

SECTION 3 - SPECIFICATION

3.1 INTRODUCTION AND CONTEXT

3.1.1 Introduction and Aim

This section sets out the service specification relating to the provision of accommodation and support for Derby City Care Leavers up to 21 years, 18-21 year olds and up to 25 years if still in education or training, Looked After Children leaving foster and residential care 16–18 years and homeless young people 16-17 years who become children in need/children in care with a range of presenting needs.

It describes the key features of the service required and should be read in conjunction with the DPS Service Agreement and Individual Service Agreement. Derby City Council aims to place all young people locally; however on occasions it is in the best interests of the young person or community that we place young people out of area, ensuring the safety of the young people and the community.

The DPS will also be available for use by Derbyshire County Council, Nottinghamshire County Council and Nottingham City Council, so applications from providers with accommodation in those areas would be welcomed.

3.1.2 Definitions

Young Homeless 16 & 17 years old:

If a 16/17 year old presents as homeless directly at Local Authority Housing Departments (“Housing”) then Housing would have a duty to take a homelessness approach, provide interim accommodation and carry out investigations.

Child in Need (CiN):

A child in need is defined under the Children Act 1989 as a child who is unlikely to achieve or maintain a reasonable level of health or development, or whose health and development is likely to be significantly or further impaired, without the provision of services; or a child who is disabled.

Child in Care (CiC/LAC):

A child who is either in the care of a local authority, or who is provided with accommodation by a local authority (sec.22(1)), also covered are children or young people who are remanded into the care of a local authority (Note: although legally a child is only 'in care' or 'in the care system' if a care order has been made about them, in practice these terms are commonly used to refer to all children looked after by the local authority whether under a care order or as a result of being accommodated)

Care Leavers:

A Care Leaver is defined as a person aged 25 or under, who has been looked after by a local authority for at least 13 weeks since the age of 14; and who was looked after by the local authority at school-leaving age or after that date.

3.1.3 Purpose

The purpose of supported accommodation is to enable young people to make successful transition to independent living. The Council wishes, in partnership with the young people and Providers, to move towards an outcome based approach to the purchase and provision of service and this document reflects that direction of travel.

The service is to provide range of accommodation offering supervision and support to young people that is safe, suitable and affordable, is available to meet the assessed needs/outcomes of Derby City care leavers, Looked After Children leaving residential/foster care 16-18 years, homeless young people 16/17 years who become children in need/children in care with a range of presenting needs.

The provision should facilitate the model of transition and step down from 16 years to allow a planned approach to adulthood and living independently.

Derby City Council wishes to work in partnership with providers in delivering a high quality of accommodation and support to its young people. The aim is to maximise the use of the available resources by establishing longer-term, more integrated relationships with service providers. Derby City Council will be utilising the local offer for LAC and CiN to support placements and sustainability.

3.1.4 Evidence Base / Legal Context

- Children Act 1989,
- The Children (Leaving Care) Act 2000,
- Care Planning, Placement and Case Review (England) Regulations 2010,
- Department for Children, Schools and Families – Provision of Accommodation for 16 and 17 year old young people who may be homeless and/or require accommodation April 2010 and associated statutory guidance are the controlling legislation.
- National Standards in Leaving Care are set out in Every Child Matters (ECM) style and lead service providers should be conversant with that format and its outcomes framework.
- Children and Young Persons Act 2008
- NEET – National Indicator 148
- Public Service Agreement (PSA) 16 Nov 2007 UK government launched care leavers as 1 of the 4 target groups.
- Keep on caring – Supporting Young People from care to Independence July 2016

The Children Act 1989, as amended by The Children (Leaving Care) Act 2000, imposed a duty on local authorities to provide support and suitable accommodation to relevant children unless they are satisfied that their welfare does not require it, by:

- Maintaining them;
- Providing them with or maintaining them in suitable accommodation;
- Providing support of such other descriptions as may be prescribed [Children Act s23 (B) (8) (b)].

From April 2011 legislation set out in Volume 3: Planning transition to adulthood for care leavers – including guidance on the Care Leavers (England) Regulations 2010 came into force. This states that research and practice show that care leavers have the best chance of success if those responsible for their support take the following principles into account as they work with young people for their transition to adulthood:

- Would this be good enough for my child?
- Providing a second chance if things don't go as expected
- Is tailored to their individual needs, particularly if they are more vulnerable than other young people?

Government regulations and guidance for Care Leaders is intended to ensure that care leavers are given the same level of care and support their peers would expect from a reasonable parent and that they are provided with the opportunities and chances needed to help them move successfully to adulthood. This contract seeks to place these principles at the centre of decision making for care leavers.

Part 3 of the Children's Act 1989 and part 7 of the Housing Act 1996 requires local authorities to provide accommodation for homeless 16 & 17 year olds.

If a 16/17 year old presents as homeless directly at Local Authority Housing Departments ("Housing") then Housing would have a duty to take a homelessness approach, provide interim accommodation and carry out investigations. Housing would make a referral to Children and Young Peoples service ("CYP Service") for it to carry out an assessment under the Children's Act. If homeless and they have

another need, the young person ("YP") should be given an accommodation offer having been given all the details of what this entails and the benefits. Someone can be accommodated under s20 for a period of time, as often happens when children are under 16, as they can return to parents or friends of course. Leaving Care duties depend on the length of time for which they have been accommodated and their age at that time. (Recipients of this document are directed to Section 21 - Appendix Two for the Joint Housing Protocol pathway flowchart).

Service providers should note that a Child in Need and a young homeless 16 & 17 year old will be able to claim benefits and as such claim Housing Benefits which will contribute towards the accommodation cost and should be taken in account by such Service Providers.

Service Providers should also be familiar with the accelerated Report for the Children's Commissioner on child sexual exploitation in gangs and groups (July 2010) which makes a number of recommendations with implications for the provision of accommodation for care leavers including a call for a ban on placing 16/17 year olds (and other young people) in bed and breakfast accommodation and for action to prevent the placement of vulnerable young people in neighbourhoods where adults who pose a risk to them either live or have access to them.

There are also several protocols and policies that Derby City Council would expect providers to be fully conversed with and these are embedded at Appendix Two:

- Joint Housing Protocol and flowchart
- Derby City Council's Children in Care Commissioning and Sufficiency Strategy
- Derby City Council's Corporate Parenting Pledge
- Derby City Council's Corporate Parenting Strategy
(2015-18 version attached. The 2019-21 version is expected to be available in February 2020)
- Derby City Council's Leaving Care Strategy

There will also be an expectation that providers will attend the young person's pathway meetings and housing pathway meeting held monthly to discuss current referrals and move-on plans.

We would also bring your attention to the following, but not exhaustive, list of documents relevant to this tender and specification:

- Equality Act 2010
- Data Protection Act 1998
- Health and Safety at Work Legislation
- Employment and Equal Opportunities legislation (including Race Relations Act)
- Sexual Offenders Act
- Human Rights Act 1998
- Housing Act 1996 (part 7)
- Homelessness Act 2002
- Safeguarding Vulnerable Groups Act 2006
- Children's Plan, the joint Strategic Needs Assessment (JSNA), the Placement Sufficiency Strategy, Putting Care into Practice (2010) and planning Transitions to Adulthood for Looked After Children (2010).

Independent accommodation is an unregulated service that a majority of young people move to from the heavily regulated foster and residential care services. Providers must be capable of caring for young people of different ages, needs, abilities and ethnicity, especially those with complex and challenging needs.

Currently there isn't a need for providers supplying independent accommodation and associated services to be regulated or to register with an appropriate organisation. This means, because of the unregulated nature of the service, the Contracting Authority has to rely even more heavily on Providers professionalism, experience and expertise to ensure young people receive services that satisfy their needs.

3.1.5 Prevent

The Service Provider will acknowledge and understand the Council's duties under section 26 and 29 of the Counter Terrorism and Security Act 2015 and shall co-operate and provide all necessary assistance to the Council to enable it to comply with such duties. For the avoidance of doubt no provision of this agreement (including but not limited to Data Protection and Confidentiality) shall prevent the Provider from sharing all relevant information pertinent to the prevention of terrorism and/or radicalisation of vulnerable people with the Council.

3.1.6 Objectives

Derby City Council fully embraces the Children in Care Pledge and Care Leavers Charter, please see Appendix Two for the pledge posters.

The regulations require that Local Authority Children's Services work with housing functions and partners to secure a range of suitable housing and support options to achieve the following objective for young people:

- Planned moves towards independence, using clear and flexible accommodation and support pathways (Joint Housing Pathway), for every care leaver.
- To maintain or develop family support where safe and appropriate.
- The young person to be fully involved with the personalised support packages.
- To offer flexible packages of support which meet each individual young person needs fulfilling both housing related support and social support.
- To ensure that young people are able to maintain their accommodation, early intervention to be in place if things start to go wrong.
- For young people to be able to achieve their aspirations and make a positive transition to adulthood.
- For the young person to feel safe and secure and able to access appropriate, suitable and affordable on-going independent accommodation.
- For the young person to have access to relevant health services and treatments as required.
- For young people to achieve Educational attainment and employment as appropriate.

3.2 CORE SERVICE REQUIREMENTS

3.2.1 Expected Outcomes

The outcomes specific to this DPS are:

- Each young person to be treated as an individual with promotion of their dignity, privacy and independence.
- Each young person's gender, sexual orientation, age, ability, race, religion, culture to be acknowledged and respected, with access to any relevant community groups.
- Each young person to have the ability to care for themselves and gain independence.
- Each young person to maintain accommodation and successfully move to independent living.
- Each young person's health needs to be met and encouraged to access appropriate health care services which are maintained.
- Family support and relationships have been established where appropriate.
- For each young person to attend education, training and employment as part of their care plan.
- For each young person to be protected in a safe and caring environment fulfilling any care plan put in place for the individual.
- The provider will promote inclusion and support young people to meet their specified outcomes (within in care plan), this may mean collaboration and partnership with other

services and sectors such as: voluntary services, or referrals to other services such as library, NHS or neighbourhood services.

- To meet the Every Child Matters outcomes as specified in care plans.
- To encourage mediation for young people to move back into the family home when they present as homeless, ensuring that there are no risks to the young person.

3.2.2 Service Users/Young People

Young people will be young adults aged 16-18, and may be up to 21 (25 in some circumstances), who meet the eligibility criteria of Derby City Council for leaving care services. Young people may be in immediate housing need or they may need support in order to maintain independence or successfully achieve a planned move on from care. Care leavers are a diverse group of young people with different needs for support and differing levels of practical and emotional capacity to live independently. Those providing accommodation should be aware of the unique needs of this vulnerable client group. It is anticipated that over the next few years the impact of early intervention and prevention initiatives will mean the cohort of Care Leavers requiring this service will increasingly have increased support needs.

This specification also includes young adults aged 16-18 years who are or at risk of homelessness and are required to be accommodated by the local authority avoiding the use of Bed & Breakfast provision. These young people again will have differing levels of need as they enter provision which will be assessed by the Local authority before referrals are made. These young people are likely to only require short-term accommodation or support and be in receipt of housing benefit which will cover the majority of the accommodation costs.

3.2.3 Provision

The Children (Leaving Care) Act 2000 Guidance states:

‘Because of the diverse needs of care leavers and the way in which these will change over time, local authorities are likely to require a range of accommodation’.

There will be different levels of support offered depending on the referral and the needs of the individual young person:

- Emergency provision for young people presenting with an immediate housing need for assessment and planning for move-on to an appropriate step. This needs to be undertaken in the time period highlighted below.
- Provision to enable transition from foster care/residential care into step down facilities.
- Training flats/shared houses accommodation to ascertain the young person’s skill level as part of the planned move, offering an opportunity to young person to experience independence and be supported in acquiring skills to live independently.
- Semi-Independent living (shared/supported houses)
- Solo accommodation for young people.
- Independent move-on accommodation with floating support.
- Independent exit accommodation without floating support.
- Outreach support to settle a young person into their own properties.

Derby City Council aim to place all young people locally; however on occasions it is in the best interests of the young person or community that we place young people out of area. Providers need to consider this as part of their offer.

3.2.4 Lots Overview

There will be 2 lots of provision for providers to bid for with categories within each Lot:

- Lot 1 - Children in Care and Care leavers

- Category 1.1: Emergency provisions (short-term)
 - Category 1.2: Transition provision from Foster and Residential
 - Category 1.3: Independence and move on (inclusive of outreach support)
- Lot 2 Children in Need / Young Homeless 16 & 17 years
 - Category 2.1: Emergency provision (short stay 1-7 nights)
 - Category 2.2: Short-term provisions with support hours
 - Category 2.3: Accommodation only up until 18 years without support hours

Case Studies outlining examples of the above categories can be found in Appendix Two.

There will be a matrix risk/needs assessment undertaken to ascertain the amount of hours of support the individual package will contain from 0-25 hours per week. A copy of the matrix can be found at Appendix Two.

The review of each package will involve re-assessing using the matrix to reduce the package and move to independence.

There is not an expectation that 24/7 support will be required, however on very rare occasions an individual package may be sourced with providers to meet bespoke needs and requirements. This will be advertised and negotiated with providers.

3.2.5 Lot Detail

Lot 1 Children in Care and Care leavers

Category 1.1 - Emergency and short stay:

The expectation of this category is to ensure that there is emergency provision available on the same day, offering a safe environment while an assessment is undertaken for the young person and plan established. This should be a short stay assessment with a plan drawn up to move-on in the transition provision or independence if appropriate.

Category 1.2 - Transition provision from Foster and Residential care

This category will be utilised for planned move into individual packages to meet the needs of children in care stepping down from foster or residential provisions and will be reviewed as part of the pathway plan for the young person and decreased as independent living is reached.

Category 1.3 - Independence and move-on (inclusive of outreach support)

This category will facilitate independent living packages with floating support available to ensure the young person moves on and sustains a tenancy for an assessed amount of time.

Lot 2 Children in Need and young homeless 16 & 17 year olds

Category 2.1 - Emergency provision and assessment (1-7 nights only)

This category is to provide very short-term accommodation on same day referrals to allow relevant assessments to take place by the relevant teams within social services to establish a plan for move-on appropriately. The provider will be expected to work jointly with the Council to ensure work is undertaken to move the young person on.

Category 2.2 - Short-term provision with support hours

This category is to be available as move on from the above emergency provision into a package of individual support to exit the young person from support and accommodation into independent living. This provision should be short-term with plans in place to ensure once the young person reaches 18 years they move on.

Category 2.3 - Accommodation only, up until 18 years without support hours.

This category is offer of accommodation only without support to young people in receipt of Housing Benefit to allow a safe place to reside.

The majority of young people's individual needs are likely to be covered by one of the above two Lots and categories. The Council will initially determine the Lot and category by assessment via the Risk and Need matrix (Appendix Two) and give Providers registered within that Lot the right to bid for and enter into an Individual Placement Agreement (Appendix Two) for the provision of the Service. If the Contracting Authority and a Provider find it difficult to agree on the category that will best satisfy a young person's needs they will:

- Identify the differences between a young person's individual needs and the description of most relevant category.
- Agree the difference in terms of the type of expertise and experience and any additional services, needed to provide services that satisfy a child or young person's needs.
- Agree a variation in the tendered price for the most relevant package and category within the lots.

The Council will also be able to purchase support and accommodation separately where the young person's individual need requires it. The Contracting Authority does not, in agreeing to register a Provider onto its DPS Agreement, grant exclusive rights to the Providers to provide the Services of the type specified; and nor does it guarantee that Providers will be selected to be offered a contract to provide Services.

On occasions, it may be necessary for the Council to require a block of beds on an emergency basis for a fixed period. Providers will be required to offer a percentage discount on the DPS accommodation costs for any block sourced of five beds or more at any one time in these circumstances. This will be outlined further at the time of the mini competition.

The Contract to provide a Service will be short term (generally 3 - 12 months), this is also dependent on the assessment of needs if the young person enters as part of the Emergency Provision, which may mean that this is a shorter Individual Placement Agreement. There will be an option to extend or reduce when/where necessary, in terms of duration and range of Service provision, with consequent change in payments where appropriate. This will also be dependent on the status of the young person and the circumstances that they entered the DPS with the requirement for accommodation. Flexible packages will be delivered to young persons and will be tailored to meet the changing needs of each young person. It is anticipated that the description of services would include the ability and facility to offer a transitional move into independence, consisting of support packages being reduced and, if in higher level packages that semi-independent provision would be sourced with floating support hours being included in the package of care. If this cannot be provided by the current provider the Council would go back to the market and source provision to meet the needs. This would be a planned approach with the current provider's involvement as part of the pathway plan or care plan for the young person with discussions involving all parties.

The standard of accommodation should meet the Housing Standards requirements and should be suitable and safe for a young person to reside in.

3.3 SERVICE DELIVERY / SERVICE MODEL

3.3.1 Accessing the Service

Each young person's individual needs will be identified through an assessment, carried out by Derby City Council Leaving Care team and Children in Care teams, Derby City Council Housing Options team, Derby City Council's reception team, Derby City Council Youth Offending Service, and any other lead professionals from a range of agencies.

The assessment of the individual package will be undertaken using a risk and needs support hours Matrix. This will inform the individual support plan for each young person.

This will be part of Pathway Planning process, where there are eligible needs the relevant teams will provide a copy of the Pathway plan (with personal identification details removed) and indicative budget to providers as outlined in the terms and conditions for providers to bid for the support and/or accommodation package.

Providers will be asked to bid for packages of work and give quotes relevant to the Service details and the instructions in the work package tender and in accordance with the DPS terms and conditions and in relation to the costs that are provided during the DPS Tendering. Providers will state how they can best meet the individual's outcomes within the indicative budget including management of risk, particularly where there is shared accommodation. Providers will be expected to respond with any offers within 24 hours for a standard referral and within 1 hour for an urgent referral.

The Council will ensure (unless emergency placement) that the provider and young person meet and that there is a planned move to the placement incorporating visits to the accommodation. Once given funding authorisation, the Council shall agree with the chosen provider a start date for the support and/or accommodation package.

3.3.2 Service Approach

The Provider will:

- Complete a person centred support plan for each individual young person that clearly states the service provision and how the Provider intends to support the individual to achieve their stated outcomes.
- Ensure that highlighted outcomes will be included in the person centred plan and communicated with the Council.
- Be able to respond to changes in demand for service provision on the request of the Council.
- Plans will be undertaken in conjunction with the lead worker and young persons and be available to all parties, including when they are reviewed.

3.3.3 Communication

The Provider will:

- Ensure that communication occurs regularly with all parties involved and those families and Carers are involved where appropriate.

3.3.4 Consultation and Feedback

The Provider will:

- Develop and implement a meaningful way to consult young people;
- Demonstrate that the outcomes of such consultation and feedback have been considered by the Provider and relevant improvements/changes made as a result;
- Show that it communicates effectively and regularly and young people).

- Demonstrate consultation with Councils and outside agencies about the provision being delivered to each young person.

3.3.5 Emergency Provision Timescales and Processes

There may be emergency situations where vulnerable young people will be at risk if supported accommodation is not delivered rapidly. In these circumstances the Council will approach the suppliers registered on the applicable DPS lot to establish whether support can be delivered within a shorter timescale than is normally requested. On some occasions support may be requested on the same working day. In such emergency situations the minimum assessment and pathway plan (if care leaver) will be shared. Information required establishing a safe service will be passed to the provider, with full information supplied within 72 hours.

3.3.6 Services Timescales

The service (other than where specified for Complex cases), will be available as required 7 days a week between the hours of 08:00 – 20.00 to deliver support to young people.

The provider will offer emergency out of hours support system for young people to contact in emergency, this will operate from normal office closing times to normal office opening times.

The service will offer emergency accommodation contacts out of hours for those exceptional circumstances when accommodation is required between 22.00 – 09.00 hours.

Derby City Council's Emergency Careline will have access to numbers on the DPS for out of hours. Providers will be expected to ensure that these numbers are available from the start date of the contract.

3.4 WORKING METHODS AND CODES OF PRACTICES

3.4.1 Staffing

The Provider shall maintain a level of staffing which shall enable the delivery of the Service in accordance with the values and principles outlined in the specification and in accordance with the stated Young Person outcomes and person centred support plan, this shall include administrative support. The provider shall ensure there is a sufficient reserve of staff to cover for absences due to sickness, holidays etc.

Staffing ratios will be appropriate to the numbers and needs of the young people and as required for the activity being delivered.

3.4.2 Staff Understanding and Relationship Building

The Provider will ensure that in the delivery of this Service their staff and, where used, volunteers are:

- able to understand different young people's needs in a social environment;
- easy to approach and respond positively to young people
- able to forge open, honest and trustworthy relationships with young people within professional boundaries;
- Be able to offer holistic support including emotional, social relationships as well as dealing with the housing related support aspect of the provision.

3.4.3 Equality Issues

It is the responsibility of the Provider to actively meet the requirements of the Equality Duties (Race, Disability and Gender) these include:

- Eliminating discrimination
- Promoting equality of access to services and of employment opportunity
- Ensuring effective data capturing and analysis of service provision
- Conducting Equality Impact Risk Assessments (EIRAs) on policies, procedures and services.

The Provider should have a clear published plan of action to achieve the equality principles in the equality duties.

Equality Impact Assessment (EIA) must be undertaken and documented as part of any service review process or if any change is made to the provision of the Service which could impact on those in receipt of the Service.

All staff employed by this Service will recognise and respect the religious, cultural and social backgrounds of service users in accordance with legislation and local and national good practice.

The Provider will ensure that it has access to appropriate translation services/resources to enable equity of access and understanding.

3.4.4 Sub-contractors and staff

No sub-contractors will provide any element of this Service unless agreed in writing by the Council prior to the sub-contractor starting work.

The Provider will notify the Council of any sub-contractor currently delivering any part of this Service on its behalf detailing individually the name of the subcontractor organisation, the percentage of service being delivered and its cost. The Provider shall furnish a statement of how its staffing structure will be made up in relation to employees; agents or consultants; and volunteer staff.

3.4.5 Service User and Carer Information

The Provider will produce and provide relevant information for users and carers accessing the Service in a format which is acceptable to such users and carers and send this in an electronic format to the council for information on the service.

Information will include the Provider's complaints procedure, consultation and feedback processes and contact details.

3.4.6 Protection of Children, Young People and Vulnerable Adults

Where the Service involves working with children and young people under 18, the Provider must take all reasonable and thorough steps, including Criminal Record Bureau and Independent Safeguarding Authority checks, to make sure that:

- everyone who is likely to live or work at the premises where the Service is to be provided is fit to be in the proximity of children and/or young people. For this purpose, "work" includes voluntary work;
- the premises in which the Service is to be provided are fit for children and/or young people;
- the Provider has complied with all requirements for registration under the Children Act 1989.

The Provider must follow any advice given by the Council in relation to the paid or voluntary employment of anyone who appears to be unsuitable for work with children and/or young people.

The Provider must ensure that appropriate procedures are in place to ensure that staff report, and deal appropriately, with allegations or concerns about vulnerable service users.

Providers working with children should adopt the Derby and Derbyshire Safeguarding Children procedures. This means that any concerns or alerts have to be notified to the Council the same day. These procedures can be found at:

www.derbyshirescb.org.uk

www.derbyscb.org.uk

3.5 QUALITY AND PERFORMANCE STANDARDS

The provision of accommodation and support to young people post 16 years is not a regulated provision. However there is an expectation that the provider will ensure quality accommodation and support is delivered. Derby City Council's CYP Commissioning and Placements Team will undertake quality visits to the accommodation and providers offices to ensure this meets the standards expected for our young people.

The provider will be required to meet the 1997 HMO (amended 2010) Standard for accommodation.

3.6 BUSINESS PROCESSES

3.6.1 Recruitment

The Provider shall have in place a rigorous recruitment and selection process that shall ensure:

- application forms and job descriptions are used during the recruitment process;
- all potential applicants complete a declaration giving full details of current and spent convictions;
- the interview process determines whether the applicant meets the essential criteria for the post as a minimum;
- at least 2 written satisfactory references are taken up prior to employment. One reference will be from the present or last employer;
- all attempts are made to validate the full employment history of the applicant;
- Disclosure and Barring Service (including Protection of Children Act and Protection of Vulnerable Adults list) checks are undertaken by the DBS or its successor body;
- staff have a clear contract of employment or terms of service/role specifying (in the case of employment) conditions of service, including sick pay, holiday pay, agreed hours of work, whether work is guaranteed and a written job description (and the equivalent for other categories of staff);
- any member of staff with a declared conviction is not assigned to any child/young person until the Provider has obtained approval (or not) from the Council;
- that, where the Council requires it, it will remove employee member of staff immediately from the provision of service where it is felt that there is a potential risk of abuse to the individual, or actual abuse of the individual.

3.6.2 Risk Management and Capacity

The Provider shall ensure that full and comprehensive risk assessments take place where required or needed and that a system is in place to review all such assessments in a planned way. The Provider's staff shall be trained in order to recognise situations where a risk assessment or a capacity assessment is required, or may need to be reviewed. Significant changes in an individual's circumstances shall be reported to the Council (and the Social Worker) involved by the Provider to ensure that safe support arrangements are reviewed and maintained.

The Provider shall work with professional staff as required.

3.6.3 Quality Assurance

The Provider is required to have in place and to operate an effective quality assurance system for ensuring the quality of the services provided and to take any action necessary if the service falls below the standards identified.

Additionally the provider shall make available to the Council information to enable the Council to complete quality assurance and contract compliance work to ensure the provider continues to provide best value service provision. The provider shall work with the Council and young persons to undertake planned action to improve service provision where required.

3.6.4 Record Keeping

The Provider shall ensure proper records are maintained and made available to the Council, including but not limited to:

- person centred care and support plans;
- risk assessments and capacity assessments;
- Updated Risk and Needs matrix when packages of support are reviewed;
- records of any assistance with medication or other health related tasks where this has been identified in the Care and Support plan;
- preparing reports for and attending Service User reviews;
- Health and Safety audits;
- staff rosters;
- details of all staff employed and staff changes;
- staff records including training and induction;
- records of all accidents/ incidents involving staff/ service users with follow up risk assessments and records of actions taken.

3.6.5 Time Sheets/Diary Sheets/ Records of Performance

Each individual will be given information by the Provider in a format which is accessible to the individual that sets out the details of the care and support they should be receiving on a weekly basis including time and dates of when that support should be provided. The Council shall also have sight of these records.

The Provider shall use a variety of methods to record the delivery and performance of the Services such as timesheets, Service User diary sheets and staff rosters which shall provide evidence of the actual hours provided to each Service User.

The Provider shall have in place a system for facilitating the Service User and/or their parents/carers to sign time sheets to confirm the individual hours of support they have received and hours that are due to be received.

Where there are shared hours associated with social activities and night time cover, the Provider shall ensure that staff rosters identify that the service has been delivered.

The Provider shall make available to the Council these records of service delivery when requested to do so.

3.7 PERFORMANCE TARGETS

3.7.1 Reports

Quality statement	Outcome	Measure	Report Frequency
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Looked after children and young people experience warm and nurturing care.	<p>1. Young People report that they feel they receive warm and nurturing care.</p> <p>2. young people report well-being and self-esteem</p>	<ul style="list-style-type: none"> • Review of Care plans. • Feedback from Young people. • Feedback from Social worker and Independent Reviewing Officer. 	Quarterly
Looked after children and young people receive care from services and professionals that work collaboratively.	<p>1. Young people feedback that they do not have to re-tell their life and medical history when accessing services.</p> <p>2. Young people report that information is shared appropriately about them.</p> <p>3. Carers and professionals feel that they are working as part of a team.</p>	<ul style="list-style-type: none"> • Review of Care plans. • Feedback from Young people. • Feedback from Social worker and Independent Reviewing Officer 	Quarterly
Looked after children and young people live in stable placements that take account of their needs and preferences.	<p>1. Young people are satisfied with their placement.</p> <p>2. Young people are involved in decisions about placements and packages of support.</p>	<ul style="list-style-type: none"> • Review of Care plans. • Feedback from Young people. • Feedback from Social worker and Independent Reviewing Officer 	Quarterly
Looked after children and young people have ongoing opportunities to explore and make sense of their identity and relationships.	<p>1. Evidence that young people are encouraged to explore their identities in a safe way.</p> <p>2. Young people report that they are encouraged and supported to have contact with people they value.</p> <p>3. Evidence that young people have a supportive peer network.</p>	<ul style="list-style-type: none"> • Review of Care plans. • Feedback from Young people. • Feedback from Social worker and Independent Reviewing Officer 	Quarterly
Looked after children and young people receive specialist and dedicated services within agreed timescales.	<p>1. Evidence that young people have access to services that they need.</p> <p>2. Evidence that young people are encourage to access local services to them.</p>	<ul style="list-style-type: none"> • Review of Care plans. • Feedback from Young people. • Feedback from Social worker and Independent Reviewing Officer 	Quarterly

Looked after children and young people who moved across local authority or health boundaries continue to receive the services they need.	<p>1. Evidence that young people are supported to remain in contact with professionals and people they value if moved cross boundaries.</p> <p>2. Evidence that the provider works to a high standard with the Council to ensure health services are in place and specialist services are sourced where appropriate.</p>	<ul style="list-style-type: none"> • Review of Care plans. • Feedback from Young people. • Feedback from Social worker and Independent Reviewing Officer 	Quarterly
Looked after children and young people are supported to fulfil their potential.	<p>1. Evidence that young people have access to Education/training/employment and are engaging with this.</p> <p>2. Evidence of support to access further and higher education.</p> <p>3. Young people are involved in creative arts, physical activities or hobbies and their well-being and self-esteem is good.</p>	<ul style="list-style-type: none"> • Review of Care plans. • Feedback from Young people. • Feedback from Social worker and Independent Reviewing Officer 	Quarterly
Care leavers move to independence at their own pace.	<p>1. the provider is working with the Council to ensure pathway plans are followed and delivered upon.</p> <p>2. the young person is ready and able to move into independent living and sustain a tenancy.</p>	<ul style="list-style-type: none"> • Review of Care plans. • Feedback from Young people. • Feedback from Social worker and Independent Reviewing Officer 	Quarterly

Access	<ul style="list-style-type: none"> • Number of responses received to referrals received by the Council within the specified timescale as stated in 3.1 • Number of suitable placement available against the total number of placements put forward by the Council. • Number of placements that end unexpectedly at the provider's instigation. • Number of placements that end unexpectedly at the Councils instigation 	100%	Quarterly
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3.7.2 This DPS will support the implementation of the South Derbyshire CYP Outcomes Framework. The Outcomes Framework is based on a set of user/patient goals that say what children and young people hope to achieve with the help of local services, and a set of integrated delivery outcomes that say how they want the local services to be provided to help achieve their individual goals.

3.7.3 The DPS will support children and young people to achieve their agreed outcome goals and track performance from the individual level through to the service level. The Commissioners will aggregate this data up to the population level.

3.7.4 Individual level data

The user/patient goals are grouped under five strategic outcomes for children and young people:

1. Children and young people are safe and secure with those who care for them
2. Children and young people are ready to learn and can reach their full potential
3. Children and young people have improved health and wellbeing
4. Children, young people and their families are ready to make a smooth transition into adulthood
5. Narrowing the gap: children and young people have reduced health inequalities (cross cutting)

The service will be designed and delivered to meet the expectations of children and young people (the integrated delivery goals). The assessment of how well the service is meeting the needs of children and young people will be measured using a standardised tool, preferably the CHI Experience of Service Questionnaire.

The key areas are:

1. service accountability

2. collaborative working
3. flexible delivery
4. community focussed services.

3.7.5 Service level data

At the service level, the DPS providers will maintain dashboards that incorporate agreed service level indicators with key activity and experience of service data, plus information on progression against service user/patient goals. This will enable monitoring of delivery of experience of care and/or treatment, and achievement of user/patient aspirations and need.

3.7.6 Performance Indicators

- reduction in Tier 4 avoidable admissions
- reduction in average length of stay for inpatient care
- enhanced multi-agency working to problem solve 'crisis' – not all mental health issues (CHI ESQ)
- more acceptable option of care for the CYP and their family
- increased involvement/collaboration with the CYP and family in their care/treatment management.(CHI ESQ)

3.7.7 Population level - Key Performance Indicators

The user/patient outcome goals and achievement of service level indicators will be reviewed alongside a set of strategic Key Performance Indicators. This will provide a population level perspective on South Derbyshire's progress towards the five strategic outcomes. All of the Children's Rights Service outcomes data will be aggregated with other service data in South Derbyshire to show how children's services as a whole are working.

3.8 REPORTING / CONTRACT MONITORING

3.8.1 Monitoring and Reporting

An Individual Placement Agreement (IPA) will be put in place once each individual package of support has been agreed and authorised, and this agreement will be monitored by the Children in Care Commissioning and Placements team. The timeline for monitoring of each IPA will be dependent on the individual package that has been agreed and the length of the agreed placement. An IPA can be varied during the process of the support period, if changes in circumstance occur after the initial purchase of the service.

The outcomes that will have been identified at the beginning of the placement will be recorded in the contract and measured at the appropriate times. The Commissioning and Placement teams Brokerage Co-ordinator will contact the provider requesting the relevant information and will undertake visits to the provision as required.

A formal review will be held within 2 weeks to ensure the package is in place then at 3 month intervals, or may be triggered by any significant change in circumstances or if requested by the young person.

The review will involve the young person, the service provider or designated representative and the service Council representative. Other people from the young person's circle of support may be invited by agreement if necessary and required by the young person; this would also involve other supporting agencies.

The review will address the extent to which the initial outcomes required within the Support plan are being met. Packages will be reviewed to ascertain if the level of support and type of placement should be reduced as part of the young person's transition to independent living.

The young person's support plan will be amended as appropriate following the review including as applicable the pathway plan, health plan, Statement of Special Educational Needs (SEN) and Personal Education Plan (PEP).

The provider shall leave a copy of the Personal Support Plan for the young person and shall provide a copy to the Council which clearly shows the journey the young person is undertaking.

Following this initial review, the provider shall undertake regular reviews of the young person's needs as set out in the personal support plan, and shall give notice to the Leaving Care Team and Children in care of any significant changes in a Customer's needs that in the Provider's or the Customers opinion necessitates a variation to the Individual Agreement.

The Provider shall also participate in formal multi-disciplinary reviews of a young person's needs when requested to do so by the Councils. Provider's Key workers must supply written progress reports, court statements and assessments on individual young people for planning meetings, safeguarding meetings, review meetings and court proceedings.

The Council will give notice in writing to Providers of their intention to terminate an IPA, if a placement does not finish as expected, after having formally explored and discussed all available options to resolve any difficulties with a placement. The notice period could, in some cases, depend on the circumstances surrounding the termination. However, in normal circumstances the Council will give Providers the following notice periods to terminate an IPA:

Reason For Termination	Notice period (days)
Any General Reason	30
More Specific Reasons	14

Please see clause 25 in the Individual Agreement Terms & Conditions for more information.

3.8.2 Provider Meetings and Quality Visits

The Provider will be required to attend Provider Meetings to discuss general contractual and operational issues and Individual Provider Meetings to discuss specific issues and individual placements.

3.9 PROBLEM SOLVING

The provider will be expected to have a complaints and compliments procedure in place to ensure that complaints are dealt with following process with an outcome.

The provider will be expected to report complaints received to the local authority with a report of the investigations and outcomes.

The Council has a complaints process with an issue report form that can be used by the Council's social care team, young person and Providers.

When an issue is raised we will request an issue report form to be completed for further investigation. This form will be shared with relevant parties.

3.10 TRAINING AND MAINTENANCE

Staff training, competencies and skills

The Provider will ensure that all staff and, where appropriate, volunteers are, on an on-going and evidenced basis, trained and have the necessary skills and competencies and have the necessary

experience to safely deliver the Service and associated activities. Providers will ensure that all staff and volunteers are trained to understand safeguarding issues in relation to vulnerable young people.

The Provider will demonstrate that staff have attained or be working towards attainment of any nationally recognised and/or accredited training and/or standard pertinent to the category(ies) of young people that it has identified it will deliver services to.

All Staff shall receive individual supervision and participate in regular team meetings. Staff appraisals shall be carried out annually on all staff, which shall identify training needs and address practice issues. Supervision will provide opportunity for staff to reflect and learn from experience and identify development needs and level of support required.

3.11 REVIEW OF PROCEDURES / CHANGE

The service specification will stand for the length of the contract, however in extenuating circumstances if the Local Authority is required to change the service being delivered due to changes in legislation, consultation with providers will take place with an agreed variation to services and costs if applicable.

Authorisation for this change will be made by Chief Officers before any variations will be implemented.

All proposed changes will be implemented by the process outlined in Schedule Four (Change Control Procedure) in the Terms & Conditions document supplied in Appendix One.

3.12 RISKS / BUSINESS CONTINUITY / EXIT STRATEGY

3.12.1 Emergency Planning

The Provider shall make arrangements to cover the service for contracted hours in the event of an internal service failure e.g. staffing difficulties and shall notify the Council immediately of any situation where the service cannot be provided.

The Provider shall also contribute to the Council's Emergency Planning arrangements, when requested, and use all reasonable endeavours to assist the Council in the event of a major emergency or disaster.

The Provider shall also have in place a Business Continuity Plan.

3.12.2 Exit Strategy

Towards the end of the contract where there is no extension to the contract period or a new contract is let with another organisation the Provider will assist as appropriate, and in a positive and timely manner, in the changeover period.

3.13 IR35 (Intermediaries Legislation) Amendment for off-payroll working in the public sector

The law now requires public sector bodies to decide the employment status of persons they engage to provide services, or predominantly services, through an intermediary such as a personal service company or agency. The Council will decide the employment status prior to engagement using HM Revenue and Customs employment status tool, which can be found here -

<https://www.tax.service.gov.uk/check-employment-status-for-tax/setup>

If the Council decides the engagement is 'employment' Tax and Employees National Insurance will be deducted from the Service Providers invoice under PAYE.

The Council believes that IR35 is not applicable to this requirement. However, if it becomes apparent that there needs to be a review of the employment status of this requirement, then the Service Providers shall co-operate with and assist the Council in reaching a decision if IR35 is applicable, which shall rest with the Council.

3.14 EQUALITIES

It is the responsibility of the Service Provider to actively meet the requirements of the Equality Act 2010 and Derby City Council (DCC) responsibilities under the Public Sector Equality Duty by paying due regard to:

- eliminating discrimination, harassment, and victimisation and any other conduct that is prohibited by the Equality Act
- advance equality of opportunity
- foster good relations between people who share a relevant protected characteristic and those who don't.

Having due regard means the Service Provider needs to:
remove or minimise disadvantages suffered by people due to their protected characteristics:

- take steps to meet the needs of people with certain protected characteristics where these are different to the needs of other people
- encourage people with certain characteristics to participate in public life or in other activities where the participation is disproportionately low.

DCC also expect the Service Provider to:

- capture effective data collection on employees and service users and analyse these statistics
- produce equality impact assessments on policies, procedures and services that may have an impact on service users or the service as a whole
- provide one or more equality objectives at least every four years

The Duty and this specification requires the Service Provider take into account disabled people's impairments, when making decisions about policies and services, as the law recognises that disabled's people's needs may be different from the needs of non-disabled people. This might mean making reasonable adjustments or treating disabled people better than non-disabled people to meet their needs.

All staff employed by the Service Provider will recognise and respect the religious, cultural and social backgrounds of service users in accordance with legislation and local and national good practice.

The Service Provider will ensure that it has access to appropriate translation services/resources to enable equity of access and understanding.

The Service Provider will recognise and make provision for cultural and religious needs such as prayer time and specific food preparation (eg Halal).

3.15 PERSONAL DATA

The Service Provider is likely to receive sensitive personal data as defined by the Data Protection Act 2018 and will adhere to the Information Sharing Agreement at Appendix Three signed and dated prior to contract start for the duration of the contract.

The Service Provider and its staff shall comply with the Data Protection Act 2018 and the General Data Protection Regulations 2016, and article 8 of the Human Rights Act (the right to privacy) and all and any subsequent legislation that is enacted during the course of the Agreement.

As a minimum this means:

- People are informed of how their personal data will be processed;
- People will have generally consented to the use of their personal data;
- Staff will not share information about individuals outside of the workplace and on a 'need to know basis' within the workplace;
- Records will be accurate and kept up to date;
- People will have a right to access to information held about them;
- Personal tasks will be carried out in complete privacy;
- Personal data will be kept secure at all times;
- Any disclosure of personal information must be done securely and within the requirements of the law;
- Personal data will not be collected that is not required for the provision of the service.

The Service Provider shall have data protection processes and policies that govern conduct of staff and how personal data is kept secure.

The Service Provider will ensure that the staff who provide the service are aware of their responsibilities under the Data Protection Act 2018 and the General Data Protection Regulations 2016. The Service Provider will train their staff and provide refresher training at least every two years.

The Service Provider will ensure appropriate security procedures are followed to protect the personally identifiable information belonging to individuals when making referrals or communicating on their behalf.

3.16 SOCIAL VALUE, COMMUNITY BENEFITS, AND THE LOCAL ECONOMY

The Service Provider will be expected to consider how best to maximise additional value for the community and local Derby economy through mechanisms which may include:

- Considering how peer support and citizen engagement can be developed as part of the Service where applicable and appropriate.
- Considering seeking external funding as appropriate to further the aims and objectives of the Service.
- Considering ways that the local economic benefits including the development of employment opportunities, apprenticeships, volunteers, work experience and through wider learning and development opportunities for the community.
- Considering how you can generate value to the local supply chain.
- Considering how you can promote fairness and equality.
- Considering how you can minimise the environmental impact to the local community when delivering these services.
- Considering how you can improve the capacity and sustainability in the voluntary and community sector.
- Considering other ways that the Service can offer additional value in the delivery of the Service.

- The Service Provider will be required to record and report on additional value gained on request.

Secondary Competitions may request information on how a successful Service Provider intends to deliver Social Value, Community Benefits and enhancements to the local economy through the award of an individual and/or block contract. Responses to this may be scored as part of the evaluation criteria.