
Report to: Cabinet **Date of Meeting:** 27th February 2014

Subject: Future arrangements for the provision of outreach support for children and young people with a diagnosis of an autistic spectrum disorder

Report of: Director of Young People and Families **Wards Affected:** All

Is this a Key Decision? Yes **Is it included in the Forward Plan?** Yes

Exempt/Confidential No

Purpose/Summary

1. To up-date the Cabinet on the current position regarding the provision of support for children and young people with a diagnosis of an autistic spectrum disorder (ASD)
2. To seek the approval of Cabinet to extend the existing arrangements with the current provider until the end of July 2014.
3. To seek approval of Cabinet to conduct a procurement process to establish a Framework Contract for the provision of Outreach Support Services for children and young people with a diagnosis of an autistic spectrum disorder. The Contract (s) will take effect as from July 2014.

Recommendations

1. That developments regarding the support for children and young people with a diagnosis of an autistic spectrum disorder be noted
2. Notice to be issued to the current provider to terminate the existing agreement with effect from July 2014. Approval is also required to extend the current arrangements from 1st April to the July 2014 while the Tender process is conducted to select the appropriate provider.
3. The evaluation criteria for tenders to provide the outreach support service for children and young people with ASD from 1st September 2014 be approved
4. That the Director of Children and Young People be authorised to accept the highest scoring tenders based on the evaluation criteria agreed
5. The contract will run for 1 year with the option to extend for 1 year subject to a satisfactory review.

How does the decision contribute to the Council’s Corporate Objectives?

	<u>Corporate Objective</u>	<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community	√		
2	Jobs and Prosperity		√	
3	Environmental Sustainability		√	
4	Health and Well-Being	√		
5	Children and Young People	√		
6	Creating Safe Communities		√	
7	Creating Inclusive Communities	√		
8	Improving the Quality of Council Services and Strengthening Local Democracy		√	

Reasons for the Recommendation:

To ensure that children and young people with ASD are provided with high quality outreach support, matched to their individual special educational needs, in line with the principles of best value.

What will it cost and how will it be financed?

(A) Revenue Costs

The 2013/14 budget allocation is £ 307,000 funded from the High Needs block Dedicated Schools Grant funding, which does not impact on the Council’s core budgets.

(B) Capital Costs

N/A

Implications:

Legal	
The recommendations in this report relate to the Council’s duties under existing SEN and disability legislation such as the 1996 Education Act, the Special Educational Needs Code of Practice (2001) and the Equality Act (2010). The services described contribute to the successful implementation of the Council’s Autism Strategy required by the Autism Act (2009). Consideration is also given to the Council’s anticipated duties under the Children and Families Bill, as described in the draft Special Educational Needs Code of Practice (2013).	
Human Resources	
Equality	
1. No Equality Implication	<input type="checkbox"/>
2. Equality Implications identified and mitigated	<input checked="" type="checkbox"/>
	<input type="checkbox"/>

3. Equality Implication identified and risk remains

Impact on Service Delivery:

The recommendations will ensure that the contract(s) for support for children and young people with a diagnosis of an autistic spectrum disorder (ASD) are awarded according to a fair and transparent process with clear criteria for delivering positive outcomes for the young people concerned, within the Authority's financial restraints.

What consultations have taken place on the proposals and when?

The Head of Corporate Finance & ICT has been consulted (FD2725/14) and any comments have been incorporated into the report.

The Head of Legal Services has been consulted (LD2030/2014) and any comments have been incorporated into the report.

Are there any other options available for consideration?

The risks of doing nothing: We are in breach of our own constitution. The market has never been tested and subjected to competition to provide evidence of value for money and quality of service provision.

Implementation Date for the Decision

Following the expiry of the "call-in" period for the Minutes of the Cabinet

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Background Papers:

None

1. **Autistic spectrum disorders (ASD)**

1.1 Children and young people with an Autistic Spectrum Disorder (ASD) have difficulty in making sense of the world in the way that others do. They may have difficulties with communication, social interaction and imagination. In addition they may be easily distracted or upset by certain stimuli, have problems with change to familiar routines or have difficulties with their co-ordination and fine-motor functions.

1.2 ASD is diagnosed following careful multi-agency assessment over time working in partnership with those who know the child best using the criteria set out in the World Health Organisation's International Classification of Diseases and the American Psychiatric Association (APA) Diagnostic and Statistical Manual (DSM). The fifth edition of the APA Diagnostic and Statistical Manual (DSM-5) was published on 18th May 2013. This streamlined the diagnostic criteria from three impairments to two, each of which has been subdivided into three levels of severity:

- social communication and interaction
- restricted, repetitive patterns of behaviour, interests or activities

1.3 Children and young people with ASD can therefore experience different levels of severity of special educational need and some may have other types of needs in addition to their ASD. For example, some of the young people attending schools such as Rowan Park or Merefield may have ASD in addition to severe or profound learning difficulties whereas other young people with ASD may be capable of high levels of educational attainment, provided that their special educational needs are properly understood and supported.

2. **Implications of changes in legislation relating to children and young people with special educational needs (SEN)**

1.4 Part 3 of the Children and Families Bill will introduce changes in legislation relating to children and young people with special educational needs, including extending the age range covered to 0 – 25. In October 2013 a draft of the new SEN Code of Practice was published. This provides an indication of the statutory guidance that is likely to come into effect in September 2014. Under the terms of the Special Educational Needs (Local Offer) (England) Regulations the authority will be required to publish a local offer setting out information about the provision available for children and young people aged 0 – 25 in their area who have SEN.

1.5 Section 5.2 of the draft Code of Practice notes that:

The local offer should cover:

- *Support available to all children and young people with SEN from universal services such as schools;*
- *Targeted services for children and young people with SEN who require additional short term support over and above that provided routinely as part of universal services;*
- *Specialist services for children and young people with SEN who require specialised, longer term support.*

3. The local offer for children and young people with autistic spectrum disorders

- 3.1 As noted above, the ASD population is very diverse and it is therefore important that the Sefton local offer for this group reflects the range of provision needed. In line with national trends, there has been a dramatic increase in the number of Sefton children and young people diagnosed with ASD. In 2008/09, 30 statements of special educational need were issued for children with ASD, whereas in 2012/13 86 such statements were issued. The plans for future provision will therefore also need to have regard to this trend.
- 3.2 The authority now has three primary schools with resource bases for children with ASD: Our Lady of Lourdes, The Grange and Waterloo. Meols Cop High School has a resource base for secondary age pupils with ASD who are able to access a mainstream high school curriculum with support. These schools are currently providing places for some 82 pupils with ASD at a cost of £16,812 per pupil (£1,378,584 in total). Presfield School currently provides for 75 pupils aged 11-19 with more severe and complex autistic spectrum disorders at a cost of £ 22,720 per pupil (£1,704,000 in total). 30 students with the most severe and complex forms of ASD are currently educated at specialist independent and non-maintained schools at an average net cost of £58,747 per pupil ((£1,762,408 in total).
- 3.3 The draft SEN Code of Practice notes, however, that the majority of children with SEN will have their needs met with the age-appropriate mainstream provision and this principle applies equally to children with ASD. The Code also endorses the rights of parents and young people to express a preference for a particular school subject to:
- the school being suitable for the age, ability aptitude or SEN of the child or young person
 - the attendance of the child being compatible with the efficient education of others or the efficient use of resources.
- 3.4 Many Sefton children and young people with ASD are therefore educated in mainstream educational settings through out the borough. The authority therefore has a duty to work in partnership with the schools concerned to ensure that the special educational needs of the children concerned are properly understood and supported.

4. Current arrangements of the provision of outreach support for children and young people with a diagnosis of an autistic spectrum disorder (ASD).

- 4.1 The current provider has developed a personalised outreach service for supporting children and young people with ASD, their families, carers and the staff within educational, work and other settings.
- 4.2 Currently 143 pupils receive individualised support in 52 schools at a cost ranging from £566 to £2,900 each, depending on the package of support provided. This equates to an annual cost of £267,014, which is likely to increase by a further £50,000 before the end of the financial year, due to the identification of new pupils.

4.3 This service is an important element of the Sefton local offer for children and young people with ASD. The provision is available borough-wide; this ensures that many families can choose to have their child's special educational needs supported in their local school. Without this support, the pressure for places in specialist provision would increase substantially, at an increased cost to the Authority. There would also be a risk of increased litigation under the Equality Act (2010) and SEN legislation.

4.4 There is therefore a need to balance these risks against the need to ensure that future contracts for ASD outreach support are awarded in line with Council procedures. To mitigate against the risks associated with change, it is proposed that the existing arrangements should be maintained until the end of the academic year to maintain continuity of support for the pupils concerned. Notice should be issued to the current provider to terminate the existing agreement with effect from July 2014 and the procurement process implemented to a timetable which ensures that the successful organisation(s) can provide services from 1st September 2014. With the option to be able to refer into the service from July 2014 for the uptake of services for the commencement of the academic year.

5. **Award criteria**

5.1 The contract will be awarded utilising a weighted scoring system of:

- Price – 40%
- Quality – 60%

6. **Quality**

6.1 The quality indicators will include staff with ASD specific qualifications, skills and knowledge; experience of providing high quality support to children and young people with ASD in mainstream settings and their families; training skills; evidence of a personalised approach, customising the support provided to the needs of individual children, families and settings; an outcomes led approach, providing evidence that children who receive the support provided have improved outcomes.

6.2 The procurement process to be completed by May 2014, with the contract to be awarded June 2014 with a start date of 1st September 2014. Referrals for the service will commence in July 2014.

7. **Cost**

7.1 It is anticipated that by conducting this tender in the open market this will drive down cost and increase quality of provision.