

Delegated Officer Report **(Direct award £67,020.00)**

Decision Maker:	Merlin Joseph, Director of Children's Services (Interim)
Date of Decision:	28th February 2019
Subject:	Achievement for All (AfA) Programme (Increasing the Inclusion and Accessibility of Provision for Children with SEND)
Report Author:	Lauren Blythe
Ward (s):	No

Reason for the decision:

Authority to re-commission Achievement for All (AfA) through a delegated decision, was granted on the 23 November 2018 to provide a programme of bespoke coaching and support to improve Inclusion for children 0-5 years with SEND.

The programme has supported settings to implement / develop:

- A working development plan to improve inclusive practice
- Ongoing access to a Self-Improving Hub
- A set of downloadable key resources to improve SEND practice
- Increased confidence in meeting the needs of children with SEND with a view to improving uptake of children with SEND accessing the 30 hour offer

The previous contract commenced week beginning 16 April 2018 and ran until on the 31 July 2018.

The provider achieved excellent outcomes as reflected within the evaluation report dated August 2018. Practitioners within the setting felt they had increased confidence in supporting children and their families, development of wider inclusive practices for children with SEND. An identified next step was to further build on and develop an audit of practice and action plans.

Data analysis highlights that in the early years, children with SEND are at a significant disadvantage from their peers.

- **No** Oldham children with Education Health Care Plans achieved the GLD 2018, compared to the increase of 1ppt in 2018 to 5% nationally.

- Attainment for Oldham children with SEN Support has increased by 5ppts from 2017, to 22% in 2018. This compares to the national attainment for children with SEN support at 28% in 2018, with an increase of 1ppt.
- Attainment for boys with SEN support rose by 3ppts, from 15% in 2017 to 18% in 2018. Attainment for girls with SEN support has increased by 8ppts from 23% in 2017 to 31% in 2018.

In a recent local SEND childcare survey (January 2019) 77.3% of providers felt that the support needs of the child could not be met by the setting. More than 52% said that they would require specific training in order to offer more spaces and better quality provision. Interestingly, no providers had shared information of any systems in place, such as SEND self-evaluation and action plans, to improve accessibility and inclusion of children with SEND.

Access to high quality early education has the potential to significantly improve children's outcomes in the early years and later social mobility. The government offers two year olds from more disadvantaged families, who have disabilities, or who have been in care, free early education for fifteen hours a week. Take up among eligible families is about 72% nationally and 84% in Oldham. We aim to increase this further to ensure children are receiving early education to develop firm foundations for later learning.

Due to the positive impact of the previous programme analysis of local and national data and the identified next steps, the Oldham Opportunity Area Partnership Board members made a decision to re-commission AfA. This is to deliver an extended programme to both previous participants (EY providers) and addition to the cohort of a further 20 settings. Additionally, a decision was made to lengthen the provision for all these settings to four terms of support.

Therefore, permission is being sought to complete a direct award to re-commission AfA to lead and manage an updated programme. As previously described an anticipated start date would be around Easter 2019 up until 26.06.2020.

The variations includes 20 additional settings being supported to ensure that documentation, processes, systems and guidance are further aligned to Oldham's Early Years SEND Service - Right Start Model - Bridgewater Community NHS Trust. Also to ensure systems are in place to achieve the desired outcomes.

We strongly believe that AfA are in a unique position to deliver this provision. In addition to their excellent delivery during the initial project, they have gained substantial experience of the many delivery barriers within Early Years settings. Consequently the new delivery programme would be a further improvement on an already first-rate track record of delivery. Furthermore, our own assessment of the market leads us to strongly believe that there are no other local players with sufficient capacity or capability to deliver this programme to the standards and outcomes we require. Moreover, re-commissioning AfA would ensure continuity of provision for the settings included in the earlier project. The appointment of any new provider would cause significant production concerns in the delivery of projected outcomes.

Additionally, there are significant time pressures at play. For the maximum value to be extracted from this funding, delivery will need to commence prior to Easter. Any significant delay to this milestone would mean that OA funding (which ends in summer 2020) would not be able to be fully utilised.

This methodology of capacity building within Oldham's education system is reflected within Oldham Quality Support, Intervention and Improvement Framework 2018. This aims to raise the quality of the provision on offer to Oldham children.

Summary:

This report seeks exemption from contract procedure rules in order to make a direct award to Achievement for All, to lead and coordinate a local SEN Support and Inclusion quality improvement project.

This would secure continuity and consistency in the delivery of support to schools and early years settings. Achievement for All has extensive local knowledge and a proven track record of leading and implementing support around SEN and inclusion over a number of years.

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):

Seek quotes via the chest. –

This Option would pose a significant risk in the following areas:

- The OA Board are supporting the commissioning of AFA as a national organisation with recognised expertise in this area
- Achievement for All have already delivered and evaluated the initial programme. Commissioning a third party could potentially affect existing relationships with providers.
- The seeking quotes via chest and the commissioning process would have significant implications for project delivery timescales
- Commissioning a third party could potentially damage the existing relationship with providers and present significant barriers to the delivery of the programme.
- The seeking quotes via chest and the commissioning process would have significant implications for project delivery timescales
- The time bound nature of this funding means that following wider procurement procedures could result in less time for project delivery and cause risk to the identified outcomes.
- Will not build capacity within Oldham and children from vulnerable backgrounds will continue to have additional barriers to access high quality early education.

Recommendation(s):

That approval for a direct award to re-instate is granted for Achievement for All will ensure that the programme can seamlessly continue. This will significantly reduce a number of significant barriers such as timeliness, building new relationships and building up on previous learning outcomes to maximise the potential outcomes for providers, children and their families.

Implications:

What are the financial implications?

The costs of the commission will be revenue expenditure and will be a charge against the People and Place directorate budget. The total cost of the commission is expected to be £70k and will be financed from within the Council's Opportunity Area Grant allocation.
(James Postle)

What are the procurement implications? Contract Procedure Rules and EU procurement regulations should be followed when awarding contracts. However, Strategic Sourcing acknowledges nature of this requirement and the belief that continuity and consistency in the delivery of support to schools and early years settings is a currently a unique service delivered by the Achievement for All and its partners. On this basis, and in accordance with legal advice a direct award can be made.
(Mohammad Sharif) 18/02/2018 Interim sourcing.

What are the legal implications?

There is provision in Rule 21.3 (e) of the Council's Contract Procedure Rules for an exemption from the Rules in exceptional circumstances where the services proposed to be purchased are of a specialist or unique nature. Given the particular circumstances outlined in the body of the report there is an argument to say that the requirements of the specific Rule are met.

(Elizabeth Cunningham Doyle)

None

What are the Human Resources implications?

Equality and Diversity Impact Assessment attached or not required because (please give reason)

None

What are the property implications

None

Risk

Mitigation

Risk to delivery timescales due to the commissioning process or inability to recruit a suitable organisation

Seek approval to make a direct award to Achievement for All

Commissioning does not represent value for money

Commissioning a third party could have substantial cost implications

We will utilise a robust commissioning methodology and will specify output and outcomes desired from the grant.

We will work with procurement, finance and legal services to develop robust monitoring and evaluation arrangements.

Proposed implementation costs for the evaluation may be inaccurate as mainly based on assumptions/estimates

Detailed review and monitoring of proposed implementation costs to ensure they are robust.

Co-operative agenda

As a Co-operative Council, Oldham is committed to providing the very best opportunities for learning to every child and young person in Oldham.

The recommendations in this report reflect this ambition, providing consistency of approach and supporting the Oldham Plan's ambition to shift stubborn inequalities through effective, targeted and proven programmes.

(Jonathan Downs, SPP Team)

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution?

Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget? Yes

Are any of the recommendations within this report contrary to the ... Policy Framework of the Council? No

Reason(s) for exemption from publication:

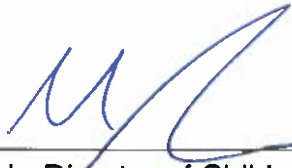
List of Background Papers under Section 100D of the Local Government Act 1972:

Title	Available from
Opportunity Area 2017-2020 Plan	http://decisionrecording.oldham.gov.uk
Delegated decision	
Contract	Oldham Council Legal Services

Report Author Sign-off:	
	
Date: 4.3.19.	

Please list any appendices:-

In consultation with



Date: 20-3-19

Merlin Joseph, Director of Children's Services (Interim)

