

# BRIDGEND COUNTY BOROUGH COUNCIL

## REPORT TO CABINET

17 JANUARY 2023

### REPORT OF THE CORPORATE DIRECTOR SOCIAL SERVICES AND WELLBEING

#### UNACCOMPANIED ASYLUM-SEEKING CHILDREN

#### 1. Purpose of report

1.1 The purpose of this report is to:

- Provide an update to Cabinet on the mandated National Transfer Scheme for Unaccompanied Asylum Seeking Children and Young people (UASC).
- Delegate authority to the Corporate Director of Social Services and Wellbeing to modify a current contract, in accordance with rule 3.3.3 of the Council's Contract Procedure Rules.
- Delegate authority to the Corporate Director Social Services and Wellbeing in consultation with the Chief Officer – Finance, Performance and Change and Section 151 Officer, and Chief Officer – Legal & Regulatory Services, HR and Corporate Policy to agree the terms of the regional agreement (SLA) and any ancillary agreements, as required

#### 2. Connection to corporate well-being objectives/other corporate priorities

2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:

- **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.
- **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.
- **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

#### 3. Background

3.1 In November 2021, Welsh Government took steps to mandate the National Transfer Scheme (NTS), to ensure all children and young people are transferred promptly to local authorities to be cared for, and there is a fairer, more equitable distribution of unaccompanied children across Local Authorities.

- 3.2 As part of the mandate scheme, the Home Office undertook a modelling exercise to determine each Region/Local Authorities maximum allocation, taking into account wider pressures relating to looked after children and the supported asylum population.
- 3.3 The Home Office advised the Cwm Taff Morgannwg region that its maximum allocation is 91 unaccompanied children, which equates to 29 children for Bridgend.
- 3.4 The Home Office operates a rota, which stipulates each Local Authorities 'turn' to accept children. Two children are required to be placed in Bridgend County Borough Council (BCBC) care between January - March 2023, although the duration of the mandatory period is unknown.
- 3.5 To date, BCBC have successfully placed 6 children, utilising our supported accommodation and independent foster agencies (IFA's). However, placements in these environments are limited and capacity is outweighed by demand.

#### **4. Current situation/proposal**

- 4.1 At present, BCBC does not have sufficient capacity within existing Supported Accommodation contracts to accommodate young people coming through the NTS. Placement sufficiency across fostering and residential care is also limited, and even further challenged when placing this unique cohort of young people.
- 4.2 Due to the nature of the NTS, there is a level of uncertainty over the age and care and support needs of this cohort of children, therefore we will need to parallel plan and continue to source foster and potentially residential placements which may be costly if specialist placements are needed.
- 4.3 A Registered Social Landlord (Hafod) recently approached BCBC with the offer of a 3 bedroom property. The location is central to town/Bridgend College and ideal for young people. Dewis Ltd (existing contracted Supported Accommodation support provider) is experienced and well placed to deliver support to unaccompanied children, and has the ability to mobilise an additional service within required timescales.
- 4.4 The service needs a static staff team based in the home at pertinent times during the day/evening to support young people in line with their support needs. The current Supported Accommodation contract in place with Dewis only allows a 10% modification, which doesn't cover these requirements for UASC – where a contract modification of 36% is required to help BCBC meet the UASC requirements identified in section 3 of this report.
- 4.5 Rule 3.3.3 of the Council's Contract Procedure Rules provides that procured contracts may be modified without the requirement for a new procurement procedure where all of the following conditions are fulfilled:
- The need for modification has been brought about by circumstances which the Council having been duly diligent could not have foreseen;
  - the modification does not alter the overall nature of the contract;
  - any increase in price does not exceed 50% of the value of the original contract.

- 4.6 As set out above the need for the modification has been brought about by the introduction of the NTS mandate following the procurement of the Supported Accommodation contract with Dewis which set new service requirements which could not have reasonably been foreseen when the contract was originally procured. The proposed modification does not alter the overall nature of the contract. It would entail the provision of additional services of a similar nature provided on the same terms as originally procured. The proposed modification is limited to a 36% increase in the initial contract value and so would not increase the value of the contract in excess of 50% of the original contract value.
- 4.7 In accordance with CPR 3.5 if Cabinet approve the modification, this will be referred to the Corporate Procurement Team who will publish notice of the modification in accordance with Regulation 51 of the Public Contracts Regulations 2015.
- 4.8 In respect of the wider requirements (i.e. to address the total amount of 91), the region has committed to developing services to support the accommodation and care of this vulnerable cohort of children and young people. BCBC officers have worked with regional partners to develop a regional Supported Accommodation service via the 4c's (national children's fostering and residential services) Framework block contract arrangements, and a provider has been secured (Avisant) through this arrangement. Rhondda Cynon Taf CBC will act as Lead Authority which permits BCBC to use one bed under this arrangement.
- 4.9 A Service Level Agreement between the region will be established to set out how the regional partners shall work together and offer support to the service provider to deliver the service fully. The terms of this agreement will be developed and agreed in consultation and agreement with the Chief Officer of Legal & Regulatory Services, HR and Corporate Policy and Section 151 Officer.

## **5. Effect upon policy framework and procedure rules**

- 5.1 There is no effect on the Council's policy framework and procedure rules

## **6. Equality Act 2010 implications**

- 6.1 An initial EIA screening has identified that there would be no negative impact on those with one or more of the protected characteristics, on socio-economic disadvantage or the use of the Welsh language. It is therefore not necessary to carry out a full EIA on this policy or proposal.

## **7. Well-being of Future Generations (Wales) Act 2015 implications**

- 7.1 A summary of the Well-being of Future Generations (Wales) Act 2015 assessment is listed below:

<b>Long-term</b>	Young people are enabled to take control and responsibility to live independently without intervention from the local authority. Children are supported by their carers to reach their full potential.
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<b>Prevention</b>	The focus of the service is to prevent unaccompanied children becoming homeless and to successfully transition into adulthood and live independently.
<b>Integration</b>	The service is a multi-agency partnership where integration is key to good service delivery arrangements.
<b>Collaboration</b>	Collaboration is a key approach by placing young people at the centre of their support. Working with the network around the child working towards positive wellbeing outcomes.
<b>Involvement</b>	Participation and engagement arrangements will be strengthened as part of this working arrangement.

## **8. Financial implications**

8.1 The Home Office provides funding as set out below:

- a lump sum payment of £15k per child if children are placed by 28 February 2023
- a standard on-going weekly payment of £1,001 per child (under the age of 18)

8.2 If 3 young people under the age of 18 are placed via the NTS for the 10-month (43 week) period specified from 1 February 2023 to 30 November 2023, BCBC will receive a total payment of £174k, as broken down below:

- lump sum payment of £45k (3 children x £15k)
- total standard payment of £129k (3 children x £1,001 per child x 43wks)

8.3 The quoted contact value provided by the existing Supported Accommodation provider (Dewis Ltd) to support the 3 children for the 10-month period equates to £97k (support costs only). This will be fully funded by the Home Office payment.

8.4 The existing Supported Accommodation contract with Dewis Ltd is due to end 1 December 2023, and the total contract value of the existing contract is £592k. The modification of 36% being sought equates to a total of £213k, providing contractual scope for the £97k costs detailed above, as well as providing extra scope to support an additional 3 to 4 children (of the total 29 allocated to BCBC), should the need arise between now and the service being recommissioned.

8.5 The UASC service will be recommissioned during 2023 (for contracts to commence 1 December 2023) via a competitive procurement process, which will be carried out in accordance with the Council's Contract Procurement Rules.

8.6 In addition to the support costs and commissioned support arrangements, it is also proposed that the set-up costs, housing management costs and rent (which are yet to be confirmed) are also funded by the Home Office funding.

## **9. Recommendations**

9.1 It is recommended that Cabinet:

- Delegate authority to the Corporate Director - Social Services and Wellbeing to modify the existing Supported Accommodation contract with Dewis in order to provide additional services up to the value of £213k in accordance with rule 3.3.3 of the Council's Contract Procedure Rules
- Delegate authority to the Corporate Director - Social Services and Wellbeing in consultation with the Chief Officer, Finance, Performance and Change and Section 151 Officer, and Chief Officer - Legal, HR and Regulatory Services to agree the terms of and enter into a regional supported accommodation service agreement (SLA) and any ancillary agreements, as required

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**February 2022**

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**Background documents:** None