

**Meeting:** Cabinet **Date:** 20<sup>th</sup> August 2024

**Wards affected:** All

**Report Title:** Re-commissioning and Procurement of 16 plus Supported Accommodation Provision

**When does the decision need to be implemented?** Re-commissioning and procurement activity is planned to take place from Spring 2025. The current contracts in place will be due to end from 31<sup>st</sup> March 2026, with new contracts commencing from 1<sup>st</sup> April 2026.

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## 1. Purpose of Report

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- 1.1 To inform Cabinet of current needs analysis activity that is underway of Torbay's 16 plus Supported Accommodation provisions as a result of the current block and framework contracts entering the extension phase of contracts. This work will result in a detailed options appraisal which will inform commissioning and procurement activity planned to take place from Spring 2025. New contracts are due to commence from 1<sup>st</sup> April 2026. (procurement timeline provided in Appendix 1).
- 1.2 It is requested that once the procurement process is concluded delegated authority is given to the Director of Children's Services to award the contract upon the completion of a satisfactory procurement exercise.

## 2. Reason for Proposal and its benefits

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- 2.1 Torbay Children's Services currently commissions a range of supported accommodation options for young people aged 16 – 25 who are cared for, care experienced or at risk of or experiencing homelessness. In 2020 commissioning and procurement activity successfully awarded block contracts (totalling 60 units across 3 Providers) alongside the development of a 16 plus supported accommodation framework. The framework includes 6 additional Providers from which individual placements can be purchased. Full details of Providers, type

of accommodation and annual costs for financial year 24/25 are detailed in Supporting Information.

- 2.2 The block and framework contracts were awarded on a 3-year initial term with the option of a 2-year extension. These contracts commenced on 1<sup>st</sup> April 2021 and as of 1<sup>st</sup> April 2024 an 18-month extension was agreed. Following the initial stages of the needs analysis process, it has been agreed to utilise the additional 6 months extension period available within the current contracts. By using the full extension options, the current contracts will now end on 31<sup>st</sup> March 2026.
- 2.3 In preparation for the contract end date a thorough needs analysis and options appraisal is currently being finalised, led by Childrens Services Commissioning. This activity will inform future commissioning and procurement activity. This is an essential piece of work to ensure the provision commissioned meets the needs of Torbay's young people.
- 2.4 It allows the Authority to test the market by undertaking an open market procurement where it is felt to be in the best interests of residents and the local authority to test for efficiencies, new models of delivery and innovative practice.
- 2.5 It meets legislative requirements which stipulate that the local authority undertakes a relevant procurement process to award contracts.

### 3. Recommendation(s) / Proposed Decision

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- 3.1 That the Director of Children's Services be given delegated authority to award the contracts for 16 plus supported accommodation provision, following the successful completion of the procurement process and in consultation with the Cabinet Member for Children's Services.

### Appendices

Appendix 1: Provisional Procurement Timeline based on use of additional 6-month contract extensions

### Background Documents

None

## Supporting Information

### 1. Introduction

1.1 Torbay Childrens Social Care currently commissions a range of supported accommodation options for young people aged 16 – 25 who are cared for, care experienced or at risk of or experiencing homelessness. In 2020 commissioning and procurement activity successfully awarded block contracts (totalling 60 units across 3 Providers) alongside the development of a 16 plus supported accommodation framework. The framework includes 6 additional Providers from which individual placements can be purchased.

1.2 Block contract provisions are in place for Torbay’s 16 plus supported accommodation needs, they are separated into the following Lot’s delivered by the named Providers.

Lot	Provider	Units	Overview
Lot 1	Young Devon	16 units	Supported Lodgings for young people aged 16-21 who are cared for children and/or care experienced young people up to 25 if eligible and for homeless young people or young at risk of homelessness aged 16-25.
Lot 2A	Young Devon	6 units (Grosvenor Road)	Multi-occupancy units for cared for children and/or care experienced young people with more complex needs aged 16-17. (Continuing to age 18 under exceptional circumstances).
	Livewest	3 Units	
Lot 2B	LiveWest	20 Units	Multi-occupancy units for cared for children and/or care experienced young people as part of the a stepdown from care and/or step-down from more intensive post sixteen accommodation provision eligible and for homeless young people or young at risk of homelessness aged 16-25.
Lot 3	Westward Housing (Young Parents Service)	12 Units	Supported accommodation for Young Parents who are aged 16 – 24 years. A unit of support is a household, so may include both parents and their children.
Previously Lot 2A/ now 18+ provision via Waiver	Young Devon	3 Units (Millbrook)	Multi-occupancy units for cared for children and/or care experienced young people as part of the a stepdown from care and/or step-down from more intensive post sixteen accommodation provision eligible and for homeless young people or young at risk of homelessness aged 18-25.

1.3 The total annual cost of block contract provisions for the current financial year 2024/2025 is £928,216.64

1.4 A 16 plus supported accommodation framework was introduced from April 2021 as a way of flexibly purchasing one-off placements across a number of Providers. The following Providers have all been awarded contracts as part of the framework:

- Acorn Independence
- CSM Independence
- Halfway Limited

- Just ONE
- Key2 Futures
- Parallel Independence

- 1.5 In addition to the block and framework contract arrangements, individual placements are purchased on a spot- purchase basis where there is deemed a need for a bespoke or individualised placement. Part of the needs analysis activity taking place is reviewing where spot purchase placements have been made with the aim of incorporating some of these placement types within the block or framework arrangements.
- 1.6 Activity to undertake the needs analysis and options appraisal started in February 2024. A task and finish group has been established which includes representation at a senior level across regulated services, early help, operational services, commissioning, housing, quality assurance and procurement.
- 1.7 Central to the needs analysis and procurement activity is participation activity with young people accessing supported accommodation provisions and this is being supported by Children Services Participation Officer. Pre-market engagement activity with Providers has started in June 2024. The Institute of Public Care (IPC) model of commissioning has been used to provide a framework for the needs analysis, options appraisal, and procurement activity.
- 1.8 There has been a significant change to the landscape within which Supported Accommodation Providers are now operating with the introduction of Ofsted regulation from 28<sup>th</sup> October 2023. The Supported Accommodation (England) Regulations 2023 (the Regulations) require that any supported accommodation provider accommodating a looked after child or care leaver aged 16 or 17 must be registered with Ofsted. The introduction of Ofsted regulations is a key consideration for the current needs analysis and future commissioning activity.

## 2. Options under consideration

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- 2.1 Needs analysis activity is currently in the process of being finalised and recommendations will be put forward to Senior Management and the Director of Children's Services for approval.
- 2.2 The decision to utilise the full contract extension period has been agreed to ensure time and resource can be allocated to fully exploring all options in scope of this re-commissioning activity. This will ensure any future provision commissioned meets the needs of Torbay's young people.

### 3. Financial Opportunities and Implications

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- 3.1 Funding for the block contract provisions for this financial year (24/25) is £928,216.64. Additional 16 plus placement costs are purchased via both framework and non- framework providers on a spot- purchased basis.
- 3.2 A budget envelope for the commissioning of new services will be developed, taking into consideration opportunities to reduce spot- purchase costs where possible and increase value for money.

### 4. Legal Implications

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- 4.1 There are no anticipated legal implications other than those routinely present when undertaking a procurement process.

### 5. Engagement and Consultation

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- 5.1 Engagement and consultation activities have been central to the needs analysis that is currently being concluded. This includes the following:
  - 5.1.1 Listening circles (focus groups) for young people currently residing in Torbay Supported Accommodation.
  - 5.1.2. Survey for young people currently residing in Torbay Supported Accommodation circulated to all Providers who have young people placed with them and the 16 plus Provider Fourm attendees.
  - 5.1.3. Review of recent survey analysis for cared for and care experienced young people.
  - 5.1.4 Review of young people's feedback from quarterly contract monitoring reports of block contract providers.
  - 5.1.5. Pre- Market engagement event was held on 21<sup>st</sup> June 2024 to start initial engagement with the market and gain feedback from a wide range of Providers working in this area.
- 5.2 Further engagement activities will take place in the lead up to procurement activity, this will also include a participation strategy for young people's involvement in the procurement process.

### 6. Procurement Implications

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- 6.1 Re-commissioning and procurement activity is being led by Commercial Services (Children's Services Commissioning and Senior Procurement and Contracts Officer). The total value of any proposed new contracts (based on current contract values) will be treated as an above threshold tender under the Public Contract Regulations. This means that a full

open market procurement process is deemed to be the best and most appropriate procurement option to meet the requirements of the Authority.

- 6.2 The procurement process will include the evaluation of Social Value as part of the tender and award process.

## 7. Protecting our naturally inspiring Bay and tackling Climate Change

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- 7.1 Any Provider's awarded contracts as part of this procurement process will be required to support our local net Zero and Climate Action targets as far as reasonable possible. This will be included within the scope of the specifications.
- 7.2 A Protecting our naturally inspiring Bay and tackling Climate Change Impact Assessment Tool will be completed as part of ongoing re-commissioning and procurement activity.
- 7.2 Social Value (including Climate change) will be assessed as part of the procurement activity that takes place.

## 8. Associated Risks

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- 8.1 The main risk associated with this decision specifically will be a delay in awarding the contract and therefore a delayed date for the new service to commence.
- 8.2 A significant lead in time has been planned for full re-commissioning and procurement activity to take place to avoid chance of delays impacting the tender process.

## 9. Equality Impacts - Identify the potential positive and negative impacts on specific groups

For the purposes of this decision, there is not anticipated to be any specific positive or negative impact based on the characteristics below. This EIA will be updated as the procurement process continues.

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	<p>18 per cent of Torbay residents are under 18 years old.</p> <p>55 per cent of Torbay residents are aged between 18 to 64 years old.</p> <p>27 per cent of Torbay residents are aged 65 and older.</p>	<p>The Provisions commissioned as part of 16 plus supported accommodation have specific age and referral criteria (16 – 25 years old). The full scope of the services included in this re-commissioning activity are currently under-review.</p> <p>A priority is to develop clear pathways for support for all 16 – 25-year-olds as part of Torbay’s wider Youth Homelessness offer – part of this offer will include the supported accommodation pathway alongside other routes such as Housing Options.</p>	<p>Equality implications will be continuously reviewed through the re-commissioning and procurement process.</p> <p>Joined up working with Housing Options and wider initiatives regarding youth homelessness for example Homelessness and Rough Sleeping Strategy.</p>	<p>Torbay Council (Children’s Services/ Housing) and any new commissioned Providers.</p>
Carers	<p>At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.</p>	<p>Young people accessing the service may identify as young carers. Providers will be required to tailor support to individual needs of young people and signpost to</p>	<p>Equality implications will be continuously reviewed through the re-commissioning and procurement process.</p>	<p>Torbay Council (Children’s Services/ Housing) and</p>

		appropriate services and support where appropriate.	Service Specifications will include requirement for Providers to be able to understand and respond appropriately to those with protected characteristics.	any new commissioned Providers.
Disability	In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited a little or a lot by a physical or mental health condition or illness.	<p>Equality implications will be specified within specification documentation this will include consideration of any young person's disability needs – this includes physical disability, mental health and learning disability.</p> <p>Accessibility of buildings for those with disabilities will be a requirement of the service specifications.</p> <p>Providers will be required to tailor support to individual needs of young people and signpost to appropriate services and support where appropriate.</p>	<p>Equality implications will be continuously reviewed through the re-commissioning and procurement process.</p> <p>Service Specifications will include requirement for Providers to be able to understand and respond appropriately to those with protected characteristics.</p> <p>Providers will be expected to work alongside external services to refer for support and signpost where appropriate.</p>	Torbay Council (Children's Services/ Housing) and any new commissioned Providers.
Gender reassignment	In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as	Equality implications will be specified within specification documentation this will include consideration of any young person's individual needs.	Equality implications will be continuously reviewed through the re-	Torbay Council (Children's Services/



	<p>their sex registered at birth. This proportion is similar to the Southwest and is lower than England.</p>	<p>Providers will be required to tailor support to individual needs of young people and signpost to appropriate services and support where appropriate.</p>	<p>commissioning and procurement process.</p> <p>Service Specifications will include requirement for Providers to be able to understand and respond appropriately to those with protected characteristics.</p>	<p>Housing) and any new commissioned Providers.</p>
<p>Marriage and civil partnership</p>	<p>Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership.</p>	<p>No immediate impact identified.</p>	<p>n/a</p>	<p>n/a</p>
<p>Pregnancy and maternity</p>	<p>Over the period 2010 to 2021, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 63.7 per 1,000) than England (60.2) and the South West (58.4). There has been a notable fall in the numbers of live births since the middle of the last decade across all geographical areas.</p>	<p>Equality implications will be specified within specification documentation this will include consideration of any young person's individual needs.</p> <p>Torbay Council currently commission the Torbay Young Parents Service as part of the 16 plus Supported Accommodation offer. This service offers specialist support and accommodation for young parents and providers support based on individual needs. The service has strong alliances with other pregnancy and maternity support within the area.</p>	<p>Equality implications will be continuously reviewed through the re-commissioning and procurement process.</p> <p>Service Specifications will include requirement for Providers to be able to understand and respond appropriately to those with protected characteristics.</p>	<p>Torbay Council (Children's Services/ Housing) and any new commissioned Providers.</p>
<p>Race</p>	<p>In the 2021 Census, 96.1% of Torbay residents described</p>	<p>The service will support young people who are from a wide range of ethnic</p>	<p>Equality implications will be continuously</p>	<p>Torbay Council</p>

	<p>their ethnicity as white. This is a higher proportion than the Southwest and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England.</p>	<p>minority backgrounds including young people who are seeking asylum. There will be a requirement that Providers will deliver support that is tailored to individual needs.</p> <p>For those where English is not the first language there will be an expectation that specific support will be offered including translation services where possible.</p>	<p>reviewed through the re-commissioning and procurement process.</p> <p>Service Specifications will include requirement for Providers to be able to understand and respond appropriately to those with protected characteristics.</p>	<p>(Children's Services/ Housing) and any new commissioned Providers.</p>
Religion and belief	<p>64.8% of Torbay residents who stated that they have a religion in the 2021 census.</p>	<p>Equality implications will be specified within specification documentation this will include consideration of any young person's individual needs.</p>	<p>Equality implications will be continuously reviewed through the re-commissioning and procurement process.</p> <p>Service Specifications will include requirement for Providers to be able to understand and respond appropriately to those with protected characteristics.</p>	<p>Torbay Council (Children's Services/ Housing) and any new commissioned Providers.</p>
Sex	<p>51.3% of Torbay's population are female and 48.7% are male</p>	<p>Equality implications will be specified within specification documentation this will include consideration of any young person's individual needs.</p>	<p>Equality implications will be continuously reviewed through the re-commissioning and procurement process.</p>	<p>Torbay Council (Children's Services/ Housing) and any new</p>

			Service Specifications will include requirement for Providers to be able to understand and respond appropriately to those with protected characteristics.	commissioned Providers.
Sexual orientation	In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.	Equality implications will be specified within specification documentation this will include consideration of any young person's individual needs.	Equality implications will be continuously reviewed through the re-commissioning and procurement process.  Service Specifications will include requirement for Providers to be able to understand and respond appropriately to those with protected characteristics.	Torbay Council (Children's Services/ Housing) and any new commissioned Providers.
Veterans	In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. In Torbay, 5.9 per cent of the population have previously serviced in the UK armed forces.	The service is eligible for those 16 – 25 years old therefore there will not a specific impact based on this characteristic.	n/a	n/a
<b>Additional considerations</b>				

<p>Socio-economic impacts (Including impacts on child poverty and deprivation)</p>		<p>Youth Homelessness and sustainable accommodation options for cared for and care experienced young people is a council priority.</p> <p>The provision of 16 plus supported accommodation is provided as a stepping stone to independent living for young people require additional support in making this step. The support provided prevents risks of homelessness and possible breakdown of tenancies if this option was not available.</p>		
<p>Public Health impacts (Including impacts on the general health of the population of Torbay)</p>		<p>The service delivered via the 'support' aspect of the accommodation provision will include outcomes associated with improvement in the physical, mental and emotional wellbeing of young people accessing support.</p>		
<p>Human Rights impacts</p>		<p>Any provider delivering the service will be expected to take a rights-based approach with promotion of legislation such as (but not limited to):</p> <p>UN Convention on Rights of a Child and Equality Act 2021 The Human Rights Act 1998</p> <p>This includes the right to life, to be free from torture, the right to health, right to privacy, education, and prohibition of discrimination.</p>		

Child Friendly	Torbay Council is a Child Friendly Council and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people.	The service will be developed alongside a Child Friendly Torbay framework.		
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## 10. Cumulative Council Impact

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10.1 None.

## 11. Cumulative Community Impacts

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11.1 None.