

Decision Pathway – Report



PURPOSE: For noting

MEETING: Cabinet

DATE: 02 May 2023

TITLE	Children’s Social Care and Special Education Spot Purchase Placements Update		
Ward(s)	All wards		
Author: Gail Rogers	Job title: Head of Service Children’s Commissioning		
Cabinet lead: Cllr Asher Craig Cabinet Member for Children Services, Education and Equalities	Executive Director lead: Abi Gbago Executive Director Children, Families and Education		
Proposal origin: BCC Staff			
Decision maker: Cabinet Member			
Decision forum: For noting			
Purpose of Report:			
<ol style="list-style-type: none"> Report for information, to update Cabinet on children’s spot purchase placements made in excess of £500,000, and to seek approval for spend to be monitored via the Corporate Parenting Panel. 			
Evidence Base:			
<ol style="list-style-type: none"> Bristol City Council has a number of statutory requirements in relation to children’s placements. Section 17 Children Act 1989 sets out the statutory duties upon local authorities for the provision of services for children in need. Section 22 (AG) of the Children Act 1989 sets out the statutory duties upon local authorities to provide children in their care with accommodation. Section 22G of the Children Act 1989 imposes a duty upon to local authorities to secure, so far as reasonably practicable, sufficient accommodation that (a) is within the authority’s area; and (b) meets the needs of those children. Independently provided children’s residential and foster care are key means by which Bristol City Council complies with its duties to provide high quality care to looked after children. In 2021 Cabinet delegated authority to the Director of Children Services, in consultation with the Cabinet Member for Children’s, Education and Equalities, to approve spot purchasing of Residential Care, Independent Foster Agency and Independent Special School and College placements for children and young people, where the total committed funding for placements is above the key decision threshold value (£500,000) and when existing framework contracts are unable to meet requirements. For the purposes of Financial Governance, officers proposed to report to cabinet annually, outlining each decision above threshold that was approved. These high-cost spot purchase placements have been required for our most complex children and young people who require high staffing levels, and are jointly funded by social care, health and education due to their range of high needs, therefore the cost of placements is not solely borne by the council. Nationally, the number of children in care has grown by 8% over the last four years. As the number of children in care continues to rise, the market takes time to respond. Bristol commissions care and education from the independent sector using framework arrangements. When a framework approved provider is not able to offer a suitable placement match for a child, the council seeks a suitable match from a non-framework provider on a spot purchase basis. These are often care and/or education placements for children with the most complex needs, with costs reflecting this and at times, being above the threshold value for a key decision. The Strategic Commissioning and Children’s Placement teams are working together to develop Bristol’s placement sufficiency and consider approaches to improve market management, including developing cost effective, local options. Whilst work is being undertaken to build our placement sufficiency, it is inevitable 			

that a level of spot purchasing will still be required.

7. The spot purchasing of placements, where no compliant route is possible, is permitted by the Public Contracts Regulations 2015 and Bristol City Council's procurement rules as a compliant exception agreed through a waiver.
8. The placements contained within this report are for our highest need young people who have experienced significant trauma, with wide ranging complex needs including mental health issues, high levels of emotional dysregulation, self-harm and at times violent aggressive behaviour requiring a high staff to child ratio. The placement team proactively reviews provision for young people and support packages are reduced as their needs settle and the requirement for staffing ratios are no longer required.
9. Spot Purchase Placements Exceeding £500,000 per annum for 2022/23:

Placement Type	Weekly Placement Cost	Monthly Cost	Annual Cost of Placement
Residential Children's Homes	£9,850	£42,800	£513,607
	£10,920	£43,550	£522,600
16+ External Supported Accommodation	£33,380	£140,691	£633,111
Independent Special School	£11,002	£47,679	£571,000

10. It is felt that a more appropriate governance route for this spend update is corporate parenting panel, therefore we are also seeking Cabinet approval to amend reporting mechanism. The corporate parenting panel is a multi-agency panel chaired by the Cabinet Member for Children, Education and Equalities which holds the council to account for the delivery of improved outcomes, championing children in care and care leavers across the council. The group has representation from care-experienced young people and key stakeholders such as health and education.

Cabinet Member / Officer Recommendations:

That Cabinet:

1. Note the spend on spot purchase social care and education placements as outlined in this report.
2. Approve future reporting of children's spot purchase placements made in excess of £500,000 to the Corporate Parenting Panel

Corporate Strategy alignment:

CYP1 Child Friendly City – Children and young people will be cared for and supported in the City they have grown up in and will be supported to overcome adverse childhood experiences.

City Benefits: Meet the needs of children in care and children with special educational needs and disabilities, in line with the Children Act 1989, the SEND code of Practice, the Children and Families Act and the Equalities Act 2010.

Consultation Details: Consultation has been undertaken with relevant internal staff members, including Procurement and Children's Placement Team

Background Documents: [Childrens Social Care and Special Education Spot Purchase Placements .pdf \(bristol.gov.uk\)](#)

Revenue Cost	£n/a	Source of Revenue Funding	n/a
Capital Cost	£n/a	Source of Capital Funding	n/a
One off cost <input type="checkbox"/>	Ongoing cost <input type="checkbox"/>	Saving Proposal <input type="checkbox"/>	Income generation proposal <input type="checkbox"/>

Required information to be completed by Financial/Legal/ICT/ HR partners:

1. Finance Advice: The report does not present any direct financial implications but provides information on the number of spot purchase placements in excess of £500k made over the past year, under authority delegated by Cabinet in July 2021.

The impact of these on service budgets are reported as part of the Budget updates which have shown significant pressures resulting from increasing numbers on children in care, and placement sufficiency echoed in this report.

Finance Business Partner: Andrew Osei – Finance Business Partner 11 April 2023

2. Legal Advice: There are no specific legal implications arising from this report.

Legal Team Leader: Husinara Jones, Team Manager/Solicitor 11 April 2023

3. Implications on IT: I can see no implications on IT in regard to this activity.

IT Team Leader: Alex Simpson – Senior Solution Architect 21 March 2023

4. HR Advice: There are no significant HR implications for Bristol City Council employees arising from this report.

HR Partner: Lorna Laing HR Business Partner 23 March 2023

EDM Sign-off	Abi Gbago Executive Director Children and Education	29/03/2023
Cabinet Member sign-off	Cllr Asher Craig Cabinet Member Children’s Services, Education and Equalities	29/03/2023
For Key Decisions - Mayor’s Office sign-off	Mayor’s Office	04/04/2023

Appendix A – Further essential background / detail on the proposal	NO
Appendix B – Details of consultation carried out - internal and external	NO
Appendix C – Summary of any engagement with scrutiny	NO
Appendix D – Risk assessment	NO
Appendix E – Equalities screening / impact assessment of proposal	NO
Appendix F – Eco-impact screening/ impact assessment of proposal	NO
Appendix G – Financial Advice	NO
Appendix H – Legal Advice	NO
Appendix I – Exempt Information	NO
Appendix J – HR advice	NO
Appendix K – ICT	NO
Appendix L – Procurement	NO