


<b>Report Title</b>	Requisition of Delivery Arrangements for Education Services		
<b>Meeting</b>	Council		
<b>Committee Date</b>	23 November 2020		
<b>Chair</b>	Councillor Trish Fivey, Mayor of the London Borough of Sutton		
<b>Report From</b>	Stephen Gerrard, Interim Monitoring Officer		
<b>Report Author(s)</b>	Alexa Coates, Head of Committee and Management Support Terry Clark, Head of Commissioning and Health Integration		
<b>Ward(s) Affected</b>	Company Business		
<b>Ambitious for Sutton priorities</b>	Being Active Citizens Making Informed Choices		
<b>Open/Exempt</b>	Open		
<b>Signed</b>		<b>Date</b>	12 November 2020

## 1. Summary

- 1.1. In accordance with procedure rule 23.4 (Requisitions), Council is asked to consider a requisition of recommendation 1.1 of the *Delivery Arrangements for Education Services* report, namely to agree that the council commissions the delivery of education support services to Cognus Ltd for a further three years.

## 2. Recommendation(s)

- 2.1. To consider the requisition.

## 3. Background and Key Information

- 3.1. The requisition was submitted on 19 October 2020 by Councillor Tom Drummond, Councillor Tim Crowley, Councillor Catherine Gray, and Councillor Jane Pascoe. The requisition is set out at paragraphs 3.2 to 3.11:

- 3.2. "Request to requisition an item from People Committee meeting of Thursday, 15th October, 2020 7.00 pm
- 3.3. Cllrs Pascoe, Drummond, Gray and Crowley express their wish to requisition to the next full Council, or to an appropriate committee, item 1.1 of Agenda Item 6 – To approve the council continuing to commission education support services from Cognus, with a revised service specification, for a further period of three (3) years from November 2021 - October 2024.
- 3.4. We wish to requisition this item for the following reasons:
- 3.5. The financial management of Cognus Ltd was questioned, with many sitting councillors seeming unaware of the documents published for the Sutton Shareholders board showing Cognus making large losses in 2019/2020.
- 3.6. There was insufficient acknowledgement and no plan to address the lack of trust between parents and Cognus as highlighted in the OFSTED inspection in March 2020 (report published May 2020).
- 3.7. Lack of detail regarding the alternatives available in 3.16 (i.e the actual cost to bring services in house).
- 3.8. The outcomes we are seeking are as follows:
- 3.9. For the shareholders board to review the financial position and a report to be presented back to the People committee on financial governance to ensure a fully informed decision can be made on the companies financial stability.
- 3.10. A plan agreed and evidenced with Sutton Parent Carers Forum to be presented to councillors on how Cognus and the Local Authority propose to rebuild trust, accountability and relationships with all of their customers, focussing on the SEND service.
- 3.11. A fully costed option to bring both statutory and non-statutory services back in-house."

#### **4. Process**

- 4.1. The process for considering requisitions is for the relevant committee Chair to move the adoption of the minute of the decision that has been requisitioned, which members may then debate and vote upon.
- 4.2. The report considered by the People Committee is attached at Appendix A.
- 4.3. The appendices to the report considered by the People Committee are attached at Appendix B.

4.4. The draft minute of the item is attached at Appendix C.

4.5. Council can:

- Confirm the draft minute of the decision of the People Committee; or
- Accept the actions requested by the requisitioners as set out in paragraphs 3.9, 3.10, and 3.11.

## **5. The Report to the People Committee**

5.1. The report to the People Committee on the future delivery arrangements for education support services set out a recommendation for these services to continue to be delivered by the existing provider (Cognus LTD), with revised service specifications. This was recommended to the committee for the following reasons:

- It ensures that high quality services continue to be delivered to meet the needs of Sutton residents
- It maintains consistency of service delivery for schools and service users.
- It allows the council and Cognus to work in partnership to continually improve the local offer for Sutton residents
- It ensures that traded income can continue to be reinvested into local provision.
- Independent reviews and inspections have confirmed the quality of service provision by the current provider is good
- It provides value for money for Sutton residents.

5.2. The council working with Sutton Parent Carers Forum have already developed a new Engagement Framework, which sets out clear communication challenges and will ensure that discussion/solutions take place at the right level and in a timely manner. In addition, as part of our 'rebuilding trust' process the SEND Continuous Improvement Programme (parent/carers are represented on this board), have agreed further projects, such as SPCF developing a 'Walk in Our Shoes' training programme for SEN Coordinators, providing training for staff and developing a parent reference group for mediation and tribunals. A work plan of these additional areas is in the process of being developed.

5.3. Sutton Shareholding Board (SSB) received a report at its meeting on 20th October 2020 on Cognus mid year performance. This report included a copy of the audited accounts for 2019/20 which were scrutinised by the board. SSB noted that significant action was underway to improve the reporting through closer working with the council and auditors.

## **6. Finance and Legal Commentary**

### Finance Comment

6.1. There are no finance comments in addition to those set out in the original report to the People Committee.

6.2. Financial Risks

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6.3. None.

Legal Comment

6.4. There are no legal comments in addition to those set out in the original report to the People Committee.

Legal Risks

6.5. None.

**7. Appendices and Background Documents**

7.1. Appendices

Appendix Letter	Appendix Title
A	Delivery Arrangements for Education Services report to People Committee - 15 October 2020
B	Delivery Arrangements for Education Services appendices to People Committee - 15 October 2020
C	Draft resolution of the People Committee - 15 October 2020

7.2. Background Documents

Date of Expiry	Background Document
N/A	N/A

**8. Audit Trail and Consultations**

Consultees	Yes/No	Officer	Date of Comments
Finance	Yes	Richard Simpson Strategic Director of Resources	12/11/2020
Legal	Yes	Stephen Gerrard Interim Monitoring Officer	02/11/2020
Others	No	N/A	N/A
EQIA	No	N/A	N/A
Version			Date
Final			12/11/2020