

AGENDA MANAGEMENT SHEET

Name of Committee

Cabinet

Date of Committee

18 November 2010

Report Title

Contract(s) for Education Day Places for Pupils with a Statement of Behavioural, Emotional and Social Difficulties

Summary

This is a request for approval to run a competitive tender for the provision of day places for children and young people with a Statement of Special Educational Needs where suitable provision is not available in Warwickshire maintained schools.

For further information please contact:

Nicola Lomas
Joint Commissioning
Manager
Tel: 01926 742338
nicolalomas@warwickshire.gov.uk

Nigel Exell
Commissioning
Development Officer
Tel: 01926 742341
nigelexell@warwickshire.gov.uk

Would the recommended decision be contrary to the Budget and Policy Framework? [please identify relevant plan/budget provision]

No

Background papers

None

CONSULTATION ALREADY UNDERTAKEN:

Details to be specified

Other Committees

.....

Local Member(s)

.....

Other Elected Members

CYP&F O&S Chair & Vice Chair for information:
Cllr June Tandy
Cllr John Ross

CYP&F O&S Spokespersons for information:

Cllr Peter Balaam
Cllr Clive Rickhards
Cllr Carolyn Robbins
Cllr Julie Jackson

- Cabinet Member Cllr Heather Timms
- Other Cabinet Members consulted Cllr Martin Heatley
- Chief Executive
- Legal Fay Ford *"no comments"*
- Finance David Clarke, Strategic Director of Resources –
Paul White, on behalf of David Clarke "no comments"
- Other Strategic Directors
- District Councils
- Health Authority
- Police
- Other Bodies/Individuals

FINAL DECISION

YES/NO

SUGGESTED NEXT STEPS:

Details to be specified

- Further consideration by this Committee
- To Council
- To Cabinet
- To an O & S Committee
- To an Area Committee
- Further Consultation

Cabinet – 18 November 2010

Contract(s) for Education Day Places for Pupils with a Statement of Behavioural, Emotional and Social Difficulties

Report of the Strategic Director for Children, Young People and Families

Recommendations

- (1) That Cabinet approves proceeding with a tender for the provision of daytime education places for pupils with a Statement of Behavioural, Emotional and Social Difficulties (BESD) with effect from 1 September 2011, and
- (2) That Cabinet approves and authorises the Strategic Director, Children, Young People and Families to enter into all relevant contracts for the provision of education day places for pupils with a Statement of BESD on terms and conditions acceptable to the Strategic Director of Resources and the Strategic Director, Customers, Workforce and Governance.

1. Background

- 1.1 The proposed tender is the result of detailed work carried out within the Multi Agency Commissioning Section of the Children, Young People and Families Directorate, alongside colleagues in the Assessment, Statementing and Review Service. Part of the work is to identify ways of reducing the number of children with special educational needs who cannot be found appropriate places within Warwickshire's maintained schools.
- 1.2 This work has concluded that there is a continuing demand for external placements, at least for the foreseeable future. The most significant number of children and young people in this situation are some of the most challenging to educate – those with Behavioural, Emotional and Social Difficulties (BESD).
- 1.3 The beneficiaries of the proposed contract(s) are those young people who, it can be anticipated, will need placements starting from September 2011. It is certainly not proposed that those already in external school placements would move, unless it was in their best interests.
- 1.4 There is some capacity for these children and young people with BESD within Warwickshire, for instance at River House School. Up until now children and

young people who cannot be placed within Warwickshire schools have been found places on a 'spot purchase' basis. This means that choice may be limited at the time of placement, but the best match is found for individual young people at whichever school has capacity for them.

1.5 'Spot purchasing' school placements has lead to a wide range of prices and wide variety of locations. Providers of the school placements are in a position to charge high prices due to the high demand from local authorities and the urgency to find suitable placements. It is a sellers' market.

1.6 The distances involved result in significant travel costs.

2. Potential Savings for Warwickshire County Council

2.1 This tender will attempt to attract providers willing to provide day places and outreach support within or near the County boundary. The key nature of the location, and the severity of competition for places, suggests it is in Warwickshire's interests to tender alone for these places. At this stage it is not intended to enter a joint tender with adjacent authorities.

2.2 The strategy is for Warwickshire to appeal to an education provider that wishes to develop as a lead provider for the Authority. Although it is a sellers' market providers are conscious of the competition between them. The tender will prompt providers to assess the competitiveness of their prices. The successful provider(s) will be the one(s) which, in return for a modest guarantee of business, will provide a cheaper and more local alternative to the current spot purchases.

2.3 The proposed contract(s) would cover a range of National Curriculum stages, namely Key Stages 2, 3 and 4 in proportion to the current and anticipated need. These places would be available for those that need placements from September 2011, or any already in a placement where a move would be in their best interests. It is not known whether one provider would wish to bid for all Key Stages, or whether it would suit Warwickshire better to accept bids from separate providers. The relative benefits to Warwickshire would be assessed as part of the evaluation of the tender.

2.4 Potentially an average of 25 places might be purchased per year, using two sorts of contracts:

a) Block contract(s) for places and support packages – attracting providers to submit competitively priced places because of a guaranteed purchase of a set number of places by Warwickshire, for a set number of years. The places would not necessarily be filled by the same young people all the time. As some return to mainstream or special schools within Warwickshire they will be replaced by others where the need has arisen. The return to Warwickshire schools, or maintaining young people who are struggling to remain in Warwickshire schools, would be covered within the contract by time-limited outreach support packages for individual pupils.

b) Framework contract(s) for places and support packages – providers submit competitive prices 'in exchange' for being on a framework

agreement with Warwickshire. This gives providers an advantage over their competitors not on the framework, but neither they, nor Warwickshire, are bound to buy a set amount of work. The advantage of a framework is its flexibility and ability to adjust to fluctuations in demand.

- 2.5 The maximum length of both types of contract would be 4 years.
- 2.6 Cabinet approval is needed due to the potential spend of £3 million over the full 4 year period, when costed at current prices. However, depending on the prices submitted by providers there may be potential to save as much as 30% on the cost of places.
- 2.7 If providers can be attracted to work at closer proximity to the location of the need, very significant travel costs would be achieved.
- 2.8 Additional savings would be achieved for each young person with BESD who had been maintained in a Warwickshire school, or returned, due to the outreach package provided.

3 Summary and Conclusion

- 3.1 This is one of a number of approaches to be taken to increase the number of children and young people with special needs who can be educated within Warwickshire schools. For those for whom this is not possible for all or part of their school life, such as the very significant number with Behavioural, Emotional and Social Difficulties, a decision to competitively tender some places catering for their needs has a number of tangible benefits that should be pursued.

MARION DAVIS
Strategic Director for Children,
Young People and Families

Saltisford Office Park
Ansell Way
Warwick

3 November 2010