

## Developing an Independent Alternative Provision (AP) Dynamic Purchasing System (DPS)

Did you use the EIA Screening Tool?

No (please attach upon submission)

### 1. Explaining the matter being assessed

**This is a proposal to change to a service or function.**

Overview of the service being assessed:

SCC is working hard to ensure

# Equality Impact Assessment

# Equality Impact Assessment

Several key areas of change or growth has been evidenced across the last year. These can be broadly categorised by the following:

- Growth of EHCPs (demographics, new assessments and new EHCPs)
- School attendance and absence rates
- Primary need growth (SEMH / ASC)
- Impact of the pandemic
- Alternative Provision

In 2021/22, SCC worked with a market of approximately 180 providers with an annual spend of between £4- £5million. Between 300 and 350 children were accessing 'Independent AP'.

Forecasts based on current figures for 2024/25 suggest there will be 474 children and young

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- Incorporate value for money evaluation into the procurement process and propose hourly capped rates. Placements will be awarded to the lowest cost provider that can appropriately meet the learner's needs.
- incorporate clear stipulations in the DPS agreement around inflationary price increases and allow for potential to incorporate with existing e-brokerage solutions going forward.

The longer contract term (8 years) will allow for a new way of working to embed, better understanding of services on offer with the AP market and provides security to its partners. Annual contract meetings will be included as part of the contract to build relationships between Providers, Commissioners, and area teams.

The development of the DPS will enable SCC to ensure that more children and young people with additional needs and disabilities:

can be supported within county, close to their local communities,

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As part of the overall planning of the AP DPS, additional developments are

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Changes are likely to impact the following residents:

- Residents between 0-25 years
- Residents with an EHCP
- Residents who have a child up to 18 years (or up to 25 years for people with an EHCP)
- Residents who support the childcare of a young person aged between 0-18 years.
- Residents who provide Foster Care
- Residents who are part of a charity or community group delivering alternative provision

The following evidence has been collected on the potential impact:

- Census data
- Joint Strategic Needs Assessment (JSNA)
- Population projections
- Provider data on service users
- Sufficiency Strategy for children with additional needs and disabilities (2022-2025)
- Children and young people with additional needs and disabilities (2022-2030) sufficiency strategy
- “Special Educational Needs and Disabilities and alternative provision improvement plan (March 2023). “Right Place, Right time, Right Support”
- AP strategy
- Explore education statistics – gov.uk.
- Surrey ELLC Compendiums
- Special educational needs and disability: an analysis and summary of data sources - gov.uk
- Mastodon C forecasting for Education, Health, and Care Plans (EHCP)
- Children Looked after (CLA) Sufficiency strategy.

Consultation has taken place with the following affected groups and stakeholders about the introduction of a DPS:

The AP DPS Working group hosted a number of engagement events with the Surrey AP market. Held in March, June, and September 2023. Across all three events, 200 providers attended from across the VCFS sector and wider Education, Health, and Social Care Sector the DPS seeks to reassure providers, children, and young people that alternative provision is valued within Surrey County Council.

Regular attendance with the EOTAS working group. The AP DPS has been discussed with the various members to ensure the DPS takes into consideration current and future proposed practice around Alternative provision within Surrey. This has enabled us to consider issues around SEND Casework, Governance, Virtual School and looked after Children, Safeguarding, Quality.

Schools Alliance for Excellence- [About Us | Schools Alliance for Excellence](#) . The current AP directory is only shared internally for SCC directly funded AP Placements. The consultation has considered the request from the school Alliance to ensure that Surrey Maintained schools will have access to the DPS Directory to ensure more children have access to a range of good quality Alternative provision.

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User voice and participation for AP feedback with children, young people, families, and schools:

- An AP Focus Group met in July 2023 to discuss the views of families with lived experience of young people accessing independent Alternative provision.
  - Surrey Says Survey, February 2021 for educational settings (predominantly responded by Headteachers).
  - The User Voice and Participation team created a survey for parents and carers to have their voice heard on Alternative Provision. (2021 AP Report)
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- The User, Voice and Participation team created a survey for young people to have their voices heard around AP (2021 AP Report).

Equality, Inclusion and Diversity principles will be a key feature throughout the recommissioning process and ongoing contract management to ensure services are accessible for all Surrey's residents. SCC will always consider the potential for discrimination, increase equality of opportunity, and foster good relations between people from all protected groups.

A key priority for SCC will be to regularly review the profile of children and young people accessing AP services in terms of their ethnicity, age, gender, and special educational needs.

SCC will work with children, young people, and their families to co-design services so they are inclusive, accessible, and fair. There will be an expectation that providers continue to regularly collect feedback including the voice of the child and families and demonstrate how learning is shaping the continuous improvement of services. This requirement will be part of ongoing contract management arrangements.

Providers will be based within or be able to access the geographic boundaries of Surrey. The DPS will enable provision to be available within a current school setting, face to face in a pupil's home, community premises or a provider's premises within the geographical boundaries of Surrey.









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The majority (92%) of Headteachers who responded to a Surrey Survey felt that AP should be seen as a key part of a 'continuum of need' approach which focusses on the most appropriate resources at the most appropriate time and focussed on inclusion and early intervention.

User Voice and Participation Team created an AP survey. There were 65 respondents to the survey, 51% of whom were aged 13-16 and 65% had direct experience of AP.

- When asked what barriers existed to remain in the classroom, 38% reported mental health and anxiety, 35% said behaviour and 18% said ASD.
- There was an even split of responses as to whether they would prefer to remain on school site or move to a different site for AP.
- 50% felt that travelling a long way would affect their attendance.

## **Describe here suggested mitigations to inform the actions needed to reduce inequalities.**

It is anticipated that the positive impacts of the AP DPS for children and young people up to the age of 25 and for parents will be:

1. Building in recording of Age as a protected characteristic into the AP reporting to allow the Council to identify the impact of the introduction of the AP DPS across different age groups.
2. Implementation of AP Gateway to standardise the referral process to reduce delays and ensure there is a clear point of contact for providers and area teams to contact.
3. Improve the oversight and quality of Independent AP Provision through regular provider reports, annual reports/contract monitoring to understand whether the services on the DPS will meet demand and monitor impact/ progress towards outcomes. Absence and engagement will be captured within regular reporting and raise the minimum requirements in terms of quality assurance and safeguarding.
4. After year one, Surrey Maintained schools and Academies will have the opportunity to access the DPS after completing an access agreement, so even more children and young people across Surrey will have access to a range of good quality alternative provision.
5. Providers will be expected to utilise Social Value opportunities to enhance service delivery.
6. Continue to review sufficiency of alternative provision for 0–25-year-olds annually to ensure appropriate alternative provision is available in the right place at the right time.
7. Utilise feedback from young people, families and schools to better address unmet need and emerging need through the DPS. Providers will be expected to demonstrate through annual reporting how they have worked with children and young people with different protected characteristics and their families to co-design and continue to improve their services, so they remain inclusive, accessible, and fair. The voice of the child, young people and families will continue to be captured through the life of the DPS. This requirement will be part of the ongoing contract management arrangements.
8. Depending on the specific service being offered there will be opportunities for face to face or online support to enable more children and young people to access the right support at the right time.
9. Development of a network forum to support sharing of practice and expertise, and to enhance a sense of community amongst SCC AP.



## Disability

This section also addresses 'All children with Special educational needs and disabilities' and 'Adults (up to 25 years) with learning disabilities and/or autism' as identified in the Surrey COVID Community Impact Assessment and the Surrey Health and Well-being Strategy.

### **Describe here the considerations and concerns in relation to the programme/policy for the selected group.**

The implementation of the AP DPS should have a positive impact on children and young people with special educational needs.

The following data has been used to assess the impact on those with a disability or special educational need:

Joint Commissioning Strategy Children and Young People 2022.  
Sufficiency Strategy for children with additional needs and disabilities (2022-2025)  
Children and young people with additional needs and disabilities (2022-2030) sufficiency strategy  
Special educational needs and disability: an analysis and summary of data sources - gov.uk

Surrey data:

### Surrey Disability and Special educational needs

In 2022, Surrey had approximately 33,568 children with a disability, and by 2026 there will be an estimated 34,442, assuming national prevalence stays the same.

Many children and young people in alternative provision have special educational needs and disabilities (SEND).

The largest groups of those with a disability effected are anticipated to be children and young people who are Autistic, require Social Emotional Mental Health (SEMH) support, have special communication needs, speech, and language need, or have a learning disability.

- In Surrey, approx. 2.2% of children and young people with additional needs and disabilities are in alternative education, which is slightly higher than the Southeast and National average.
- ASC growth has been 34% -

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## Surrey absence/ exclusions/EHE

For the first 4 half terms of 22/23, overall absence rates have increased compared with 21/22 for pupils with an EHCP, from 12.8% to 13.5%. There has been an increase for pupils on SEN Support from 9.3% to 10.4%.

In 2022/23, 169 children were permanently excluded from education, up from 120 in 2021/22.

In 2022/23, 12,678 children were suspended from education, up from 8,620 in 2021/22.

- 6% of EHE pupils are known to have an EHCP and 28% were on SEN support whilst at school.

## Speech and Language Therapy

- Approximately 6,252 children in Surrey have Speech and Language Therapy specified within their EHCP, with many initial referrals in Year 1, with a further small spike again in year 11.

## **Describe here suggested mitigations to inform the actions needed to reduce inequalities.**

It is anticipated that the positive impacts of the AP DPS for children and young people up to the age of 25 with a disability of special educational need and for parents will be:

1. Building in recording of Disability and different SEN needs as a protected characteristic into the AP reporting to allow the Council to identify the impact of the introduction of the AP DPS across different areas of need.
- 2.

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10. Depending on the specific service being offered there will be opportunities for face to face or online support to enable more children and young people to access the right support at the right time.

## **What other changes is the council planning/already in place that may affect the same groups of residents? Are there any dependencies decision makers need to be aware of?**

In response to meeting the new and emerging demand, SCC have increased the AP budget to ensure more children and young people with disabilities and special educational needs can access good quality and timely alternative provision.

SCC have launched an Inclusion and Additional Needs Partnership Strategy (2023-2026) to address and respond to the diversity of needs of all children and young people through increasing participation in learning, by cultures and communities, and reducing exclusion with and from education.

SCC are continuing to build on its existing inclusion service to maintain and improve inclusion across mainstream settings. This could result in fewer absences or exclusions. A new Post 16 preparing for adulthood brochure is being developed, which will include a number of alternative provision services. This will support young people aged 14-25 with additional needs and disabilities, and their parents and carers, to provide them with a resource for their transition to adulthood and will enable young people to understand the services that are available in their local area. These services can help to develop the skills and enable the young people to feel confident and empowered to reintegrate back into education or to access a sustainable post 16 destination including training or employment.

SCC are continuing to develop their school aged SLT provision, with a focus on primary - phase education and preparation to adulthood.

SCC SLT team have introduced a Communications Champion network to add additional support to schools. In addition, SCC will train staff in Talk boost for reception-aged children. Furthermore, a new programme of videos and training are in development to add additional support.

SLT have implemented a dedicated 16-25 Speech and Language Therapy Service to address a gap in service continuity ensuring that assessed support needs are not limited by attendance at a registered school.

SCC is developing their services for schools, including an outreach offer to support children in mainstream schools. There is a particular focus on supporting children with autism and in creating autism friendly schools in alignment with the Surrey All Age Autism Strategy and implementation plan.

Expanding the SCC outreach offer, to include commissioning additional outreach service for children at risk of placement breakdown.

SCC also offer Alternative provision through Access to Education (A2E), Surrey Online Schools, Short Stay Schools and Hospital Education to meet the needs of Surrey Children and young People who for a variety of reasons are unable to access mainstream education.

## **Any negative impacts that cannot be mitigated?**

Due to increased minimum quality threshold, some existing AP providers may not meet this standard and therefore would not be able to deliver AP services beyond 1 April 2024. Every effort has been made to work with providers to ensure they meet this threshold.



## Sex and Gender

The implementation of the AP DPS is intended to positively benefit all genders. Male children and young people are more likely to be affected by the proposed changes, as data suggests special educational needs are more prevalent in boys than girls.

The following data has been used to assess the impact on sex and gender:

Children and young people with additional needs and disabilities (2022-2030) sufficiency strategy  
Surrey LIFT report

### EHCPs/ AP

Special educational needs are nationally more prevalent in boys than girls. The majority of EHCPs are supporting male children and young people; 71.8% of children and young people with an EHCP are male, with 28.1% female.

In Surrey, 27.9% of children and young people with EHCP's are female – slightly lower than the national picture.

Of those Surrey children accessing AP in 2022/23, 34% were female and 66% were male.

Overall, based on our current cohort of Surrey Independent Alternative providers, all genders are widely supported. There is only one service which provides a provision only for females with ASD.

### Absence/ CME/ EHE

Absence rates for males and females are quite similar. In Autumn 2022, the Surrey absence rates were 7.6% for boys and 7.5% for girls and persistent absence rates were 24.5% for boys and 23.9% for girls.

In 2022/23, The majority of children missing education were males, with 52 males and 23 females in total.

Of those 1,847 Children Electively Home Educated 52% were female and 48% male.

In 2022/23, Of the 169 children excluded from education. 67% were male and 33% were female.

### 2021 Census

Out of the total residents Surrey 94.42% indicated that their gender identity was the same as their sex registered at birth. However, 0.37% or 3,628 residents stated their gender identity was not the same as their sex registered at birth. Within Surrey, 731 residents identify as a trans man, 756 identify as a trans woman and 495 identify as non-binary.

### **Describe here the considerations and concerns in relation to the programme/policy for the selected group.**

There is a gap in data recording relating to gender identity and current access of AP services across Surrey. As part of the reporting of the new reporting requirements from all providers on



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SCC have launched an Inclusion and Additional Needs Partnership Strategy (2023-2026) to address and respond to the diversity of needs of all children and young people through increasing participation in learning, by cultures and communities, and reducing exclusion with and from education.

SCC is developing their services for schools, including an outreach offer to support children in mainstream schools. There is a focus to include commissioning additional outreach service for children at risk of placement breakdown.

SCC also offer Alternative provision through Access to Education (A2E), Surrey Online Schools, Short Stay Schools and Hospital Education to meet the needs of Surrey Children and young People who for a variety of reasons are unable to access mainstream education.

## **Any negative impacts that cannot be mitigated?**

Due to increased minimum quality threshold, some existing AP providers may not meet this

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## EHCP/ Exclusion/ NEET/ post 16

In Surrey, 27.32% of the total under 18 looked after cohort have an EHCP. The most common need identified for children with an EHCP is autism.

Of the children placed within a residential children's home, 73% have an EHCP, indicating significant overlaps between SEND and Social Care involvement.

The highest proportion of children in care with an EHCP are placed in year NCY 9-11.

A large proportion of children and young people in care with an EHCP are placed in Non-Maintained Independent (NMI) settings that specialise to meet the needs of Social, Emotional and Mental Health (SEMH).

Some children are more likely to get excluded than others, including children in the care system who are five times more likely to have a fixed term exclusion than their peers.

At the end of June 2023, 13.1% of Looked After Children were NEET, lower than the national figure of 18.8%. 16.9% of Care Leavers were NEET, lower than the national figure of 23.5%

A majority of care leavers are engaged with education, in training or have gained employment. In 2020, 69% were engaged in education, training, or employment. This is higher than the England average.

### **Describe here suggested mitigations to inform the actions needed to reduce inequalities.**

SCC will ensure the DPS includes alternative provision of Social, Emotional and Mental health needs. One of the key proposed outcomes is to improve emotional, wellbeing and personal resilience. Providers are expected to demonstrate positive impact in these areas through case studies.

There is a clear expectation that alternative provision is developed in line with the Children's Looked after Sufficiency strategy.

- Inclusion of specific post 16 Lot in DPS to cater for supporting strong employment, education, or independent pathways.

Implementation of AP Gateway to streamline the referral process to reduce delays.

Improve the oversight and quality of Independent AP Provision through regular provider reports, annual reports and annual contract monitoring to understand whether the services on the DPS

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support at the right time. Online Support should have a positive impact on Looked after Children who reside outside of the Surrey Borders.

## **What other changes is the council planning/already in place that may affect the same groups of residents? Are there any dependencies decision makers need to be aware of?**

In response to meeting the new and emerging demand, SCC have increased the AP budget to ensure more children and young people with disabilities and special educational needs can access good quality and timely alternative provision.

SCC will continue to focus on the 'Coming Home' project with a focus on children looked after with an EHCP currently living and/or educated out of county and will look to move them back to county where possible and appropriate so they are enabled to achieve their full potential and contribute to their community.

A new Post 16 preparing for adulthood brochure is being developed, which will include a number of alternative provision services. This will support young people aged 14-25 with additional needs and disabilities, and their parents and carers, to provide them with a resource for their transition to adulthood and will enable young people to understand the services that are available in their local area. These services can help to develop the skills and enable the young people to feel confident and empowered to reintegrate back into education or to access a sustainable post 16 destination including training or employment.

SCC have launched an Inclusion and Additional Needs Partnership Strategy (2023-2026)

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into education or to access a sustainable post 16 destination including training or employment.

SCC have launched an Inclusion and Additional Needs Partnership Strategy (2023-2026) to address and respond to the diversity of needs of all children and young people through increasing participation in learning, by cultures and communities, and reducing exclusion with and from education.

SCC also offer Alternative provision through Access to Education (A2E), Surrey Online Schools, Short Stay Schools and Hospital Education to meet the needs of Surrey Children and young People who for a variety of reasons are unable to access mainstream education.

## **Any negative impacts that cannot be mitigated?**

Due to increased minimum quality threshold, some existing AP providers may not meet this standard and therefore would not be able to deliver AP services beyond 1 April 2024. Every effort has been made to work with providers to ensure they meet this threshold.

## **Race including ethnic or national origins, colour, or nationality.**

**Describe here the considerations and concerns in relation to the programme/policy for the selected group.**

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## Surrey findings - CME/EHE/AP

In Surrey 71% were white, 1% were black, 3% were Asian, 1% were GRT, 3% were mixed and 21% unknown.

In Surrey, of 76 children missing education, 43 were White, 8 were GRT, 5 mixed, 2 Asian, 2 other and 16 not known.

In Surrey of 1,847 children who are electively home educated, 54% were white, 3% were Asian, 1% were black, 8% were GRT, 5% mixed, 1% other and 28% unknown.

## **Describe here suggested mitigations to inform the actions needed to reduce inequalities.**

1. Providers will be expected to deliver inclusive services accessible to all Surrey children, young p( )JTJQq0mp(lect)seTJETQq0.000008871 0 595.32 841.92 reW\*nBT/F2 12 Tf1 0 0 1 107.5



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SCC also offer Alternative provision through Access to Education (A2E), Surrey Online Schools, Short Stay Schools and Hospital Education to meet the needs of Surrey Children and young People who for a variety of reasons are unable to access mainstream education.

## **Any negative impacts that cannot be mitigated?**

Due to increased minimum quality threshold, some existing AP providers may not meet this standard and therefore would not be able to deliver AP services beyond 1 April 2024. Every effort has been made to work with providers to ensure they meet this threshold.

## Religion or belief including lack of belief.

### **Describe here the considerations and concerns in relation to the programme/policy for the selected group.**

Data is not collected in a reportable way for different religious beliefs accessing Alternative provision across Surrey.

The Implementation of the DPS should have a positive impact for this cohort. It will enable more young people/adults across Surrey (up to 25 years with an EHCP) regardless of their religious beliefs, or lack of, to have access to good quality Alternative provision to move onto a positive destination and achieve better outcomes.

The 2021 Census Data has been used to assess the impact on religion or beliefs.

In Surrey the largest religious group was Christianity comprising of 50.2% of the



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## 3. Staff

**Describe here the considerations and concerns in relation to the programme/policy for the selected group.**

The table below notes the following protected characteristics that have been considered as part of this EIA on the possible impact changes could have on staff. It is important to note that SCC does not hold, capture, or ask providers to share information on their workforce or on their protected characteristics and there are no known impacts for the workforce as a result of the implementation of the DPS.

Age	Information relating to the age of providers workforce has not been collected as part of the development of the DPS. There is no known impact for the workforce based on their age by the introduction of the DPS.
Disability	2021 Census data states: "In 2021, across both England and Wales, the proportion of disabled people was 17.8% (10.4 million)."  Information relating to the age of providers workforce has not been collected as part of the development of the DPS. There is no known impact for the workforce based on having a disability by the introduction of the DPS.
Sex and Gender	SCC does not hold information on providers workforce regarding their gender identity and whether it is the same as their sex registered at birth. There is no known impact for the work force based on the sex and gender identity by the introduction of the DPS.
Pregnancy and Maternity	Information relating to the number of providers workforce who may be pregnant or be parents or carers has not been collected as part of the development of the DPS. There is no known impact for the workforce for those who may be pregnant or on their maternity period by the introduction of the DPS.
Ethnicity and National Origins	If it is assumed that the majority of staff working in these services are based in Surrey and 2021. Census data shows that Surrey is becoming more ethnically diverse. Information relating to the ethnicity and national origin of the workforce has not been collected as part of the development of the DPS. There is no known impact on people from a range of different ethnicities and national origins by the introduction of the DPS
Religions or Beliefs	Information relating to the religious beliefs of providers workforce has not been collected as part of the development of the DPS. There is no known impact for the workforce based on their religious beliefs, or lack of, by the introduction of the DPS

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It has been informed by engagement with children, young people and their families, providers, and schools to ensure it is appropriate, accessible, and fair and we will continue to consider the

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## 5. Action plan and monitoring arrangements

Insert your action plan here, based on the mitigations recommended.

Involve your Assessment Team in monitoring progress against the actions above.

Item	Initiation Date	Action/Item	Person Actioning	Target Completion Date	Update/Notes	Open/Closed
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Item	Initiation Date	Action/Item	Person Actioning	Target Completion Date	Update/Notes	Open/ Closed
7	In progress	Launch of AP Network (peer to peer support group)	James Atkins (Senior Commissioning Manager)  Dee Turvill (Alternative Provision and Participation Manager)  Claire Sibley (Procurement Partner) oETc	April 2024		

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For further information, please see the EIA Guidance document on version control.

