

Cabinet

24 July 2018

Authorisation to Establish a Framework for Alternative Education Provision.

Recommendations

That Cabinet:

1. approves proceeding with an appropriate procurement process for the provision of an Alternative Education Provider Framework.
2. approves and authorises the Joint Managing Director (Communities) to enter into all relevant contracts for the provision of an Alternative Education Provider Framework on terms and conditions acceptable to the Joint Managing Director(Resources).

1.0 Key Issues

1.1 Background:

After the closure of Warwickshire's Pupil Referral Unit (PRU) in 2012 a new approach to preventing permanent exclusions from schools was adopted. Four secondary Area Behaviour Partnerships (ABPs) were set up to enable secondary schools to work collaboratively to support the education of young people permanently excluded from school or at risk of permanent exclusion.

- 1.2 Since September 2011 Dedicated Schools Grant (DSG) funding has been delegated to the four ABPs for the purpose of investing in early intervention and to purchase individual packages of alternative education provision for young people permanently excluded or at risk of permanent exclusion.
- 1.3 In March 2012, Cabinet authorised a competitive tender for alternative education provision. 23 providers successfully joined the framework and as a condition of the devolved funding to the ABPs they were to commission only those providers listed on the framework.
- 1.4 In August 2015 the framework contract was decommissioned in order to allow for a free market, as at that time the contract was perceived to be too restrictive as it did not enable new providers to join and prices were fixed at a set rate. The ABPs and secondary schools were provided with guidance and support from Warwickshire County Council as to how to commissioning alternative provision (AP) in a free market.

- 1.5 Concerns with the current free market arrangement:
By law any AP setting, not maintained by a local authority or non-maintained special school which caters full-time for five or more children of compulsory school age must be registered with the Department for Education (DfE) and be inspected by Ofsted. Approximately 24 providers currently work with Warwickshire secondary schools and the four ABPs. Of the 24 one is registered with the DfE as an independent school/ AP setting, three are general further education colleges, one is an 'out of county' PRU and 19 are unregistered independent providers.
- 1.6 Since 2015 the cost of provision has increased yet the quality of provision offered varies.
- 1.7 Quality assurance checks are not taking place systematically.

2.0 Options and Proposal

- 2.1 Commence a competitive tender process to establish a framework for alternative education provision for children who are at high risk of or have been permanently excluded.
- 2.2 A framework contract will provide a list of approved providers from whom schools, the Area Behaviour Partnerships and WCC can commission provision. We will build into the procurement process the flexibility for new providers to join the framework at a set point(s) each year.
- 2.3 Feedback received from the four Area Behaviour Partnerships and secondary head teachers strongly recommends re-introducing a framework contract of alternative education providers to ensure high quality and consistent contracting arrangements and to assure ourselves that the provision is delivered by high quality staff with suitable training, experience and safeguarding checks.
- 2.4 A framework contract will:
- help deliver better outcomes for children who are at risk of permanent exclusion or who have been permanently excluded from school
 - strengthen and improve the quality of provision
 - ensure consistency of contracting arrangements and compliance with procurement rules
 - ensure robust performance monitoring arrangements are in place
 - strengthen accountability
 - where appropriate, require providers to register with the Department for Education
 - ensure appropriate safety and safeguarding checks
 - provide better value for money
 - support partnership working with schools.

2.5 The framework will be for two years with the option to extend for further periods up to 24 months at the discretion of the Council based on satisfactory performance. It is anticipated that up to £1 million will be spent on alternative provision packages for secondary aged pupils per year. The framework will not guarantee any provider that they will be selected to purchase alternative provision.

3.0 Financial Implications

3.1 Services delivered using the new framework contract will be delivered from within existing approved revenue budgets.

4.0 Timescales associated with the decision and next steps

4.1 The competitive tender process is scheduled to start at the beginning of August 2018 with provision available from January 2019.

Background papers

None

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The report was circulated to the following members prior to publication:

Local Member(s): N/A

Other members: Councillors Hayfield, Dahmash, Morgan, Williams, Davies, Roodhouse