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**Report to:** Cabinet

**Date of Meeting:** 10th March 2016

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

**Report of:** Head of Schools and Families

**Wards Affected:** All

**Is this a Key Decision?** Yes

**Is it included in the Forward Plan?** Yes

**Exempt/Confidential** No

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### **Purpose/Summary**

To seek approval of Cabinet to conduct a procurement process to establish a contract for the provision of outreach support services for children and young people with a diagnosis of an autistic spectrum disorder.

### **Recommendations**

Cabinet is recommended to:

- i. Approve the procurement process and evaluation criteria for tenders to provide the outreach support service for children and young people with ASD;
- ii. Note that the current arrangements will be continued until 1<sup>st</sup> September 2016 to ensure continuity of support for current service users;
- iii. Note that the contract will run for three years with the option to extend for one year plus another one year subject to a satisfactory review under the terms of the contract;
- iv. Authorise the Head of Schools and Families to accept the highest scoring tender(s) based on the approved evaluation criteria.

### **How does the decision contribute to the Council's Corporate Objectives?**

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

**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 statutory requirements.

**What will it cost and how will it be financed?****(A) Revenue Costs**

The 2015/16 budget allocation is £306,000. This is funded through the high needs block of the dedicated schools grant, DSG, and does not impact on the council's core budgets.

**(B) Capital Costs**

N/A

**Implications:**

<b>Legal</b>	
The recommendations in this report relate to the council's duties with respect to special educational needs and disability legislation such as the Education Act 1996, the Children and Families Act 2014, the Special Educational Needs and Disabilities Code of Practice for 0 to 25 years 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. There is a requirement under the Children and Families Act to collaborate with Health when commissioning services and they will be engaged as stakeholders in the process.	
<b>Human Resources</b>	
<b>Equality</b>	
1. No Equality Implication	<input type="checkbox"/>
2. Equality Implications identified and mitigated	<input type="checkbox"/>
3. Equality Implication identified and risk remains	<input type="checkbox"/>

**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 Chief Finance Officer has been consulted and has no comments on the report (FD 4037/16)

The Head of Regulation & Compliance has been consulted and has no comments on the report. (LD 3320/16)

**Are there any other options available for consideration?**

No, soft market testing has indicated sufficient interest to warrant undertaking a formal procurement process.

**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 a lifelong disability that affects how they make sense of the world and in particular how they communicate with and relate to others. 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).
- 1.3 The fifth edition of the Diagnostic and Statistical Manual of Diagnostic Disorders (DSM-5) was published by the APA in May 2013. This resulted in changes to the diagnostic criteria for ASD as evidence of impairment was reduced from three to two areas, namely 'social communication and interaction' and 'restricted, repetitive patterns of behaviours'. Atypical responses to sensory aspects of the environment have been included under the 'restricted, repetitive patterns of behaviours' descriptors for the first time. The support provided for these children and young people will need to be adapted in order to reflect the change in emphasis with respect to diagnosis of ASD.
- 1.4 Children and young people identified as having ASD can experience different levels of severity in relation to their special educational need and some may have other types of need in addition to their ASD. Some of the young people 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 and disabilities (SEND)**

- 2.1 The Children and Families Act 2014 introduced changes in legislation relating to children and young people with special educational needs, that included extending the age range of children and young people covered by the act to between nought and twenty five years. The Special educational needs and disability code of practice: 0 to 25 years includes guidance on publishing a Local Offer of support for children and young people with SEN or disabilities. Section 4.31 states that:

*The Local Offer should cover:*

- 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.*

In addition section 4.32 states that the local authority must include the educational and training provision arrangements for:

- *securing the services, provision and equipment required by children and young people with SEN or disabilities*

### **3. Sefton's Local Offer for children and young people with ASD**

- 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. Some children and young people with ASD have places in specialist provision (either a special school or mainstream school with resourced provision). However, many Sefton children and young people with ASD are also educated in mainstream educational settings throughout 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. This is mainly done through the provision of specialist outreach support.

### **4. Current arrangements of the provision of outreach support for children and young people with a diagnosis of ASD**

- 4.1 Current arrangements for the provision of outreach support for children and young people with ASD are supplemented through the use of an external provider, Autism Initiatives. This educational outreach service is delivered through a service level agreement and focuses on the development of bespoke packages of support for individual pupils, which are then implemented by school based staff in mainstream schools.
- 4.2 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 demand for places in specialist provision is likely to increase which in turn would increase the cost to the local authority. There would also be a risk of increased litigation under the Equality Act (2010) and SEN legislation.

### **5. Proposal**

- 5.1 A soft marketing exercise demonstrated that there are now a range of potential providers for the provision of outreach support for children and young people with a diagnosis of an autistic spectrum disorder and, therefore, it is appropriate to go out to competitive tender.
- 5.2 The annual cost will vary depending on the packages of support required for children and young people with ASD but is in the region of £300,000 per annum. The budget is within the high needs element of the DSG.
- 5.3 There is a need to continue providing the support currently provided until the new arrangements have been tendered and put in place and it is proposed that the existing arrangements should be maintained until the end of this academic year to maintain continuity of support for the pupils concerned. Notice will be issued to the

current provider to terminate the existing agreement with effect from 31<sup>st</sup> August 2016 and the procurement process implemented to a timetable which ensures that the successful organisation(s) can provide services from 1<sup>st</sup> September 2016.

- 5.4 Stakeholder engagement has taken place to help inform the specification for the service and it is recommended that the tenders be evaluated on the basis outlined in section 6 below.

## **6. Award criteria and procurement process**

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

- Price 20%
- Quality 60%
- Interview 20%

- 6.2 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.

- 6.3 The procurement process to be completed and the contract will be awarded by 1<sup>st</sup> July 2016 with a start date of 1st September 2016.

- 6.4 The contract will run for three years with the option to extend for one year plus another one year subject to a satisfactory review.

- 6.5. The opportunity will be advertised on the Chest and it is recommended that the Head of Schools and Families be authorised to accept the highest scoring tender(s) based on the approved evaluation criteria.