

Future provision of Education and Inclusion Services

Report from the Head of Education and Learning and Deputy Chief Officer for Children's Services

For information and discussion.

1 Background and introduction

In 2012, after thorough consultation with staff and stakeholders and following a rigorous options appraisal, Devon County Council (DCC) took the decision to commission out its statutory Learner Support Services. The delivery model chosen was a joint venture with a private sector partner and Babcock Training Ltd (now Babcock Educational Holdings Ltd) were successful in bidding for the joint venture contract. A new partnership, Babcock Learning Development Partnership LLP (Limited Liability Partnership Joint Venture), was created, in which Devon County Council retained 19.9% ownership. The service level contract put in place with Babcock LDP was for a maximum of ten years (seven years plus three) and expires on 31st March 2022. The total value of the contract for 2019/20 was £8.8 million pounds.

DCC has been undertaking work on the future service design and the delivery model options for Learner Services in accordance with a commissioning timetable which allows for any tender process or transfer of service required and a mobilisation period.

A Project Board including school and governor representation is overseeing this work and feedback from schools, parents and other stakeholders has been used to inform an options appraisal in order to agree recommendations for the future.

This work is linking with the SEND transformation programme which has been set up by DCC with support from the NHS Devon Clinical Commissioning Group (CCG) with the intention of transforming the experience of children, young people and families with Special Educational Needs and Disabilities (SEND), through partnership working, co-designing and co-development of a new service model.

The pandemic incident management response required between March and July 2020 had a significant impact on the progress of the work to determine the future delivery model for Learner Services and it became clear that it would not be possible to meet the stringent consultation and competition rules set out in the Public Contracts Regulations 2015 legislation within the timescales needed. In August 2020 DCC Cabinet approved an extension to the existing contract, which will continue for a period of up to 12 months, to 31st March 2023. Under Regulation 72 of The Public Contracts Regulations 2015 there is scope to lawfully extend the Services Contract, on the same terms, on the grounds of "unforeseen circumstances" and/or non-substantial modification.

Consultation has now been carried out with schools and a public consultation on the options being considered is also being prepared. Scrutiny members will be provided with a copy of the public consultation before it is launched.

2 Progress so far – options appraisal

In line with the corporate approach for appraising service delivery models, the project team are in the process of carrying out a full options appraisal for the service design and the delivery model.

This has been informed by engagement with stakeholders and has included discussion and consultation with schools, gathering information from service managers, and from the current provider.

Work is continuing to estimate the full costs of the options being considered, including the possible in housing of some teams. As part of this process, corporate teams are being consulted.

3 Next steps

Public consultation will be carried out regarding the options being considered. This public consultation will outline the options identified as the most beneficial along with the evidence base and rationale for this assessment. Most of the services are delivered to schools rather than directly to individuals, so it is intended that this will be a light touch consultation. Feedback will be gathered on the proposals based on the rationale developed through the options appraisal.

Market engagement with providers is also in progress and this will be used to test the viability and feasibility of the identified options.

After the public consultation is complete the full business case will be written. This will include additional cost modelling and analysis of the rationale for the option being recommended, including the cost of implementation in terms of work from other teams within DCC.

'Real life' implications will be layered onto the option appraisal rationale and evidence in order to complete the business case, for instance impacts like pensions, additional infrastructure costs and attractiveness to the market.

The full business case for the final recommendations being made will be taken to Devon Education Forum (schools forum) LG8, Cabinet Leadership and Cabinet for final discussion and agreement.

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Head of Education and Learning

Electoral Divisions: All

Cabinet Member for Children Services and Schools: Councillor James McInnes

Chief Officer for Childrens Services: Jo Olsson

LOCAL GOVERNMENT ACT 1972: LIST OF BACKGROUND PAPERS

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BACKGROUND PAPER DATE FILE REFERENCE Nil