

Salford City Council

**Approved Provider Dynamic
Purchasing System to Supply
Alternative Provision to Salford Pupils**

**Service
Specification**

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1. Introduction

- 1.1. This Service Specification provides the background and set of service requirements each prospective provider must demonstrate to be included on the Salford City Council's (the 'Council') Dynamic Purchasing System (the 'DPS') of Alternative Provision.
- 1.2. The DPS will be used by the Council to commission alternative provision for pupils that it has statutory or discharged responsibilities for placing in appropriate and compliant alternative provision. Being on the DPS will not constitute a contract for work between the Council and a DPS provider or guarantee any provider a contract for work with any of its schools or commissioning bodies associated with the Council. However, it will demonstrate that the provider is meeting and adhering to national legislation and all other necessary policies, processes and procedures set out by the Council for delivering high quality and effective alternative provision to secondary school age pupils in Salford.

2. Background and Local Context

- 2.1. The Department for Education (DfE) defines alternative provision as:
 - Education arranged by local authorities for pupils who, because of exclusion, illness or other reasons, would not otherwise receive suitable education;
 - Education arranged by schools for pupils on a fixed-term exclusion;
 - Pupils being directed by schools to off-site provision to help improve their behaviour.
- 2.2. In Salford, there are approximately 260 pupils across the secondary phase of education that are currently accessing a provision that meets this definition, 40% of whom have been permanently excluded from mainstream provision and have been placed with a Pupil Referral Unit (PRU). The remainder are engaged in part-time or full-time, fixed-term alternative provision that is delivered by an external provider, in a setting that is away from the school's mainstream provision.
- 2.3. Many of the young people accessing programmes of alternative provision in Salford have issues with behaviour and attendance, and are generally achieving poorer academic outcomes than their peers. In general, most of the pupils will be accessing the provision on a part-time basis (e.g. half a day, one day a week), delivered alongside the school's core curriculum offer. However, there are some pupils who may be timetabled with an external provider on a full-time basis. In these circumstances, providers must ensure the pupils have access to core curriculum subjects (i.e. English, mathematics, science and IT) and be given the opportunity to take appropriate and accredited qualifications that help them to progress.

3. Dynamic Purchasing System

Scope

- 3.1. Although the vast majority of young people attend mainstream secondary schools and academies to receive their education in KS3 and KS4, some young people benefit from receiving some, or all, of their education and support in 'off-site' settings that are delivered away from their school.

- 3.2. In certain circumstances, the Council is responsible for making these arrangements on behalf of the young person and/or their school. This includes when a young person has been permanently excluded from mainstream education or where specialist services have a discharged responsibility to arrange suitable and complementary alternative provision for vulnerable groups of young people, such as those who are:
- Holding an Education, Health and Care plan (EHCP)
 - Known to the Youth Offending Service
 - Looked After Children (LAC)
 - Arriving in the Local Authority part way through Year 11
- 3.3. The Council will use a Dynamic Purchasing System (DPS) to purchase suitable alternative provision from. Services that are expected to use the DPS to source and commission appropriate provision for young people they are responsible for supporting includes:
- Special Educational Needs Team
 - The Virtual School Team
 - Access and Inclusion Services (e.g. In-Year Fair Access)
 - Secondary schools and academies, where a traded service level agreement has been put in place for arranging alternative provision
- 3.4. In all circumstances where the Council is acting as the lead commissioner for alternative provision, use of the DPS will be compulsory apart from in exceptional circumstances. The Council will be able to “call-off” provision from the DPS based on the precise requirements set out by the commissioner.
- 3.5. Commissioners will offer contracts of work and/or Invitations to Tender based on the value of the contracts.
- 3.6. The Council reserves the right to commission alternative provision outside of the DPS in exceptional circumstances.
- 3.7. The Council reserves the right to end the DPS if the overall value of the contracts commissioned through the system exceeds (or is imminently going to exceed) the OJEU threshold for Light Touch Regime services.

Categorisations of Work

- 3.6. The DPS will be divided into four separate ‘Lots’:

Lot 1: Full-Time Alternative Provision

This describes provision offered to a pupil for 25 hours a week or more. The provider should be registered as an independent school if providing full-time education to five or more pupils of compulsory school age or one such pupil who is a LAC and/or has an EHCP.

Lot 2: Part-Time Alternative Provision

This describes educational provision that is delivered to enhance the school curriculum and/or a vocational placement. Provision should be age-appropriate and lead to the

achievement of accredited qualifications, academic outcomes and/or vocational skills development.

Lot 3: One-to-One Tutoring

This describes tutoring provision delivered by qualified teachers to support the school curriculum and/or the specific needs of a pupil. Programmes are usually bespoke and delivered to individuals or very small groups.

Lot 4: Complementary Provision

This describes bespoke and personalised programmes of proactive support, mentoring and/or coaching, which are offered to pupils to enhance their learning experience and engagement. They will often be used to support or improve behaviour, attendance, and the re-integration of pupils into mainstream schools.

- 3.6. Providers must determine the Lot(s) they are intending to deliver provision against, and there is no limit to the number of Lots a provider can apply for.
- 3.7. Providers may be approved to deliver provision for some or all of the Lots they have applied to. The decision will be based on the quality of the submission received. There will be no limit to the number of providers approved in each Lot.

DPS Agreement

- 3.8. If approved, providers will be required to enter into a DPS agreement with the Council. This does not guarantee work or funding, but will give providers the opportunity to be commissioned for contracts of work, by appointment or via a competitive tender process.

4. Provider Requirements

- 4.1. To be on the DPS, providers must offer:
 - Evidence of their provision offer, which can be accessed and interpreted by commissioners in an appropriate format that is relevant to Lot(s) applied to;
 - an induction programme for all pupils placed in the provision by the Council;
 - appropriate and accessible facilities and teaching resources, which help to promote achievement, progression and positive behaviour;
 - suitable and eligible qualifications, where appropriate (i.e. Lots 1 and 2), which meet the needs of learners and comply with school performance tables, including Progress 8 (see Appendix A);
 - non-accredited qualifications, learning experiences and support, which help to build confidence, improve behaviour and support the personal, social and academic needs of the learner(s);
 - access to appropriate, independent access to careers information, advice and guidance (IAG) services to support post-16 progression and/or reintegration into mainstream school;

- access to suitable transport / travel arrangements that ensure the provision is accessible;
- 4.2. Providers must ensure their provision can be accessed by pupils in Salford and must demonstrate that they have suitable premises or delivery locations formally arranged at the point at which contracts of work or invitations to tender are issued.
- 4.3. Unless stated by the commissioner, provision is expected to start no later than 9am.

5. Assessment and Referrals

- 5.1. Providers must complete an assessment of the pupil's learning and support needs, in partnership with the commissioning body (e.g. the pupil's school) and other relevant support services, including parents/carers, prior to the pupil taking part in the provision. This process will help to inform the development of an individual learning plan (ILP), which will set out the objectives for the provision, including the learning outcomes, achievements and next steps for the pupil after completing the placement.
- 5.2. ILPs should be linked to other relevant information or activities (e.g. EHCPs) and be reviewed by schools, practitioners and providers on a regular basis. The frequency of these reviews will be determined by the commissioner.
- 5.3. Referrals to provision must be made using the Council's standard Alternative Provision Referral Form (see Appendix B). This provides the provider with appropriate information on the pupil to help make an informed decision about the type of provision that can be offered.
- 5.4. Providers may request additional information from the commissioner, where this is considered to be appropriate (e.g. to support the assessment process). Additional information may also be made available by the pupil's school and/or commissioner, but must be subject to compliance with relevant data protection policies and procedures.

6. Monitoring and Reporting

- 6.1. Providers must comply with the procedures set out by the Council for monitoring and reporting pupil attendance. This includes:
- providing daily information to the commissioner, the pupil's school (if different) and other relevant support services, via email, on pupil absence and attendance in a format that is suitable for processing;
 - submitting attendance data by 9.30am each day the pupil is timetabled to attend the provision (or within half an hour of the alternative provision scheduled start time, if different from normal school hours);
 - informing the commissioner and the pupil's school (if different) about pupil absence by 9.30am (or within half an hour of the alternative provision scheduled start time, if different from normal school hours);
 - informing the commissioner and the pupil's school (if different) immediately if the student absconds from the provision.
- 6.2. Providers must ensure they have the appropriate resources to fully meet these requirements (e.g. staff, IT facilities etc).

- 6.3. Teaching and learning observations, including pupil progress checks, will be monitored by the commissioner. The timing of these visits will be dependent on the duration of the alternative provision placement and will be agreed by the commissioner and the provider upon the award of a contract.
- 6.4. Regular progress reports must be completed by the provider and submitted in accordance to the requirements of the commissioner. As a minimum, these are expected to be completed once every half-term.

7. DPS Overview

Period of Registration

- 7.1. Once a provider has received approval to be on the DPS, they will remain on the DPS until its expiry, unless the provider asks to be removed, fails to provide the requested information or is in breach of the terms and conditions.
- 7.2. To retain registration, providers will be required to submit up-to-date information on their services and programmes offered when requested, including relevant certifications (e.g. health and safety, insurance) and to complete and pass the safeguarding self-audit.
- 7.3. The DPS is a continual process. This means new providers can be admitted throughout the period that the DPS is operational.

Suspension

- 7.4. The Council may suspend a provider from the DPS in order for an investigation to be carried out if there are serious issues of concern raised by a commissioner, a regulatory body (e.g. Ofsted) or another relevant party. The Council shall inform the provider, in writing, of the reason for the suspension and the required course of action. This will include a timescale for rectification, where appropriate.
- 7.5. No contracts of work or Invitations to Tender will be made during the period of suspension, but existing alternative provision shall remain unaffected, unless the issue(s) concern any breaches of contract or if there are significant concerns with the continued provision. Breaches may include obligations and expectations outlined in this specification or within the contract(s) of work agreed by the commissioner and provider.
- 7.6. The suspension will remain in force unless and until the Council notifies the provider in writing that the suspension has been removed or the DPS agreement is terminated.

8. Outcomes

- 8.1. Commissioners will be responsible for identifying the specific outcomes each pupil is expected to achieve from their alternative provision placement. These will be outlined in the Invitation to Tender, but will generally include one or more of the following requirements:
 - Good academic attainment on par with mainstream schools – particularly in English, maths and science (including IT) – with appropriate accreditation and qualifications;

- Specific personal, social and academic development, which helps pupils to overcome barriers to participation and attainment;
- improved pupil motivation and self-confidence, attendance and engagement with education;
- successful progression and/or reintegration into mainstream education, further education, training or employment.

9. Safeguarding

- 9.1. Section 11 of the Children Act 2004 requires organisations to have in place arrangements to safeguard and promote the welfare of children.
- 9.2. The requirements under section 11 also apply to services that are commissioned by statutory organisations. Therefore any services the Council commission must be compliant with this requirement.
- 9.3. The Salford Safeguarding Children Board (SSCB) has a performance management framework in place for overseeing the implementation of arrangements for compliance with Section 11 requirements. This is known as the SSCB Safeguarding Standards. More information can be found on the [SSCB website](#).
- 9.4. There is an expectation that providers delivering services will have already achieved an agreed standard in accordance with specified requirements. You will be asked to provide evidence of this for assessment with your tender. If following assessment it is identified that further improvements are required, providers will be asked to develop a plan to achieve these within an agreed timescale. Failure to comply or to make significant progress will result in early termination of the DPS agreement between the provider and the Council.

10. Quality Assurance / Standards

Equality and Diversity

- 10.1. The provider will be expected to demonstrate a commitment to Equality and Diversity as outlined in Salford's [Citywide Equality Strategy](#). This will include how the provider has promoted equality and diversity in employment and service delivery. The provider will also be required to provide evidence of the equality measures and targets their organisation has set and their progress in meeting these.

Managing Quality

- 10.2. The provider must be able to meet all of the following quality standards and be able to demonstrate:
 - The management structure is of sufficient size, is organised appropriately and is supported by administrative systems and any other infrastructure necessary to effectively manage and deliver the service;
 - The service has, or will recruit, suitably qualified and trained staff and volunteers who have been appropriately vetted, including, where appropriate, Disclosure and Barring

Service (DBS) certificate and qualified teaching staff for Full-Time Alternative Provision (Lot 1) and One-To-One Tuition (Lot 3);

- Safe recruitment policies are in place;
- All staff have an appropriate level of knowledge in relation to local support services and/or provision and of the ethnic, cultural, economic and personal contexts of people from Salford;
- Staffing ratios of at least one member of staff to eight learners.

Independent Registration for Alternative Provision

- 10.3. Providers of Full-Time Alternative Provision must be registered as an 'independent school' with the Department for Education if they are delivering education to:
- five or more full-time pupils of compulsory school age and/or;
 - any pupil that is looked-after and/or;
 - any pupil that has a statement of special educational needs (SEN) or an EHCP.

Ofsted Rating

- 10.4. Providers of Full-Time Alternative Provision (Lot 1) must have an Ofsted inspection rating of 'Outstanding' (Grade 1) or 'Good' (Grade 2). Providers must notify the Council if, after an Ofsted Inspection, their provision rating changes.
- 10.5. Providers that have yet to be inspected by Ofsted will be accepted onto the DPS pending outcome of their first inspection. When the first inspection takes place, it must meet the requirements of clause 10.4 or the provider will subsequently be removed from the DPS.
- 10.6. Providers with a 'Requires Improvement' (Grade 3) or 'Inadequate' (Grade 4) grade are precluded from applying to Lot 1 of the DPS or may face suspension if their rating is changed to 'Inadequate' during the period of registration.

Vocational Qualification Registration

- 10.7. Providers must be registered as an approved centre with the relevant awarding bodies for the vocational qualifications in which they deliver. All qualifications must be nationally recognised and valued by employers.

Data Sharing and Management

- 10.8. Providers will ensure all data collected and held about children, young people and parents/carers meets national guidelines and standards for data protection and client confidentiality. The provider must have in place a written policy regarding confidentiality and must comply with the provisions of the most recent Data Protection Legislation.
- 10.9. Further information on how to comply with the Data Protection Act can be found on the [Information Commissioner's Office website](#).

Health and Safety

10.10. The Provider shall comply with the Health and Safety at Work Act 1974 and all regulations and codes of practice made under it, which relate to the relevant provision of services.

Insurance

10.11. The Council requires the following levels of insurance:

- Public Liability Insurance – minimum insurance of £5,000,000 against all loss of and damage to property (real or personal or intellectual) and death or injury to persons in relation to any one claim or series of claims.
- Employer’s Liability (Compulsory Insurance) Act 1969 – minimum insurance of £10,000,000 (except where the provider is exempt from the obligations of this Act, provided that alternative arrangements for meeting such liability will be agreed with the council) in relation to any one claim or series of claims.
- Professional Indemnity Insurance - (where applicable) in respect of the provider’s business with a minimum level of indemnity of £1,000,000 in relation to any one claim or series of claims.

10.12. It is not a requirement for providers to have this in place until they are awarded work.

11. Social Value

11.1. The Public Services (Social Value) Act 2012 requires that public authorities have regard to economic, social and environmental wellbeing in connection with public services contracts; and for connected purposes. The Salford City Partnership has a vision that we will seek to maximise the social, environmental and economic value from everything we do, including service delivery, commissioning and procurement.

11.2. Social Value is embedded within the City Plan and we wish to work with providers who are committed to achieving social value through the services they deliver.

Appendix A – 2018 Key Stage 4 Performance Tables: Qualifications In The Technical Award Category

Please see separate attachment

Appendix B – Salford City Council’s Standard Alternative Provision Referral Form

Please see separate attachment