



Executive Director for Children and Young People

Report title: Direct Award of Autistic Spectrum Disorder Outreach Support Services to Drumbeat School

Date: 23rd March 2021

Key decision: Yes

Class: Part 1

Ward(s) affected: All wards

Contributors: Victoria Lucking, CWCN Service Development Lead; Viki Redgrave, CWCN Strategic and Operational Lead

Outline and recommendations

In line with section 12 of the Public Contracts Regulations, officers recommend that the council make a direct award of ASD Outreach and support services to another contracting authority in the form of Drumbeat School.

Timeline of engagement and decision-making

Drumbeat School and Autism Outreach opened in 2009. The remit of the provision is to provide the best quality of education for all students with autism and their families. Drumbeat Autism Outreach is to provide educational settings and families with the skillset and knowledge to meet the needs of Children and Young People with a diagnosis of autism and/or social communication differences.

Formal consultation happened at the point of Drumbeat School and Autism Outreach opening in 2009.

In 2017 there has been a review of the service that the Drumbeat Autism Outreach provides, this highlights the requirement for a formalised agreement around expectations between Lewisham Local Authority and Drumbeat School.

1. Summary

- 1.1. The Drumbeat Autistic Spectrum Disorder (ASD) Outreach Service supports both educational settings and families to make sure that they are able to meet the needs of their child or young person with Autism/Social Communication Differences.
- 1.2. The Drumbeat ASD Outreach Service offers direct support and advice to individual students, professionals and all those involved with the child or young person.
- 1.3. Additionally, the Drumbeat ASD Outreach Service staff members use their specialist skills and knowledge to provide assessments for Education, Health and Care plans. The offer includes bespoke packages to children and young people at times of transition - and various training packages for professionals and families to promote independence and inclusion.

2. Recommendations

- 2.1. It is recommended that the Executive Director for Children and Young People award a contract to Drumbeat School for the provision of ASD Outreach and Support Services for a period of 1 academic year for a total value of £485,000.

3. Policy Context

3.1. Equalities Act 2010

Under the Equality Act 2010, Local Authorities are required by law to ensure schools and services make reasonable adjustments for individual pupils with SEND including ASD. These duties are anticipatory and require thought to what children and young people may require to prevent them being at a substantial disadvantage to their peers.

3.2. The SEND Code of Practice (2014)

The Code of Practice provides statutory guidance on duties, policies and procedures relating to Part 3 of the Children and Families Act 2014 and associated regulations and applies to England. It relates to children and young people with special educational needs (SEN) and disabled children and young people. Local authorities must arrange for children with SEN or disabilities for whom they are responsible, and their parents, to be provided with information and advice about matters relating to their SEN or disabilities, including matters relating to health and social care.

The Code of Practice identifies the four board areas of special educational need of which communication and interaction is highlighted. Children and young people with ASD fall under this category and require suitable provision and adjustments to meet their special educational needs.

3.3. The Children's and Families Act (2014)

The Children and Families Act 2014 (CFA) highlights the responsibilities for local authorities these apply to disabled children as well as those with SEN. In particular, LAs must have regard to a set of principles including recognising the importance of: the views, wishes and feelings of children and their parents; their full participation, or enable them, in decision-making; information and support to achieve the best possible educational and other outcomes. Local Authorities must identify disabled children as well as those with SEN and:

- Commission services jointly with other agencies
- Integrate services where it will promote well-being or improve quality of services

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- Publish a local offer of services
- Provide information and advice
- Keep services under review
- Co-operate with, and seek the cooperation of local partners.

3.4. **National Autism Strategy – Think Autism**

The national strategy for autism – ‘Think Autism’ (2014) supports the Autism Act (2009) which endeavours to provide Local Authorities the support to enrich and improve the lives of people with autism. This comes in the shape of providing early identification, supporting schools and families to be accepting and develop the skills of those with autism. ‘Think Autism’ covers all ages and a focus is on supporting children in school and the transition to adulthood.

3.5. **Lewisham Send Strategy 2020- 2023**

The Local Area Partnership SEND Strategy 2020-2023 has a specific work stream dedicated to supporting children and young people with Autism and their families and professionals working with them across health, education and social care. The SEND Strategy aim is to ensure that every child and young person with Autism feels listened to, understood and able to access specialised support and advice when they need it by creating a community that provides equality of provision and life chances, supporting independence and championing autonomy. There are specific objectives and a development plan to ensure the aims within the strategy are met.

4. **Background**

- 4.1. Drumbeat School and Autism Outreach Services was initiated in 2009 in response to the growing population of children and young people with Autism in Lewisham requiring specialist provision and an outreach service to support early identification and intervention for educational establishments and families.
- 4.2. Since 2009, the service has grown due to an increase in demand and the good relationship between the Local Authority and Drumbeat School and Autism Service has allowed a flexible approach in catering to the ever changing cohort of children in the Borough.
- 4.3. The Autism Outreach Audit from 2017 indicated that the service was effective in meeting the needs of CYP with Autism and the training for schools and parental feedback was positive.
- 4.4. The audit did recognise a need for governance and structure and advised a Service Level Agreement should be in place between the Local Authority and Drumbeat Autism Outreach. Due to changes in management and unforeseen circumstances, there has been a delay in finalising the agreement.

5. **Service Outline**

- 5.1. As part of their core offer for Drumbeat Autism Outreach Support Services, they will provide the services at the frequency outlined in the table below:

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Service Offer	Service Frequency
Referral Service to Early Years Settings (Nursery and PVI's)	3 visits (maximum) per pupil over a 2 year period
Offer of a transition review	1 session
Review in Reception class	1 visit per pupil
Commissioned Education, Health and Care Plan Needs Assessments	Contribute to up to 75 Needs Assessments per academic year Term Time Only (TTO)
Representation and contribution to Lewisham SEND Panel	Weekly attendance TTO
Lead, representation and contribution to the Local Area SEND Strategy 2020-2023	0.5 days per week TTO
Representation and contribution to other multi agency strategic work across the Local Authority	Including SENDAB and Transition Programme Board, SENCO Forum etc., Early Years forums and Inclusion Funding contributions
Parent/carer workshop	Monthly
Parent/carer courses	4 per term
Parent /carer drop-ins	6 different drop-ins per term
Support and training for resource base provision	6 training sessions (0.5 days per half term)
Web platform with resources, web links and information	To be regularly updated
Preparing for Adulthood Pathways Transition Support	Documents and support provided as required in summer term
Deliver AET Tier 1 to Early Years, Schools and Post 16 providers	One fifth of providers to have received training each year
Delivery of Tom-Tom	Weekly session TTO

- 5.2. An enhanced offer can be bought from educational providers in the form of a SLA. This is a contract between Drumbeat School and the educational provider. There is a tiered offer that providers can purchase which increases the amount of support for settings.
- 5.3. The three tiered approach is an increase of the days of contact between the educational provider and Drumbeat Autism Outreach. There is a menu of support that the educational provider can purchase as part of the SLA as well as the opportunity for bespoke packages. Each provider that purchases an enhanced offer will have the

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opportunity for bespoke training for the allocated Autism Champion.

6. Financial implications

- 6.1. Drumbeat Autism Outreach Service will be allocated £485,000 per year from the High Needs Block to deliver the Core Offer as outlined in the table at 5.1.

7. Legal implications

- 7.1. The report recommends a direct award of contract to Drumbeat School for the provision of ASD Outreach and Support Services for a value of £485,000. Under the Council's Contract Procedure Rules this is a Category B contract and can be awarded by the Executive Director for Children and Young People.
- 7.2. Under the Public Contracts Regulations 2015 as amended by the Public Procurement (Amendment etc.) (EU Exit) Regulations 2020 ("the Regulations") a Contracting Authority may enter into a contract with another Contracting Authority without carrying out a competitive procurement process where the Contract establishes or implements co-operation between contracting authorities provided that the aim is to ensure that the public services they have to perform are provided with a view to achieving objectives they have in common; the implementation of that co-operation is governed solely by considerations relating to the public interest; and the participating contracting authorities perform on the open market less than 20% of the activities concerned by the co-operation. These criteria are met.
- 7.3. The award of this contract is a key decision and must be included in the Key Decision Plan.
- 7.4. The Council has a public sector equality duty (the equality duty or the duty - The Equality Act 2010, or the Act). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 7.5. It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed above. The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. The decision maker must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 7.6. The Equality and Human Rights Commission (EHRC) has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance. The Council must have regard to the statutory code in so far as it relates to the duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have

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statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found on the EHRC website.

- 7.7 The EHRC has issued five guides for public authorities in England giving advice on the equality duty. The 'Essential' guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice.

8. Equalities implications

- 8.1. The Drumbeat Autism Outreach Service will have a positive effect on equality in Lewisham. The service provides education and support to eliminate disability by education and social inclusion. It also promotes and celebrates neurodiversity and tackles stereotypes.
- 8.2. The Drumbeat Autism Outreach Service fosters excellent relationships between different people and encourages advances in equality of opportunity. The Drumbeat Autism Outreach Service takes into consideration the nine protected characteristics as set out in the Equality Act 2010 and listed below for reference:
- a) Age
 - b) Disability
 - c) Gender reassignment
 - d) Marriage and civil partnership
 - e) Being pregnant or on maternity leave
 - f) Race
 - g) Religion or belief
 - h) Sex (Gender)
 - i) Sexual Orientation

9. Climate change and environmental implications

- 9.1. There are no direct climate change and environmental implications arising from this report.

10. Crime and disorder implications

- 10.1. There are no direct crime and disorder implications arising from this report.

11. Health and wellbeing implications

- 11.1. The Drumbeat Autism Outreach Service will have a positive effect on the health and wellbeing of Lewisham Residents. The service contributes to social inclusion, participation and independence of autistic children and young people.
- 11.2. Additionally, the Drumbeat Autism Outreach Service engages with the wider community to promote education regarding social inclusion and neurodivergent acceptance. The service will contribute to economic growth in Lewisham by enabling autistic people to further develop their skills and employability.

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- 11.3. The Drumbeat Autism Outreach service promotes healthy eating and looking after physical health and wellbeing for autistic children and young people - and their families - through the delivery of workshops and information services.

12. Social Value implications

12.1. Employment, Skills and Economy

With [new data](#) (February 2021) from the Office of National Statistics in mind - data which shows that just 22% of autistic adults are in any kind of employment - Drumbeat has committed to reporting on the number of children and young people known to the Autism Outreach Service that continue their post-16 academic studies.

Drumbeat will also provide information, support, guidance and training in Autism specific strategies and interventions to school staff, parents/carers and outside agencies. This will help to support children and young people to make progress and reach their potential.

12.2. Making Lewisham Healthier

Drumbeat has committed to reporting on the number of contributions to Education, Health and Care (EHC) Plan Needs Assessments completed (as part of a multi-disciplinary partnership) per quarter as well as the percentage of actions completed on the SEND Strategy Autism Strand per year.

12.3. Training Lewisham's Future

Drumbeat has committed to reporting on the number of children and young people with an EHC plan known to the Autism Outreach Service who remain in mainstream education and go on to further education within mainstream education.

Drumbeat will also report on the number of parent(s)/carer(s) of children and young people known to the Autism Outreach Service who attend Drumbeat courses and workshops, with a commitment that a minimum of 75% of parent(s)/carer(s) will over the course of this 1 year contract.

12.4. Greener Lewisham

Drumbeat Autism Outreach Service works alongside the Independent Travel Training Team with the aim of promoting independent and sustainable travel. By providing schools, families and children and young people with strategies for safe independent travel, this has allowed some children and young people who were previously relying on Local Authority transport to travel independently via public transport or walking.

Drumbeat is committed to enabling this independent and environmentally friendly change wherever possible and will report on the number of children and young people who choose to make this change over the course of this 1 year contract.

13. Background papers



Drumbeat Short
Breaks Ext Report - I

13.1.

14. Glossary

- 14.1. Please see the table below for definitions of terms featured in this report:

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Term	Definition
AET	Autism Education Trust
ASD	Autistic Spectrum Disorder
CYP	Children and Young People
SEND	Special Educational Needs and/or Disabilities
PVI	Private, Voluntary and Independent Nursery
SEND	Special Educational Needs and/or Disabilities

15. Report author and contact

- 15.1. Victoria Lucking, Service Development Lead, Children with Complex Needs and Disabilities Service
- 15.2. Victoria Lucking, 07737 784 196, Victoria.Lucking@Lewisham.gov.uk

16. Comments for and on behalf of the Executive Director for Corporate Resources

- 16.1. Mala Dadlani, Interim Group Finance Manager
- 16.2. Mala Dadlani, 02083 143 948, Malasona.Dadlani@Lewisham.gov.uk

17. Comments for and on behalf of the Director of Law, Governance and HR

- 17.1. Mia Agnew, Senior Lawyer
- 17.2. Mia Agnew, 02083 147 546, Mia.Agnew@Lewisham.gov.uk

18. Decision

- 18.1. Signed: 

Dated: 24th March 2021

Pinaki Ghoshal, Executive Director for Children and Young People

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