

# Public Document Pack

## North Yorkshire County Council Children and Young People's Service - Executive Members & Corporate Director Meetings -

Tuesday, 19 December 2023 / 1.00 pm

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### A G E N D A

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1 **Apologies for Absence**

2 **Declarations of Interest**

**Items for Executive Member decision**

- 4 Personalised Learning College (PLC) (Pages 3 - 22) (Pages 3 - 22)

To gain permission to undertake a re-procurement exercise for the High Needs Study Programme (HNSP) providers across North Yorkshire to create a new approved provider list (APL)

**Items for Corporate Director decision**

- 5 Supported Internship (SI) Approved Provider List (Deliver (Pages 23 - 58) commencing 1st August 2024) (Pages 23 - 58)

To undertake a re-procurement exercise for supported internship providers across North Yorkshire to create a new approved provider list (APL).

**Any Other Business**

- 6 Date of future formal meetings

**Circulation:**

**Executive Members**

Janet Sanderson  
Annabel Wilkinson

**Officer attendees**

Stuart Carlton  
Howard Emmett

**Presenting Officers**

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## North Yorkshire Council

### Children & Young Peoples Services

#### Executive Members

19<sup>th</sup> December 2023

#### Personalised Learning, High Needs Study Programme Contract Procurement

#### Report of the Corporate Director Children and Young Peoples Service, Stuart Carlton

#### 1.0 PURPOSE OF REPORT *(MANDATORY)*

- 1.1 To gain permission to undertake a re-procurement exercise for the High Needs Study Programme (HNSP) providers across North Yorkshire to create a new approved provider list (APL)

#### 2.0 SUMMARY *(Include if report is more than, say, three pages)*

- 2.1 The Personalised Learning College (PLC) is a delivery arm of the Adult Learning and Skills Service that supports the education and progression needs of young people aged 16-24 who are subject to education, health and care plans (EHCP)
- 2.2 Whilst a significant portion of delivery is carried out in house, to meet specialist requests of learners we may need to sub-contract some or all of the provision to more specialist providers.
- 2.3 The current arrangements for providers to sub-contract from PLC ends in April 2024, this paper sets out the planned arrangements to obtain a new preferred supplier list.

#### 3.0 BACKGROUND

- 3.1 The HNSP is a study programme specifically aimed at young people aged 16 to 24 who have an Education, Health and Care Plan (EHCP), to support progress into Adulthood.
- 3.2 Our county-wide Personalised Learning programme offers an extensive range of learning and training opportunities for young people with special educational needs within their local community. It is a person-centred programme which supports the young person to develop and progress, based on a clear understanding of how each person learns best with strategies that will help them achieve their goals, and provides the support they require within the learning environment. To access the provision, a young person must have an Education, Health and Care Plan (EHCP).
- 3.3 Personalised Learning provides our students with the opportunity to be at the heart of their learning pathway by focussing on their individual interests, aspirations and needs. In a person-centred, vibrant learning environment we support our students to

access local amenities, follow their interests, travel within the local area and develop their personal and social skills.

- 3.4 As providers of education and training for learners with High Needs (SEND) the HNSP is individual to the young person and as such, there may be a number of bespoke requests. This would make it unrealistic for the Service to offer all the provision in-house. It is likely to be cost ineffective in terms of the cost of acquiring all the necessary equipment and facilities to meet the needs of the individuals.
- 3.5 The Approved Provider List (APL) relates to these more specific specialist aspects of the High Needs Delivery (HND) which ALSS cannot meet internally. For example, provision of equine management or farming skills, plumbing, building maintenance, etc.
- 3.6 The Service and the subcontracted provision are regulated by Ofsted and is judged in relation to the Education Inspection Framework. All subcontractors have a responsibility to ensure the quality of all programmes that they deliver and must have appropriate Quality Assurance systems in place to satisfy the criteria described by Ofsted in its published 'Education Inspection Framework' The full document can be found by following this link [Education inspection framework for September 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/101222/EIF-2023-24.pdf)
- 3.7 As learners who access sub-contracted provision remain our responsibility the service uses a standardised approach to the management and procurement of subcontractors in accordance with the compliance requirements from the ESFA (The Education and Skills Funding Agency)
- 3.8 The ESFA sets out conditions of funding for providers annually, providers are also required to comply with the subcontracting funding rules guidance issued by the ESFA. The full document can be found by following this link [Subcontracting funding rules for post-16 education and training 2023 to 2024 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/101222/Subcontracting_funding_rules_for_post-16_education_and_training_2023_to_2024.pdf)
- 3.9 The Service currently works with a number of Subcontractors who bring additional skills, knowledge, and specialism to ensure there is an offer of a more specific specialist aspects of the High Needs Delivery (HND) that the Service cannot meet internally, this supports us to expand and develop individualised programmes of learning.
- 3.10 There are currently 7 suppliers on the Approved Provider List (APL):
- Harrogate Skills4Living Centre
  - Supporting Choice LTD
  - Strive for Education
  - The Blueberry Academy Limited
  - Disability Action Yorkshire
  - Veloheads Community Interest Company
  - Living Potential Care Farm (CIC)

- 3.11 Procurement for the HNSP providers was last carried out in 2019.
- 3.12 The new planned HNSP contract will commence from the 1 September 2024 for a 4-year + 2-year extension period.

#### **4.0 THE SUBSTANTIVE ISSUE**

- 4.1 An 'Open' tender process is proposed in accordance with the Council's Procurement and Contract Procedure Rules and the Public Contracts Regulations 2015 with support from the central procurement team.
- 4.2 A high level specification will be shared with current and future HNSP providers for consultation. This will be done via Yortender along with a short questionnaire.
- 4.3 The Gateway process will be followed and approval to award the contracts will be sought from The Corporate Director – Children and Young Peoples Service through the Councils Gateway 3 process

#### **5.0 CONSULTATION UNDERTAKEN AND RESPONSES**

- 5.1 The HNSP is delivered in close working consultation with colleagues in inclusion and this proposal is timed to coincide with a procurement exercise for Supported Internships to deliver efficiencies in the management of subcontractors to this provision.
- 5.2 The HNSP was subject to a recent Ofsted inspection and arrangements for the PLC and subcontracting were judged to be good. Audit firm Veritau has also indicated strong practice in the management of process
- 5.3 The proposals do not deviate from the way the service currently utilises subcontracting, with young people and parents often complimentary about the breadth of offer that this approach provides.
- 5.4 Further strategic planning is underway to review the PLC offer, but any changes to model and / or modes of delivery will require a strong sub-contracted offer.

#### **6.0 CONTRIBUTION TO COUNCIL PRIORITIES**

- 6.1 The aim of PLC is to enable learners subject to an EHCP to develop to become active members of their communities. To do so requires the provision of personalised programmes, often requiring specialist training.
- 6.2 To support the council ambitions of best-value, good quality and value for money provision a sub-contracted approach prevents unnecessarily large investment on provision that may only be required by a small number of learners
- 6.3 To support young people to live independently, o access work opportunities and enjoy the best quality of life, a broad and personalised programme, underpinned by quality sub-contracting arrangements, allows the PLC the flexibility in it's offer.

#### **7.0 ALTERNATIVE OPTIONS CONSIDERED**

7.1 The alternatives to this approach would consist of two options, one would be a strict closed procurement for all or part of the provision. This would fix the subcontractors to be contracted with at the start of the process. As the numbers of and nature of young people entering the post-16 system changes, this approach may not offer the flexibility required to meet need.

7.2 The other approach would be to keep all provision in house, but this would greatly reduce the flexibility of the service offer

## **8.0 IMPACT ON OTHER SERVICES/ORGANISATIONS**

8.1 This procurement has been planned alongside colleagues in inclusion service to ensure consistency in the management of sub-contracting. The service is also starting to work closely with colleagues in Health and Adult Services to closely align with effective transition into adulthood.

8.2 As detailed the service currently sub-contracts to a number of small providers, all of whom would be impacted should we choose not to take the procurement forwards.

## **9.0 FINANCIAL IMPLICATIONS**

9.1 The current funding model for a HNSP provider will apply to the new approved provider list (APL). As independent providers do not receive ESFA funding it is fully funded by North Yorkshire Council. This is made up of the ESFA Element 1 funding of £5,600, plus Element 2 funding of £6,000, which applies to all learners. The Element 3 High Needs Funding varies for each individual learner dependent on the banding allocation stated in their EHCP. A management and administration cost is applied from the Element 1 funding amount which is calculated annually and, (under funding rules) must not exceed 25% of the funding amount.

9.2 The current annual budget for the HNSP is £3,760,000 for the whole delivery of programme. The provider payments will be met from the service income. The estimated whole life cost of the procurement is £6,000,000 over 4 years, this has been calculated to include the planned increase in learners accessing programmes over the next 4 years.

## **10.0 LEGAL IMPLICATIONS**

10.1 The procurement exercise will be undertaken by the Council's Procurement and Contract Management Service, with a Gateway report considered in accordance with the Council's Procurement and Contract Procedure Rules.

10.2 This is a key decision. The HNSP contract was entered on the forward plan in September 2023 and can be found at Appendix C

## **11.0 EQUALITIES IMPLICATIONS (MANDATORY)**

11.1 An Equalities Impact Assessment (EIA) has been carried out to consider the impact of this review and this can be found at Appendix A.

11.2 The Equalities duty is ongoing and will be reviewed throughout the planning, review, and procurement stages as well as prior to the award of any contracts.

## **12.0 CLIMATE CHANGE IMPLICATIONS**

- 12.1 A Climate Change Impact Assessment (CCIA) has been carried out to consider the impact of this review and this can be found at Appendix B.
- 12.2 This will be reviewed throughout the planning, review and procurement stages as well as prior to the award of any contacts.

## **13.0 PERFORMANCE IMPLICATIONS**

- 13.1 The service requires the ability to subcontract to meet growing demand to access the PLC. Without robust sub-contracting arrangements, we would be unable to manage large cohorts of learners.

## **14.0 RISK MANAGEMENT IMPLICATIONS**

- 14.1 Successful arrangements to procure subcontractors ensures that the service is able to offer effective learning packages that reflect learner need. Failure to do so would increase risk of poor financial management and increased risk of poor Ofsted outcomes

## **15.0 CONCLUSIONS**

- 15.1 To enable consistent and efficient delivery of the PLC offer the procurement of an APL is recommended.

## **20.0 REASONS FOR RECOMMENDATIONS**

- 20.1 To support consistency of practice and maintain the strong personalisation of learner programmes

### **21.0 RECOMMENDATION(S)**

- i) To agree to procure suppliers via an Approved Provider List to support the provision of High Needs Study programmes.

### **APPENDICES:**

Appendix A – Equalities Impact Assessment  
Appendix B – Climate Change Impact Assessment  
Appendix C – Forward Plan Entry

### **BACKGROUND DOCUMENTS:**

[Education inspection framework for September 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/education-inspection-framework-for-september-2023)

[Subcontracting funding rules for post-16 education and training 2023 to 2024 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/publications/subcontracting-funding-rules-for-post-16-education-and-training-2023-to-2024)

*Stuart Carlton*  
Corporate Director – *Children and Young Peoples Service*  
County Hall  
Northallerton  
4<sup>th</sup> December 2023

Report Author – *Debbie Breatcliffe* Personalised Learning Programme Development Manager  
Presenter of Report – *Paul Cliff* Shared Head of Adult Learning and Skills (York and North Yorkshire)

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

***PLEASE ALSO NOTE THAT IF ANY REPORTS / APPENDICES INCLUDE SIGNATURES THESE MUST BE REMOVED / DELETED PRIOR TO SENDING REPORTS / APPENDICES TO DEMOCRATIC SERVICES. Appendices should include an Equality Impact Assessment and a Climate Impact Assessment where appropriate***



## Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(form updated June 2023)

### Personalised Learning College High Needs Study Programme

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email [communications@northyorks.gov.uk](mailto:communications@northyorks.gov.uk).



যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people find completed EIAs, we also publish them in our website's Equality and Diversity section. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	CYPS – Education and Skills
Lead Officer and contact details	Paul Cliff, Shared Head of Service
Names and roles of other people involved in carrying out the EIA	Debbie Breatcliffe, Personalised Learning Development Officer
How will you pay due regard? for example, working group, individual officer	
When did the due regard process start?	

**Section 1. Please describe briefly what this EIA is about.** (for example, are you starting a new service, changing how you do something, stopping doing something?)

This EIA considers the implications of completing the Personalised Learning College (PLC) High Needs Study Programme (HNSP) procurement process.

**Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it?** (for example, to save money, meet increased demand, do things in a better way.)

The purpose of PLC is to enable young people from the age of 16 to 25 with an Education Health and Care Plan (EHCP) to access local learning opportunities that will lead to community participation, independent living and/or wherever possible employment.

The Service provides the HNSP in-house, however The Service currently works with a number of Subcontractors who bring additional skills, knowledge, and specialism to ensure there is an offer of a more specific specialist aspects of the High Needs Delivery (HND) that the Service cannot meet internally, this supports us to expand and develop individualised programmes of learning.

The HNSP is individual to the young person and as such, there may be a number of bespoke and individual requests. The Service recognises that they cannot do this on their own and would make it unrealistic for The Service to offer all the provision in-house. It is likely to be cost ineffective in terms of the financial implication of acquiring all the necessary equipment and facilities to meet the needs of the individuals. For example, provision of equine management, farming skills or bespoke work experience.

The rationale for subcontracting is reviewed annually and scrutinised by the board of Governors to ensure it remains relevant, of good quality and cost effective.

The values of The Service that we expect from our partners:

- Delivery of high-quality bespoke provision which meets the need of individuals
- Supporting young people in the communities they live in
- Preparing young people for adulthood
- To meet the outcomes in their individual EHCP targets

The procurement last took place in 2019, this is now due for renewal which will give an opportunity for improvement of service, widen the offer and experiences to our learners.

**Section 3. What will change? What will be different for customers and/or staff?**

This will update the approved provider list for HNSP across North Yorkshire and it will give the opportunity for new providers offering more opportunities to join.

This will increase standards and accountability.

**Section 4. Involvement and consultation** (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

Our existing providers have been in discussion with ourselves to discuss the future procurement as they area ware it ceases on the 31sy August 2024. Thye will have learners continuing their programmes and will want to ensure continuity of quality provision.

Other providers have been in communication to offer opportunities for learners and will welcome the opportunity to join the preferred provider list.

We will cascade the information through all of our local networks.

**Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?**

Please explain briefly why this will be the result.

The provision enables young people to stay in their communities, prefer fully for adulthood and in some instances progress onto a Supported Internship and or employment.

The offer through the HNPS avoids expensive independent colleges, residential placements and out of county colleges.

<b>Section 6. How will this proposal affect people with protected characteristics?</b>	<b>No impact</b>	<b>Make things better</b>	<b>Make things worse</b>	<b>Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.</b>
Age		✓		Young people with an EHCP will have the opportunity to access education and training in their local area.
Disability		✓		Young people with an EHCP will have the opportunity to access education and training in their local area.
Sex	✓			It is anticipated there would be no identifiable impact on SEND young people due to their sex.
Race	✓			It is anticipated there would be no identifiable impact on SEND pupils due to their race.
Gender reassignment	✓			It is anticipated there would be no identifiable impact on SEND pupils due to their gender reassignment.
Sexual orientation	✓			It is anticipated there would be no identifiable impact on SEND pupils due to sexual orientation. We already support young people who may be transitioning
Religion or belief	✓			It is anticipated there would be no identifiable impact on SEND pupils due to religion or beliefs.
Pregnancy or maternity	✓			It is anticipated there would be no identifiable impact on SEND pupils due to pregnancy or maternity. We have access to childcare funding to support young mothers
Marriage or civil partnership	✓			It is anticipated there would be no identifiable impact on SEND pupils due to marriage or civil partnership.

<b>Section 7. How will this proposal affect people who...</b>	<b>No impact</b>	<b>Make things better</b>	<b>Make things worse</b>	<b>Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.</b>
..live in a rural area?		✓		Young people with an EHCP will have more opportunity to remain in their local area to access education and training
...have a low income?	✓			It is anticipated there would be no identifiable impact on SEND pupils due to their family receiving a low income. We have funding to support free school meals and bursary funds to support those most in financial need
...are carers (unpaid family or friend)?	✓			It is anticipated there would be no identifiable impact on SEND pupils who are carers.
..... are from the Armed Forces Community	✓			It is anticipated there would be no identifiable impact on SEND pupils who are from the Armed Forces community.

**Section 8. Geographic impact – Please detail where the impact will be (please tick all that apply)**

North Yorkshire wide	✓
Craven district	
Hambleton district	
Harrogate district	
Richmondshire district	
Ryedale district	
Scarborough district	
Selby district	
<b>If you have ticked one or more districts, will specific town(s)/village(s) be particularly impacted? If so, please specify below.</b>	

**Section 9. Will the proposal affect anyone more because of a combination of protected characteristics? (for example, older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.**

The proposal may have an impact on young people with a combination of protected characteristics, however, this should be a positive impact as more young people can access education and training opportunities to support them into adulthood.

<b>Section 10. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)</b>	<b>Tick option chosen</b>
<b>1. No adverse impact - no major change is needed to the proposal.</b> There is no potential for discrimination or adverse impact identified.	✓
<b>2. Adverse impact - adjust the proposal</b> - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
<b>3. Adverse impact - continue the proposal</b> - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	
<b>4. Actual or potential unlawful discrimination - stop and remove the proposal –</b> The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
<b>Explanation of why the option has been chosen</b> (include any advice given by Legal Services.)	
The HNRP procurement is to replace and widen the current Approved Provider List already in place since 2019.	

<b>Section 11. If the proposal is to be implemented how will you find out how it is really affecting people?</b> (How will you monitor and review the changes?)
An annual Education Health and Care Plan review meetings take place to gather feedback from young people, their families and other professionals.
Termly quality monitoring takes place with the provider with due diligence visits annually.
HNRP is subject to Ofsted inspections where subcontracting of provision is inspected and reported.
Regular financial reports to the ESFA specifically with regard to Subcontracting.
Annual audit of subcontracting by independent, external auditors takes place.

<b>Section 12. Action plan.</b> List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.				
Action	Lead	By when	Progress	Monitoring arrangements
Education provider monitoring visit	SI lead	Termly		Adult Learning and Skills Service
Quality Assurance visit	SI lead	Termly		Adult Learning and Skills Service

<b>Section 13. Summary</b> Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.
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The HNSP procurement process will provide an increase in opportunity for young people to access training and experience to prepare them for adulthood in the communities they live and wish to remain in

#### **Section 14. Sign off section**

This full EIA was completed by:

**Name:** Debbie Breatcliffe

**Job title:** Personalised Learning Development Manager

**Directorate:** CYPS – Education and Skills

**Signature:**

**Completion date:** 14/09/2023

**Authorised by relevant Assistant Director (signature):**

**Date:**

## Climate change impact assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance please email [climatechange@northyorks.gov.uk](mailto:climatechange@northyorks.gov.uk)

### Version 2: amended 11 August 2021

**Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:**

Planning Permission  
Environmental Impact Assessment  
Strategic Environmental Assessment

However, you will still need to summarise your findings in the summary section of the form below.

Please contact [climatechange@northyorks.gov.uk](mailto:climatechange@northyorks.gov.uk) for advice.

<b>Title of proposal</b>	Re-procurement of contracts for the High Needs Study Programme (HNSP) providers to be added to the Approved Provider List (APL)
<b>Brief description of proposal</b>	To seek permission to undertake the HNSP provider re-procurement
<b>Directorate</b>	CYPS
<b>Service area</b>	Education & Skills
<b>Lead officer</b>	Debbie Breatcliffe
<b>Names and roles of other people involved in carrying out the impact assessment</b>	None
<b>Date impact assessment started</b>	December 2023

**Options appraisal**

Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

Alternative options were not considered as this is a re-procurement exercise. The current approved provider list ends in July 2024, therefore new contracts must be provided for the start of the new academic year from September 2024.

**What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?**

Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.

The new providers will be funded in the same way as the current contracts. There is expected to be an increase in the number of young people accessing these provisions which will incur increasing costs. This will be cost neutral in respect of continued education for individual young people. The savings made will be from young people staying in their own communities and not having to travel out of the county to high costs residential placements.

<p><b>How will this proposal impact on the environment?</b></p> <p><b>N.B.</b> There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p><b>Positive impact</b> (Place a X in the box below where relevant)</p>	<p><b>No impact</b> (Place a X in the box below where relevant)</p>	<p><b>Negative impact</b> (Place a X in the box below where relevant)</p>	<p><b>Explain why will it have this effect and over what timescale?</b></p> <p><b>Where possible/relevant please include:</b></p> <ul style="list-style-type: none"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<p><b>Explain how you plan to mitigate any negative impacts.</b></p>	<p><b>Explain how you plan to improve any positive outcomes as far as possible.</b></p>	
<p>Minimise <b>greenhouse gas emissions</b> e.g. reducing emissions from</p>	<p>Emissions from travel</p>	x			<p>An increase in providers across the county will reduce the travel needed for individuals</p>		<p>There will be focus on coverage of localities during the procurement process</p>



How will this proposal impact on the environment?  N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.		Positive impact (Place a X in the box below where relevant)	No impact (Place a X in the box below where relevant)	Negative impact (Place a X in the box below where relevant)	Explain why will it have this effect and over what timescale?  Where possible/relevant please include: <ul style="list-style-type: none"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
Page 17 travel, increasing energy efficiencies etc.	Emissions from construction		x		No impact		
	Emissions from running of buildings	x			The buildings are already in use for the providers. Time will also be spent away from the education provider, accessing the community		Review increase in community days
	Emissions from data storage		x		No impact		
	Other						
Minimise <b>waste</b> : Reduce, reuse, recycle and compost e.g. reducing use of single use plastic			x		No impact		
Reduce <b>water</b> consumption			x		No impact		
Minimise <b>pollution</b> (including air, land, water, light and noise)		x			Air pollution will be reduced if there are providers in the local communities		Planned increased local offer

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p><b>Positive impact</b> (Place a X in the box below where relevant)</p>	<p><b>No impact</b> (Place a X in the box below where relevant)</p>	<p><b>Negative impact</b> (Place a X in the box below where relevant)</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Ensure <b>resilience</b> to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>		x		No impact		
<p>Enhance <b>conservation</b> and wildlife</p>		x		No impact		
<p>Safeguard the distinctive characteristics, features and special qualities of <b>North Yorkshire's landscape</b></p>		x		No impact		
<p>Other (please state below)</p>		x		No other impact		

**Are there any recognised good practice environmental standards in relation to this proposal?** If so, please detail how this proposal meets those standards.

N/A

**Summary** Summarise the findings of your impact assessment, including impacts, the recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The re-procurement of the HNPS approved provider list will increase the positive impact of the current model. There is planned to be an increase in providers in the local areas which will reduce emissions and pollution.

There will be no impact in other areas.

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**Sign off section**

This climate change impact assessment was completed by:

<b>Name</b>	Debbie Breatcliffe
<b>Job title</b>	Personalised Learning Development Manager
<b>Service area</b>	CYPS
<b>Directorate</b>	Education and Skills
<b>Signature</b>	<i>D Breatcliffe</i>
<b>Completion date</b>	28/11/23

**Authorised by relevant Assistant Director (signature):**

**Date:**

## Forward Plan Entry Form

**Decision Taker:** *Tick one box only*      Committee       Executive Member or Officer

**If it is an Executive Member or Officer decision, will it be taken in consultation with an Executive Member or Corporate Director?**

Title:	Personalised Learning College (PLC) Approved Provider List (Deliver commencing 1 <sup>st</sup> August 2024)		
Decision Date:		Decision Taker <i>(name of committee or individual)</i>	Executive members

**Will the item contain exempt information?** *Tick one box only*

Open                       Part Exempt                       Fully Exempt

**Is it a Key Decision?** *(see Note 1 below)*                      Yes                       No

**Reason for being a Key Decision?** *Tick one box only*

Affect on Communities       Expenditure is £500,000 or more       Expenditure £500,000 or more & affects more than one division

**Purpose of Report and Decision required?**

The Adult Learning and Skills Service receives a separate funding grant to deliver High Needs Study Programmes (HNSP) to young people (16 to 25) who have an Education, Health and Care Plan (EHCP) to support the local offer.

As providers of education and training for learners with High Needs (SEND) the HNSP is individual to the young person and as such, there may be a number of bespoke requests. This would make it unrealistic for the Service to offer all the provision in-house. It is likely to be cost ineffective in terms of the cost of acquiring all the necessary equipment and facilities to meet the needs of the individuals.

The Approved Provider List (APL) relates to the more specific specialist aspects of the High Needs Delivery (HND) which ALSS cannot meet internally. For example, provision of equine management or farming skills, plumbing, building maintenance, etc.

We are seeking approval to go out to tender to procure for preferred and approved providers to deliver on behalf of PLC as the existing procurement that has been in place since 1<sup>st</sup> August 2019 will end on the 31<sup>st</sup> July 2024.

**Consultees?** *i.e. the identity of the principal groups whom the decision-taker proposes to consult*

The Adult Learning and Skills Service (PLC) have jointly consulted with the Inclusion (SEND) Service.

**Consultation Process?** *i.e. the means by which any such consultation is to be undertaken*

Engagement will take place with the community and voluntary sector organisations, other training and learning providers who may wish to become a preferred provider on the list of educational offer to the learners of North Yorkshire with High Needs.

The list will be required from April 2024 with delivery in place by 1<sup>st</sup> August 2024

**Lead Officer:** *i.e. Main report author & contact person for representations to be made*

Debbie Breatcliffe

**Contact Details?** Email: debbie.breatcliffe@northyorks.gov.uk

Tel No: 07791 886009

**Relevant documents already submitted to Decision Taker** – please indicate if any are exempt or contain some exempt information

**Urgent Decision?** *Tick one only*

Yes

No

**Reason for Urgency?**

**Lead Member**

**Lead Director**

**Explanation for Exemption:** *Tick one relevant paragraph only (see Note 2 below)*

Para 1:

Para 2:

Para 3:

Para 5:

Para 5:

Para 6a:

Para 6b:

Para 7:

**Supporting Notes:**

1. The exemptions from something being a key decision which apply to the financial limb of the definition are:  
(i) a decision concerning a bid for funding; (ii) a decision taken on expenditure specifically identified within budget approved by Council on items necessary for normal operational service delivery. BUT those exemptions should not be relied on where the decision will also have a significant impact on more than one community. The exemptions which apply to both the financial and community limbs of the definition are: (i) a decision taken for the purpose of implementing an earlier key decision.
2. Para 1. Information relating to any individual.  
Para 2. Information that is likely to reveal the identity of an individual.  
Para 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).  
Para 4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.  
Para 5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Para 6. Information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

Para 7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

**AND the public interest in maintaining the exemption outweighs the public interest in disclosing the information.**

## Supported Internship Contract Procurement

**REPORT TO:** Assistant Director for Inclusion, Janet Crawford

**DECISION DATE:** 19<sup>th</sup> December 2023

### 1.0 PROPOSED RECOMMENDATION

1.1 To undertake a re-procurement exercise for supported internship providers across North Yorkshire to create a new approved provider list (APL).

### 2.0 BACKGROUND TO SUPPORT THE RECOMMENDATION

2.1 A supported internship is a study programme specifically aimed at young people aged 16 to 24 who have an Education, Health and Care Plan (EHCP), who aspire to move into employment and may need extra support to do so.

2.2 They are intended to enable young people with learning difficulties and/or disabilities to achieve sustainable, paid employment by equipping them with the skills they need for work through learning in the workplace. Internships normally last for a year and include unpaid work placements of at least six months. Wherever possible, they support the young person to move into paid employment at the end of the programme. Students complete a personalised study programme which includes the chance to study for relevant qualifications, if suitable, alongside English and mathematics to an appropriate level.

2.3 Currently, Inclusion use 6 suppliers on the existing Approved Provider List:

- Blueberry Academy
- Disability Action Yorkshire (DAY)
- Groundworks
- Harrogate Skills 4 Living (HS4L)
- Right 2 Work
- Supporting Choice

2.4 In 2022 the DfE stated the ambition to double the number of young people accessing a supported internship to 4,500 by 2025. This aim is developed by the 'internships work' programme facilitated by NDTi, DFN Project Search and BASE. Inclusion Services are working closely with these organisations to increase the number and quality of supported internships. The quality assurance framework developed by BASE is being implemented with existing providers and has been incorporated into the new procurement specification.

2.5 Procurement for supported internship providers was last carried out in 2019.

2.6 The new Supported Internship contract will commence from the 1 September 2024 for a 4-year +2 period.

### **3.0 Proposed Tender Process**

3.1 An 'Open' tender process is proposed in accordance with the Council's Procurement and Contract Procedure Rules and the Public Contracts Regulations 2015 with support from the central procurement team.

3.2 A high level specification will be shared with current supported internship providers for consultation. This will be done via Yortender along with a short questionnaire.

3.3 The Gateway process will be followed and approval to award the contracts will be sought from the Corporate Director – Children and Young Peoples Service through the Councils Gateway 3 process.

### **4.0 Financial Implications**

4.1 The current funding model for a supported internship provider will apply to the new approved provider list (APL). As independent providers do not receive ESFA funding it is fully funded by North Yorkshire Council. This is made up of the Element 1 funding of £5,600, plus Element 2 funding of £6,000, which applies to all learners. The Element 3 funding varies for each individual learner dependent on the banding allocation stated in their EHCP. The average cost of a young person completing a one year supported internship is £17,566.

4.2 The current annual budget is £554,200 for 2023-2024, this comes from the High Needs Budget (HNB). The estimated whole life cost of the procurement is £2,882,840 over 4 years, this has been calculated to include the planned increase in learners accessing supported internships over the next 4 years.

4.3 Whilst Supported Internships have many benefits to young people moving into work and becoming more independent, they also have a positive effect upon the HNB. A successful SI resulting in paid employment allows young people to positively move on without the need to maintain their EHCP.

### **5.0 Equalities Implications**

5.1 An Equalities Impact Assessment (EIA) has been carried out to consider the impact of this review and this can be found at Appendix 1.

5.2 The Equalities duty is ongoing and will be reviewed throughout the planning, review, and procurement stages as well as prior to the award of any contracts.



## **6.0 Climate Change**

- 6.1 A Climate Change Impact Assessment (CCIA) has been carried out to consider the impact of this review and this can be found at Appendix 2.
- 6.2 This will be reviewed throughout the planning, review and procurement stages as well as prior to the award of any contacts.

## **7.0 Data Protection Implications**

- 7.1 A full Data Protection Impact Assessment (DPIA) has been carried out following the screening tool to consider the impact of this review and can be found at Appendix 3.

## **8.0 LEGAL AND GOVERNANCE COMPLIANCE**

- 8.1 The procurement exercise will be undertaken by the Council's Procurement and Contract Management Service, with a Gateway report considered in accordance with the Council's Procurement and Contract Procedure Rules.
- 8.2 This is a key decision. The supported internship contract was entered on the forward plan in September 2023.

## **9.0 RECOMMENDATION**

- 9.1 To re-procure a contract for supported internships to create an approved provider list (APL).

Wendy Butterfield  
Lead SEND Development Officer  
4 December 2023

## Appendix 1 – EIA

# Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(form updated June 2023)

## Supported Internship Procurement

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email [communications@northyorks.gov.uk](mailto:communications@northyorks.gov.uk).



যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।  
如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。  
اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people find completed EIAs, we also publish them in our website's Equality and Diversity section. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	CYPS - Inclusion
Lead Officer and contact details	Chris Reynolds, Head of SEND Provision and Resources
Names and roles of other people involved in carrying out the EIA	Wendy Butterfield, Lead SEND Development Officer
How will you pay due regard? for example, working group, individual officer	Process to be completed by a lead officer with overview of all systems following policy and procedure.
When did the due regard process start?	Aug 2023

**Section 1. Please describe briefly what this EIA is about.** (for example, are you starting a new service, changing how you do something, stopping doing something?)

This EIA considers the implications of completing the updated supported internship procurement process.

**Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it?** (for example, to save money, meet increased demand, do things in a better way.)

The proposed Supported Internship programmes would create opportunities for young people with an EHCP to gain valuable employment experience across a 12-month period to enable them to gain meaningful employment.

The procurement last took place in 2019, this is now due for renewal which will give an opportunity for improvement of service.

**Section 3. What will change? What will be different for customers and/or staff?**

This will update the approved provider list for supported internships across North Yorkshire.

This will increase standards and accountability.

**Section 4. Involvement and consultation** (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

A survey took place in January 2023 of young people who had completed a Supported Internship.

Of those young people surveyed in January 2023, all scored the Supported Internship process at 7 or above out of 10 with an average of 8.8. 100% of young people stated that their employment placement was of interest to them and 100% would recommend a Supported Internship to others.

**Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?**

Please explain briefly why this will be the result.

Funding for young people accessing a supported internship comes via element 1, 2 and their EHCP top up funding. Which is the same funding as if they were in full time education.

Savings will be made by the council due to the expectation that their EHCP will cease at the end of the one year programme.

<b>Section 6. How will this proposal affect people with protected characteristics?</b>	<b>No impact</b>	<b>Make things better</b>	<b>Make things worse</b>	<b>Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.</b>
Age		✓		Young people with an EHCP will have the opportunity to access a Supported Internship in their local area.
Disability		✓		Young people with an EHCP will have the opportunity to access a Supported Internship in their local area.
Sex	✓			It is anticipated there would be no identifiable impact on SEND young people due to their sex.
Race	✓			It is anticipated there would be no identifiable impact on SEND pupils due to their race.
Gender reassignment	✓			It is anticipated there would be no identifiable impact on SEND pupils due to their gender reassignment.
Sexual orientation	✓			It is anticipated there would be no identifiable impact on SEND pupils due to sexual orientation
Religion or belief	✓			It is anticipated there would be no identifiable impact on SEND pupils due to religion or beliefs.
Pregnancy or maternity	✓			It is anticipated there would be no identifiable impact on SEND pupils due to pregnancy or maternity.
Marriage or civil partnership	✓			It is anticipated there would be no identifiable impact on SEND pupils due to marriage or civil partnership.

<b>Section 7. How will this proposal affect people who...</b>	<b>No impact</b>	<b>Make things better</b>	<b>Make things worse</b>	<b>Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.</b>
..live in a rural area?		✓		Young people with an EHCP will have more opportunity to remain in their local area to access a Supported Internship.
...have a low income?	✓			It is anticipated there would be no identifiable impact on SEND pupils due to their family receiving a low income.
...are carers (unpaid family or friend)?	✓			It is anticipated there would be no identifiable impact on SEND pupils who are carers.

..... are from the Armed Forces Community	✓			It is anticipated there would be no identifiable impact on SEND pupils who are from the Armed Forces community.
---	---	--	--	---

**Section 8. Geographic impact – Please detail where the impact will be (please tick all that apply)**

North Yorkshire wide	✓
Craven district	
Hambleton district	
Harrogate district	
Richmondshire district	
Ryedale district	
Scarborough district	
Selby district	

**If you have ticked one or more districts, will specific town(s)/village(s) be particularly impacted? If so, please specify below.**

--

**Section 9. Will the proposal affect anyone more because of a combination of protected characteristics? (for example, older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.**

The proposal may have an impact on young people with a combination of protected characteristics, however, this should be a positive impact as more young people can access a Supported Internship locally to increase their employability.

**Section 10. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)**

**Tick option chosen**

- |   |   |
|---|---|
| <b>1. No adverse impact - no major change is needed to the proposal.</b> There is no potential for discrimination or adverse impact identified.   | ✓ |
| <b>2. Adverse impact - adjust the proposal</b> - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.   |   |
| <b>3. Adverse impact - continue the proposal</b> - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with |   |

proposals which will have the most adverse impacts. Get advice from Legal Services)	
<b>4. Actual or potential unlawful discrimination - stop and remove the proposal</b> – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
<b>Explanation of why the option has been chosen</b> (include any advice given by Legal Services.)	
The SI procurement is to replace the current APL already in place.	

**Section 11. If the proposal is to be implemented how will you find out how it is really affecting people?** (How will you monitor and review the changes?)

An annual survey takes place to gather feedback from young people and their families.

Termly updates will be provided by the education provider.

Annual QA of the education providers to include young people’s voice.

**Section 12. Action plan.** List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

Action	Lead	By when	Progress	Monitoring arrangements
Survey of young people and families	SI lead	January 2024		Inclusion Management Team
Education provider monitoring visit	SI lead	Termly		Inclusion Management Team
Quality Assurance visit	SI lead	Annual		Inclusion Management Team

**Section 13. Summary** Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The new Supported Internship procurement process will provide an increase in opportunity for young people to access training and experience to increase their employability across North Yorkshire.

**Section 14. Sign off section**

This full EIA was completed by:

**Name:** Wendy Butterfield  
**Job title:** Lead SEND Development Officer  
**Directorate:** CYPS - Inclusion

**Signature:** *W Butterfield*

**Completion date:** 01.09.2023

**Authorised by relevant Assistant Director (signature):**

**Date:**

## Appendix 2 – CCIA

### Climate change impact assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance please email [climatechange@northyorks.gov.uk](mailto:climatechange@northyorks.gov.uk)

### Version 2: amended 11 August 2021

**Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:**

Planning Permission  
Environmental Impact Assessment  
Strategic Environmental Assessment

However, you will still need to summarise your findings in the summary section of the form below.

Please contact [climatechange@northyorks.gov.uk](mailto:climatechange@northyorks.gov.uk) for advice.

<b>Title of proposal</b>	Re-procurement of contracts for supported internship providers to be added to the APL
<b>Brief description of proposal</b>	To seek permission to undertake the supported internship provider re-procurement
<b>Directorate</b>	CYPS
<b>Service area</b>	Inclusion
<b>Lead officer</b>	Wendy Butterfield
<b>Names and roles of other people involved in carrying out the impact assessment</b>	None



**Date impact assessment started**

November 2023

**Options appraisal**

Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

Alternative options were not considered as this is a re-procurement exercise. The current approved provider list ends in August 2024, therefore new contracts must be provided from September 2024.

**What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?**

Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.

The new providers will be funded in the same way as the current contracts. There is expected to be an increase in the number of young people accessing these provisions which will incur increasing costs. This will be cost neutral in respect of continued education for individual young people.

<p><b>How will this proposal impact on the environment?</b></p> <p><b>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</b></p>	<p><b>Positive impact</b> (Place a X in the box below where relevant)</p>	<p><b>No impact</b> (Place a X in the box below where relevant)</p>	<p><b>Negative impact</b> (Place a X in the box below where relevant)</p>	<p><b>Explain why will it have this effect and over what timescale?</b></p> <p><b>Where possible/relevant please include:</b></p> <ul style="list-style-type: none"> <li>• <b>Changes over and above business as usual</b></li> <li>• <b>Evidence or measurement of effect</b></li> <li>• <b>Figures for CO<sub>2</sub>e</b></li> <li>• <b>Links to relevant documents</b></li> </ul>	<p><b>Explain how you plan to mitigate any negative impacts.</b></p>	<p><b>Explain how you plan to improve any positive outcomes as far as possible.</b></p>	
<p><b>Minimise greenhouse gas emissions</b> e.g. reducing emissions from travel, increasing energy efficiencies etc.</p>	Emissions from travel	x			An increase in providers across the county will reduce the travel needed for individuals		There will be focus on coverage of localities during the procurement process
	Emissions from construction		x		No impact		
	Emissions from running of buildings	x			The buildings are already in use for the providers. Time will also be spent away from the education provider, at the employers during placements		Review increase in placement days at an employer
	Emissions from data storage		x		No impact		
	Other						

<p><b>How will this proposal impact on the environment?</b></p> <p><b>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</b></p>	<p><b>Positive impact</b> (Place a X in the box below where relevant)</p>	<p><b>No impact</b> (Place a X in the box below where relevant)</p>	<p><b>Negative impact</b> (Place a X in the box below where relevant)</p>	<p><b>Explain why will it have this effect and over what timescale?</b></p> <p><b>Where possible/relevant please include:</b></p> <ul style="list-style-type: none"> <li>• <b>Changes over and above business as usual</b></li> <li>• <b>Evidence or measurement of effect</b></li> <li>• <b>Figures for CO<sub>2</sub>e</b></li> <li>• <b>Links to relevant documents</b></li> </ul>	<p><b>Explain how you plan to mitigate any negative impacts.</b></p>	<p><b>Explain how you plan to improve any positive outcomes as far as possible.</b></p>
<p>Minimise <b>waste</b>: Reduce, reuse, recycle and compost e.g. reducing use of single use plastic</p>		x		No impact		
<p>Reduce <b>water</b> consumption</p>		x		No impact		
<p>Minimise <b>pollution</b> (including air, land, water, light and noise)</p>	x			Air pollution will be reduced if there are providers in the local communities		Planned increased local employers
<p>Ensure <b>resilience</b> to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>		x		No impact		
<p>Enhance <b>conservation</b> and wildlife</p>		x		No impact		

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p><b>Positive impact</b> (Place a X in the box below where relevant)</p>	<p><b>No impact</b> (Place a X in the box below where relevant)</p>	<p><b>Negative impact</b> (Place a X in the box below where relevant)</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Safeguard the distinctive characteristics, features and special qualities of <b>North Yorkshire's Landscape</b></p>		x		No impact		
<p>Other (please state below)</p>		x		No other impact		

<p><b>Are there any recognised good practice environmental standards in relation to this proposal?</b> If so, please detail how this proposal meets those standards.</p>
<p>N/A</p>

**Summary** Summarise the findings of your impact assessment, including impacts, the recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The re-procurement of the supported internship approved provider list will increase the positive impact of the current model. There is planned to be an increase in providers and employers in the local areas which will reduce emissions and pollution.

There will be no impact in other areas.

**Sign off section**

This climate change impact assessment was completed by:

<b>Name</b>	Wendy Butterfield
<b>Job title</b>	Lead SEND Development Officer
<b>Service area</b>	CYPS
<b>Directorate</b>	Inclusion
<b>Signature</b>	<i>W Butterfield</i>
<b>Completion date</b>	22.11.23

**Authorised by relevant Assistant Director (signature):**

**Date:**

**Appendix 3 – DPIA** (to be signed off by Veritau on completion of process)



## Supported Internship Approved Provider List (APL)

### Procurement

#### *Data Protection Impact Assessment*

Organisation Name/Data Controller Name: North Yorkshire Council

Date final DPIA issued Click or tap to enter a date.

**REF: NYDPIA00127**

**Project Brief and Go Live Date:** [Recent contract for APL](#)

The current Approved Provider List (APL) has been in place since 2019, this is a re-procurement for education providers to be added to the APL for Sept 2024. These providers will be used across North Yorkshire to provide supported internships for young people between the ages of 16 and 25.

A supported internship is a study programme that combines education and work based placements to get a young person ready for employment. In order to access a supported internship (SI) the young person must have an Education, Health and

Care Plan (EHCP). This EHCP will need to be shared with the SI provider to ensure they can meet the needs of the young person on the programme.

**Project Manager/Owner:**

Name:	<b>Wendy Butterfield</b>
Job Title:	<b>Lead SEND Development Officer</b>
Service:	<b>CYPS Inclusion</b>
Telephone:	<b>01609 535916</b>
Email:	<b>wendy.butterfield@northyorks.gov.uk</b>

**Information Asset Owner/s:**

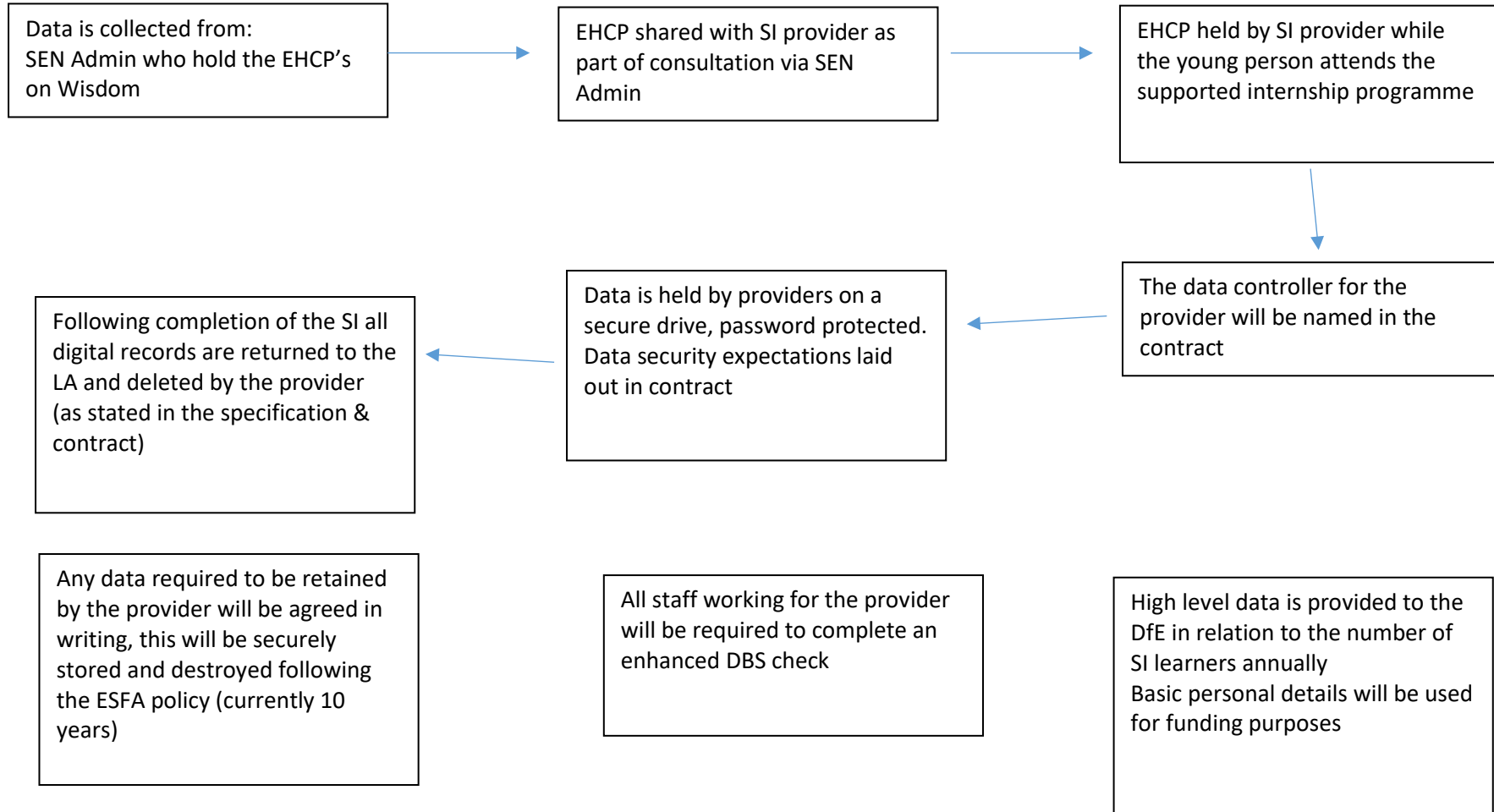
Name:	<b>Chris Reynolds</b>
Job Title:	<b>Head of SEND Strategic planning and Resources</b>
Service:	<b>CYPS Inclusion</b>
Telephone:	<b>01609 798598</b>
Email:	<b>chris.reynolds@northyorks.gov.uk</b>

**System Administrator/ICT Contact (if applicable):**

Name:	
Job Title:	
Service:	
Telephone:	
Email:	



Part One - Information flow



Privacy Issue	Comments	Is there a risk? Address in Part Three	
<b>1. General</b>			
Have you identified the Information Asset Owner?	Chris Reynolds	<input type="checkbox"/>	
How many individuals will be affected by this project?	There will be around 75 young people each year accessing Supported Internships	<input type="checkbox"/>	
Who are the Data Subjects?	Service users – vulnerable young people and vulnerable adults (16-25 yr old)	<input checked="" type="checkbox"/>	
Please select any information that will be processed:	<b>Personal Identifiers/information</b>	<b>Special Category / Criminal</b>	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Name	<input type="checkbox"/> Sex life	
	<input checked="" type="checkbox"/> Address/Postcode	<input checked="" type="checkbox"/> Sexual Orientation	
	<input checked="" type="checkbox"/> Date of Birth	<input type="checkbox"/> Religion	
	<input checked="" type="checkbox"/> Telephone Number/Email	<input type="checkbox"/> Philosophical belief	
	<input checked="" type="checkbox"/> Emergency contact details	<input type="checkbox"/> Political opinion	
	<input type="checkbox"/> National Insurance Number	<input type="checkbox"/> Trade Union Membership	
	<input checked="" type="checkbox"/> NHS Number	<input checked="" type="checkbox"/> Ethnic Origin	
	<input checked="" type="checkbox"/> Gender	<input checked="" type="checkbox"/> Medical history details	
	<input checked="" type="checkbox"/> Images (photo/film)	<input checked="" type="checkbox"/> Physical health information	
	<input type="checkbox"/> Pseudonymised information	<input checked="" type="checkbox"/> Mental health information	
	<input type="checkbox"/> IP addresses	<input type="checkbox"/> Genetic/Biometric (eg. Thumbprint)	

	<input type="checkbox"/>	Other (please state):	<input checked="" type="checkbox"/> Criminal conviction information	
How will the personal data be collected?	From another internal service			<input type="checkbox"/>
	Other: SEN Team/SEN Admin who hold the EHCP's on Wisdom			
Does this processing include data matching, automated decision making or profiling? (please describe)	No			<input type="checkbox"/>
<b>2. Lawfulness</b>				
<b>a. General Processing</b>				
What is the lawful basis for processing personal information? If you are using more than one condition please specify which condition relates to specific data. <i>(Please speak with your DPO about this)</i>	e) Public Task (specify) Choose an item.			<input type="checkbox"/>
	Specify: Article 6(1)(e) - Public Task (DPA Section 8 - Public interest or Official authority)  Legislation includes The Care Act 2014, Safeguarding (Working together to safeguard children 2018), The Mental Capacity Act 2005, Children's Act 2004			
	If Legitimate Interests/Public Interest Assessment (see guidance), is completed please add: N/A			
	h) Health or social care (check condition 2 in guidance) Choose an item.			<input type="checkbox"/>

<p>If you are processing Special Category Information (highlighted in red above), what is the lawful basis for processing this information <i>(Please speak with your DPO about this)</i></p>	<p>Basis in law and schedule condition (if applicable)/specify:</p> <p>UK GDPR Article 9 (2)(h) – processing is necessary for the purposes of the provision of health or social care or treatment or the management of health or social care systems and services on the basis of domestic law. Meeting schedule 1, Part 1 of the data protection act 2018 as below:</p> <ol style="list-style-type: none"> <li>1. Employment, social security and social protection</li> <li>2. Health and Social Care purposes</li> <li>3. Research</li> </ol>	
<p>Are you processing Criminal conviction information? <i>(Please speak with your DPO about this)</i></p>	<p>Yes</p> <hr/> <p>If yes, what is the Article 10, Schedule 1 condition? (Please refer to the guidance)</p> <p>2 (1) Health or social care purposes - 2 (f) the provision of social care.</p>	<input type="checkbox"/>

<b>b. Law Enforcement Processing</b>			
Are you processing data for a Law Enforcement Purpose?	<input type="checkbox"/>	Yes, please specify the legislation that provides the authority to engage in the specific Law Enforcement purpose:	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	No	
	Please refer to the guidance		
If you are processing Special Category Information (highlighted in red above), is it strictly necessary and what condition are you relying on? <i>(Please speak with your DPO about this)</i>	Please state why the special category of information is <u>strictly</u> necessary for the law enforcement purposes:  N/A		<input type="checkbox"/>
	Please specify the Schedule condition:		
<b>c. Fairness and Transparency</b>			
If you are using consent how are you collecting this and how will people be able to withdraw their consent?	Consent to share their EHCP will be given during the consultation process. Consent will be given by either the parent/carer or young person themselves depending on age.		<input checked="" type="checkbox"/>
How will you tell people about this processing?	Part of annual review and consultation with case work officer		<input type="checkbox"/>
Do you need to update your privacy notices?	<input checked="" type="checkbox"/>	Yes, Privacy Notice to be updated.	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	No	

### 3. Purpose Limitation

Are you going to use information you already hold about individuals for a purpose it is not currently used for?	<input type="checkbox"/>	Yes, please specify why it is currently held and under which lawful basis:	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	No The information is already held by the SEN team to be shared with education providers. This is just a different version of an education provider.	
Have you identified all of the purposes for which you will use personal information?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>
	<input type="checkbox"/>	No. If no, why not?	
Will people expect their information to be processed in this way?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>
	<input type="checkbox"/>	No, please give details:	

### 4. Data Minimisation


How will you ensure you are only collecting information that is relevant to this specific purpose?	The young person's EHCP is written to give the correct information to those working with the young person including education providers.  No further information will be shared.		<input type="checkbox"/>
Have you considered what information you could disregard without compromising the project?	<input checked="" type="checkbox"/>	Yes, please detail if any has been removed: All information is relevant, only collect the required information	<input type="checkbox"/>
	<input type="checkbox"/>	No	

<b>5. Accuracy</b>			
How are you going to ensure that the personal information will be kept accurate and up to date?	Every young person has an annual review of their EHCP. During this, their information is updated based on feedback from the young person, family and professionals.		<input checked="" type="checkbox"/>
How are you going to ensure that the quality of the data you collect is sufficient for your intended purpose?	The work of the supported internship provider is directly linked to the needs stated in the EHCP. This is linked to the funding provided. The number of learners will be provided to the DfE annually, it is anonymised high level data.		<input type="checkbox"/>
If you are procuring a new system does it allow you to amend and / or delete information when necessary? <i>(Consult IT as necessary)</i>	<input type="checkbox"/>	Yes	<input type="checkbox"/>
	<input type="checkbox"/>	No, please give details:	
	<input type="checkbox"/>	Notes can be added to the system where accuracy is disputed	
	<input checked="" type="checkbox"/>	N/A	
<b>6. Storage Limitation / Records Management</b>			
How long will the information be kept for? (retention period)	35 years retention with the Education and Skills Funding Agency (ESFA) enrolment data		<input checked="" type="checkbox"/>
Are you procuring a system that will allow you to delete	<input type="checkbox"/>	Yes	<input type="checkbox"/>
	<input type="checkbox"/>	No, if no why not?	

information in line with your retention periods? <i>(Consult IT as necessary)</i>	<input checked="" type="checkbox"/>	N/A	
What method will be used, to securely destroy paper and/or electronic records? <i>(Consult IT/processor as necessary)</i>	Information is stored electronically. NYC archive procedures are followed.		<input type="checkbox"/>
Will destruction be certificated or added to a destruction log?	<input checked="" type="checkbox"/>	Yes, please specify: Deletion of data that is not required by SEN team	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	No, if no why not?	
Where will information be stored/accessed?	Cloud based application		<input type="checkbox"/>
	Other (specify):		
If you are using a 'Cloud Based' system to store or transfer information, where is the geographical location of the server/s? <i>(you may need to ask your provider to supply this)</i>	NYC server - Wisdom		<input type="checkbox"/>
If back up information is stored off-site, where is the geographical location?	UK based		<input type="checkbox"/>
<b>7. Security</b>			
Who will have access to the information within or outside the organisation?	Roles: Inside NYC: Wendy Butterfield, SEN Team, Inclusion service, Supported Internship lead		<input checked="" type="checkbox"/>



	Outside NYC: Successful subcontractors – Supported Internship providers The number of learners will be provided to the DfE annually, as funders, it is anonymised high level data.	
What controls have been put in place to limit access to the information?	NYC: Secure NYC drives, Documents with passwords, Secure access to online folders, emails sent using Egress. Managed by the SEN admin team Providers: Encryption, password protection, Egress (as stated in contract)	<input checked="" type="checkbox"/>
If you are implementing a new system, does this system have the ability to audit access, changes to data or input? (audit trails)?	<input type="checkbox"/> Yes	<input type="checkbox"/>
	<input type="checkbox"/> No	
	<input checked="" type="checkbox"/> N/A	
Does your new system/hardware/procedure provide adequate protection against security risks? Please detail. <i>(Consult IT as necessary)</i>	N/A	<input type="checkbox"/>
Are staff undertaking any additional training to help use new systems/procedures? Will this include Data Protection training?	<input checked="" type="checkbox"/> Yes NYC employees following mandatory training including GDPR courses. Provider are required to complete recognised GDPR training, as stated in the contract	<input checked="" type="checkbox"/>
	<input type="checkbox"/> No. If no why not?  N/A	
	<input checked="" type="checkbox"/> Yes - NYC system/procedure in place This is a requirement of the specification/contract	<input checked="" type="checkbox"/>

Is there a disaster recovery plan in place in case of equipment/software failure? <i>(you may need to ask your provider to supply this)</i>	<input type="checkbox"/>	No	
<b>8. Data Processors – Data Processors should be listed after part 2 of this form</b>			
If you are using a data processor, how has the provider demonstrated an adequate level of information security? <i>(you may need to ask your provider to supply this as part of any tender application)</i>	This will form part of the tender and contract with successful organisations to demonstrate they have adequate processes. The specification SI covers this requirement.		<input checked="" type="checkbox"/>
If using a data processor, how has the provider demonstrated that they are compliant with UK GDPR? <i>(you may need to ask your provider to supply this)</i>	This will form part of the tender and contract with successful organisations to demonstrate they have adequate processes. The specification SI covers this requirement.		<input type="checkbox"/>
If using a data processor, do you have a written contract in place with UK GDPR clauses?	<input checked="" type="checkbox"/>	Yes, The Specification SI covers the contract that will in place when successful providers are awarded contracts.  The Specification SI v2.docx	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	No	
	<input type="checkbox"/>	N/A	
<b>9. Information Sharing – Data Controllers should be listed after part 2 of this form</b>			

What is the legal basis for sharing? <i>(Please speak with your DPO about this)</i>	Public Task - Article 6(1)(e) - Public Task (DPA Section 8 - Public interest or Official authority)		<input type="checkbox"/>
	Legislation includes The Care Act 2014, Safeguarding (Working together to safeguard children 2018), The Mental Capacity Act 2005, Children's Act 2004.		
Is there a sharing agreement in place? <i>(Please speak with your DPO about this)</i>	<input type="checkbox"/>	Yes (please attach) – to be supplied as will be part of contract when successful providers are confirmed	<input type="checkbox"/>
	<input type="checkbox"/>	No. If no, why not?	
	<input type="checkbox"/>	N/A	
Will you transfer information outside of the UK, where will this be?	<input type="checkbox"/>	Yes, please specify where:	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	No – this will be part of the contract	
	<input type="checkbox"/>	N/A	
How will information be transferred?	Secure emails – via SEN team (using egress)		<input type="checkbox"/>
<b>10. Rights of the Data Subject</b>			
How will you manage 'Subject Access Requests' or other requests regarding information rights? <i>(Rectification, erasure, objection, and restriction etc.)</i>	This is outlined in their contract and followed up annually through due diligence checks. Subcontractors are made aware of the requirement to inform the service of any breaches.		<input type="checkbox"/>
If procuring a new system, will this allow you to fulfil the rights	<input type="checkbox"/>	Yes, detail as needed:	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	No	

of the data subject mentioned above?			
If the project involves automated decision making do you have a process in place to facilitate human intervention? Please detail.	N/A		<input type="checkbox"/>
Will your data processing exclude individuals from using a service or from exercising any rights?	<input type="checkbox"/>	Yes, detail as needed:	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	No	
<b>11. Accountability</b>			
As a result of this project do you need to update any of the following?	<input checked="" type="checkbox"/>	Information Asset Register	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	Policies	
	<input checked="" type="checkbox"/>	Procedures	
If needed, have you consulted relevant stakeholders/Caldicott Guardian/ICO? What was the outcome?	<input type="checkbox"/>	Yes, who? please add outcome details:	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	No	

**List any Data Controllers information will be shared with (if applicable):**

<b>Name:</b>	<b>NYC</b>
<b>Contact Details:</b>	
<b>Name:</b>	
<b>Contact Details:</b>	
<b>Name:</b>	
<b>Contact Details:</b>	
<b>Name:</b>	
<b>Contact Details:</b>	

**List any Data Processors information will be processed by (if applicable):**

<b>Name:</b>	<b>3<sup>rd</sup> party organisations who are educational suppliers for the contract – yet to be agreed</b>
<b>Contact Details:</b>	
<b>Name:</b>	
<b>Contact Details:</b>	
<b>Name:</b>	
<b>Contact Details:</b>	
<b>Name:</b>	
<b>Contact Details:</b>	

Part Three - RISK Evaluation

<p><b>Privacy Risks (from part two)</b></p> <p>Describe source of risk and potential impact on individuals, compliance and corporate risks (as needed)</p>	<p><b>Impact (harm to individual)</b> minimal, some or serious <b>X</b></p> <p><b>Likelihood</b> remote, possible or probable = <b>Risk (Matrix)</b></p>	<p><b>Options to reduce or eliminate risk</b></p>	<p><b>Overall Risk after options implemented</b></p> <p><b>Impact</b> (harm to individual) minimal, some or serious X <b>Likelihood</b> remote, possible or probable = <b>Risk (Matrix)</b></p>	<p><b>Evaluation</b> eliminated, reduced, accepted</p>
<p><b>Data subjects are young vulnerable adults and parents/carers</b></p>	<p>Some impact x possible = medium</p>	<p>All information is managed by the SEN admin team</p>	<p>Minimal x remote = low</p>	<p><b>Reduced</b></p>
<p><b>Sharing of personal and sensitive information with providers</b></p>	<p>Some impact x possible = medium</p>	<p>All information is managed by the SEN admin team Secure system – Egress used</p>	<p>Minimal x remote = low</p>	<p><b>Reduced</b></p>
<p><b>Consent from parent/carer to share EHCP will be given during the consultation process.</b></p>	<p>Some impact x possible = medium</p>	<p>This is standard practice for the SEN admin team. The parent/carer will always give consent for information to be shared during a consultation</p>	<p>Minimal x remote = low</p>	<p><b>Reduced</b></p>
<p><b>Review privacy notices for service.</b></p>	<p>Minimal x remote = low</p>	<p>This will be reviewed regularly to ensure coverage</p>	<p>Minimal x remote = low</p>	<p><b>Reduced</b></p>

<b>Deletion and return of data by suppliers at end of contract or when provision is no longer required</b>	Some impact x possible = medium	This is stated in the procurement specification and contract. Deletion of data required following end of provision	Minimal x remote = low	<b>Reduced</b>
<b>Successful suppliers (Supported Internship providers) GDPR training</b>	Some impact x possible = medium	This is stated in the procurement specification and contract. GDPR training to be required by provider	Minimal x remote = low	<b>Reduced</b>
<b>Data sharing with suppliers</b>	Some impact x possible = medium	This is stated in the procurement specification and contract. Clear guidance given	Minimal x remote = low	<b>Reduced</b>
<b>What controls at suppliers will be put in place to limit access to the information?</b>	Some impact x possible = medium	This is stated in the procurement specification and contract. Only required data (EHCP) will be shared	Minimal x remote = low	<b>Reduced</b>
<b>Destruction of information to be logged – who would be responsible?</b>	Some impact x possible = medium	This is stated in the procurement specification and contract. Deletion of data required following end of provision	Minimal x remote = low	<b>Reduced</b>

<b>Supplier staff undertaking any additional training for GDPR purposes?</b>	Some impact x possible = medium	This is stated in the procurement specification and contract. GDPR training to be required by provider	Minimal x remote = low	<b>Reduced</b>



Severity of impact	Serious harm	Low Risk	High Risk	High Risk
	Some impact	Low Risk	Medium Risk	High Risk
	Minimal impact	Low Risk	Low Risk	Low Risk
		Remote	Possible	Probable
		Likelihood of harm		

(Information Commissioners Office, [Risk Matrix](#))

Part Four – Signatures and review

*This Data Protection Impact Assessment (DPIA) should be signed by the relevant Information Asset Owner. Should any risks be 'accepted' then consideration should be given to a senior officer countersigning the DPIA. All DPIAs should be approved by the Data Protection Officer.*

**Information Asset Owner**

Name:

Job Title:

Date: Click or tap to enter a date.

Signature:

**Data Protection Officer**

Name:

Job Title:

Date: Click or tap to enter a date.

Signature:

**Senior Officer Name:**

Job Title:

Date: Click or tap to enter a date.

Signature:

**REVIEW DATE:** Click or tap to enter a date. **(Recommend annually)**