

CABINET

30 January 2018

EDUCATIONAL PSYCHOLOGY CONTRACT PROVISION

Report of the Director for People

Strategic Aim:	Reaching our Full Potential	
Key Decision: Yes	Forward Plan Reference: FP210417	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr R Foster, Portfolio Holder for Safeguarding Children and Young People Mr D Wilby, Portfolio Holder for Life Long Learning	
Contact Officer(s):	Dr Tim O'Neill, Director for People	01572 758402 toneill@rutland.gov.uk
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Ward Councillors	All	

DECISION RECOMMENDATIONS

That Cabinet:

- 1) Approves the procurement model and award criteria to secure a provider for Educational Psychology Services for a period of 5 years (3 years with the option of plus one plus one) from 1st September 2018.
- 2) Agrees to give authority to the Strategic Director for People, in consultation with the Cabinet Members with the Portfolio for Life Long Learning and the Portfolio for Safeguarding Children and Young People, to award the contract resulting from this procurement in line with the Award Criteria.

1 PURPOSE OF THE REPORT

- 1.1 To seek approval from Cabinet for the procurement of educational psychology services for a period of five years (a contract of three years with the option of plus one, plus one) from 1st September 2018.

2 BACKGROUND AND MAIN CONSIDERATIONS

2.1 About Educational Psychology

- 2.2 Educational Psychology (EP) is a statutory provision required under the Children and Families Act 2014 and the Special Educational Need and Disability (SEND) Code of Practice 2015. The EP service supports the effective implementation of this legislation and the delivery of the legal timescales for EHC assessments under the Act.

- 2.3 Educational Psychologists carry out assessments of children to understand their cognitive and emotional needs and to provide expert advice to practitioners to inform the most appropriate intervention and educational provision for children and young people with SEND.

2.4 Current Provision in Rutland

- 2.5 Rutland County Council commissions its EP service through a single contract with a provider called Partners in Psychology who are contracted to deliver the service until 31st August 2018. The contract provides two elements of service;

- 2.5.1 Core service support i.e. assessments as part of statutory education, health and care assessment, plans and legal work.

- 2.5.2 Non-core work i.e. traded services which are offered to schools which are not statutory. This includes training, observations and early assessments.

- 2.6 The service is managed within the Early Intervention, SEND and Inclusion team where referrals are aligned to requests for Education, Health and Care assessments (EHC) for children and young people requiring additional support.

2.7 Current Service Demand

- 2.8 The EP service is demand led and as such the volume of work for the service is variable. Historically the volume of statutory EP assessment and traded provision dictates the need for an EP service for a minimum of 46 weeks of the year and 0.6 full time equivalent of EP provision per week.

- 2.9 The statutory requirement to transfer children with Statements of Education to EHC resulted in a temporary need for additional EP support during 2017. However all transfers have now been completed, ahead of the national timescale for end of March 2018, which should result in less demand on the EP service and a more consistent volume of work through the system.

2.10 Requirement to provide EP Services

- 2.11 In order to ensure there are no gaps in services for children and young people a full tendering exercise is required to secure EP provision on a long term basis from

September 2018.

- 2.12 If a contract is not secured the Council will be unable to fulfil its statutory requirements which would risk the Council failing to identify, and meet, the needs of young people with SEND in an effective and efficient manner.

3 SERVICE REVIEW

- 3.1 In order to enhance the Council's response to children with additional needs the SEND and Inclusion team has been integrated with the Early Intervention service. Subsequently a review of the SEND service, including operational delivery and commissioned services, has taken place to ensure we are delivering as effectively and efficiently as possible for children and families. This has included the educational psychology offer.

3.2 Educational Psychology Delivery Model

- 3.3 This process identified that procurement for the delivery of EP services through an external provider represents the best model of delivery for the Local Authority. Since 2015 this model has proven to be effective in meeting our statutory duties and brings a number of benefits which will ensure an effective and responsive service.
- 3.4 The procurement model represents good value for money. The cost of the current commissioned service is at a similar level to the cost of providing an in house service through the direct employment of an EP and is in line with other Local Authority areas in the East Midlands. However this model also brings additional benefits which enhances its value for money, this includes;
- 3.4.1 The model provides resilience through contractual obligations to deliver a specified level of response, regardless of staffing capacity. Contracted services provide greater staffing resilience and are better able to accommodate changes in staffing circumstances. If the model were to be delivered in house the authority would only be able to secure one full time EP without the resilience of a wider qualified team and qualified management oversight.
- 3.4.2 Contracting the provider will increase access to a broader skill base and knowledge of EP services and professional practice, enabling the offer to be the most relevant and effective for children and for schools.
- 3.4.3 Commissioning will enable the authority to respond more flexibly to significant changes in demand.
- 3.4.4 This model facilitates the delivery of a traded service offer for schools offering the potential to generate income for non-core work. This means one provider delivering the core statutory work and the traded service, offering consistency for families and for schools.

4 PROCUREMENT MODEL

- 4.1 The procurement of Educational Psychology services will be done so under a single contract commencing 1st September 2018.
- 4.2 The proposed contract length is for a period of three years with the option to

extend for two periods of 12 months each, with a potential end date of 31st August 2023. This will ensure consistency in service delivery for families and education settings.

- 4.3 The procurement process will follow an open tender process in line with the Council's Contract Procedure Rules.
- 4.4 The value of the contract is below the EU thresholds as set out in section 7 of the report.
- 4.5 The timetable for the process is set out in *Appendix A*. and the award criteria is set out in *Appendix B*.

5 CONSULTATION

- 5.1 The SEND Code of Practice (2015) requires Local Authorities and partners to engage, consult and co-produce with children and young people and their families in relation to their support plans and provision more broadly across the local area.
- 5.2 A consultation exercise has taken place to ascertain the views of education providers and parents on the current EP service model in Rutland. The findings from this highlighted that the commissioned service model is effective in meeting children's needs and the need of schools. Both parents and schools have reported a high degree of satisfaction in the service they receive, this included:
 - 5.2.1 66% of schools completing the survey rated the overall EP service as good to outstanding providing an average score of 3.75 out of 5 (5 being outstanding).
 - 5.2.2 Schools found the advice received from the EP service particularly useful, scoring an average of 4 out of 5 for the advice received (with 5 being extremely useful).
 - 5.2.3 84% of schools implemented changes in their support for children following the direct advice received through the EP service.
 - 5.2.4 Parents reported that overall the service was effective when accessed but both parents and schools indicated that timeliness for EP referrals for non-core work i.e. not part of an EHC assessment had been an issue.
 - 5.2.5 When asked what could be improved 75% of schools referred to timeliness in accessing the EP service.
 - 5.2.6 The delay experienced by both schools and parents was a result of a backlog in non-core traded work. This backlog has since been cleared following the purchasing of additional EP resource since September 2017, which has allowed the service to respond in a timelier manner to both core and non-core EP referrals.

6 ALTERNATIVE OPTIONS

- 6.1 Delivery in house: Delivering the service in house is considered a high risk model due to a number of factors, including the ability to recruit experienced staff given the national shortage of education psychologists. Furthermore this model provides less resilience and the ability to maintain services in the event of staff absence. This model is also unlikely to secure better value for money as further resource beyond the employment of an EP will be required, this includes qualified

management oversight, clinical supervision, training and development.

- 6.2 Commission services from other Local Authorities on a spot purchase arrangement: Discussions with other local authorities has highlighted that provisions are currently stretched and in demand due to a national increase in EHC assessments, and areas report little extra capacity within their own locality. It is unlikely a suitable provider will be available to provide the resilience and consistency of service required to meet existing demand.

7 FINANCIAL IMPLICATIONS

- 7.1 The current EP service contract value is £87,975 per annum which is funded through existing service budgets. The overall base contract price will be a maximum of £440,000 over 5 years, providing a minimum of 3 days provision over 46 weeks. The funding for this contract is in line with the existing base budget available for the service.
- 7.2 As demand for the EP service is driven by the needs of children and young people the contract will be under a spot purchasing arrangement. In the event of a significant increase in demand further EP provision, and additional funding, may be required although this is deemed to be low risk. As such an additional buffer of funding above the base contract value, up to a maximum of £540,000 over five years, will be built into the tender.
- 7.3 Wherever possible demand will be managed within the base contract price however in the event of a significant increase in demand which would require provision above the base contract of £440,000 Cabinet members will be informed accordingly.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 Education psychology is a statutory provision required under the Children and Families Act 2014 and the Special Educational Need and Disability (SEND) Code of Practice 2015.
- 8.2 The EP service is required to ensure the effective implementation of this legislation and the delivery of the legal timescales for assessment under the Act.
- 8.3 The educational psychology procurement process has been drawn up by the Procurement and Contract Management Team, in line with the requirements of the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules.
- 8.4 Legal advice on the process has been sought.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 An equality impact assessment screening has been undertaken and there are no adverse impact effects by tendering for EP services.

10 COMMUNITY SAFETY IMPLICATIONS

- 10.1 There are no community safety implications.

11 HEALTH AND WELLBEING IMPLICATIONS

- 11.1 The delivery of educational psychology services enables the local area to identify the learning needs of children and young people and is essential for informing appropriate and effective educational provision. It is critical that an effective and timely offer is made available to minimise any adverse impact on the educational and subsequently health and well-being of children and young people.

12 SOCIAL VALUE IMPLICATIONS

- 12.1 Under the provisions of the Public Services (Social Value) Act 2012 local authorities are required to consider how economic, social, and environmental well-being may be improved by services that are to be procured, and how procurement may secure those improvements.
- 12.2 The award criteria therefore includes specific reference to Social Value and requires bidders to consider this as part of their proposal.

13 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 13.1 The Local Authority requires EP services to support its statutory duties. The contract with the existing provider expires 31st August 2018 and a tender exercise is required to secure EP provision from 1st September 2018.
- 13.2 Alternative options have been considered and are not deemed as suitable for providing a cost effective and resilient EP service.
- 13.3 In order for the procurement process to commence the award criteria needs to be approved by Cabinet. The criteria have been carefully considered to ensure that providers successful in the process are capable of meeting the requirements and can deliver appropriate quality services in Rutland that reflect the needs of our children and young people.
- 13.4 It is recommended that once the award criteria are approved, approval of the award of contracts is delegated to the Director for People in consultation with the Portfolio Holder/s. Decisions will only be taken in line with Cabinet approved criteria.

14 BACKGROUND PAPERS

- 14.1 There are no additional background papers to the report.

15 APPENDICES

- 15.1 Appendix A - Timetable for Procurement
- 15.2 Appendix B - Award Criteria

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

Appendix A. Procurement Timetable

Key Action	By When
Cabinet Approval for Award Criteria	30.01.18
Invitation to Tender published	14.02.18
Deadline for questions from bidders	26.02.18
Deadline for responses to questions	05.03.18
Tender submissions deadline	21.03.18
Evaluation of Tenders	18.04.18
Clarification meetings (if required)	11.05.18
Approval of Contract Awards	25.05.18
Notification of award/start of standstill	29.05.18
End of standstill	13.06.18
Contract award	14.06.18
Contract start date	01.09.18

Appendix B. Educational Psychology Award Criteria

The price: quality ratio 70/30

Criteria	Weighting
Quality (how the provider meets the service specification)	70%
1. <u>Service model</u> : delivery patterns, staffing arrangements and resilience, levels and capacity, practice, demand and performance management.	15%
2. <u>Staffing</u> : levels of knowledge, experience and including qualifications & registration, organisational structure, supervision arrangements, safeguarding practice, training & professional development.	12%
3. <u>Accessibility</u> : to promote and facilitate timely referrals, assessment and local resilience, partnership working.	13%
4. <u>Engagement</u> : engagement with local education providers, training and traded service models.	12%
5. <u>Experience</u> : evidence of providing services including effective assessment advice and guidance, decision making.	10%
6. <u>Meeting Outcomes</u> : meeting the outcomes as set out within the service specification	5%
7. <u>Social Value</u> : contribution to improving the economic, social and environmental well-being of the local area.	3%
Price criteria: Cost including Staffing levels, training, accommodation, management, supervision, overheads, prescribing, other.	30%
Total	100%