

# EXECUTIVE DECISION

made by a Cabinet Member



## REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – L18 25/26

Decision	
1	<b>Title of decision:</b> Procurement Commencement Provision of Alternative Education Provision Services
2	<b>Decision maker:</b> Councillor Tudor Evans OBE (Leader of the Council)
3	<b>Report author and contact details:</b> Isabelle Kolinsky, Head of Education and Virtual School +441752307471 <a href="mailto:isabelle.kolinsky@plymouth.gov.uk">isabelle.kolinsky@plymouth.gov.uk</a>
4	<b>Decision to be taken:</b> <ol style="list-style-type: none"> <li>1. Agrees the commencement of the procurement service for Alternative Education Provision service with a value of £5.8 million per year;</li> <li>2. Delegates the award of the contract to the Director of Children's Services where they do not already have the authority to do so.</li> </ol>
5	<b>Reasons for decision:</b> <ol style="list-style-type: none"> <li>1. The contract is necessary to secure sufficient, high-quality Alternative Educational Provision to meet the Council's statutory duties under education and SEND legislation and to support vulnerable children and young people who are unable to access mainstream education.</li> <li>2. The delegation of contract award decision-making enables the timely and efficient award of the contract following completion of the procurement process, ensuring continuity of Alternative provision services and compliance with the Council's contractual responsibilities and internal governance.</li> <li>3. The decision will ensure that all necessary legal, financial, and contractual documentation can be completed without delay, enabling the service to commence as planned (before the April 2027 academic session) and within approved budgets.</li> </ol>
6	<b>Alternative options considered and rejected:</b> <ol style="list-style-type: none"> <li>1. Do nothing: Rejected as this would not provide sufficient assurance of value for money, quality, or capacity and would risk non-compliance with procurement and contract regulations.</li> <li>2. Develop an in-house service: Rejected due to lack of specialist capacity, increased financial risk, and the inability to mobilise at scale within required timescales.</li> <li>3. Short-term interim contracts: Rejected as this option would create instability for children, parents, providers, and schools. In addition, it would not support long-term planning or improved outcomes.</li> </ol>
7	<b>Financial implications and risks:</b> <p>The contract will be funded from existing approved budgets within the Children's Services Directorate. The procurement process has been designed to ensure value for money and affordability within the Council's medium and long-term financial plans. There are no unbudgeted financial commitments arising</p>

	from this decision. Ongoing expenditure will be subject to contract management and financial monitoring arrangements.			
<b>8</b>	<p><b>Legal Implications:</b></p> <p>The decision supports the Council's statutory duties under the Education Act 1996, Children and Families Act 2014 and SEND Code of Practice. The procurement and award of the contract will be undertaken in accordance with the Council's Contract Standing Orders (CSO), public procurement legislation, and relevant safeguarding and data protection requirements.</p>			
<b>9</b>	<p><b>Is the decision a Key Decision?</b> (please contact <a href="#">Democratic Support</a> for further advice)</p>	<b>Yes</b>	<b>No</b>	<b>Per the Constitution, a key decision is one which:</b>
			X	in the case of <b>capital</b> projects and contract awards, results in a new commitment to spend and/or save in excess of <b>£3million</b> in total
		X		in the case of <b>revenue</b> projects when the decision involves entering into new commitments and/or making new savings in excess of <b>£1 million</b> annually
		X	is <b>significant</b> in terms of its effect on communities living or working in an area comprising <b>two or more</b> wards in the area of the local authority.	
	<p><b>If yes, date of publication of the notice in the <a href="#">Forward Plan of Key Decisions</a></b></p>	15 January 2026		
<b>10</b>	<p><b>Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:</b></p>	<p>This decision supports Plymouth City Council's corporate plan and wider policy framework, particularly:</p> <ol style="list-style-type: none"> <li>1. A Caring Plymouth – supporting vulnerable children and young people to achieve positive educational outcomes.</li> <li>2. A Fair and Inclusive City – reducing inequality and improving access to education for those unable to attend mainstream education provision.</li> <li>3. Early Help and SEND priorities – ensuring sufficient and appropriate education provision.</li> <li>4. The decision also aligns with the Council's statutory responsibilities for education sufficiency and inclusion.</li> </ol>		
<b>11</b>	<p><b>Please specify any direct environmental implications of the decision (carbon impact)</b></p>	<p>The decision has no significant direct environmental impact, as it relates to the commissioning of education services rather than capital development. However, indirect opportunities exist to:</p> <ul style="list-style-type: none"> <li>- Encourage local delivery models that reduce travel distances</li> <li>- Promote digital learning approaches where appropriate</li> <li>- Embed proportionate sustainability expectations within contract management.</li> </ul> <p>Overall, these measures support Plymouth City Council's ambition to reduce carbon emissions and contribute to its</p>		

		long-term climate objectives, including the commitment to becoming a carbon-neutral city.		
<b>Urgent decisions</b>				
<b>I2a</b>	<b>Is the decision urgent and to be implemented immediately in the interests of the Council or the public?</b>	<b>Yes</b>		(If yes, please contact Democratic Support ( <a href="mailto:democraticsupport@plymouth.gov.uk">democraticsupport@plymouth.gov.uk</a> ) for advice)
		<b>No</b>	X	<b>(If no, go to section I3a)</b>
<b>I2b</b>	<b>Reason for urgency:</b>			
<b>I2c</b>	<b>Scrutiny Chair Signature:</b>		<b>Date</b>	
	<b>Scrutiny Committee name:</b>			
	<b>Print Name:</b>			
<b>Consultation</b>				
<b>I3a</b>	<b>Are any other Cabinet members' portfolios affected by the decision?</b>	<b>Yes</b>	X	
		<b>No</b>		<b>(If no go to section I4)</b>
<b>I3b</b>	<b>Which other Cabinet member's portfolio is affected by the decision?</b>	Councillor Jemima Laing (Deputy Leader and Cabinet Member for Children's Services, Culture and Communications)		
<b>I3c</b>	<b>Date Cabinet member consulted</b>	14 January 2026		
<b>I4</b>	<b>Has any Cabinet member declared a conflict of interest in relation to the decision?</b> Please type an X into the relevant box	<b>Yes</b>		If yes, please discuss with the Monitoring Officer
		<b>No</b>	X	
<b>I5</b>	<b>Which Corporate Management Team member has been consulted?</b>	<b>Name</b>	David Haley	
		<b>Job title</b>	Director of Children's Services	
		<b>Date consulted</b>	12 November 2025	
<b>Sign-off</b>				
<b>I6</b>	<b>Sign off codes from the relevant departments consulted:</b>	<b>Democratic Support (mandatory)</b>	JS78 25/26	
		<b>Finance (mandatory)</b>	DN.25.26.018	
		<b>Legal (mandatory)</b>	LS/00001312/1/AC/9/2/26	

		<b>Procurement (if applicable)</b>	N/A						
		<b>Corporate property (decisions involving Council owned land or facilities) (if applicable)</b>	N/A						
		<b>Human Resources (if applicable)</b>	N/A						
<b>Appendices</b>									
<b>17</b>	<b>Ref.</b>	<b>Title of appendix</b>							
	A	Briefing report for publication							
	B	Equalities Impact Assessment							
	C	Climate Impact Assessment							
	D	Business Case							
<b>Confidential/exempt information</b>									
<b>18a</b>	<b>Do you need to include any confidential/exempt information?</b> Please type an X into the relevant box		<b>Yes</b>	<input checked="" type="checkbox"/>	If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in <b>18b</b> below.  (Keep as much information as possible in the briefing report that will be in the public domain)				
			<b>No</b>	<input type="checkbox"/>					
			<b>Exemption Paragraph Number</b>						
			<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>18b</b>	<b>Confidential/exempt briefing report title:</b>  D – Business Case				<input checked="" type="checkbox"/>				
<b>Background Papers</b>									
<b>19</b>	Please list all unpublished, background papers relevant to the decision in the table below.  Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.								
<b>Title of background paper(s)</b>			<b>Exemption Paragraph Number</b>						
			<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>

<b>Cabinet Member Signature</b>			
<b>20</b>	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act (2010) and those who do not. For further details please see the EIA attached.		
<b>Signature</b>		<b>Date of decision</b>	24/02/2026
<b>Print Name</b>	Councillor Tudor Evans, Leader of Plymouth City Council		