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Award

Bespoke SEMH Provision for Pupils with EHC Plans (13-19 years)

West Berkshire Council

F15: Voluntary ex ante transparency notice

Notice identifier: 2025/S 000-006778

Procurement identifier (OCID): ocids-h6vhtk-04e6ab

Published 21 February 2025, 2:04pm

Section I: Contracting authority/entity

I.1) Name and addresses

West Berkshire Council

Council Office

NEWBURY

RG145LD

Email

rebecca.page1@westberks.gov.uk

Country

United Kingdom

Region code

UKJ11 - Berkshire

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

<https://www.westberks.gov.uk>

Buyer's address

<https://www.westberks.gov.uk>

I.4) Type of the contracting authority

Regional or local authority

I.5) Main activity

Education

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Bespoke SEMH Provision for Pupils with EHC Plans (13-19 years)

II.1.2) Main CPV code

- 80000000 - Education and training services

II.1.3) Type of contract

Services

II.1.4) Short description

This service is for an independent school to provide alternative educational packages for fourteen young people in Key Stage 3 to 5. Students supported at the school are those who have EHC Plans for social, emotional and mental health difficulties and whose needs cannot be met in any other provision. This can include young people who have been excluded from specialist SEMH schools. 1:1 staffing ratio is required and will need to be maintained at all times to effectively manage pupil vulnerability and mitigate risks to staff

and other pupils. Flexible education plans will need to be designed and delivered that are tailored specifically to the complex and evolving needs of young people with severe SEMH difficulties.

This notice serves to inform the intention of West Berkshire Council to award a public contract for the continued provision of highly specialised alternative education services for young people with severe and enduring social, emotional and mental health (SEMH) difficulties under Regulation 32(2)(b)(ii) of the Public Contracts Regulations 2015.

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £3,503,210

II.2) Description

II.2.2) Additional CPV code(s)

- 80200000 - Secondary education services
- 80310000 - Youth education services
- 80340000 - Special education services

II.2.3) Place of performance

NUTS codes

- UKJ11 - Berkshire

II.2.4) Description of the procurement

This service is for an independent school to provide alternative educational packages for fourteen young people in Key Stage 3 to 5 with complex needs. Students supported at the school have EHC Plans for social, emotional and mental health difficulties and whose needs cannot be met in any other provision. This can include young people who have been excluded from specialist SEMH schools.

This notice serves to inform the intention of West Berkshire Council to award a public contract for the continued provision of highly specialised alternative education services for young people with severe and enduring social, emotional and mental health (SEMH) difficulties under Regulation 32(2)(b)(ii) of the Public Contracts Regulations 2015. The proposed contract will be for a period of 3 years with the option to extend for a further 2

years. The current contract expires on 31st August 2025.

The council issued a Prior Information Notice (PIN) in October 2024 to advertise and seek expressions of interest for the delivery of highly specialised education packages for young people with severe and enduring social, emotional, and mental health (SEMH) difficulties. The council has received no expressions of interest from any other provider in the service currently provided by Engaging Potential Limited in the four months since the PIN was published. When the contract was last tendered there were no other suitable providers.

The Council therefore believes Engaging Potential Limited are the only organisation able to deliver the requirements of the Service; these being the specialist nature of the therapeutic provision which supports very complex and challenging pupils with the recognition of the relationship and in-depth understanding of the current cohort of 14 pupils currently managed by the Provider.

If the contract is not awarded, the Council will have no suitable placements for these students which would lead to costly additional placements on the high needs block. It could be detrimental to the students, taking them out of their local area and enduring travel times of 2 hours plus and additional costs on the home to school transport budget.

II.2.11) Information about options

Options: Yes

Description of options

There is an option to extend the initial 3 year term for another 2 years.

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- The procurement falls outside the scope of application of the regulations

Explanation:

This contract will be awarded under Regulation 32(2)(b)(ii) of the Public Contracts Regulations 2015. A PIN was published in October 2024 to seek expressions of interest in the service, to date no expressions of interest have been received. The Council therefore believes Engaging Potential Limited are the only organisation able to deliver the requirements of the Service. If the contract is not awarded, the Council will have no suitable placements for these students which would lead to costly additional placements on the high needs block. It could be detrimental to the students, taking them out of their local area and enduring travel times of 2 hours plus as well as additional costs on the home to school transport budget.

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

Section V. Award of contract/concession

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

21 February 2025

V.2.2) Information about tenders

The contract has been awarded to a group of economic operators: No

V.2.3) Name and address of the contractor/concessionaire

Engaging Potential Limited

Bristol

Country

United Kingdom

NUTS code

- UKK11 - Bristol, City of

Companies House

06504396

The contractor/concessionaire is an SME

Yes

V.2.4) Information on value of contract/lot/concession (excluding VAT)

Total value of the contract/lot/concession: £3,503,210

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

The High Court Royal Court of Justice

London

WC2A 2LL

Country

United Kingdom