placements.
- 1.2 The table below shows a summary of spend over the last four financial years on different types of services which were purchased through the framework:

Financial Year	Childrens Homes	Foster	Disabled Childrens Homes	Total external	CiC population	Costs of placement on the framework (£)
2015/16	21	175	9	205	460	12,439,042
2016/17	20	193	14	227	447	12,395,453
2017/18	15	252	11	278	499	14,367, 872
2018/19*	19	257	10	286	514	17,103,766*

*estimated, as at 31st August 2018

- 1.3 The average costs of external placements are:
- Foster placement: £800 - £1,060 per week
 - Childrens Home placement: £3,500 - £4,000 per week. However, if the young person's needs are high this can be up to £7,000 per week.
- 1.4 These costs are inclusive of:
- Transport within a 20 per radius per journey (inclusive of School, contact and social activities,
 - Savings, pocket money, birthdays/festivals, holidays,
 - Clothing and personal care/toiletries,
 - Training for carers/staff/Supervising Social workers,
 - The costs of supervising Social Workers for the carers,
 - Activities/social and educational, and
 - Foster carers allowance (usually between 40-60% of the costs above).
- 1.5 Spend on external placements remains a priority work area for People's services and is being monitored closely with work being undertaken as a priority to minimise cost whilst ensuring outcomes are met. The framework has capped costs which mean there will not be a significant increase in individual placement cost until the framework is reviewed.

Legal

- 2.1 The Local Authority has a statutory duty¹ to ensure there is sufficient accommodation within the Authority's area which meets the needs of children that the Local Authority is looking after, and whose circumstances are such that it would be consistent with their welfare for them to be provided with accommodation that is in the Local Authority's area (Sufficiency Duty).
- 2.2 Independent Fostering Agencies and Children's Home providers fall within the Light Touch Regime under the Public Contracts Regulations 2015. As such the contracting authority has greater flexibility to decide, following appropriate consultation with the partner Authorities, on the method and procedure to be used in connection with the award of contracts provided that the general EU Treaty principles of transparency and equal treatment must be adhered to as well as other requirements for over threshold awards. Local Government Shared Services, owned by Northamptonshire and Cambridgeshire County Councils and Milton Keynes Council lead in the procurement activity on behalf of the region.

Personnel

- 3.1 None Identified

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- 4.1 None Identified

Equalities Impact

- 5.1 The framework allows the Council access to provision for the most vulnerable young people and caters for a range of needs for Looked After Children.

Health and Safety

- 6.1 All providers who are accepted onto the framework will have been assessed to ensure they provide appropriate quality of care in full compliance with relevant legislation. This is monitored on an ongoing basis by the regional team and at a local level by Commissioning and Operational officers.

Environmental Sustainability

- 7.1 None Identified

Property and Asset Management

- 8.1 None Identified

¹ Children Act 1989, Children Act 2004 and Care Planning, Placement and Case Review (England) Regulations 2010, together with applicable guidance issued.

Risk Management and Safeguarding

- 9.1 The framework facilitates comprehensive safeguarding processes and providers are expected to deliver services that are safe and of sound quality. The regional consortia work closely with Ofsted as the regulatory body to ensure providers are meeting standards, and where concerns are raised they are dealt with locally and regionally.

Corporate objectives and priorities for change

- 10.1
- Protecting vulnerable children and adults
 - Promoting Health and Wellbeing
 - Delivering services differently
 - Meeting our Sufficiency Duty for children in care