

Adoption Support Fund Procurement Framework

To: Children and Young People Committee

Meeting Date: 12 March 2024

From: Executive Director: Children, Education & Families

Electoral division(s): All

Key decision: Yes

Forward Plan ref: KD2024/055

Executive Summary: The Committee is being asked to consider the proposal to implement a Pseudo Dynamic Purchasing System (PDPS) for providing therapeutic support to adoptive and special guardianship families. It is anticipated that the Pseudo Dynamic Purchasing System (PDPS) will broaden the range of providers available for families to access support and this will reduce waiting times for families accessing the support. The therapeutic support is funded by the Department for Education (DfE).

Recommendation: The Committee is recommended to:

- a) Approve the proposal for the implementation of the Pseudo Dynamic Purchasing System (PDPS).
- b) Delegate 'Authority to Award' to the Service Director for Fostering, Adoption & Corporate Parenting with the responsibility for the Regional Adoption Agency in consultation with the Chair and Vice Chair of the Children and Young People Committee, when deciding which providers meet the criteria to join the Pseudo Dynamic Purchasing System (PDPS).
- c) Delegate authority to the Service Director for Fostering, Adoption & Corporate Parenting with the responsibility for the Regional Adoption Agency in consultation with the Chair and Vice Chair of the Children and Young People Committee, to approve that call offs can be made from the Pseudo Dynamic Purchasing System when an opportunity arises at short notice.
- d) Delegate authority to the Service Director for Fostering, Adoption & Corporate Parenting with the responsibility for the Regional Adoption Agency, in consultation with the Chair and Vice Chair of the Children and Young People Committee, to award contracts when a call off from the PDPS has been made and the most suitable provider has been identified.

Voting arrangements: Co-opted members of the Committee are eligible to vote on this report.

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1. Creating a greener, fairer and more caring Cambridgeshire

1.1 Ambition 1- Achieving Net Zero emissions by 2045

The specification makes reference providers offering their services via a virtual platform where appropriate. We will be able to increase the number of providers available for families to access therapy. These will reduce the need for therapists and families to travel.

1.2 Ambition 2 – Travel across the county is safer and more sustainable environmentally.

As above, the specification makes reference providers offering their services via a virtual platform where appropriate. We will be able to increase the number of providers available for families to access therapy. These will reduce the need for therapists and families to travel.

1.3 Ambition 3 - Health Inequalities are reduced

This report will improve the mental health of children, young people and their parents that will reduce the inequalities that adoptive and special guardianship families face.

1.4 Ambition 4- People Enjoy healthy, safe and independent lives through support that is most suited to their needs

This report will improve the mental health of children and young people that will give them the skills and ability to live an independent healthy lives now and in the future.

1.5 Ambition 6 - Places and communities prosper because they are resilient and inclusive economy, access to good quality public services and social justice is prioritised.

The report will increase the number of local therapeutic providers available for families to access therapeutic support.

1.6 Ambition 7 -Children and young people have the opportunities to thrive

This report will drive up the quality of the therapeutic services provided to families and improve outcomes for children. This corporate priority is explicit throughout this report as it supports our children and young people in care to achieve the best possible outcomes and ensure that our care leavers are able to access the support they need.

2. Background

2.1. The Adoption & Children Act 2002 in conjunction with the Adoption Support Regulations 2005 and the Special Guardianship Regulation 2005 places responsibility on local authorities to offer a range of support services for adoptive and special guardianship families. Such support services include services in relation to the therapeutic needs of a relevant child (ASR 2005 & SGR 2005 section 3.1(d)).

2.2 The Adoption Support Fund (ASF) provides funding to local authorities (LAs) and Regional Adoption Agencies (RAAs) to pay for designated therapeutic services for eligible adoptive and Special Guardianship Order (SGO) families.

2.3 On 1 May 2015 the Adoption Support Fund (ASF) became available to adopters throughout England. The fund was established because many families need some kind of therapeutic

support following adoption and too many have struggled to get the help they need in the past. The government has increased funding for the ASF year-on-year.

- 2.4 Since April 2016, Special Guardians could also apply for the Adoption Support Fund (ASF) if they satisfy the eligibility criteria. Your child will need to have been considered 'Looked After' prior to their placement with you in order to satisfy the ASF criteria.
- 2.5 In October 2016, the Department for Education (DfE) announced that demand for the ASF was over twice the level forecast and despite increasing funding, it had been forced to take action to limit access to the fund. A 'fair access limit' of £5,000 per child was introduced as well as a match-funding approach whereby local authorities share the cost of support over the fair access limit. Access to match-funding is based on high risk of adoption breakdown among other factors. The £5000 fair access limit remains in place today.
- 2.6 For 2017/18 a separate fund of £2,500 was put in place through the ASF when children required a specialist assessment before treatment can begin. This better identifies what the therapeutic need is. This also remains in place and is in addition to the existing £5,000 fair access limit per child for support.
- 2.7 The Department for Education has invested over £200 million in the fund since its introduction in 2015, delivering support to more than 50,000 families.
- 2.8 In December 2019, the Department for Education announced an additional £5 million of funding for the financial year 2020/21, taking the overall budget to £45 million.
- 2.9 The Adoption Support Fund remains in a place with a current ending date of the 31st March 2025.
- 2.10 As the Adoption Service for Cambridgeshire & Peterborough Adoption, we would like to have an extensive list of providers who are able to provide therapeutic support for Adoptive and Special Guardianship Families within the scope of the Adoption Support Fund. [Adoption support fund \(ASF\) \(Adoption Support Fund guidance\)](#)
- 2.11 A Pseudo Dynamic Purchasing System (PDPS) is a tender process that is cross between a normal framework and a Dynamic Purchasing System (DPS), to create a framework that can be reopened to allow new providers to join throughout the life of the arrangement but is not continuously open. The PDPS will be for 2 years with the potential to have 2 lots of 1year extensions.

3. Main Issues

- 3.1 The Adoption Support Fund remains in a place with a current ending date of the 31st March 2025 however is likely to be extended.
- 3.2 As the Adoption Service for Cambridgeshire & Peterborough Adoption, we would like to have an extensive list of providers who are able to provide therapeutic support for Adoptive and Special Guardianship Families within the scope of the Adoption Support Fund. [Adoption support fund \(ASF\) \(Adoption Support Fund guidance.\)](#)
- 3.3 It is intended that the PDPS will be used to identify providers to provide therapeutic support for adoptive and special guardian families within the Adoption Support Fund. This will enable a range of providers to be called on for support as the need arises. Additionally, a call off can be carried out if a new provider is required urgently to prevent a gap in the delivery of

therapeutic support to adoptive and special guardian families. (a full explanation of how the PDPS operates can be found in **Appendix 1**).

3.4 **Approval of Providers**

The Approval to Award document will provides details of the:

- Reason for the tender
- The process that was followed
- The Evaluation criteria

It will also include the details of the applications received and those which are recommended for approval.

Approval of the 'Authority to Award' is required to be able to accept providers onto the PDPS. The 'Authority to Award' document is completed following the evaluation of the applications and as it is a commercially sensitive document, it is not presented fully completed for consideration by CYP Committee. It is, however, requested that authority to approve is delegated to the Service Director for Fostering, Regional Adoption & Specialist Young People's Services.

3.5 **Value of the Contract**

There are currently providers that the local authority can call in to provide therapeutic support for families that would fit within the criteria of this framework. The value of the therapeutic support to adoptive and special guardianship families through the Adoption Support Fund for 2022 – 2023 was £700,000 and it is projected that the value of the support that for 2023-2024 will be in in the region of £800,000 although some of this support will be provided to families in 2024-2025.

There is no cost to the Local Authorities to provide the therapeutic support as all contracts will be funded via the DfE under the Adoption Support Fund. The Adoption Support Fund remains in placement un 31st March 2025.

It is anticipated that the value of the contract from 1st April 2024 to 31st March 2025 will be between £600,000 and £800,000 each year.

3.6 **Forward Planning**

Approximately 100 providers have been identified as providers of therapeutic support as defined under the Adoption Support Fund that have been able to secure funding from the Adoption Support Fund and we anticipate that we will be able register on the framework. We anticipate that there will be additional providers as new therapies and providers are regularly identified for families.

It is recognised that this process is challenging for many providers who have not been required to present applications in this way previously.

In recognition of this, officers will ensure that there will be regular communication with the providers about the process, including virtual events where officers have shared information on the application process and invited questions from providers. A forward plan would also allow notice for current providers in the County to ensure that they had sufficient time to join the PDPS.

4. Alternative Options Considered

4.1 Set out below are the considerations of the alternative options that have been considered in formulating the recommendations contained in the report against the following:

- (a) do nothing: The local authority will not be compliant with procurement rules. We would continue to issue individual contracts for each provider and we will continue to use the providers we are aware of rather than broaden the range of providers.
- (b) go out to tender: We need to secure a wide range of providers to offer the range of therapies necessary rather than a small number of tenders.
- (c) Pseudo Dynamic Purchasing System (PDPS): Having worked closely with Procurement to explore the options available, the Pseudo Dynamic Purchasing System (PDPS) have been highlighted as the most suitable approach to take forward.

5. Conclusion and reasons for recommendations

5.1 It is concluded that it is necessary to create a Pseudo Dynamic Purchasing System (PDPS) to support the Council to meet its statutory duty to ensure therapeutic provision can be offered to adoptive and special guardianship families as part of the Adoption Support Fund.

5.2 This will ensure that we are compliant with the Procurement and Contract

5.3 This will ensure that we have a broad range of providers available for families to access therapeutic support as needed and will minimise delays in families being able to access support.

6. Significant Implications

6.1 Resource Implications

There are no significant implications within this category.

6.2 Procurement/Contractual/Council Contract Procedure Rules Implications

The Council's Procurement Service has advised at every stage in the development of the PDPS.

The process to seek a new provider, set out in **Appendix 1**, would be undertaken in line with the Council's procurement procedures.

6.3 Statutory, Legal and Risk Implications

The report above sets out the implications for this priority in Section 1

6.4 Equality and Diversity Implications

Sufficient good quality therapeutic support provision is essential in securing better outcomes for all adoptive and special guardianship families.

6.5 Engagement and Communications Implications

Support will be provided to the providers and parents remain fully informed throughout the process and are aware of the changes.

- 6.6 Localism and Local Member Involvement
It is anticipated that this will enable local therapeutic providers to access the PDPS and the local members will be made of the proposal.
- 6.7 Public Health Implications
The following bullet points set out details of significant implications identified by officers:
Therapeutic provision will contribute towards the goals of the Integrated Health & Wellbeing strategy by increase the number of years people spend in good health and to achieve better outcomes for our children
It will also support the priorities of the Integrated Health & Wellbeing strategy support promote early intervention and prevention to access therapeutic support that will improve mental health and wellbeing.

6.8 Environment and Climate Change Implications on Priority:

- Implication 1: Energy efficient, low carbon buildings.
Status: Neutral
Explanation: There is limited opportunity to make a significant difference
- Implication 2: Low carbon transport.
Status: Neutral
Explanation: There is limited opportunity to make a significant difference
- Implication 3: Green spaces, peatland, afforestation, habitats and land management.
Status: Neutral
Explanation: There is not impact relating to this tender
- Implication 4: Waste Management and Tackling Plastic Pollution.
Status: Neutral
Explanation: The is limited opportunity to make a significant difference
- Implication 5: Water use, availability and management:
Status: Neutral
Explanation: The is limited opportunity to make a significant difference
- Implication 6: Air Pollution.
Status: Neutral
Explanation: The is limited opportunity to make a significant difference
- Implication 7: Resilience of our services and infrastructure and supporting vulnerable people to cope with climate change.
Status: Neutral
Explanation: The is limited opportunity to make a significant difference

7. Source Documents

- 7.1 [Adoption support fund \(ASF\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

Explanation of how the Pseudo Dynamic Purchasing System (PDPS) is likely to operate

1) The PDPS

- a) The PDPS aims to identify a number of therapeutic providers with the relevant knowledge and experience to deliver therapeutic support to adoptive and special guardian families within the Adoption Support Framework.
- b) When the PDPS opens for applications on ProContract, a link provided on the Council's own webpage. Applicants are provided with the terms and conditions of the PDPS and an overview of the process of making a call on the PDPS.
- c) The application stage also includes a specification document which sets out the Council's requirements for any individual or business interested in joining the PDPS. This includes requirements such as, but not limited to, childcare providers being expected to have experience of providing childcare and to have received a 'Good' or 'Outstanding' rating as a result of Ofsted inspections at existing settings.
- d) Applicants are required to complete a selection questionnaire in order to be considered for the PDPS. This includes questions on the applicant company to ensure it meets the requirements of the Council. For example, ensuring any company applying is registered and has the correct insurances in place.
- e) Once the application window has closed, the questionnaires are evaluated and vetted. This is the Council's opportunity to check that the applicant meets the standards set out in the specification and that the companies meet the requirements of the Council.
- f) Applicants who meet the criteria set out in the specification and who have passed the vetting would be invited to join the PDPS. The PDPS will open for new applications annually.
- g) Once successful, providers accepted onto the PDPS will be monitored to ensure they continue to meet the standards set out in the specification. For example, if a provider's Ofsted rating changes to a level would fail the evaluation, we would not call upon them when making a call on the PDPS, until their Ofsted rating is considered acceptable, or until we are satisfied that appropriate measures are in place that address any concerns.

2) Call on the PDPS

- a) The council regularly provides therapeutic support to adoptive and special guardian families as part of the Adoption Support Fund.
- b) The PDPC will allow a wide range of providers to be called on to provide the therapeutic support. To prevent an individual call on the PDPS for each family, there is an intention to create a list of suitable providers that the council can then approach to provide the individual therapeutic support.
- c) There may be occasions where we do not have suitable provider already on the PDPS in which case a call on the PDPS would be made to identify a suitable provider, thus saving time on tendering and also reducing the gap in the therapeutic provision for children and families.
- d) The contract for each provider will be the term that the PDPS had left to run.