


Impact Assessment

Version 2017

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Assessment of:	Re-commissioning options appraisal recommendation for delivery of Supported Living Options for Children Looked After and Eligible Care Leavers aged 16 plus (formerly known as Lot 4 of the Peninsula Framework contract).
Service:	Children's Services

Head of Service:	Fiona Fleming, Head of Commissioning, Children's Services, DCC
Date of sign off by Head of Service/version:	24.07.2018 Signature: - 
Assessment carried out by (incl. job title):	DCC Children's Commissioning team

Section 1 - Background

Description:	<p>This proposal aims to assess the impact of re-commissioning of Supported Living Options for Children Looked After and Eligible Care Leavers aged 16 plus (formerly known as Lot 4 of the Peninsula Framework Contract) from February 2019.</p> <p>The re-commissioning of Supported Living Options will help to provide placements with variable levels of support for young people in care and eligible care leavers aged 16 -18 years. These placements will facilitate in allowing young people to gain practical skills they need to live independently as adults contributing positively to their communities. This re-commissioning will replace the Lot 4 Peninsula Framework contract currently in place.</p> <p>The Local Authority holds duties relating to the provision of these services under a number of pieces of legislation including the Children Act (1989), The Southwark Judgement (May 2009), Keep on Caring :- Supporting Young People from Care to</p>
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	<p>Independence (2016); Developing Positive Pathways to Adulthood: -Supporting Young People on their Journey to Economic Independence and Success through Housing Advice, Options and Homelessness Prevention (St Basils, 2015).; The Care Planning, Placement and Case Review (England) Regulations (2010) amended; Leaving Care Act (2000); Children and Social Work Act (2017).</p> <p>An options appraisal has been undertaken to determine the best route to meet the current and future needs of young people aged 16 years plus.</p> <p>Projected costs for 16 plus supported accommodation placements for 2018/19 is £3.7 million.</p>
Reason for change/review:	<p>The current Lot 4 Peninsula Framework contract commissioning 16 plus supported accommodation placements for young people in care and eligible care leavers is due to end on the 31st October 2018 following an extension to the contract that took effect from 31st March 2018.</p> <p>As a market of providers that is not regulated by Ofsted, a key consideration for the design of the contract to be re-commissioned is in ensuring the quality of the market and ensuring stability of placements, and appropriate matching and risk assessment.</p>

Section 2 - Impacts, options and recommendations

See sections 3, 4 and 5 for background analysis

Options Appraisal and Recommendations:	<p>The options for re-commissioning of 16 plus supported accommodation placements for young people in care and eligible care leavers have been considered as part of an options appraisal.</p> <p>The recommendation from the options appraisal is for a Devon only four-year open framework contract for Supported Living Options for Children Looked After and Eligible Care Leavers aged 16-18 years; with an entry point at year 2 to allow the market another opportunity to bid to join the framework contract. It is recommended the contract for Supported Living Options be comprised of two Lots. Lot 1 for Supported Lodgings placements for young people with host families and Lot 2 for Semi-Independent Residential and Shared Accommodation for eligible young people.</p>
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<p>Social/equality impacts (summary):</p>	<p>Re-commissioning of the framework contract in line with the preferred option and recommendation has the potential to achieve positive impacts.</p> <p>The service specification for this framework contract will be designed to promote commissioning of high quality placements for young people in care and eligible care leavers where young people are supported appropriately on their journey to independence and in learning the practical skills they will need in their adult lives. In addition, the service specification will ensure placements for young people take account of protected characteristics such as gender, ethnicity and cultural wishes and their wider health and well-being.</p>
<p>Environmental impacts (summary):</p>	<p>If a new contract resulted in more young people being placed further from home then this would have some environmental impact through increased travel, e.g. for Social Workers who need to visit the young people. However, we are not looking to increase the number of young people placed out of county, and as providers on this contract are already spread across Devon, with some on the borders, it is unlikely that travel will be increased following re-commissioning of this contract.</p>
<p>Economic impacts (summary):</p>	<p>The Commissioning options recommended enable a full range of suitable bidders the opportunity to bid for the provision of this contract and consortia bids to be submitted. Where providers are successful and in order to meet demand some job opportunities could be created in the future.</p>
<p>Other impacts (partner agencies, services, DCC policies, possible 'unintended consequences'):</p>	<ul style="list-style-type: none"> • DCC Children's Social Work teams • DCC Adult Social Work teams • Peninsula Authorities (Somerset County Council, Cornwall Council, Torbay Council, Plymouth City Council) • Schools/colleges and Education services • Residents within communities where provision for young people aged 16 years plus may be provided.
<p>How will impacts and actions be monitored?</p>	<p>Impacts of the re-commissioning will be monitored through: -</p> <ul style="list-style-type: none"> • A risk register being in place for the project. This document will be updated to include 'unintended consequences' arising as the project progresses. Mitigating actions will be included on the risk register, monitored and risks re-assessed considering likelihood and impact using risk matrix as identified by Devon County Council. Information contained within the risk register, and important updates, recommendations and decision making provided regularly. • Contract monitoring with providers on the contract. • The quality assurance process for the contract. • Feedback from local residents and other professionals working with young people e.g. compliments or complaints.

	<ul style="list-style-type: none">• As part of the needs assessment process engagement with colleagues in Children’s Social Care, Safeguarding, Early Help and other Children’s Services colleagues via the Children’s Way We Work Group has been undertaken. In addition, existing feedback that the council has received from young people who are Children Looked After and who are aged 16 and over has also been considered.• Opportunities being made available to engage with the current market. This will include:- opportunities to consider their feedback on the design of the service specification for the service; ensuring current providers are contacted to check they have sight of the new tender opportunity and to attend tender launch event; to ensure strategic intentions and direction of travel are incorporated within the presentation to be delivered as part of the tender launch event and where Providers do not attend or engage with the event provide opportunities to obtain feedback to understand reasons for non-attendance.
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Background Analysis

This section describes how relevant questions and issues have been explored during the options appraisal.

Section 3 - Profile and views of stakeholders and people directly affected

People affected:	Young people who are Children Looked After or eligible care leavers aged 16-18 years from across the four geographical localities of Devon.
Diversity profile and needs assessment of affected people:	<p><u>Reach</u></p> <p>As of November 2017, there were a total of 714 Children Looked After in Devon. Of this number 180 were aged 16 years plus (104 male and 76 female).</p> <p>As at the 1st April 2017, of those young people accessing a supported accommodation placement 66% were male and 34% were female. The majority of young people in these placements were White British (78%), but there were also a range of other ethnicities including Arabic (1%), Asian - other Asian (1%), Black African (1%), Mixed – White/Asian (1%), Mixed – White/Black Caribbean (5%), Other Ethnicity (8%), White other (3%), and White Irish (1%).</p> <p>Young people accessing these kinds of placements are likely to have a range of support needs, this could include:- family breakdown, drug issues – young person, emotional/behavioural problems, financial issues, at risk of harm from others, long term illness, mental health issues – young person, impact of parental substance misuse, mental health or domestic abuse, learning difficulties , domestic violence – young person, alcohol issues – young person, offender or at risk of offending, disabilities.</p>
Other stakeholders (agencies etc.):	<ul style="list-style-type: none"> • DCC Children’s Social Work teams • DCC Adult Social Work teams • Peninsula Authorities (Somerset County Council, Cornwall Council, Torbay Council, Plymouth City Council) • Schools/colleges and Education services • Residents within communities where provision for young people aged 16 years plus may be provided. • Providers of support services young people may be accessing e.g. substance misuse services
Consultation process and results:	There are no changes being made regarding services to be re-commissioning as part of this tender therefore a formal consultation process is not required and does not need to be undertaken.

Research and information used:	The development of the needs assessment has been informed by previous contracts, information from quality assurance visits to providers, national studies e.g. <i>Keep on Caring</i> , the <i>Barnardos Care Leavers Accommodation and Support Framework</i> . Devon Children's Social Work, Performance Workbook, November 2017
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Section 4a - Social Impacts

Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy or practice. In so doing we must give due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity and
- Foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief.

This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

We also need to ensure that human rights are protected. In particular, that people have:

- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').
- An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
- A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).

The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are:

- Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
- Proportionate (negative impacts are proportionate to the aims of the policy decision)
- Fair
- Necessary
- Reasonable, and
- Those affected have been adequately consulted.

Characteristics	In what way can you eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage? Are there any lawful, reasonable and proportionate, unavoidable negative consequences?	In what way can you advance equality (meet needs, encourage participation, make adjustments for disabled people, 'close gaps'). In what way can you foster good relations between groups (tackle prejudice and promote understanding), if relevant?
All residents (include generic equality provisions):		Service specification and contract will require all providers to demonstrate that they can work with young people from a variety of genders, ethnicities, sexual orientations, with specific religious or cultural beliefs, and that they will ensure staff do not discriminate against young people for any of these reasons. There may be some instances where it is appropriate for some provisions to be targeted at specific groups, e.g. young parents, women only or young people with specific needs if it can be demonstrated that these groups have needs or vulnerabilities that require specialist knowledge or skills.

Age:		As services to be delivered are primarily for young people age 16-18 years the contract and specification will be designed to ensure there is both an awareness of needs of this age group and delivery of services will be provided in ways that are personalised to meet the needs of young people in placement. These documents will also emphasis the measures and role of the provider in facilitating young people in transition to adulthood and in acquiring the practical skills they need to live independently and successfully as adults. By doing this we can ensure that the service is appropriately targeted to support young people and help them to address issues early, achieve the best possible outcomes and help to prevent them from long-term homelessness.
Disability (incl. sensory, mobility, mental health, learning disability, ill health) and carers of disabled people:		Considering the prevalence of mental health needs and considering that data has indicated it can be expected at least 4% of young people using services commissioned under this contract will have a disability; the service contract and specification will be designed in ways that ensure services are accessible and there is appropriate signposting and partnership working between this service and other support services for Children Looked After. This will include for example CAMHS, Early Help for Mental Health, health services and services for young people with learning disabilities for instance thus promoting wellbeing of young people.
Culture and ethnicity: nationality/national origin, skin colour, religion and belief:		The service specification will ensure that there is a duty for the provider to recognise and support the cultural and religious beliefs of young person in placement. In addition, providers will be required to work with young people in placement from a range of ethnic groups ensuring young people are not discriminated against on these grounds. The Local Authority will monitor and respond on a case by case basis should they become aware of any issues encountered by young people due

		to these characteristics that result in discrimination, isolation, hate crime and lack of culturally sensitive services.
Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed).	The service provider will deliver services to be re-commissioned in ways which recognise sex, gender and gender identity of young people being provided with a service. This can mean providing gender neutral toilets and ensuring children are treated in accordance with their gender identity and supporting children appropriately if they are undergoing gender re-assignment. There is also a requirement for views of children and young people to be regularly obtained and used to improve service delivery to ensure it best meets the needs. Some young people using the contract may become pregnant. Providers will need to be equipped to deal with this and/or refer young people to the appropriate services.	There will be ongoing contract monitoring with providers and quality assurance processes in place.
Sexual orientation and marriage/civil partnership:	Young people using the new contract are likely to have a variety of sexual orientations including heterosexual, gay, lesbian, bisexual and young people who are not yet sure or who prefer not to say. The service specification and contract will require providers to be sensitive in delivering services in ways that are personalised to best support the needs, wishes and beliefs of young people in placement and that they are not discriminated against on any of these grounds.	There will be ongoing contract monitoring with providers and quality assurance processes.
Other socio-economic factors such as families, carers, single people/couples, low income, vulnerability, education, reading/writing		The contract will require providers to work with young people to support them to acquire or remain in employment, education or training. It will also require them to support young people with preparing for adulthood and in obtaining the practical skills they need to live independently and successfully as adults achieving the best possible outcomes.

skills, 'digital exclusion' and rural isolation.		
Human rights considerations:	<p>The service recognises article 14 of the Human Rights Act – the right to receive Equal Treatment and prohibits discrimination including sex, race, religion and economic and social status in conjunction with the Equalities Act which includes age and disability. All staff and service users will continue to be treated fairly and their human rights will be respected. No adverse impact on human rights has been identified.</p> <p>Services to be delivered in ways which promote the United Nations Convention on the Rights of the Child. In particular: -</p> <ul style="list-style-type: none"> • Article 12 (respect for the views of the child): - Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously. • Article 23 (children with a disability) A child with a disability has the right to live a full and decent life with dignity and, as far as possible, independence and to play an active part in the community. Governments must do all they can to support disabled children and their families. • Article 6 (life, survival and development) Every child has the right to life. Governments must do all they can to ensure that children survive and develop to their full potential. 	

Supporting independence, wellbeing and resilience?

Give consideration to the groups listed above and how they may have different needs.

In what way can you support and create opportunities for people and communities (of place and interest) to be independent, empowered and resourceful?	<p>By making sure the needs assessment includes sufficient information to allow for the right level of provision across the county we will have more opportunity to ensure that young people can remain close to family and friends or education, employment or training opportunities that they are already accessing. This will support resilience within communities by keeping existing networks that are supporting young people in tact wherever possible.</p> <p>A key focus of the support we are asking providers to offer will be to support young people to acquire or remain in, employment, education and training wherever possible. This will increase the resilience and independence of young people using the service by helping them towards being more self-sufficient.</p>
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In what way can you help people to be safe, protected from harm, and with good health and wellbeing?	Providers will be required to demonstrate capability in safeguarding children and young people. A key part of contract monitoring and quality assurance will also be their ability to support young people with preparing for independence and adulthood acquiring the practical skills they will need, which will include their ability to take care of themselves and to access appropriate services for their health and wellbeing.
In what way can you help people to be connected, and involved in community activities?	Providers will be encouraged to support young people to access opportunities within their local communities wherever possible. This could include work, volunteering and community activities.

Section 4b - Environmental impacts

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties.

The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please select from the table below and proceed to the 4c, otherwise complete the environmental analysis table):

	Devon County Council's Environmental Review Process for permitted development highway schemes.
	Planning Permission under the Town and Country Planning Act (1990).
	Strategic Environmental Assessment under European Directive 2001/42/EC "on the assessment of the effects of certain plans and programmes on the environment".

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Reduce waste, and send less waste to landfill:	N/A	N/A

Conserve and enhance biodiversity (the variety of living species):	N/A	N/A
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	N/A	N/A
Conserve and enhance the quality and character of our built environment and public spaces:	N/A	N/A
Conserve and enhance Devon's cultural and historic heritage:	N/A	N/A
Minimise greenhouse gas emissions:	N/A	N/A
Minimise pollution (including air, land, water, light and noise):	N/A	N/A
Contribute to reducing water consumption:	N/A	N/A
Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):	N/A	N/A
Other (please state below):	N/A	N/A

Section 4c - Economic impacts

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Impact on knowledge and skills:		Successful provider will need to ensure the staff within the service have the right skills to meet the needs of the young people using the service. Detail of staff training and oversight will be overseen as part of contract monitoring and quality assurance function. This will include an expectation to train staff in key areas e.g. Equality and Diversity, Safeguarding, as well as service-specific areas. There will also be an emphasis in the contract in supporting young people to develop skills for independent living and to acquire or remain in employment, education or training.
Impact on employment levels:		Providers on this contract are generally local providers – sometimes as part of wider national organisations - who employ people from their local areas. Job opportunities may be created to ensure delivery of services meet demand over life of contract.
Impact on local business:		The commissioning options recommended enable a full range of suitable bidders the opportunity to bid for the provision of this contract and consortia bids.

Section 4d -Combined Impacts

Linkages or conflicts between social, environmental and economic impacts:	None identified that have a significant impact
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Section 5 - 'Social Value' of planned commissioned/procured services:

<p>How will the economic, social and environmental well-being of the relevant area be improved through what is being proposed? And how, in conducting the process of procurement, might that improvement be secured?</p>	<p>If 16-18-year olds accessing services to be re-commissioned receive better support to help them prepare for adulthood then they will be more resilient and able to live independently when they leave care. This will improve their economic and social wellbeing, and will contribute to the wellbeing of the area more generally by reducing demand on other services that they may need as adults, e.g. health and social care services. The procurement process can facilitate to secure this by ensuring that the outcomes and KPIs in the specification have sufficient requirements around preparing young people for adulthood and independence.</p>
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