

**Decision Maker:** Executive

**For Pre-Decision Scrutiny by the Care Services PDS Committee on:**

**Date:** 10th January 2017

**Decision Type:** Non-Urgent Executive Key

**Title:** RECRUITMENT OF THE FOSTER CARER SERVICE

**Contact Officer:** Lesley Moore, Director of Commissioning  
Tel: 020 8313 4633 E-mail: [Lesley.moore@bromley.gov.uk](mailto:Lesley.moore@bromley.gov.uk)  
Ian Leadbetter, Head of Safe: Guarding & Social Care  
Tel: 020 8313 4116 E-mail: [Ian.leadbetter@bromley.gov.uk](mailto:Ian.leadbetter@bromley.gov.uk)

**Chief Officer:** Lesley Moore, Director of Commissioning

**Ward:** Borough wide

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1. Reason for report

- 1.1 Recruitment of In-house Foster Carers is a key priority and therefore a detailed review has been undertaken to see if improvements can be made in the service to increase the overall numbers recruited and consider how this service provision could be provided in the future.

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2. RECOMMENDATION(S)

- 2.1 Agree to market test the recruitment of the Foster Carer service through a negotiated procurement process, for a contract term of 3 years, with the option to extend for a further 2 years, with a whole contract value of £1m, as set out in Option 2, para 6.2 of this report.
- 2.2 Note the improvements officers have undertaken around the recruitment process as set out in para's 3.7 to 3.13 of this report.

## Impact on Vulnerable Adults and Children

1. Summary of Impact:
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### Corporate Policy

1. Policy Status: Not Applicable Existing Policy New Policy:
  2. BBB Priority: Children and Young People Excellent Council Quality Environment Safer Bromley Supporting Independence Vibrant, Thriving Town Centres Not Applicable:
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### Financial

1. Cost of proposal: N/A
  2. Ongoing costs:: N/A
  3. Budget head/performance centre: 833120
  4. Total current budget for this head: £5,834k of which £45k currently set aside for foister care promotion
  5. Source of funding: Core
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### Personnel

1. Number of staff (current and additional):
  2. If from existing staff resources, number of staff hours:
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### Legal

1. Legal Requirement: Statutory Requirement Non-Statutory - Government Guidance None: Further Details
  2. Call-in: Applicable
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### Procurement

1. Summary of Procurement Implications:
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes No Not Applicable
2. Summary of Ward Councillors comments:

### **3. COMMENTARY**

- 3.1 The Council's strategy over the years has been to increase the use of In-house Fostering as an alternative to Independent Fostering Agencies (IFA) because using IFAs cost £22k p.a. more for each child placed. It is also more cost effective than placing in residential care type accommodation.
- 3.2 The In-house Fostering Service has been established to:-
- Increase the overall number of In-house Foster Placements (to meet identified need)
  - Work and develop services for family members and friends to act as Foster Carers
  - Recruit, approve and support Foster Carers as far as possible to reflect the racial and cultural origins of the children looked after
  - Recruit Foster Carers in or nearby to the Borough to minimise disruption to the child's life
- 3.3 Historically, Bromley's fostering service has found it a challenge to keep pace with the steady increase in demand for foster placements for adolescent children. These difficulties have been further exacerbated by the "natural" loss of carers in recent years.
- 3.4 Foster carer availability constantly fluctuates with carers resting from time to time or resigning when fostering no longer suits their family. Housing is also one of the biggest challenges to people wanting to become foster carers as a spare bedroom is needed to accommodate children over two years of age (often the carer assumes our children can share a room with their own children).

#### **Restructure of Service**

- 3.5 The current service is in the process of a restructure to enable a group of staff to focus specifically on foster care recruitment, which is a key priority for the service. This will provide a more coherent approach embedded in the service, with information captured from the point of initial enquiry through to final approval of foster carers, and information captured at each stage of the recruitment process as to why potential foster carers decide not to proceed forward.
- 3.6 The problem with the current staffing structure is that a number of different officers, including qualified social workers, are involved in the recruitment process and important information is captured and recorded in different places, so there is no strategic overview of the recruitment process, to consider what is working well and where improvements need to be made.

#### **Review undertaken by Commissioning & Procurement Division**

- 3.7 The Programme Manager within Commissioning & Procurement division has recently undertaken a detailed review of the fostering service with a view to making improvements so it is more efficient and effective. These are listed below:-
- Inefficient responses to enquiries from potential foster carers
  - Website used for initial contact
  - No tracking of advertising
  - No data analysis and individual tracking to understand why foster carers drop out through the process

- Lack of consistency around officers to be contacted
- Social Workers undertaking administrative tasks that could be done by lower graded staff

3.8 The current arrangements for all foster carer enquiries is that all calls are routed through a separate line to the customer contact centre where two questions are asked:-

- Are you over 21 years of age
- Do you have a spare room

No question was asked as to how/why they contacted Bromley, which would help inform future advertising campaigns. This is now in place.

3.9 Responding to foster carer enquiries at times went unanswered or could take 48 hours for the Fostering Team to send out the information packs. Given recruitment of foster carers is a key priority for the service, this has now been changed so that there is a staff member available at all times to take the calls and the information packs sent out within the first 24 hours of enquiry.

3.10 A new policy has now been implemented to ensure that enquires on the web and telephone are dealt with quickly within one hour of initial contact and then people invited to an information meeting to learn more about fostering in Bromley within 2 weeks of the enquiry.

### 3.11 Website

Changes to the website are also being undertaken to make it easier for Foster Carers to access information about becoming a foster carer in Bromley.

### 3.12 Data Capture

The table below identifies the total number of enquires for the last two years against how many ultimately resulted in successful foster carers.

	Total Enquiries	Total Applications	Number of Initial Visits	Proceeding to Skills To Foster	Form F's allocated	Forms F's completed	Form F's Closed	Form F's Current at year end	Foster Carers Actually approved
<b>2014/2015</b>	251	61	35	26	25	13	7	5	13
<b>2015/2016</b>	216	71	59	41	21	5	11	15	5

Focussing on 2015/2016 data above although there were 216 enquiries of which only 71 resulted in an application (33%).

The next data set of interest is from the Proceeding to Skills To Foster whereby 18 potential foster carers dropped out or were not being considered as suitable. Of that cohort 21 have gone through to the Form F statutory assessment process, 5 of those to date have been completed and referred to panel, 5 approved as Foster Carers with 15 still to be reviewed. At that stage 11 dropped out due to not being suitable or deciding not to proceed.

Throughout the process from initial enquiry to final approval, applicants withdraw or are considered not suitable, so it remains a challenge to recruit suitable foster carers. It is critical that recruitment data is captured centrally (it has been difficult to get accurate data as officers hold different information depending on which part of the process is being looked at) and analysed regularly to help inform where improvements or changes need to be made – this has now been undertaken.

### 3.13 Social Workers undertaking administrative tasks that could be done by a lower grade

The restructure of the service will also mean that gathering of Information to provide to prospective foster carers, the arranging of meetings, drafting of reports on the suitability of a potential foster carer proceeding to the next stage and responding to telephone queries will now be undertaken by a dedicated recruitment officer freeing up social work time to do other things.

## 4. PRESSURE ON THE SERVICE

4.1 Based on the 2016/17 October Budget Monitoring, children’s placement numbers are forecast to increase by 10.3 full time equivalents by the end of this year, resulting in a forecast overspend of around £1.5m. It is therefore critical that an overall commissioning strategy is developed within the Children’s Division in ECHS to manage both current and future demands. This will need to be a priority for the service.

4.2 The trend in placement numbers is shown in the table below. The spike in 2014/15 to 2015/16 of 24 placements was in the main due to Special Guardianship orders (21) where family members come forward to take responsibility for the child. The placement trend is broken down in the table below:-

	2014/15		2015/16		2016/17	
	Actual		Actual		Forecast	
	FTE's	£'000	FTE's	£'000	FTE's	£'000
Residential	33.55	5,278	30.74	4,703	37.27	5,672
IFA	38.16	1,608	45.56	1,718	39.55	1,723
In-house Fostering (including Guardianship etc)	290.18	5,098	309.88	4,917	315.62	4,829
<b>TOTAL</b>	<b>361.89</b>	<b>11,984</b>	<b>386.18</b>	<b>11,338</b>	<b>392.44</b>	<b>12,224</b>

4.3 Whilst the overall number of In-house Fostering placements have increased year on year the benefits are not being realised due to more children being placed in high cost residential type placements, sometimes because no suitable alternative provision can be identified. This means that children suitable for IFAs type placements for example, are being funded in more expensive residential placements. The Director of Children’s Services will need to undertake an urgent piece of work to identify future service needs and how best to meet that need through the commissioning process.

- 4.4 Bromley's fostering service has found it a challenge to keep pace with the steady increase in demand for foster placements required for adolescent CLA, although recent changes brought about by significant case law has lessened the need to recruit carers for younger children. This position may be reversing. Foster Carers presenting to the Council are generally less keen to take on children aged 13+ because they are more challenging.
- 4.5 The recent launch of the [Interim National Transfer Protocol for Unaccompanied Asylum Seeking Children 2016-17](#), of which under the Immigration Act 2016 it is anticipated will soon become a statutory requirement for all local authorities in England, places yet more pressure upon fostering services at Bromley. As a result of the implementation of this protocol, Bromley expects it will be obligated to find placements for more unaccompanied asylum seeking children in the coming year, of which a significant proportion will likely be from an adolescent age group. Although these places will be funded by Government grant, the team will still have to be able to manage this additional capacity
- 4.6 These pressures faced by Bromley's fostering service are similar to those currently experienced by other local authorities nationally and across London and, in conjunction with one another, have already resulted in an increased use of IFAs and residential foster placements for adolescent CLA.

## **5. SERVICE PROFILE / DATA ANALYSIS**

- 5.1 Bromley has experienced an increase in its Looked After Children population from 361.89 in April 2014 to 386.18 in April 2016 (392.44 projected by the end of the financial year).
- 5.2 The reasons for the increase in numbers is not well understood particularly the significant increase in the cohort of young people over the age of 13 becoming looked after. This trend appears to be replicated across most London boroughs.
- 5.3 The recruitment of foster carers for adolescents has, historically, proved challenging. Attempts to raise the profile through targeted recruitment have not been successful overall. It is known that there is a shortage nationally of carers for adolescents, which together with the apparent shift in the number of placements required to meet current and future demand means the service needs to consider how best to deliver this service going forward.

## **6. FUTURE SERVICE OPTIONS**

### **6.1 Option 1 - Continuation of Current Service Arrangements**

Officers do not recommend this option for the following reasons:-

- A more focused approach is required
- The Council has a responsibility to use public resources responsibly and faces significant budget pressures. Doing nothing would imply acceptance of the current arrangements, which clearly is not meeting our needs
- A tender exercise will generate competition within the market, potentially leading to innovation
- Should deliver efficiencies both in service provision and financially

## 6.2 **Option 2** – Market test the recruitment service

This is the option recommended by officers as it should ensure a specific focus on the recruitment service lead by a provider with detailed knowledge and experience in this area. The market testing of the recruitment process will enable the Council to fully understand the breadth of the market available.

It is proposed that the procurement process is carried out through a negotiated light touch regime, with a contract term of 3 years with the option to extend for a further 2 years. The estimated contract value over the whole 5 year period is £1m

## 6.3 **Option 3** – Market test the whole fostering service, adoption, and other children services in a bigger bundle.

It is inevitable that market testing more children's service together will deliver greater efficiencies in the longer term; however, very few authorities to date have outsourced the whole of the fostering service. Adoption will also move out of local authority control into regional adoption agencies by 2017, so that all LA services are merged by the end of the decade.

Given the need to attract more in-house foster carers as a matter of urgency, particularly in light of the budget pressures, officers consider that any widening of the market testing to include other services will simply add in delays.

## 7. **MARKET CONSIDERATIONS**

7.1 Our market analysis has identified several local authorities in London, such as Lewisham, Sutton, Hackney, and Islington, who have, to varying degrees, outsourced the recruitment of their foster carer's service. These local authorities have, on the whole, welcomed the extensive capacity of these commissioned agencies to implement wide ranging recruitment methods and the speed in which they can complete statutory assessments.

7.2 Market analysis and research has also identified risks in commissioning such a service. One local authority in particular, expressed two significant downsides to their experience:

- they felt that the frontloaded management/advertising fee they were charged was too expensive for the service they received and
- the provider had significantly under-delivered on the number of carers provided compared to their initial proposal within a 12 month period.

7.3 Officers have acknowledged these risks and will seek to mitigate them as far as possible in the tender specification. Officers will insist upon through the contract specification, strong safeguards in terms of the quality assurance and contract monitoring of both any advertising material the provider may use, and in the carer assessments that the provider will conduct.

## 8. **OUTLINE PROCUREMENT STRATEGY & CONTRACTING PROPOSALS.**

8.1 It is proposed to market test the whole recruitment process for the fostering carer service from the point of initial enquiry up to approval stage, although the final quality assurance of the foster carer will be undertaken in conjunction with the service manager, the children's commissioner and fostering panel. The final decision will be confirmed by the Director of Children's Services.

8.3 The specification will require the provider to provide their own recruitment and advertising strategy, process initial carer enquiries, conduct the initial 'Skills to Foster' course, undertake all elements of the assessment of prospective carers, complete the formal written record (Form F),

and present the prospective carers to the Bromley Fostering Panel for consideration of approval.

- 8.4 The provider will be required to provide professional supervision to the assessors and a robust quality assurance package. To ensure compliance with the standards required for our fostering panel, all reports will be required to be quality assured and assessed at an appropriate level of quality prior to being presented to our fostering panel.
- 8.5 The provider will need to ensure that a proportion of fostering units recruited are prepared to take on specific types of placements where Bromley currently has specific shortages (e.g. male or sibling placements, adolescents, and a proportion of these foster carers will be of a Black and Minority Ethnic (BME) background, a measure required due to a current shortage of carers from this demographic.
- 8.6 The provider will be subject to minimum quality requirements when responding to carer enquiries and carrying out initial assessments, details of which will be set out in the service specification.
- 8.7 The provider will be required to ensure that each carer is recruited within a maximum 10 mile radius of Bromley's borough boundaries and within a minimum timeframe of 16 weeks from the carer first registering an interest.

#### Timetable for market testing

- 8.8 It is proposed to carry out an 'open' procurement process to establish if there are appropriate qualified and experienced providers to manage this service to the standards noted within the specification. An indicative timetable for the tendering process is noted below:
  - January 2017 – Finalise the specification and tendering documents
  - February 2017 – Commence tendering exercise
  - September 2017 - Commence new service
- 8.9 The contract term will be for 3 years with the option to extend for a further 2 years, with a whole contract value of £1m.
- 8.10 Health, social and related services are covered by Schedule 3 of the Public Contracts Regulations 2015, and thus any tender would be subject to the application of the "Light Touch" regime (LTR) under those regulations. The proposed tender will be undertaken in accordance with the Council's Financial Regulations & Contract Procedure Rules and procurement policies.

## **9. SUSTAINABILITY**

- 9.1 A more focused service should reduce the number of placement disruptions and achieve more permanency and stability of placements.

## **10. POLICY IMPLICATIONS**

- 10.1 Improving Bromley's capacity to provide appropriate and cost-effective in-house foster placements is a key objective for Children's Social Care and contributes towards *Building a Better Bromley*.



## 11. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 11.1 Improving the speed and effectiveness of Bromley Council's fostering recruitment and assessment will have a positive impact on vulnerable children in Bromley.
- 11.2 Improving the lives of vulnerable children in Bromley is at the heart of this proposal.
- 11.3 There is no impact on vulnerable adults associated with this report.

## 12. PERSONNEL IMPLICATIONS

- 12.1 Consultations with staff and their representatives around market testing of the Foster Carer Recruitment Service will be undertaken if members approve the proposals outlined in this report.

## 13. LEGAL IMPLICATIONS

- 13.1 This report seeks approval to market test (by carrying out a procurement process) the availability and cost of organisations who can provide a recruitment of foster carers service. At this stage the term of any potential contract is unknown.
- 13.2 The estimated value of the procurement is not stated. Rule 5 of the Contract Procedure Rules provides that for a contract with a total value of £500,000 or more the relevant portfolio holder must be consulted and for a contract with a total value of £1million or more the Executive must be consulted on the intended action and contracting arrangements. In both cases the report must be reviewed by the commissioning board prior to submission to the Portfolio Holder or the Executive, as the case may be.
- 13.3 As stated in paragraph 8.10 the light touch regime in the **Public Contracts Regulations 2015** applies to this contract. The Council will need to comply with these Regulations.
- 13.4 The Council has a duty to accommodate and look after unaccompanied children pursuant to parts 3, 4, and 5 of the Children Act 1989.
- 13.5 When carrying out the consultation the Council should have regard to its duties under the Equalities Act 2010 and the Public Sector (Social Value) Act 2012.
- 13.6 The report author will need to consult with the Legal Department regarding the contract terms and conditions.

<b>Non-Applicable Sections:</b>	
Background Documents: (Access via Contact Officer)	Held in Central Commissioning Team, social care and Finance Teams