

<b>Decision Maker:</b>	<b>PORTFOLIO HOLDER FOR CHILDREN, EDUCATION AND FAMILIES</b>		
<b>Date:</b>	<b>For Pre-Decision Scrutiny by the Children, Education and Families PDS Committee on 17 November 2022</b>		
<b>Decision Type:</b>	Non-Urgent	Executive	Non-Key
<b>Title:</b>	<b>CONTRACT AWARD VIA EXEMPTION TO COMPETITIVE TENDERING: VIRTUAL REALITY TRAINING FOR CHILDREN'S SOCIAL CARE PRACTITIONERS</b>		
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<b>Chief Officer:</b>	Richard Baldwin, Director of Children's Services		
<b>Ward:</b>	All Wards		

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## 1. REASON FOR REPORT

- 1.1 The Council currently holds a contract to provide Virtual Reality training, materials and support to practitioners in Children's Social Care. The purpose of the VR Program is to embed immersive experiences into the Council's professional social care practice. The training helps to improve outcomes in referral and assessment for children to achieve permanency, including Fostering, Special Guardianship and Adoption.
  - 1.2 The current contract was awarded via exemption to competitive tendering in April 2020 and is due to end in March 2023 with a cumulative value of £60k. The contract is held with Cornerstone Training and Support Service Ltd. This is a unique and specialist service and there are no alternative suppliers currently on the market for this type of training provision.
  - 1.3 This report proposes to award a further contract to the current supplier via an exemption to competitive tendering, due to its specialist nature. The proposed contract will commence from April 2023 for a period of five years at an estimated annual value of £24,705 (a whole life value of £183,505, inclusive of cumulative spend).
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## 2. RECOMMENDATION(S)

- 2.1 The Portfolio Holder for Children, Education and Families is recommended to approve award of a contract, via exemption to competitive tendering, for the provision of Virtual Reality training and support to Cornerstone Training and Support Limited. The proposed award is for five years, commencing 1 April 2023 at an estimated annual value of £24,705 (whole life value of £183,525 inclusive of cumulative spend).

## Impact on Vulnerable Adults and Children

Summary of Impact: In considering which permanency option will best meet a given child's needs, the Permanency Service must assess the suitability of prospective carers. In the year 2021-2022, the London Borough of Bromley recruited 11 Foster Carers and assessed 35 prospective Special Guardians which resulted in 16 children achieving permanence through Special Guardianship Order. In undertaking these assessments, practitioners must use a variety of tools to gain a holistic and comprehensive picture of the carer's suitability. The Virtual Reality technology materials is one of such tool and plays a key role in terms of permanency outcome for children

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## Corporate Policy

1. Policy Status: Existing Policy
  2. BBB Priority: Children and Young People
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## Financial

1. Cost of proposal: £183,525 (five-year contract value, inclusive of cumulative spend)
  2. Ongoing costs: Not Applicable
  3. Budget head/performance centre:
  4. Total current budget for this head: £
  5. Source of funding:
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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: None
  2. Call-in: Applicable; Portfolio Holder decision.
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## Procurement

1. Summary of Procurement Implications: See report (Section 11)
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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? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

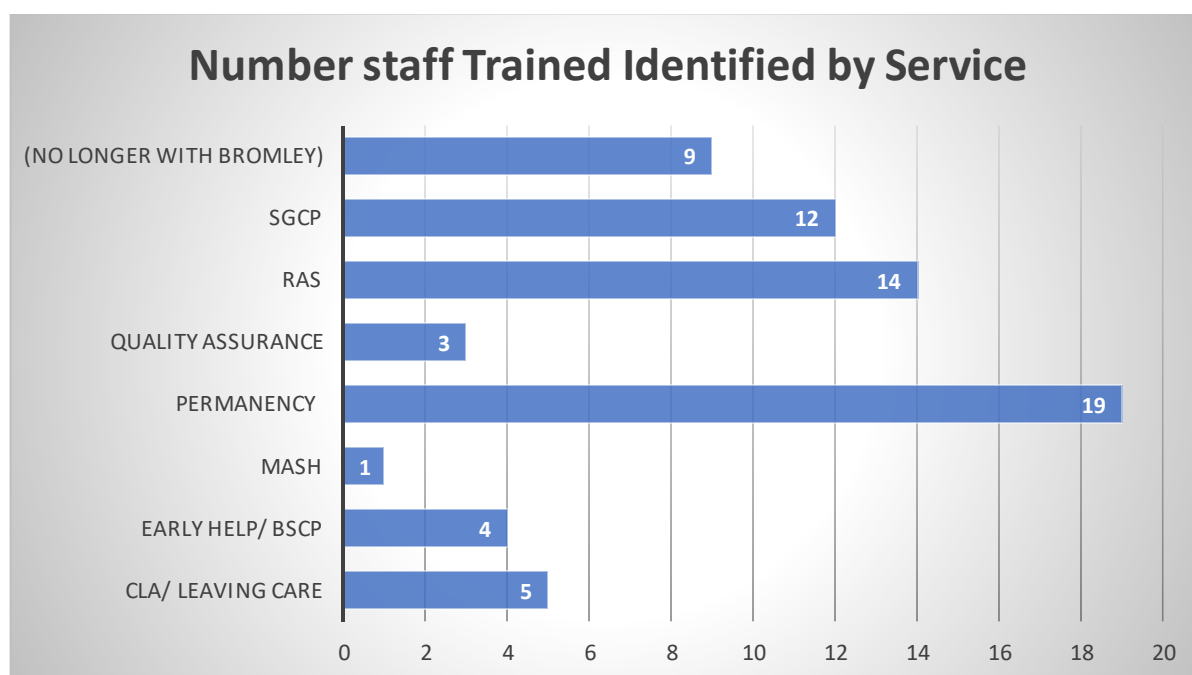
### 3. COMMENTARY

- 3.1** The London Borough of Bromley's Permanency Service seeks to achieve permanence for every child within the Borough. Permanence is the long term plan for the child's upbringing and provides an underpinning framework for all social work with children and their families from family support through to adoption. It aims to ensure a framework of emotional, physical and legal conditions that will give a child a sense of security, continuity, commitment, identity and belonging.
- 3.2** The objective of planning for permanence is to ensure that children have a secure, stable and loving family to support them through childhood and beyond and to give them a sense of security, continuity, commitment, identity and belonging.
- 3.3** Cornerstone is a specialist training and support company who supply Virtual Reality technology materials and related services. The purpose of the VR Program is to embed immersive experiences into LBB's professional social care practice. This helps LBB to fulfil its statutory requirements to safeguard children as set out in legislation including, but not limited to, the Children Act 1989, Working Together to Safeguard Children 2018, the Adoption and Children Act 2002, and the London Safeguarding Children Procedures (last amended March 2022) .
- 3.4** Cornerstone provides the following services to the Local Authority:
- a. VR Bundle containing 12 headsets
  - b. Training and support services including; Certification Course, Support and Training, IT Support, and additional equipment
  - c. Training material including VR films and library and user guides
  - d. A fully paid, non-exclusive royalty free licence to use the VR Program during the term of the contract
- 3.5** The Certification Course involves one Certified Practitioner Training Day which focuses on equipping and certifying practitioners in the use of Cornerstone Virtual Reality equipment and content safely and effectively in their practice. This is standardly provided for one day per year, for up to 17 people each. It is run by one of Cornerstone's VR Practitioner Trainers, all of whom are experienced social workers with knowledge of working across Children's Services in areas such as: *children on the edge of care, children in care, fostering and adoption*.
- 3.6** The London Borough of Bromley also receives 6 credits to exchange for in-person support from Cornerstone strategic officers, specialised trainers and advisers and technical support. This includes:
- a) Certification Course - one dedicated per year
  - b) Two follow up development sessions per Certification Course
  - c) Stakeholder meetings – one per year – eg for Panel members, Senior Leaders, other stakeholder groups
  - d) Annual Strategy/Review meeting
  - e) Ongoing support from the VR Service Manager
  - f) Access to the Open Courses (currently Certification Courses held twice a month)
  - g) Access to all content and any new content either made or procured by Cornerstone (where permission is granted for viewing as part of our VR package)
  - h) Cost-free one year pilot of the Social Virtual Reality Rooms

### 3.7 Service Profile / Data Analysis

3.7.1 The London Borough of Bromley has held a contract with Cornerstone since May 2019 – this includes a one off contract as a pilot in 2019 followed by a longer term contract commencing April 2020. The cumulative spend to date is £60k. Bromley’s use of the service during this time is outlined below.

3.7.2 67 practitioners have received VR Certification to date. Within this group, several service areas are represented including Permanency, Referral and Assessment, and Safeguarding and Care Planning. The full breakdown is depicted by this graph:



3.7.3 This tool helps a wide range of practitioners (including social workers and social work assistants) to drive improvements in recruitment, assessments and placement support. The VR Program enhances the assessment process of prospective Foster Carers and Special Guardians by providing opportunities to examine their authentic responses to the ‘real’ scenarios shown within the VR content.

3.7.4 Feedback from practitioners has been positive. A quotation from a practitioner trained in the use of VR is reproduced from the ‘Overview Report on Virtual Reality (VR) Practice Tool March 2022’: *“This training was incredibly helpful and so useful with understanding the child’s perspective and the impact of trauma throughout the child’s life. I feel that this training also provides more options for tools we can use with families and other professionals that we work with. I loved the fact the lady who facilitated the training shared links to other helpful resources and overall, it was very engaging and interactive. I look forward to using it in future practice.”*

3.7.5 A VR Group Reflection space has been set up to enable practitioners and managers to meet every six weeks to share their experience of using Virtual Reality in their practice. It provides a space to discuss any challenges staff have encountered in their practice, to share

experiences, to exchange ideas of how to further use this tool, and to overcome challenges. Feedback from this reflection group reported that: *“the practitioners that have used the VR found it helpful and are encouraged to use it more. All the that used VR found that it added value to their work and will use it again.”*

### **3.8 Options Appraisal**

#### **3.8.1 Option 1 – Put out to tender**

This option would involve putting the service out to tender via a competitive tender process in order for other providers to bid for the service. Cornerstone are a specialised service and are the only provider in the UK who can offer this service, so this option is not recommended.

#### **3.8.2 Option 2 – continue service contract with Cornerstone**

This option would involve awarding a further contract to the incumbent service provider, Cornerstone, for a period of 5 years via an exemption to competitive tendering. The rate is £24,705 per annum. This is the preferred option on the basis that this very specialised service cannot be provided by any other company in the UK.

#### **3.8.3 Option 3 – do nothing**

This would involve not having a service in place to provide VR Equipment, materials and training. Prospective carers would not have the benefit of this immersive experience and the practitioners responsible for assessing these prospective carers would lose out on a valuable source of information. This may impact the quality of assessments and therefore the quality and appropriateness of the care that children in Bromley receive. Alternatively, the Council would have to spot purchase services which is likely to be more expensive. Option 3 is therefore not recommended.

**3.8.4 Preferred Option:** Option 2 is recommended. This is because Cornerstone provide a completely unique service, with no other providers available who can meet the Council's very specific requirements. Virtual Reality is a relatively new technology which has not yet begun to permeate the market within the sector of Children's Social Care. Cornerstone therefore has no viable competitors within this very niche market. A review of the market can be undertaken prior to the end of the proposed contract to establish whether the market has developed.

## **4. MARKET CONSIDERATIONS**

4.1 Following market research, Cornerstone was determined to be the only company providing this service.

4.2 A desk-based market assessment was undertaken in November 2018 and repeated in July 2022. This search revealed no suitable alternative suppliers to the incumbent provider.

4.3 A search undertaken by Corporate Procurement on the G Cloud 12 Digital Marketplace produced no evidence of suitable suppliers.

4.4 Bromley forms part of the London Permanency Partners Consortium, comprising 9 Local Authorities across London. Information was sought from members of this consortium as part of the market research process. Every Local Authority within this consortium who uses Virtual Reality technology uses Cornerstone as a provider. This is an indication of its dominance in the market due to the niche service it provides.

## 5. SOCIAL VALUE AND LOCAL / NATIONAL PRIORITIES

- 5.1 This service helps the Council to meet its duties with regards to permanency planning for children within the Borough, in line with UK policy and legislative requirements.
- 5.2 Cornerstone claim that: *“The Cornerstone VR Programme accelerates learning and understanding of the needs of children when compared to similar non-VR training methods. This improves the relationships between carers/parents and children resulting in greater placement stability (including prevention of breakdown) or enhanced familial well-being.”* Evidence supporting this claim can be found on Cornerstone’s ‘Insights’ page, which shows the rigorous scrutiny and evaluation applied to their VR Program. *Source: Insights — Cornerstone Partnership (thecornerstonepartnership.com)*
- 5.3 An evaluation of Cornerstone’s Virtual Reality Pilot Programme Found that all practitioners trained in VR agreed that Cornerstone’s training will have at least some impact on how they communicate with carers/adopters, with 41% agreeing that this would be a *“large impact”*. *Source: Insights — Cornerstone Partnership (thecornerstonepartnership.com)*
- 5.4 In February 2017, Coram’s Impact and Evaluation team evaluated the impact of Cornerstone’s programme for adopters and prospective adopters. They reported that *“Adopters were very satisfied with Cornerstone’s services and considered the programmes to be of very high quality and generally better than other support they had received throughout their adoption journey. Adopters said that Cornerstone’s programmes were relevant to their lives and as a result they felt more prepared, supported and confident to deal with challenges during their adoption journey. Ninety-four per cent of adopters (22) either “strongly agreed” or “agreed” that RPT equipped them with effective techniques and strategies to parent an adopted child and 87% (33) “strongly agreed” or “agreed” that the course helped them feel more confident to parent a child who has experienced trauma.”* *Source: Raising Kinship Children (squarespace.com)*
- 5.5 The impact is limited\* by the geographical restrictions set by Cornerstone in their Service Level Agreement, which states that the London Borough of Bromley is only permitted to use the VR Library *“within its geographical operating boundary – the London Borough of Bromley”*.
- 5.6 It is also limited by clause Schedule 1 of the Service Level Agreement, which states that *“The VR library may not be used by the organisation outside of the normal remit of its core responsibility (e.g. with the NHS, partners, with a university), except with the express prior written permission of Cornerstone”* and its use is limited to: *“Services that fall within the normal remit of the organisation’s core responsibilities (e.g. working with foster carers, working with adopters, family workers, building trauma awareness in schools etc.)”*

## 6. STAKEHOLDER ENGAGEMENT

- 6.1 67 practitioners have received VR Certification to date. Within this group, several service areas are represented including Permamency, Referral and Assessment, and Safeguarding and Care Planning. As outlined above, feedback from practitioners has been largely positive, and further Group Reflection Spaces have been set up to share ideas and examples of good practice. The next session will be taking place on 14<sup>th</sup> October 2022. It is anticipated that as more practitioners are trained in this technology, it will become embedded as part of our standard range of practice tools.

## 7. PROCUREMENT AND PROJECT TIMESCALES AND GOVERNANCE ARRANGEMENTS

- 7.1 **Estimated Value of Proposed Action:** £24,705 per annum (whole life value of £123,525 plus a cumulative value to date of £60k – a total of £183,525).
- 7.2 **Other Associated Costs:** inflationary uplifts based on CPI may apply; cancellation fees may apply where orders are cancelled.
- 7.3 **Proposed Contract Period:** 1 April 2023 to 31<sup>st</sup> March 2028 – five years.
- 7.4 It is proposed to award a further contract to Cornerstone via an exemption to competitive tendering. The current contract with Cornerstone commenced 1 April 2020 and was also awarded via exemption with a cumulative value to date of £60k.

## 8. POLICY CONSIDERATIONS

- 8.1 'Transforming Bromley Roadmap 2019 – 2023', Priority 9: *"prioritising the health, safety and wellbeing of our residents"*
- 8.2 'Transforming Bromley Roadmap 2019 – 2023', Children's Services and Education Workstream: *"ensure that the delivery of children's services and education is sustainable and helps our children and young people at the earliest point of need"*
- 8.3 The Children and Social Work Act 2017 and the Applying Corporate Parenting Principles to Looked After Children and Care Leavers Statutory Guidance (February 2018), centred in the 'Corporate Parenting Strategy for Bromley 2021 – 2024', sets out 7 core principles to ensure better outcome for children and young people: *"to promote their physical and mental health and wellbeing; to encourage them to express their views, wishes and feelings; to ask about, listen to and respect their views, wishes and feelings; to help them gain access to, and make the best use of, services provided by the Council and our relevant partners; to promote high aspirations, and seek to secure the best outcomes; for them to be safe and have stability in their home lives, relationships and education or work; to prepare them for adulthood and independent living"*
- 8.4 The London Borough of Bromley's 'Getting to Excellence' Agenda: *"consistently going above and beyond, enabling our children, young people and their families to grow and flourish, being aspirational and building resilience for the future."*

- 8.5 Notably, the Service Level Agreement gives Cornerstone the right to *“reference [the London Borough of Bromley] when promoting the work that is being undertaken. [...] Generic references, with regards to naming the organisation and the use of their logo, can be undertaken without checking but any specific reference with quotes must be approved by the party being quoted.”* Considerable thought has been given as to the implications of this. So far, no negative reputational implications have been noted as a result of this consideration.

## **9. IT AND GDPR CONSIDERATIONS**

- 9.1 There is a basic amount of personal information being processed in the delivery of training. The Council is required to partner with reputable and compliant organisations that provide a proportionate level of GDPR compliance. The Contract with Cornerstone has robust data protection clauses in paragraphs 10.1-12 that have been reviewed and agreed by the Head of Information Management. A full Data Protection Impact Assessment is not required
- 9.2 There is no integration between the VR software and equipment and the Council’s IT systems. Any access requirements to Cornerstone management portals and administration consoles that require specific firewall ports and or application installation needs to be requested via the service desk.

## **10. PROCUREMENT RULES**

- 10.1 This report seeks to award a contract to Cornerstone Training and Support Ltd. via exemption from competitive tendering for a duration of five years at a whole life value of £123,525, to commence 1<sup>st</sup> April 2023. The cumulative value of contracts to date makes an overall whole life value of £183,525.
- 10.2 This action is permissible under the general waiver power of the Council (CPR 3.1). The Council’s specific requirements for authorising an exemption are covered in CPR 13 with the need to obtain the Approval of the Portfolio Holder following Agreement by the Chief Officer, the Assistant Director Governance & Contracts, the Director of Corporate Services and the Director of Finance for a contract of this value. In accordance with CPR 2.1.2, Officers must take all necessary professional advice.
- 10.3 As the contract value is over £25k, an award notice will need to be published on Contracts Finder.
- 10.4 The cumulative value is below the thresholds set out in the PCR 2015, however the justification cited at para 3.9.2 and Section 4 would in any event be permissible under Regulation 32 (2) (b) (ii) of the same.
- 10.5 The actions identified in this report are provided for within the Council’s Contract Procedure Rules, and the proposed actions can be completed in compliance with their content.

## **11. PERSONNEL CONSIDERATIONS**

- 11.1 There are no TUPE or pension implications arising from this proposal.
- 11.2 It is important to note that to ensure safe and ethical use of the VR Library, it may only be used by individuals who have completed the Certification Training. Only those trained directly by Cornerstone and currently certified are permitted to use the VR library with end users, such as, foster carers, adopters, trainee practitioners, and so on. Cornerstone will confirm by



certificating in writing those that have completed the training as VR Practitioners. The people put forward for the VR practitioner training must be qualified practitioners such as, social workers, social work assistants, family support workers, psychologists, and so on, unless otherwise agreed in advance with Cornerstone.

## 12. LEGAL CONSIDERATIONS

- 12.1 This report requests the Portfolio Holder to approve the award of a contract, via exemption to competitive tendering, to Cornerstone Training and Support Limited for the provision of virtual reality training and support for a further five years, commencing 1 April 2023.
- 12.2 Although the provision of virtual reality training is not a statutory requirement, it is conducive to the Council fulfilling its statutory requirements to safeguard children as set out in legislation such as the Children Act 1989, the Adoption and Children Act 2002, and other related legislation and guidance.
- 12.3 This virtual reality service is a services contract within the definition of the Public Contracts Regulations 2015. Due to the value falling below the relevant threshold, a fully regulated procurement is not required. However the award must still comply with the sound legal procurement principles of equality, transparency and non-discrimination which must be applied in a manner proportionate to the subject matter and context of the purchase.
- 12.4 The Council's Contract Procedure Rule 13.1 permits the direct award of a contract where sufficient reason is demonstrated. Where the cumulative value of this contract and any other contracts awarded to the same provider by way of a direct award is between £100,000 and £1,000,000 (the cumulative value here is £183,525) CPR's require approval by the Portfolio Holder which is why this report is presented.
- 12.5 This report has explained the reasons for the direct award which provide sufficient justification, demonstrates value for money and is in compliance with sound procurement principles

<b>Non-Applicable Sections:</b>	Strategic Property; Impact Assessments
Background Documents: (Access via Contact Officer)	[Title of document and date]