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Not applicable

## **Direct Award for Temporary Specialist Special Educational Needs & Disabilities (SEND) Workers**

Torbay Council

F14: Notice for changes or additional information

Notice identifier: 2023/S 000-015064

Procurement identifier (OCID): ocds-h6vhtk-03cf97

Published 26 May 2023, 11:35am

### **Section I: Contracting authority/entity**

#### **I.1) Name and addresses**

Torbay Council

Town Hall, Castle Circus

Torquay

TQ1 3DR

#### **Contact**

Mr Lawrence Brown

#### **Email**

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#### **Telephone**

+44 1803208977

**Country**

United Kingdom

**Region code**

UKK42 - Torbay

**Internet address(es)**

Main address

<http://www.torbay.gov.uk/>

Buyer's address

<http://www.torbay.gov.uk/>

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

Direct Award for Temporary Specialist Special Educational Needs & Disabilities (SEND) Workers

Reference number

DN672038

#### **II.1.2) Main CPV code**

- 79000000 - Business services: law, marketing, consulting, recruitment, printing and security

#### **II.1.3) Type of contract**

Services

#### **II.1.4) Short description**

Torbay Council is currently unable to meet the current demand for requests for new Education, Health & Care Plan (EHCP) assessments and annual reviews with the capacity available. There is a national increase in Request for Statutory Assessment (RSA) requests.

The temporary appointment of specialist SEND workers for 12 months would clear the backlog and then accurately assess demand vs capacity. Legally, the Council should be making the decision to amend the EHCP within 2 weeks of receiving the Annual Review paperwork and sending out the Amended plan with that decision.

The Council has advertised to its contracted Standing List of temporary agency providers, on numerous occasions, with no response. Therefore, the Council wishes to source the four required specialist education/SEND staff directly, via an agency provider, not on the Council's Standing List. There is an urgency to sourcing these staff due to the services' task being statutory, and therefore there is no time available to conduct an appropriate procurement process for these temporary appointments.

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## Section VI. Complementary information

### VI.6) Original notice reference

Notice number: [2023/S 000-015007](#)

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## Section VII. Changes

### VII.1.2) Text to be corrected in the original notice

Section number

II.1.1

Instead of

Text

Procurement of temporary specialist Special Educational Needs & Disabilities (SEND) workers

Read

Text

Direct Award for Temporary Specialist Special Educational Needs & Disabilities (SEND) Workers

Section number

II.1.4

Instead of

Text

The purpose of the project would be to clear the backlog (149 EHCP amendments significantly overdue) and then accurately assess demand vs capacity. Legally, the Council should be making the decision to amend the EHCP within 2 weeks of receiving the Annual Review paperwork and sending out the Amended plan with that decision. This was evidence in case law in 2022.

Therefore, the Council needs to appoint temporary specialist SEND Workers to undertake

this work during the next 12 months.

Read

Text

The temporary appointment of specialist SEND workers for 12 months would clear the backlog and then accurately assess demand vs capacity. Legally, the Council should be making the decision to amend the EHCP within 2 weeks of receiving the Annual Review paperwork and sending out the Amended plan with that decision.

Section number

IV.1.1

Instead of

Text

New works/services, constituting a repetition of existing works/services

Read

Text

The works, supplies or services can be provided only by a particular economic operator for the following reason: absence of competition for technical reasons