

Meeting of:	CABINET
Date of Meeting:	14 JANUARY 2025
Report Title:	REGIONAL ADVOCACY AND INDEPENDENT VISITING SERVICE FOR CHILDREN AND YOUNG PEOPLE
Report Owner / Corporate Director:	CORPORATE DIRECTOR SOCIAL SERVICES AND WELLBEING
Responsible Officer:	Jade Jones – Commissioning and Sufficiency Officer
Policy Framework and Procedure Rules:	There is no effect upon the policy framework or procedure rules
Executive Summary:	<p>The Council holds a statutory duty under the Social Services and Well-being (Wales) Act 2014, to provide an Independent Professional Advocacy (IPA) and Independent Visiting (IV) service for eligible children and young people, notably care experienced children, children in receipt of care and support and those on the child protection register. Welsh Government have also introduced a national approach to advocacy where they have mandated a regional service model. Children and young people receive a service to support and empower them to express their views, wishes and feelings. Advocacy support enables them to participate and have their views represented in decisions which affect and impact upon their lives.</p> <p>This report is being presented for Cabinet to:</p> <ul style="list-style-type: none"> • Approve the procurement of a contract for the IPA and IV services by another public body on behalf of the Council as a waiver under the Council’s Contract Procedure Rules; • Approve the Council entering into a regional collaboration agreement to work collaboratively to ensure effective delivery of the service and appropriate governance; • Delegate authority to the Head of Children and Family Services to represent and make decisions for the Council as part of the Regional Project Board.

1. Purpose of Report

1.1 The purpose of this report is to seek approval:

- for a waiver under Contract Procedure Rule 3.2.12 for Rhondda Cynon Taff County Borough Council (RCTCBC) to procure the Children's Advocacy and Independent Visiting Service, including entering into a contract on behalf of the Council and note that approval to award any regional contract will be agreed by the parties via the regional collaboration agreement following the conclusion of the procurement and evaluation process;
- for BCBC to enter into a regional collaboration agreement with RCTCBC and Merthyr Tydfil County Borough Council (MTCBC) for the provision of an Advocacy and Independent Visiting Service for Children and Young People;
- to delegate authority to the Corporate Director Social Services and Wellbeing, in consultation with the Chief Officer - Finance, Housing and Change and Section 151 Officer, and Chief Officer - Legal and Regulatory Services, HR and Corporate Policy, to agree the terms of the regional collaboration agreement and any ancillary agreements and to arrange execution of those agreements on behalf of the Council;
- to delegate authority to the Head of Children and Family Services to represent and make decisions for Bridgend County Borough Council (BCBC) as part of the Regional Project Board.

2. Background

2.1 Local Authorities in Wales have a statutory duty, under Part 10 of the Social Services and Well-being (Wales) Act 2014, to provide an Independent Professional Advocacy (IPA) and Independent Visiting (IV) service for eligible children and young people, notably care experienced children, children in receipt of care and support and those in the child protection arena.

2.2 Welsh Government introduced a mandated National Approach to Statutory Advocacy (NASA) in 2017 which requires Local Authorities to work together to commission a regional service. The overall aim was to provide a consistent and standardised approach to the delivery of advocacy services and ensure that all children and young people, whose care planning is underpinned by statutory guidance and regulation, have access to this service.

2.3 In 2019, a procurement exercise - led by RCTCBC and supported by BCBC and MTCBC - appointed a specialist advocacy provider, awarding a two year contract, with an optional extension period.

2.4 All three local authorities entered into a collaboration agreement to work together and offer support to the service provider to deliver the service fully.

3. Current situation/ proposal

3.1 The existing advocacy contract is due to expire on 30th June 2025 with no option to extend further. The collaboration agreement will also cease when the contract expires.

- 3.2 The impact of the contract ceasing is that BCBC will not be carrying out its statutory duty in relation to the provision of an IPA and IV service. Children and young people will feel less empowered and have less opportunity to express their wishes and feelings and be part of discussions that influences change in their lives.
- 3.3 In addition, the NASA is a mandated regional service model by WG, so BCBC must adhere to this and re-commission the service on a regional basis.
- 3.4 The paragraph 3.2.12 of the Council's Contract Procedure Rules (CPRs) makes provision for a waiver from the requirement for the Council to go out to tender:

"Where goods, services and works are procured by another public body on behalf of the Council"

Approval must be obtained from Cabinet if the value of the contract is over £100,000 (CPR 3.2(a)).

RCTCBC will act as lead authority for procurement of the service. Approval to award a regional contract will be agreed by the parties through the governance arrangement prescribed by the regional collaboration agreement once the procurement process had been completed. The value of the contract for the region means that it will need to be procured in accordance with the Public Contracts Regulations 2015, or if procurement begins post 24th February 2025 then it will be in accordance with the Procurement Act 2023.

- 3.5 The term of the new contract will be fixed term for 2 years (1st July 2025 to 30th June 2027) with an option to extend on an annual basis for a further 2 years, subject to approval and available funding.
- 3.6 Robust performance measures shall be included in the tender documents to assess the short, medium and long term outcomes in order to demonstrate achievement and value for money.
- 3.7 The collaboration agreement between the regional parties will be reviewed and where necessary updated, working with colleagues in legal services to ensure partners collaborate effectively and offer support to the service provider in such a way that they may deliver the service fully in accordance with the particulars of the service specification. RCTCBC will enter into a contract with the successful provider. The collaboration agreement and the Regional Project Board will ensure that appropriate finance and governance arrangements are in place between the authorities for the service.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 An Equality Impact Assessment has been undertaken by RCTCBC acting as lead authority for the procurement and there is 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.

5. **Well-being of Future Generations implications and connection to Corporate Well-being Objectives**

- 5.1 The Well-being of Future Generations (Wales) Act 2015 provides the basis for driving a different kind of public service in Wales, with five ways of working to guide how the Authority should work to deliver wellbeing outcomes for people. The following is a summary to show how the five ways of working to achieve the well-being goals have been considered in this report.

Long Term. The operation of a statutory advocacy service is prescribed by Welsh Government and the service operates in a similar way across Wales and into the long term

Prevention. Advocacy includes providing people with information, advice, and support to help people prevent issues from escalating further.

Integration. The regional service operates across the 3 Cwm Taf Morgannwg local authority areas as a single service.

Collaboration. The regional authorities work in close partnership with our service service provider.

Involvement. One of the basic principles of advocacy services is the inclusion and involvement of the children and young people who use the service. Voice and choice are key principles of the Social Services and Well-Being (Wales) Act 2014 and the overall aim of advocacy services is to achieve this.

6. **Climate Change Implications**

- 6.1 Beyond necessary staff travel and operational administration activities, there is no direct impact on Climate Change through the provision of this advocacy service.

7. **Safeguarding and Corporate Parent Implications**

- 7.1 The provision of statutory advocacy is a key element in ensuring the safety and welfare of children and young people

8. **Financial Implications**

- 8.1 There is a capped budget of £116,760 for this service which is funded from £24,980 of Welsh Government grant funding, which is ring fenced via the region for the implementation of the NASA, and £91,780 of BCBC core funding.

- 8.2 While the grant funding is allocated on an annual basis by Welsh Government this grant has been received as a contribution to the contract for a number of years. Should this funding no longer be available in the future, the budget of £91,780 will apply to the contract and Bridgend officers responsible for the contract will carefully monitor the use to ensure we remain within the budget available.

- 8.3 The tender exercise will be led by RCTCBC (where BCBC officers will be part of the project team) and the contract will be awarded following a competitive procurement process, based on the most economically advantageous tender (MEAT), or the most

advantageous tender (MAT) if the procurement process commences after 24th February 2025.

9. Recommendations

9.1 It is recommended that Cabinet:

- Approves BCBC entering into a regional collaboration agreement with RCTCBC and MTCBC for the provision of an advocacy and independent visiting service for Children and Young People;
- Delegates authority to the Corporate Director Social Services and Wellbeing in consultation with the Chief Officer - Finance, Housing and Change and Section 151 Officer and Chief Officer - Legal and Regulatory Services, HR and Corporate Policy, to agree the terms of the regional collaboration agreement and any ancillary agreements and to arrange execution of those agreements on behalf of the Council.
- Approves a waiver under Contract Procedure Rule 3.2.12 for RCTCBC to procure the advocacy and independent visiting service for children and young people including entering into a regional contract on behalf of the Council and note that approval to award any contract will be agreed by the parties through the governance arrangement prescribed by the regional collaboration agreement once the procurement process had been completed; and
- Delegates authority to the Head of Children and Family Services to represent and make decisions for BCBC as part of the Regional Project Board.

Background documents

None