

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

2313

Author:

Clare Gilbert

Department:

Children and Families

Contact:

Clare Gilbert

(Job Title: Lead Commissioning Manager, Email: clare.gilbert@nottinghamcity.gov.uk, Phone: 01158764811)

Subject:

Special Educational Needs and Disability (SEND) Information Advice and Support Services (IASS) for Parents and Carers

Total Value:

£180,500 (Type: Revenue)

Decision Being Taken:

To grant dispensation from Contract Procedure Rule 5.1.2, in accordance with Financial Regulation 3.29, to extend the current Ask Iris service from 01 April 2015 to 31 December 2017.

To grant dispensation from Contract Procedure Rule 5.1.2, in accordance with Financial Regulation 3.29 to extend the Parent Partnership Service for a further 24 months from 1st April 2015 to 31 March 2017.

To approve spend of £179,500 for these extensions.

Activity to comply with the new legislative requirements and support the SEND reforms was ratified in DD1587 for the 2014/15 grant allocation; this decision seeks to continue that activity in respect of:

1. An information service for Children and Young People with SEND
2. The Parent Partnership Service

Both of these services are contracted by Nottinghamshire County Council on behalf of both themselves and the City Council. As part of the Whole Life Disability Review and the Information and Advice Strand of the Care Act, a review of IASS provision across Children and Adults' services incorporating education, health and social care is taking place. It is anticipated that SEND information and advice service will align with these processes in the future. Given the complexity of this work, this decision seeks a two year extension of the current structures for SEND IASS provision. This will provide sufficient time to fully consult on different models of IASS in order to support future alignment and integration. As part of this process, an extensive engagement process is taking place with children, young people and their parents.

As part of the Children and Families Act 2014, local authorities are required to provide information that is accessible to children and families with regard to SEND provision. This is referred to as the Local Offer. Nottingham City Council partly meets this provision through the commissioning of a website. In order to fully meet the requirements of the Act, the local authority is responsible for ensuring that the information is up-to-date, that it is responsive to local needs and that disabled children and young people and those with SEN and their parents are actively engaged in its production and review. This element of the service has previously been met through the Ask Iris service. This has been jointly commissioned with Nottinghamshire County Council and they lead on the procurement of this service. The remit of the service has already been reduced to deliver savings. The service was reviewed by Nottinghamshire County Council as part of this process in 2013 and was well evaluated by service users.

The County has extended the current contract until December 2015 and permission is sought for the City to provide the funding required to support this arrangement. It is not possible to extend the contract further. It is therefore proposed that the County re-tenders the service from January 2016 to December 2017 on behalf of the City and County Council.

Every Local Authority was previously required by the 1996 Education Act to provide Parent Partnerships. Under the Children's and Families Act, there is still a requirement to maintain the key elements of this service including:

- (a) Signposting children, young people and parents to alternative and additional sources of advice, information and support that may be available locally or nationally;
- (b) Individual casework and representation for those who need it, which should include:
 - (i) supporting children, young people and parents in managing mediation, appeals, exclusions and complaints on matters related to SEN and disability;
 - (ii) making children, young people and parents aware of the local authority's services for resolving disagreements and for mediation, and on the routes of appeal and complaint on matters related to SEN and disability.

The current service is provided by the County Council on behalf of the City and the County. It is therefore proposed that the City Council continues to utilise this service from the County from 1st April 2015 until March 2017.

Both services are funded through mainstream funding.

Other Options Considered: Do nothing- the City Council has a range of statutory obligations around information and advice that are met by these services
Undertake a separate tender from the County Council - the size of the contracts will make it difficult to commission any stand alone provision and would lose the benefit of the economies of scale provided by these services. Many parents, children and young people access services across city/county boundaries.
Integrate provision into wider IAS services - Due to the complexities of aligning adult, children and health IAS, current plans are not sufficiently developed to enable integration to take place at this stage
Align services with adult IASS provision - proposals for a joined up approach across adults' and children's services and health are still in the early stages of development and so it is not possible to join up provision at the moment

Background Papers: None

Published Works: DD1587

Affected Wards: Citywide

Colleague / Councillor Interests: N/A

Dispensation from Financial Regulations: Yes

Consultations: Those not consulted are not directly affected by the decision.

Crime and Disorder Implications: Not applicable

Equality: EIA not required. Reasons: The tender for the Information Service for Children and Young People has not been substantially changed from what is currently being provided.
The Parent Partnership is being re-contracted on the same basis as previously

Decision Type: Portfolio Holder

Subject to Call In: Yes

Call In Expiry date: 03/02/2016

Advice Sought: Legal, Finance, Procurement, Other: Jonathan Allen(jonathan.allen@nottinghamcity.gov.uk)

Legal Advice: This decision does not raise issues as the extensions are beneath the light touch threshold. The parent partnership may benefit from an exemption to tender as a public contract which implements co-operation between entities within the public sector. It is advisable to put in place a written contract with the County for this service. The Legal Services Team will provide support as necessary to assist with this requirement. Advice provided by Andrew James (Team Leader Contracts and Commercial) on 21/09/2015.

Finance Advice: See attached
Advice documents: SEND extensions.doc

Procurement Advice: The Council is required to abide by legislative requirements and support SEND reforms. It also has a statutory duty to provide these services to vulnerable children and their families.
Both contracts are held by Nottinghamshire County Council who allow us to access to them for Nottingham Citizens. Due to a need to remodel services and ensure they align with wider statutory duties the County have made the decision to extend the contracts (Ask Iris- until 31/12/15) (Parent Partnership - until 31/3/17). In order to ensure the Council continues to be able to provide these services to vulnerable children and their families, dispensation from the provisions of the Contract Procedure Rules 5.1.2 in accordance with Financial Regulation 3.29 (Operational Issues) to allow for further funding to support the extension of contracts is supported from a procurement perspective.
Advice provided by Kate Lowman (Lead Procurement Officer) on 20/08/2015.

Other Advice: This decision aligns with the SEND reforms project and the developments outlined in Part 3 of the Childrens and Familiese Act 2014. Advice provided by Jonathan Allen (Senior Project Manager) on 02/10/2015.

Signatures
David Mellen (PH Early Intervention and Early Years)
SIGNED and Dated: 27/01/2016
Alison Michalska (Corporate Director for Children and Adults)
SIGNED and Dated: 18/01/2016
Theresa Channell (Head of Corporate and Strategic Finance) - Dispensation from Financial Regulations
SIGNED and Dated: 14/01/2016
Chief Finance Officer's Comments: