

Executive Decision Making by an Officer with Delegated Powers

Decision to be taken by: Tim Browne, Director of Education

Report title: Delivery of Special Educational Needs and Disabilities Information and Advise Service (SENDIASS) from April 2019

The decision	To terminate for breach the council's contract for the provision of SENDIAS Services and to step-in and provide such services itself in-house.
Background documents	Children & Families Act 2014 Special Educational Needs & Disability (SEND) Code of Practice Award of existing contract
Reasons for the decision	The provision of SENDIASS services is a statutory duty on the council. The current provider has notified the Council they are unable to continue with provision after April 2019. Bringing the service into the Council is the best option to ensure continuity of quality advice as required in the SEND Code of Practice.
Resource implications	The value of the existing contact is £97,000 pa and is met from available resources. Modest savings are likely from the Service being delivered directly from the Council.
Who has been consulted?	The Cabinet Member for Children and Young People Internal Support Services The provision of a SENDIAS service was consulted on in as part of the procurement process in 2018.
What were their comments?	
The Cabinet Member for Children & Young People is supportive of the decision to in-source SENDIASS .	
Background/Context	
The Local Authority has a statutory duty to provide impartial information, advice and support services (SENDIASS) to children and young people with SEND and their parent carers.	
The Service was awarded in April 2018 to the current provider on a five year contract; however on the 20 th March 2019, the current provider organisation notified the council of their intention to cease operational activity by the end of April 2019. As a consequence	

they will be unable to deliver the SENDIASS contract from the end of April 2019 and will therefore be in breach of contract. The Service has two experienced members of staff who have been with the service since it was first commissioned out in August 2012.

Officers across Education, Social Care, Commercial, Legal and Finance have explored options for future delivery of the SENDIAS Service. These included commissioning alternative local providers and bringing the Service back in-house. Given the short timeframe, and in order to continue meeting our statutory requirements and protect the quality and reputation and quality of the Service, the latter option was strongly recommended.

It is therefore proposed that the service shall be insourced and located within the Council's Family Information Service. This will provide suitable infrastructure and support, while ensuring the Service remains at arms length from the Council's Education Services and thus follows best practice. If the provision of the SENDIAS Services were to transfer in-house to the Council as proposed, the incumbent supplier's two experienced members of staff referred to above shall also transfer automatically and henceforth be employed directly by the Council.

Alternative options considered and why they were rejected

1. Stop Providing the Service

Stopping the service, even temporarily while a procurement process was undertaken was rejected as the provision of the service is statutory and it would negatively impact outcomes for children and young people with additional needs.

2. Direct Award to another Provider

In order to meet the challenging timescales, a provider would need to have a local base, infrastructure and specialist SENDIAS knowledge for the service to transfer. It was determined that within the timescales available, this was a high risk option in terms of continuity of service, quality of service to children and young people with additional needs and their families and potential cost to the Council. This option was thus rejected in favour of the preferred option.

Risk Analysis

1. *Service performance may dip during transfer.*
This will be minimised by ensuring a suitable infrastructure is set up within GCC which will support the workers to immediately continue with their work.
2. *Service is not perceived to be independent as it was when managed externally.*
The service will be placed within the Family Information Service at arms length from the Education and Disabilities Services, retaining its independence and service branding. All quality standards as detailed in National Standards for IASS will remain embedded in service delivery. The Service has successfully operated in-house previously.....

Equalities considerations

A Due Regard Statement was completed for the service procurement in late 2017. It has been reviewed and there are no material changes. The specification has a specific focus on ensuring the service is known by and accessible to all groups. Monitoring information will evaluate use of the service by protected characteristics and any service improvement activity needed to improve access by these groups.

Needs updating please

Has a Due Regard Statement been completed? Yes, the Statement issued November 2017 as been reviewed.

Has any conflict of interest been declared by any Cabinet Member consulted on the decision?

No

If any conflict of interest declared, was a dispensation granted by the Audit and Governance Committee of the Council?

Date of dispensation:

Does this decision report form or any supporting papers provided contain confidential or exempt information?

No

Does this decision need to be published on the GCC website?

Yes

In coming to this decision I have given due and full regard to the requirements of the Public Sector Equality Duty contained in section 149 of the Equality Act 2010 (“the Act”) by reference to the law itself and also the relevant Due Regard Statement, which was/were prepared in accordance with the requirements of the Act.

Having fully considered all available information, I have decided to reject any alternative options and take the recommended decision(s), for the reasons set out in this report.

A handwritten signature in black ink, appearing to be 'Tim Browne', written in a cursive style.

Signed

Tim Browne, Director of Education

Date: 27th March 2019

Contact details for further information:

Officer:

Tel:

Email:

(include relevant officer's contact details)

