

Report to Cabinet

20 July 2022

Subject:	SEND Information, Advice and Support Service (SENDIASS)
Cabinet Member:	Cabinet Member for Children and Education, Councillor Simon Hackett
Director:	Director of Children's Services and Education Michael Jarrett
Key Decision:	Yes
Contact Officer:	Senior Commissioning Manager, Peter Forth peter_forth@sandwell.gov.uk

1 Recommendations

- 1.1 Following the appropriate procurement processes and in line with the Council's Procurement and Contract Procedure rules, that the Director Law and Governance be authorised to agree and enter into a new contract with the successful tenderer for the provision of a Special Educational Needs and Disabilities Information, Advice and Support Service (SENDIASS) for a three year period from 1 April 2023 to 31 March 2026 (with the option to extend for a further year) on terms to be agreed by the Director of Children's Services and Education.
- 1.2 That the Director Law and Governance be authorised to make any necessary exemptions to the Council's Procurement and Contract procedure rules to allow action in point 1 to be undertaken.

2 Reasons for Recommendations

- 2.1 The Children and Families Act 2014 requires local authorities to provide children with Special Educational Needs or Disabilities (SEND) for whom they are responsible with impartial information and advice about matters relating to their SEND.



- 2.2 On 8 October 2014 Cabinet duly approved the establishment of a new SENDIASS service in Sandwell (Minute No 58/14 refers).
- 2.3 The current contract with Action for Children for the delivery of the SENDIASS service expires on 31 March 2023.
- 2.4 This report seeks approval to go out to tender again to identify a suitable agency to operate the service.

3 How does this deliver objectives of the Corporate Plan?

	<p>Best start in life for children and young people</p> <p>The service has a focus on ensuring that that children, young people and their families receive the independent information, advice and support that they require in respect of their children’s Special Educational Needs and Disabilities.</p>
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4 Context and Key Issues

- 4.1 The Service has an annual budget of £125,000 and consists of a small team including a co-ordinator and three part-time workers.
- 4.2 The Service seeks to give information and advice to children, young people and their parents/carers in order to help them make informed choices and decisions about the content and development of their Education, Health and Care Plan (EHCP). The service will support young people and parents to challenge and address issues in relation to their SEND assessment or provision that they are unhappy about.
- 4.3 Over the past two years the service has established a dedicated website which has been successful in giving families access to good quality information. In 2021/22 that website was viewed over 1800 times. The impact of this has been that staff have been released from dealing with general queries and therefore there is greater staff capacity available for intensive work with families.
- 4.4 In 2021/22 the Service managed direct support to over 200 families. This figure is expected to continue to rise following the pandemic.



4.5 The Service strives to help families and agencies to resolve disputes at an early stage.

4.6 Parental feedback

4.7 Feedback from parents about the SENDIASS service provided has consistently been good as these examples evidence:

*I am a parent who has used the SENDIASS service and I have to say they were absolutely brilliant nothing was too much trouble they were helpful, polite, knowledgeable and if they weren't sure about anything they would go off and find out the answer. I couldn't have got through my issues without them and would recommend them to anyone. They also call for updates after to see how things are going they are just brilliant in my eyes. **KM, Parent, 2022***

*What can I say about SENDIASS, they are a brilliant service. We have been using SENDIASS for nearly 3 years and during that time the service we have received is second to none. There are not enough words to show our appreciation for the help we have received and continue to receive. I would recommend SENDIASS 100% **JP, Parent, 2022***

After the initial disappointment and worry after receiving our child's school placement, the team at SENDIASS and in particular J were at hand to help and reassure us. From the initial call J* was a contact we could lean on for advice, of which she gave vast amounts of. Without this help, support and advice from J* and the SENDIASS team we would not have been able to get to the wonderful resolution we did. Thank you, J* and the SENDIASS team. **RJ, Parent 2022***

4.8 The service continually collates feedback from service users to ensure that the quality of support being delivered is meeting the needs of the locality. SENDIASS consistently receives satisfaction rates from service users of between 98-100%, with 100% of respondents stating that they would happily recommend the service to others.

4.9 Timescales

4.10 It is anticipated that if approval is given to the report, work will commence on the necessary procurement documents with a view to going out to tender in late autumn and decisions made about the



successful agency by the end of 2022. This will allow time for preparation to transition to another agency if necessary during the early part of 2023.

- 4.11 It is expected that there will be interest in the tender opportunity from both local and national agencies.

5 Alternative Options

- 5.1 In some local authorities the service has been provided internally. This has led to problems about how the service is viewed by parents. In addition, this approach has led to problems internally in addressing issues and determining roles. This option has been discounted as it fails to give the necessary impartiality for families.

6 Implications

<p>Resources:</p>	<p>The SENDIASS service currently has a budget of £125,000 per annum. This comes from the Special Educational Needs and Disabilities Budget.</p> <p>The staff currently employed by Action for Children as part of SENDIASS would have the right to TUPE transfer to the new provider of the service subject to meeting the conditions of that process.</p> <p>There has been some initial contact with colleagues in Health Services about making a financial contribution to SENDIASS.</p>
<p>Legal and Governance:</p>	<p>Under section 32 of the Children and Families Act 2014 the local authority must make arrangements for the provision of information and advice to children, young people and their parents for whom it is responsible relating to the special educational needs and disabilities of the children and young people concerned.</p> <p>All information should be at 'arms-length' from the local authority to ensure impartiality. (This is detailed in section 2 of the Department of Health and</p>



	<p>Department of Education SEND Code of Practice 2015 which is statutory guidance).</p> <p>Under section 1 of the Local Government (Contracts) Act 1997 the local authority may enter into contracts for the purposes of or in connection with the discharge of its statutory functions.</p> <p>Contracts must be awarded in in accordance with the local authority's Procurement and Contract Procedure Rules and the Public Contracts Regulations 2015.</p>
<p>Risk:</p>	<p>The Corporate Risk Management Strategy (CRMS) has been complied with to identify and assess risks associated with this decision. This includes (but is not limited to) crime and disorder, political, legislation, financial, environmental and reputational risks. Based on the information provided, it is the officers' opinion that there are no current "red" risks that need to be reported with regards to this proposal.</p> <p>A risk register is in place and has identified some risks. Suitable measures have been identified to mitigate these risks to an acceptable level.</p> <p>The greatest risk to the Service is the volume of work that it undertakes. The establishment of the website has had a major impact on releasing staff capacity. Further work on specific issues on the website will help to address further queries through that route.</p> <p>All direct case work is assessed on receipt and resources allocated accordingly. The Service will continue with that approach which enables clear decision-making on priorities.</p> <p>In providing impartial advice and support there is always a risk of the Service getting too close to agencies and compromising their relationships with families. There is good evidence that this has not been the case as demonstrated by this comment from Peter Lee, Head of School at Q3 Academy, Langley:</p>



	<p><i>“On behalf of everyone at Q3 Langley thank you so much for all your advocacy on behalf of our students and parents/carers! It has been a pleasure working with you – whatever the trials and tribulations along the way”.</i></p> <p>As an independent organisation the successful bidder will be responsible for conducting their own health and safety assessments and giving consideration to the necessary insurance implications. (Minimum insurance requirements will be stipulated in the service specification).</p>
<p>Equality:</p>	<p>The service must be available for children, young people and their parents/carers in relation to Special Educational Needs and Disabilities for whom Sandwell has responsibility.</p> <p>Current monitoring of the take-up of the service is undertaken on the basis of disability, gender, ethnicity, school, town and source of referral as well as intervention levels. Reports are received by the local authority as part of the quarterly monitoring arrangements. Where gaps are identified the service will explore the issues and actions are duly agreed as necessary.</p>
<p>Health and Wellbeing:</p>	<p>The service provides an independent and impartial service to support families on a range of issues. It offers the opportunity for parents to build their self-confidence so that they can express their views and concerns at formal meetings.</p> <p>Parents are also encouraged to become part of the Sandwell Parents Voice United scheme which is an independent group of parents and carers who work together to raise awareness and aspire to improve outcomes for children and young people with SEND in Sandwell.</p>



	The Service has close links with other service providers in the borough to be able to ensure families can access the support that they require.
Social Value	Consideration will be made to the added social value that can be derived from this contract during the procurement process.

7. Appendices

Appendix A - EIA

8. Background Papers

List source/background documents

