

Report of: Head of Children and Families Commissioning and Market Management Team

Report to: Director, Children and Families

Date:

Subject: Authority to procure a one to one tuition service for children looked after and waive CPR 15.2 to amend the price / quality ration for the tender evaluation

Are specific electoral wards affected? If relevant, name(s) of ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. As their “Corporate Parent”, Leeds City Council has promised the young people in its care to have the highest aspirations for them, to encourage them to reach their full potential, to support them throughout their education and to plan for the future.
2. The experiences that bring children and young people into care can often have a lasting impact on their ability to make the same progress in learning as their non-looked after peers. To address this, Leeds City Council has invested in a one to one tuition service for these children and young people to help them overcome any disruption to their learning and reach their full potential.
3. In 2014, a £150,000 per year contract was awarded to Academic Appointments to deliver the tuition service which last year received 233 referrals. The Contract ends on 31st December 2018 and authority is sought to re-procure the service under a three year contract at the current budget with an option to extend for a further two years.

4. A review of the service has been completed and a number of changes will be made in the new specification to improve the monitoring and reporting of outcomes, and to streamline the referral process.
5. These improvements will require a new way of working for the provider. It is important to deliver a high quality tuition service employing tutors who have a good understanding of the challenges and barriers children and young people in care face. They must also have the internal systems in place to record detailed outcomes from both the tutors and referring schools.
6. In order to procure the highest quality service with the most robust outcomes monitoring and referral processes, it is requested that Contract Procedure Rule 15.2 be waived to increase the quality element of the tender evaluation process to 70% and reduce the price element to 30%.

Recommendations

7. That the Director, Children and Families approves the re-procurement of the one to one tuition service for children looked after at a value of up to £150,000 per year from the Framework for the supply of Temporary Supply Teachers and Educational Staff (DN193572).
8. That the Director, Children and Families approves the waiver of Contract Procedure Rule 15.2 to increase the quality element of the tender evaluation process to 70% and reduce the price element to 30%.

1 Purpose of this report

- 1.1 The purpose of this report is to seek approval to enter into a competitive procurement process through the Framework for the Supply of Temporary Supply Teachers and Educational Staff for the provision of one to one tuition for children and young people in care.
- 1.2 This report also seeks authority to waive Contract Procedure Rule 15.2 to increase the quality element of the tender evaluation process to 70% and reduce the price element to 30%.

2 Background information

- 2.1 As their “Corporate Parent”, Leeds City Council has promised the young people in its care to have the highest aspirations for them, to encourage them to reach their full potential, to support them throughout their education and to plan for the future.
- 2.2 The experiences that bring children and young people into care can often have a lasting impact on their ability to make the same progress in learning as their non-looked after peers.
- 2.3 The Virtual School carries out the statutory function of promoting the education of children in care on behalf of the local authority working in close partnership with Designated Teachers, social workers, Independent Reviewing Officers, foster carers, children’s homes and services for children with complex needs.
- 2.4 Every child in care from the age of 3 to 18 must have a Personal Education Plan (PEP) that ensures that the child’s learning needs are being met, that they have achievable, ambitious and aspirational targets set and they are making expected or better than expected progress towards those targets to reach their full potential.
- 2.5 Since 2014, to support learning objectives in the PEP, the council has invested a budget of up to £150,000 per year in an out of school one to one tuition service for children and young people in care.
- 2.6 Tuition is delivered usually in the child’s home in blocks of twelve weeks based on a single subject area with a tuition plan completed by the Designated Teacher at their school.
- 2.7 The service is aimed at children and young people in care who:
- Are not making expected or better than expected progress based on their prior attainment e.g. if a child was expected only to achieve reading and writing at key stage 2 then tuition could support them to achieve maths
 - Not making age related expectations e.g. disruption to a care placement has meant a child is no longer meeting age related expectations and needs the tuition to return them to the levels of progress and attainment before the disruption to placement;
 - Are having difficulties with a particular topic or aspect of the curriculum e.g. a period of absence has left knowledge gaps;
 - Are currently in a statutory testing year
 - Are in a transition year
 - Are in Year 7 having not achieved the required standard in key stage 2
 - Have recently moved schools
 - Have a passion for a subject activity which has a direct benefit on improving their learning outcomes;
 - Have a particular gift or talent for a curriculum subject area;
 - Are potential high achievers (e.g. potential to achieve at the highest grades in a subject at GCSE or equivalent)

2.8 The majority of referrals are for secondary school students, with around 40% in year 11 to help prepare for GCSE exams.

2.9 The current contract is delivered by Academic Appointments.

3 Main issues

3.1 The current contract ends on 31st December 2018 and a new procurement is required to ensure there is no gap in service for young people in care who require additional academic support.

3.2 The service has been reviewed and feedback sought from the current provider, schools, young people and carers.

3.3 The service is valued by stakeholders and the vast majority of young people report more confidence in their tuition subject. It also supports the council's strategic objective to improve educational attainment and close achievement gaps for children and young people vulnerable to poor learning outcomes.

3.4 The review and contract monitoring returns identified some weaknesses in the delivery of the current service that have been addressed in the new specification:

- Inconsistent and often low quality referral information from the Designated Teacher
- Lack of a robust monitoring tool that measures progress, impact and outcomes
- High rates of chargeable short notice cancellations
- All referrals being approved by Virtual School officers
- Virtual School officers intervening to chase information from the school or provider

3.5 The new specification is outlined at Appendix 1 and includes a new standardised referral and reporting form to ensure that good quality information is provided by the school to enable the design of a bespoke tuition package for the young person.

3.6 The method statement questions will include a heavily weighted question on the outcomes monitoring tool that will be used to provide quality reports and clearly defines the impact of the tuition on the young person.

3.7 If the authority to procure is granted, the service will go out to tender in September for a period of six weeks limited to providers on the Framework for the supply of Temporary Supply Teachers and Educational Staff.

3.8 Tender evaluation will be completed in November with a short mobilisation period before the new contract commences. Any young people starting a twelve week tuition block from the beginning of October will complete the block with the current provider to avoid disruption to their learning experience.

Reason for contracts procedure rules waiver

3.9 Following a review of the current service, a number of improvements were highlighted for inclusion in the new specification that drive up the quality of outcomes monitoring, improve the referral process and reduce the administrative burden on the Virtual School officers. These include:

- Ensuring the Designated Teacher fully completes the referral form with clear learning outcomes

- Developing a robust outcomes monitoring tool that will effectively record the child's progress and the impact of the tuition block
 - Implementing a streamlined referral procedure that automatically accepts referrals of children and young people who meet the criteria described at 2.7.
 - Collecting and recording the feedback from the Designated Teacher and the young person at the end of the tuition block.
- 3.10 The new arrangements will require the provider to spend time liaising with schools and undertaking detailed outcomes monitoring and recording.
- 3.11 A market sounding exercise was undertaken with providers from the framework on the proposed changes to the service and their estimation of the potential cost implications. The responses showed a mixed understanding of the requirements, and how they would impact the cost of delivery, with some anticipating adding an administrative cost and others not.
- 3.12 It is very important that the successful bidder is the one that takes a high quality approach to monitoring outcomes, and recognises the importance of building relationships with schools and young people to deliver a seamless referral process and reduce the high cost of short notice cancellations.
- 3.13 It is therefore requested that the quality element of the tender evaluation process be increased to 70%. This will ensure that bidders who recognise and budget for the additional administrative work to deliver the new specification are not unduly disadvantaged over a bidder submitting a lower cost per block but meets only the minimum score for their approach to outcomes monitoring and understanding the specific needs of young people in care.
- 3.14 Any potential saving that could be made by retaining the 40% cost evaluation criteria is likely to be offset by higher cancellation fees and increased involvement of Virtual School officers to deal with enquiries and performance manage a lower quality provider that did not budget sufficiently for the administrative and reporting requirements.

Consequences if the proposed action is not approved

- 3.15 The market sounding exercise demonstrated that not all providers on the framework understand the additional administrative burden of delivering the new specification and may come in at a much lower price than an organisation that properly resources the monitoring and liaison with schools. If the waiver is not approved, the evaluation panel may be required to award a contract to a provider that only meets the minimum scores in method statement questions over a higher quality bid that will provide a much more personalised and outcome focussed programme of tuition.

Advertising

- 3.16 The opportunity will be advertised in line with Council procedures and will be published on YORtender

4 Corporate considerations

4.1 Consultation and engagement

- 4.1.1 The new specification has been developed taking into account feedback from Virtual School officers, Designated Teachers, young people in care and foster carers.

- 4.1.2 A market sounding exercise was undertaken to which four out of nine providers responded. All confirmed that they would be able to take responsibility for accepting standard referrals and improved outcome monitoring.
- 4.1.3 The Executive Member for Learning, Skills and Employment was consulted and supports the improved specification and the proposal to increase the quality element of the tender evaluation.
- 4.1.4 Procurement Officers have contributed to this report and are supportive of the proposal to waive CPR 15.2.

4.2 Equality and diversity/cohesion and integration

- 4.2.1 An Equality Impact Screening has been completed for the procurement. The service will benefit vulnerable young people, including those with special educational needs, by ensuring that more emphasis is given to quality and supporting the Leeds Promise to children and young people in care.

4.3 Council policies and best council plan

- 4.3.1 The service will contribute to the following strategic priorities:

Best Council Plan: “Improving educational attainment and closing achievement gaps for children and young people vulnerable to poor learning outcomes.”

Vision for Leeds – Best City For Children: “Children do well at learning and have skills for life”

Children and Young People Plan – Obsession 3: “Improve achievement, attainment and attendance at school”

4.4 Resources and value for money

- 4.4.1 Funding of up to £150,000 per year has been approved for this service from the overall Pupil Premium Plus grant allocated to the Virtual School for the express purpose of accelerating progress and raising the attainment of looked after learners.
- 4.4.2 The proposal presents value for money as even though a reduction in the price ratio for tender evaluation has been requested, it is expected that a high quality service with resources allocated to deliver the full objectives of the specification will reduce the number of short notice chargeable cancellations and cut the amount of time Virtual School officers spend dealing with referrals and chasing Designated Teachers for reports and referral information.
- 4.4.3 The current budget can sustain the anticipated increase in the cost of a programme of tuition as the budget has never been fully utilised over the course of the existing contract.

4.5 Legal implications, access to information and call-in

- 4.5.1 Due to the contract value and the waiver of Contract Procedure rule 15.2, the authority to procure decision will be a significant operational decision and will not be subject to call-in. There are no grounds for keeping the contents of this report confidential within the council's access to information rules.
- 4.5.2 The procurement will be overseen by Procurement and Commercial Services to ensure compliance with legislation and the Council's Contract Procedure Rules.

4.6 Risk management

- 4.6.1 The main risk of not proceeding with the waiver of CPR 15.2 is a provider winning the tender who had not sufficiently budgeted for the time needed to deliver high quality monitoring and liaison with the school and carer as described in the specification. The project team is working closely with procurement colleagues to manage the risks associated with the procurement, and a risk register will be kept.

5 Conclusions

- 5.1 The one to one tuition service for children and young people in care is an important part of the Council's commitment to the Leeds Promise.
- 5.2 Whilst the current service has demonstrated positive outcomes over the last four years, a number of improvements have been identified that will more clearly define the impact of one to one tuition and remove the administrative burden on the Virtual School team.
- 5.3 Taking into account the feedback from the Market Sounding Exercise, and prioritising high quality monitoring, it is proposed that CPR 15.2 be waived in order that the tender evaluation panel can apply a quality / price ratio of 70/30.
- 5.4 The new Specification outlines in detail the high expectations for the Service, and new contract monitoring arrangements will be put in place to ensure that every element of the service is delivered to a high standard.

6 Recommendations

- 6.1 That the Director, Children and Families approves the re-procurement of the one to one tuition service for children looked after from the Framework for the supply of Temporary Supply Teachers and Educational Staff (DN193572).
- 6.2 That the Director, Children and Families approves the waiver of Contract Procedure Rule 15.2 to increase the quality element of the tender evaluation process to 70% and reduce the price element to 30%.

7 Background documents

- 7.1 None