

## Children's Independent Advocacy Services for Cambridgeshire and Peterborough

To: Children and Young People Committee

Meeting Date: 16 January 2023

From: Executive Director: Children, Education and Families

Electoral division(s): All

Key decision: Yes

Forward Plan ref: KD2024/013

**Executive Summary:** The Children's Independent Advocacy service ensures children and young people have a strong voice that is at the heart of assessment, care planning, safeguarding and review processes in social care, community care and mental health services. Following a joint procurement for All Age Independent Advocacy services across Cambridgeshire and Peterborough, a provider that can deliver our statutory requirements, meet needs and empowers children and young people to express their views and wishes has been identified.

**Recommendation:** To progress to notifications of award stage and approve awarding the Children's Independent Advocacy Service contract covering Cambridgeshire and Peterborough, on a three-year initial contract, extendable for up to a further 12 months from 5<sup>th</sup> February 2024. The Cambridgeshire and Peterborough Children's Independent Advocacy Lot will have a total contract value of £614,864 over 4 years. Peterborough City Council will contribute £35,368 annually towards this or £141,472 over 4 years.

**Voting arrangements:** Co-opted members of the Committee are not eligible to vote on this report.

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## 1. Creating a greener, fairer and more caring Cambridgeshire

- 1.1 The proposals in this report align to Ambition 7 in the Strategic Framework 2023-28: Children and young people have opportunities to thrive. Providing children and young people with an advocate who will act on their behalf to enable them to have a say in decision that affect their lives.

## 2. Background

- 2.1 Cambridgeshire County Council and Peterborough City Council have an 'All-Age' Independent Advocacy service which started in October 2016, to meet the statutory requirements for Cambridgeshire County Council.
- 2.2 The three main Acts that place a duty on local authorities to provide 'independent' advocacy services for children and young people are:
- i) **The Children Act 1989**, which requires local authorities to make arrangements for the provision of advocacy services for children making or intending to make a complaint under section 26, and for care leavers making or intending to make a representation under section 24D.
  - ii) **The Adoption and Children Act 2002**, which requires local authorities to assist looked after children who want to make a complaint.
  - iii) **The Care Act 2014** requires local authorities to provide independent advocacy to adults, children and young carers who have substantial difficulty in being involved in care and support processes and who have no appropriate individual to support them.
- 2.2.1 These Acts aim to promote the rights and interests of children and young people who are in need of care and support, and to ensure that their views and wishes are heard and taken into account.
- 2.3 VoiceAbility, a registered charity, currently provide Cambridgeshire County Council (CCC) with an 'All-Age' Independent Advocacy service. The contract with VoiceAbility expires on 4<sup>th</sup> February 2024. VoiceAbility's All-Age service includes independent advocacy support for children and young people. This service is subcontracted to the National Youth Advocacy Service (NYAS).

### **Current Service Delivery**

- 2.4 Since the contract started in 2016, the service delivered by NYAS have been varied several times to meet Cambridgeshire's changing needs and priorities. For example, Local Authorities have a statutory duty to offer young people reported as missing a return interview within 72 hours of the being returned 'home' or to a place of safety. At the start of this contract Return Interviews were carried out by NYAS. They are now completed internally by the 'Missed, Exploited and Trafficked (MET) Hub who are part of the Integrated Front Door,

Multi Agency Safeguarding Hub and work closely the Police MET Hub. The Met Hub's co location to these services means they can respond at the earliest opportunity to information regarding a missing child.

2.4.1 There have been a number of changes to the children and young people's advocacy service over the last 7 years. Table 1 summarises these changes comparing what was delivered in 2016 to services currently being provided today.

Table 1 Service	Services Commissioned in 2016	Currently being delivered
Children's Advocacy <b>Statutory Service</b> (Care Act)	<p>Provision of <i>Issue Based Advocacy</i>. For example:</p> <p>In <b>CCC</b> the most requested issues for advocacy in Jan 23: Child protection (60%), issues in placement, (22%), complaints (6%) and Child looked after reviews (6%).</p> <p>In <b>PCC</b> the most requested issues: Legal orders (73%) and complaints (27%).</p> <p>Issued based advocacy is for: is for:</p> <ul style="list-style-type: none"> <li>• 260 CYP per year for CCC per year.</li> <li>• 100 CYPs per year for PCC</li> </ul>	<p>For <b>CCC</b> the total number of children and young people (CYP) being supported has not changed i.e. 260 CYP per year. But CCC now include Statutory Independent Mental Health Advocacy (IMHA) and non-statutory advocacy support at Initial Child Protection Conferences for Young People aged 11+.</p> <p>For <b>PCC</b>, the number of CYP supported by advocacy is 100.</p>
Children's Homes Visitors <b>Statutory Service</b>	<p><b>CCC</b> Conduct monthly visits to 5 CCC Children's Homes and submit a report for each visit to Children's Social Care.</p> <p><b>PCC</b> Conduct monthly visits to 3 PCC children's homes.</p>	<p><b>CCC</b> Advocacy services have been delivered both when the homes were delivered by an external provider and once insourced to the Council in 2020.</p> <p><b>PCC</b> – no change</p>
Return Interviews <b>Statutory Service</b>	<p><b>CCC and PCC</b> NYAS completes all Return Home and Return to Care Interviews. This was estimated at 80 per year in the Specification</p>	<p>All <b>CCC and PCC</b> Return Interviews go to the internal MET Hub. This has been a gradual transition agreed with NYAS.</p>
Age Assessments <b>Statutory Service</b>	<p><b>CCC's</b> 'appropriate adults' supporting Unaccompanied Asylum-Seeking Children through Age Assessments were provided free via a National Home Office Contract. This contract ended in March 2022.</p>	<p><b>CCC</b> - 20 age assessments per year by NYAS.</p> <p><b>PCC</b> - No change ie 20 age assessment per year.</p>

	<b>PCC - 20 Age Assessments per year for PCC</b>	
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2.5 The children’s independent advocacy services are performing well and are considered to be of a high standard. Social Care colleagues are particularly satisfied with the provision of children’s home visits.

### 3. Main Issues

#### The Provider Market

3.1 Children’s advocacy is a specialised service due to the multiple statutory requirements providers have to meet. As a result, the provider market is concentrated and mature to two national providers (NYAS and VoiceAbility) and small local organisations. The specialist nature of children’s advocacy, the low value of advocacy contracts and high startup costs has over the years deterred new entrants into the market. Our soft market testing and conversations with other local authorities confirmed these findings. It also revealed that providers are now price sensitive often not bidding for low value tenders; however, our joint approach across Cambridgeshire and Peterborough was viewed favourably by providers as it allows them to make economies of scale through efficiently structuring their staffing and resources. As a result of understanding, talking and responding to the market, four providers submitted viable bids to deliver children’s independent advocacy services across Cambridgeshire and Peterborough.

#### A Joint Procurement Led by Cambridgeshire County Council

3.2 Given all the changes that have taken place to the children’s advocacy services over the last seven years, Children’s Commissioners have had to directly manage the children’s service and the subcontractor, NYAS. This was an important consideration when appraising the option of whether the new contract should remain as it is currently, a single adult and children’s ‘block contract, or a separate adult and children’s contracts. The People and Communities Joint Commissioning Board (JCB) agreed in January 2023 that advocacy services should be secured via a single competitive procurement process with the three following lots or contracts:

Lot 1: Advocacy for Cambridgeshire

Lot 2: Adult Advocacy for Peterborough

Lot 3: Children’s Advocacy for Cambridgeshire and Peterborough

3.2.1 As these children and young people using advocacy services require an advocate to express their views, commissioners worked with practitioners to hear children’s opinions to help shape the service specification. Commissioners consulted the chairpersons of child protection conferences and social care colleagues.

3.2.2 The children’s advocacy specification sets out the number of young people to receive advocacy service annually by service type and to each authority (table 2). Services delivered over and above these numbers would fall to the responsible Local authority to negotiate with the provider.

<i>Table 2</i> <b>Advocacy Service</b>	Cambridgeshire	Peterborough
Advocacy for Children in Care	150 per year	120 per year
Advocacy for children and young people wishing to make a complaint	25 per year	15 per year
Advocacy for Initial Child Protection Conference	100 per year	n/a
Advocacy support for children and young people in SEND Mediation and Dispute Resolution	10 per year	10 per year
Independent Mental Health Advocacy	10 per year	10 per year
Children’s Home Visits	Monthly visits to 5 children’s homes.	Monthly visits to 3 children’s homes.

3.3 The duration and total available funding for advocacy services was agreed by the JCB. The contract will be for an initial 3-year period, from 5<sup>th</sup> February 2024 to 4<sup>th</sup> February 2027, with the option to extend for a further 12 months to 2028. The total proposed contract value for the Cambridgeshire and Peterborough Children’s Independent Advocacy Lot over 4 years is £614,864. This is therefore a key decision. The table below shows the amounts per annum from each authority.

<b>Local Authority</b>	<b>Amount Per Annum</b>
Cambridgeshire County Council	£118,348
Peterborough City Council	£35,368

### **Contract Award**

3.4 The tender for the All-Age Independent Advocacy Service led by CCC Adult Commissioners was advertised on 20 June 2023. Bidders were given 3 months to complete their bids. The tender closed on 8 September 2023. The procurement comprised of the following:

A Selection Questionnaire including:

- Financial Standing
- UK General Data Protection Regulation (UKGDPR)
- Modern Slavery
- Insurances
- Safeguarding
- Commitment to supporting the Council achieve Net Zero by 2045

3.5.1 All bidder's that met the selection criteria within the Selection Questionnaire proceeded to the tender evaluation stage, which incorporated:

**A Quality Element (60%)** – a weighting was given to each question and the questions (method statements) that were asked within the quality element related to areas including service and service user outcomes, demand management, service structure and delivery, publicity strategies.

**A Social Value Element (10%)** – bidders were required to submit their Social Value commitment into the Social Value Portal. This was then scored with a weighting assigned to both the quantitative and qualitative nature of the commitment.

**Price (30%)** - bidders were required to complete and submit a Price Schedule. The bidder with the lowest overall compliant price was awarded the full score of 30%. All other price submissions were scored in accordance with formula set out within the invitation to tender.

3.6 Five bids were received for the Cambridgeshire and Peterborough Children's Independent Advocacy Service but only four bids passed the pre-selection questionnaire stage. The bid that failed the selection stage was eliminated due to their lack of experience delivering Advocacy services.

3.7 The 4 remaining bids were then subject to evaluation by the evaluators from 9 September 2023 to 6 October 2023 and a moderation of these evaluations took place on 10 October 2023. Following moderation, bidders were ranked according to total score and the bidder with the highest overall score and ranked in first place. This was decided upon from a 60%/10%/30% split. 60% quality, 10% Social Value and 30% price:

The approval to award for Lot 1 went to Cambridgeshire County Council's Adults and Health Committee while Peterborough City Council's Cabinet have approved Lot 2. Children and Young People's Committee is asked to approve progressing to notification of award stage and approve awarding the contract for Children's Independent Advocacy services.

## 4. Alternative Options Considered

4.1 An options appraisal examined 3 alternative options:

(a) To do nothing. This was not a viable option as the local authority has multiple statutory duties related to children and young people's Advocacy service.

(b) Bring Advocacy services in house. This was not a viable option as the Care Act (2014) states that Advocacy services must be independent of the Local Authority.

(c) Go out to tender was considered the best option. This option generated interest from the small provider market and was supported by the Child Protection Conference Chairpersons.

## 5. Conclusion and reasons for recommendations

5.1 Children and young people's advocacy is a statutory service covered by a number of legislative acts. The commissioning and procurement processes has been crucial in determining the best provider to deliver children and young people's advocacy services

across Cambridgeshire and Peterborough. Multistage processes have ensured Cambridgeshire's advocacy service meets needs, empowers children and young people to express their views and wishes, assists in moving towards resolution with greater self-determination and delivers our statutory duties.

## 6. Significant Implications

### 6.1 Finance Implications

There are no significant implications.

### 6.2 Legal Implications

There are no significant implications.

### 6.3 Risk Implications

There are no significant implications.

### 6.4 Equality and Diversity Implications

There are no significant implications.

### 6.5 Climate Change and Environment Implications (Key decisions only)

There are no significant implications.