

## CABINET

20 June 2017

### EDUCATIONAL PSYCHOLOGY CONTRACT PROVISION

#### Report of the Director for People

Strategic Aim:	Reaching our Full Potential	
Key Decision: Yes	Forward Plan Reference: FP/030317/01	
Exempt Information	No	
Cabinet Member(s) Responsible:	Cllr R Foster, Portfolio Holder for Safeguarding Children and Young People  Cllr D Wilby, Portfolio Holder for Life Long Learning	
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Ward Councillors	All	

#### DECISION RECOMMENDATIONS

That Cabinet:

1. Approve the direct award for the delivery of educational psychology services to Partners in Psychology until 31st August 2018.

#### 1 PURPOSE OF THE REPORT

- 1.1 To update members on the current contractual arrangements for the provision of Educational Psychology services in Rutland.
- 1.2 To seek approval from Cabinet to provide a direct award to Partners in Psychology for the delivery of educational psychology services until 31st August 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. 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.

### **2.3 Current Provision in Rutland**

2.4 The EP service is currently commissioned through Partners in Psychology (PiP) who have been delivering the service since 2015, following the retirement of the RCC employed educational psychologist. The decision to commission PiP was done so on a trial basis by the previous Head of Service to see how effective this model could work in Rutland and this arrangement evolved into a contractual relationship, which has subsequently expired.

2.5 PiP are currently commissioned for 3 days per week, 0.6 FTE (full time equivalent), to provide statutory assessments on behalf of the Local Authority which must conform to relevant provisions in the Children and Families Act 2014, the regulations under that Act and the SEN Code of Practice (January 2015). PiP also provides traded work with schools, including school based nurseries, for the delivery of non-statutory work and assessment which generates income to contribute toward the overall cost of the service.

2.6 Since 2015 PiP have become familiar with our schools and local SEND needs, and have worked on building capacity and resilience in Rutland schools, thus reducing future demand on central services. Being able to draw on the expertise of four EPs has enabled us to tailor provision to better meet need in individual Rutland schools: it has also provided internal resilience and back-up for illness, holidays and other operational challenges that affect service delivery.

### **2.7 Demand in Rutland**

2.8 The EP service is demand led and is subject to change. The volume of statutory EP assessments currently required in this academic year dictates the need for an EP service for 40 weeks of the year at the current provision of 0.6 FTE per week.

2.9 However there is currently a large back log in non-statutory assessments from schools which require completing to ensure the needs of children and young people are understood, this stands at 18 weeks' worth of EP provision. The backlog has developed due to; increase referrals from schools prior to the introduction of charging in April 2016, the requirement to transfer a high volume of children and young people from statements to new Education Health and Care Plans under the legislation within the SEN Reforms, and the need to undertake new statutory Education Health and Care assessments within timescales.

## **3 CHANGES TO THE SEND SERVICE**

3.1 In order to enhance the Council's response to children with additional needs the SEND and Inclusion service has been integrated with the Early Intervention

service. Work is underway to review the provision for children with disabilities and SEN and this includes a refresh of the Councils SEND Inclusion strategy whilst preparing the service and the local arrangements for the anticipated Ofsted and CQC inspection of SEND services. This work includes a review of operational practice and our commissioned service provision, such as educational psychology, to ensure we are delivering as effectively and efficiently as possible for children and families.

- 3.2 We have identified a need to revisit our EP operating model, including;
  - 3.2.1 Delivering our statutory responsibilities in the most efficient and effective way.
  - 3.2.2 Determining what services should be recharged to schools or commissioned directly by schools and independently of the Local Authority.
  - 3.2.3 What services the Council may wish to provide above and beyond in order to delivery our Inclusion Strategy and facilitate sustained changes and improved outcomes for children and young people.

#### **4 CONTRACT AWARD**

- 4.1 The contract with PiP has now expired and the intention had been to undertake a full tendering exercise to contract out the EP service on a longer term basis, for a period of five years.
- 4.2 In light of service changes the intention is to review our model for the delivery of educational psychology services and to offer a direct award to the existing providers until 31st August 2018. This will allow time for the review to take place and the service to undertake a full procurement exercise if required.

#### **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. As such parents and partners will be consulted on the development of the service moving forward.

#### **6 ALTERNATIVE OPTIONS**

- 6.1 As there is currently no contract in place a direct award to PiP will ensure that suitable EP provision is maintained. Due to the time required to consider and adopt an alternative approach the SEND service runs the risk of having a gap in provision and the Local Authority not being able to meet its statutory duty. The current providers are experienced in Rutland and know our schools and the resident SEND population and are therefore well placed to maintain an effective service whilst a review is undertaken.
- 6.2 Commission services from other Local Authorities: The previous Team Manager approached other neighbouring local authorities to see if service level agreements could be reached. However they are all currently reorganising services so cannot provide the expertise we need at this moment in time. This will be reviewed as a potential option for future delivery but is not an immediate option.

- 6.3 Deliver in house: Consideration has previously been given to recruiting a new permanent member of staff but there is a national shortage of education psychologists, and we have been advised that recruitment would be unlikely to be successful in the short term. Again this option will be revisited as part of the review.

## **7 FINANCIAL IMPLICATIONS**

- 7.1 The cost of the EP service 2017/18, based on 3 days per week provision (0.6 FTE) for 46 weeks of the year (break for summer term), is £87,975. This provision enables the Council to meet the current demand for statutory EP assessments and the transfer of children from statements of special educational needs to Education Health and Care Plans (EHCPs). Transfers of children from statements to EHCPs has increased demand, once this work is completed the actual demand will be more consistent.
- 7.2 The existing base budget available to deliver the EP service is £67,000 per annum plus additional SEND reform funding of £50,000 which can be used to support the EP services as agreed at Cabinet on 18<sup>th</sup> April (report number 80/2017). Together this funding will enable the Local Authority to meet the contract costs for 2017/18.
- 7.3 We will require the EP service until 31<sup>st</sup> August 2018 to enable the full procurement process to be undertaken and therefore we will be reviewing and agreeing a level service for the first five months of next financial year, ensuring this falls within the funding available.
- 7.4 The current back log in non-statutory assessments (as highlighted in 2.8) will require completing to ensure the needs of children and young people are understood and catered for. The intention is to increase EP provision for a short period of time from 3 days to 5 days for a period of 18 weeks during 2017/18 to help clear the backlog and ensure the flow of work within the system is consistent. Based on current price it is estimated the additional work will cost £22,950 this financial year, if this goes ahead it will be funded by the SEND reform grant of £28,000 for 2017/18 which is already in budget.
- 7.5 The EP service is demand driven and therefore the contract will be under a spot purchasing arrangement with costs managed in line with existing funding and demand. As the service is demand driven costs could increase in the event of a significant increase in volume of children requiring EP assessment, although this is deemed low risk.

## **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.

## **9 EQUALITY IMPACT ASSESSMENT**

- 9.1 An equality impact assessment screening has been undertaken and there are no

adverse impact effects due to a direct award 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 ORGANISATIONAL IMPLICATIONS**

12.1 Procurement Implications – There is currently no contract in place for the existing EP provision as this has expired. The intention is to review our model for the delivery of educational psychology services and the direct award to the existing providers until 31<sup>st</sup> August 2018 will allow the service to undertake a full procurement exercise.

## **13 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

13.1 The Local Authority requires EP services to support our statutory duties. The contract with the existing provider has expired and a contract is required whilst a review is undertaken.

13.2 Alternative options are not deemed suitable at this point in time, as this risks leaving a gap in service and the Local Authority not meeting its statutory obligations.

13.3 It is recommended therefore that Cabinet approves the direct award to allow for a review of the EP service and to ensure effective provision is available to meet the Local Authorities statutory duty.

## **14 BACKGROUND PAPERS**

14.1 There are no additional background papers to the report.

## **15 APPENDICES**

15.1 No appendices.

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