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Award

Residential Short Breaks Services

Staffordshire County Council

UK5: Transparency notice - Procurement Act 2023 - [view information about notice types](#)

Notice identifier: 2025/S 000-030789

Procurement identifier (OCID): ocds-h6vhtk-0544f5

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Scope

Reference

IA3579

Description

Local Authorities in England are required to provide short breaks for disabled children under the Children Act 1989, the Breaks for Carers of Disabled Children Regulations 2011 and the Statutory Guidance on Short Breaks for Disabled Children 2010. This procurement is for the provision of a range of flexible short break services for the benefit of qualifying disabled Children and Young People and Parents, Carers and Families who are referred to the Provider.

The provision will support the designated "North" of the county and is intended to support across geographical areas formed by the local authority areas of Newcastle under Lyme Borough Council, Stafford Borough Council and Staffordshire Moorlands District Council. Provision across other geographical areas of the county is provided by Staffordshire County Council owned premises.

Any premises must be fully registered with Ofsted and the eligibility for Residential Short

Breaks requires a diagnosed Learning Disability (LD) or Physical Disability (PD) as the primary need. Consequently, any short break home must be registered under the categories of LD and PD to meet the service requirements. Ofsted also encourages local authorities to ensure that short break homes are located in a way that minimises disruption to a child's routine and maintains their connection to the community.

Regulation 27A of the Care Planning, Placement and Case Review (England) Regulations 2010 states that Children in Care under 16 cannot be placed in 'other arrangements' for short breaks, except in residential holiday schemes for disabled children or other exempted regulated settings. Consequently, as some children requiring a short break will be Children in Care, this necessitates that the home provides exclusively for short breaks, and no other types of placements.

The requirements have been summarised and captured as:

Based on Ofsted research and good practice as detailed above, is that the home must be within 1 hour's drive of the two boroughs and one district it is supporting. This measure aims to minimise disruption to the child's family and routine, while also ensuring that the child or young person retains a close connection to their home district and community.

The provision will be within the boundaries of Staffordshire County Council, which is supported by the intent of the legislation.

Premises must be Ofsted registered and inspected to meet statutory requirements. As a minimum this registration will be under the categories of Learning Disability (LD) and Physical Disability (PD) to meet the service requirements.

There will be a minimum of five registered places to meet potential demand.

Be an exclusive provider of short breaks services without any more permanent placements within the property.

Around 45 individual children access the current provision across the North of the county every year. The current annual cost to support this is around £577,000, but this is always subject to funding availability.

Contract 1. Residential Short Breaks Services

Supplier

- ACTION FOR CHILDREN

Contract value

- £1,901,000 excluding VAT
- £2,281,200 including VAT

Above the relevant threshold

Earliest date the contract will be signed

1 September 2025

Contract dates (estimated)

- 1 October 2025 to 30 September 2028
- 3 years

Main procurement category

Services

CPV classifications

- 85311000 - Social work services with accommodation

Contract locations

- UKG24 - Staffordshire CC

Other information

Conflicts assessment prepared/revised

Yes

Procedure

Procedure type

Direct award

Special regime

Light touch

Direct award justification

Single supplier - technical reasons

Background.

The previous procurement exercise for this project, in financial year 2021/22, only attracted a single bid. Anecdotal evidence has shown that prior to this there has only been a single provider who could meet all of the minimum requirements for the project.

The requirements have been reviewed for the new project, these are summarised and captured as:

- Based on Ofsted research and good practice the home must be within 1 hour's drive of the two boroughs and one district it is supporting. This measure aims to minimise disruption to the child's family and routine, while also ensuring that the child or young person retains a close connection to their home district and community.
- The provision will be within the boundaries of Staffordshire County Council, which is supported by the intent of the legislation.
- Premises must be Ofsted registered and inspected to meet statutory requirements. As a minimum this registration will be under the categories of Learning Disability (LD) and Physical Disability (PD) to meet the service requirements.
- There will be a minimum of five registered places to meet potential demand.
- Be an exclusive provider of short breaks services without any more permanent placements within the property.

To inform this procurement, a comprehensive desktop exercise was initially undertaken to (i) determine available providers in the market (ii) stimulate any available competition for these services. The context was to identify any Ofsted registered homes and then refine this against the minimum criteria for the project.

Ofsted Registered Homes Stepped Desktop Analysis.

The original list of Ofsted registered premises had a total of 5,080 records within it.

Anything which wasn't at a registration status of "active" was omitted. These premises don't have currently compliant Ofsted registration. This was 150 records reducing the potential list to 4,930.

Anything which didn't have a provider type of "children's home" or "family centre" were omitted as these wouldn't meet the broad requirements for the use of the premises. This was 867 records reducing the potential list to 4,063.

Any property which was collectively more than one hour's travel from the individual council office postcodes of Newcastle under Lyme Borough Council, Stafford Borough Council and Staffordshire Moorlands District Council were omitted. This complies with the intent to minimise disruption to the child's family and routine, while also ensuring that the child or young person retains a close connection to their home district and community. This was 3,761 records reducing the potential list to 302.

Any property which was within an hour, but outside of Staffordshire County Council boundaries and to the South was omitted. The council has its own provision within the South areas and the support for this procurement is required in the North of the county. This was 1 record reducing the potential list to 301.

Any property which didn't have the minimum of five registered places was omitted. Properties with less than five places wouldn't necessarily be large enough to accommodate the numbers of placements required. This was 247 records reducing the potential list to 54.

Any property which wasn't registered, as a minimum, with Ofsted for both "physical disability" and "learning difficulty" was omitted. The property needs to accommodate children with both physical disabilities and learning difficulties. This was 46 records reducing the potential list to 8.

Any property which was outside of Staffordshire County Council boundaries, but within an hour and to the North of the region were omitted. This complies with the intent to minimise disruption to the child's family and routine, while also ensuring that the child or young person retains a close connection to their home district and community. This was 2 records reducing the potential list to 6.

Any property which was in the South of the Staffordshire County Council area was omitted. This project is for provision in the North of the county and two of these properties are already owned by the council. This was 3 records reducing the potential list to 3.

Out of the three remaining Ofsted registered premises, two of these either (i) didn't exclusively provide short breaks (ii) were specifically structured to facilitate complex & severe needs. Both of these conditions dictated that the homes couldn't accommodate the requirements of our specific client group.

The results of the desktop exercise indicated that there was currently only a single home which could meet all requirements.

Additional Analysis.

An Ofsted report from 2021 was identified entitled "Children's Homes Providing Short Breaks". Although the report was based on a data set from 2020, There were broad context conclusions drawn from this report:

- outside of the council and health authority owned premises there was only a single home within Staffordshire County Council boundaries which exclusively provided children's short breaks. This was consistent with what had been concluded from the Ofsted desktop review.

- across England there were only 167 premises which exclusively provided children's short breaks. 107 (64%) of these were local authority owned and likely to support local provision. 7 (4%) of these were health authority owned and potentially structured for complex and severe needs. This left only 53 (32%) of homes provided by the private & voluntary sector to supplement requirements. This gives further evidential context that the market is very constricted.

A broad search of the internet didn't provide the details of any further properties which may contribute to a potential provider pool. Staffordshire County Council colleagues, who deliver these services, have also discussed provision internally and with wider forums. None of these discussions have immediately identified any further providers who might supplement provision within Staffordshire. One of the themes which did arise from these discussions was that the majority of existing provision was already fully subscribed. Therefore, it was concluded that colleagues delivering these services would be reasonably aware of any provision not previously considered.

Procurement Act 2023 (PA23).

Schedule 5 of PA23 provides a list of direct award justifications. Part 6 reads:

Single Suppliers

6 The following conditions are met in relation to the public contract-

(a) due to an absence of competition for technical reasons, only a particular supplier can supply the goods, services or works required, and

(b) there are no reasonable alternatives to those goods, services or works.

As a local authority, Staffordshire County Council are required to provide Residential Short Breaks Services. However, for the North of the county there is only a single provider who has Ofsted registered premises which can meet all of the requirements set out in this direct award justification. Therefore, in compliance with part 6 of Schedule 5 above, there is only a single supplier who can provide the services and there are no reasonable alternatives for the provision of these services.

Taking the route of direct award also supports the broad objectives of PA23:

- delivering Value for Money: there are increasing budget tensions within the social care market. There is no immediately identifiable commercial efficiency in running an open competition. However, there is potential VfM in discussing the structure of future provision, with the incumbent provider to maximise service user support versus available future budget.

- maximising public benefit: the provision is wholly centred around the requirements of the service users. There is no guaranteed increase in the public benefit by running an open competition, mainly due to the constricted market. However, there is potential benefit in evolving services working in partnership with the existing provider.
- sharing information for the purpose of allowing suppliers and others to understand the authority's procurement policies and decisions: this transparency notice contains a fully detailed summary of our approach in the market. The publication of this should facilitate open communication channels and enable the whole market to provide any response for future development of the service.
- acting, and being seen to act, with integrity: it is believed that the direct award of this contract will provide the best solution for service users whilst achieving the keenest VfM in a very constricted market. The publication of a transparency notice will facilitate communication with any interested parties to shape how this service may be supported in the future.

Staffordshire County Council intend to review provision during the term of this directly awarded contract to determine how provision capacity could be increased in the future and would welcome feedback from any interested parties with their thoughts around this.

Supplier

ACTION FOR CHILDREN

- Companies House: 04764232
- Charity Commission (England and Wales): 1097940

3 The Boulevard, Ascot Road

Watford

WD18 8AG

United Kingdom

Email: tenders@actionforchildren.org.uk

Website: <http://www.actionforchildren.org.uk>

Region: UKH23 - Hertfordshire

Small or medium-sized enterprise (SME): No

Voluntary, community or social enterprise (VCSE): No

Contract 1. Residential Short Breaks Services

Contracting authority

Staffordshire County Council

- Public Procurement Organisation Number: PZDG-2995-QQMD

1 Staffordshire Place, Tipping Street,

Stafford

ST16 2DH

United Kingdom

Email: commercial.team@staffordshire.gov.uk

Region: UKG24 - Staffordshire CC

Organisation type: Public authority - sub-central government