

## **ITEM 4**

### **Dedicated Schools Grant SEND Therapies Contract Resources Report**

#### **Recommendations**

Schools' Forum is asked to:

1. note the information within this paper, which has been gathered through the transformation programme over the past 12 months.
2. agree to an increase in financial contribution of DSG from both the High Needs block and Early Years block, to reflect the increase in the needs of children and young people receiving an EHCP with therapies support identified.
3. note that the contract will be for a period for 7 years.

#### **Members of Forum allowed to vote:**

- All school and academy members.
- Early Years representatives (only non-school members)

*\*Non-school members even if represented by school staff are not eligible to vote.*

### **1. SEND Therapies Contract - Introduction**

- 1.1** The Joint Therapies contract for SALT for Health, Education and Social Care ended in July 2023. This joint contract with Croydon Council provides statutory and acute health provision across schools, health, and social care, providing Universal, lower targeted, upper targeted and specialist provision to Croydon Children.
- 1.2** Since 2018, the service has experienced several challenges, such as: recruitment and retention issues (linked to the national shortage of qualified therapists); the increasing number of children and young people who have an EHCPs; and post pandemic bulges in pressures.
- 1.3** EHCPs have raised from 2963 in 2018, to current approx. figure of 4300 in August 2023, with projections showing a further increase to approx. 5200\* plans in 2027. (\*It should be noted that not all plans will have SLCN needs).

**Table 1**

	2021	2022	2023
Total no. of EHCPs	3558	3856	4406
SLCN	601	718	938
ASD	855	952	1131

- 1.4** The commissioned service has not been able deliver against key performance indicators and has had to adapt the service offer. This has meant that a statutory only service has been provided for nearly 2 school terms (Winter from January and Spring terms), which has meant that other areas were not delivered, feedback from some schools has not been positive in relation to the lack of support that they have stated that they have not received.
- 1.5** A transformation programme has been underway for the past 12 months with significant stakeholder engagement (including children, young people, and their families), to understand the issues, gaps in provision and areas of improvement required.
- 1.6** The Ofsted annual report for 2021/22 echoed these points, “There are also longer waiting lists for health services such as... speech and language therapy. Even when children and young people have been able to access services, the service has often been interrupted or scaled back.”
- 1.7** More recently, in July 2023, within an article published within Children and Young People Now, the article highlighted key points from their SLCN Special report, which noted the challenges raised above but also the plans to improve this that have come out of the SEND review reforms. <sup>1</sup>
- 1.8** In line with the Councils tenders and contract regulations, it is seeking for the contract to be retendered and the process begun in November 2022 to explore this.
- 1.9** The current service configuration poses significant risk to current, ongoing, and potential levels for future litigation in the challenge in not meeting the needs of children.
- 1.10** In addition, these risks are not limited to just this area; the impact of the challenges are being experienced across all elements of the contract which has been identified and considered in throughout the transformation programme.
- 1.11** It should be noted that the delivery of OT support within mainstream provision which has been provided to date, in line with best practice, is not specified within the current specification. However, it is our intention for this to be reflected within the new specification.
- 1.12** For any future provider/s to respond and support our children and young people effectively, there is a need to increase the level of funding allocated to the contract and for the duration of the contract to reflect the level of spend that is being provided.
- 1.13** The increase in funding is aligned to reflect the increase in need.
- 1.14** Further, I am requesting that the board note that where there is an inflationary uplift requested from the DSG for the future contract, a paper will be brought back to school’s forum at the point of any inflation review.

## 2. The New Service

- 2.1 A new service model has been developed to respond to the current and projected challenges to be faced in relation to further increases in need, whilst reflecting feedback from stakeholders of the need to improve the resilience built into any future model and the wider system, has a graduated response that supports CYP from early years.

<https://www.cypnow.co.uk/other/article/slc-on-the-agenda>

### SLC on the agenda

Derren Hayes  
Tuesday, July 25, 2023

Last year, the Department for Education announced a £180m support package to improve the teaching of children's early speech, language and numeracy, along with professional development to build strong leadership skills and improve the understanding of children's development.

- 2.2 The council has agreed to extend the joint commissioning arrangements until 30<sup>th</sup> April 2024 (which includes a 3-month extension) at which point there is an expectation that the new service will be in place.
- 2.3 An expression of interest was published on Friday 25<sup>th</sup> August to seek views from the market about whether there are providers that can deliver the service and 2 market engagement events will take place on the 27<sup>th</sup> September 2023.
- 2.4 The tender for this service is planned for the beginning of October to align with the agreement set out by Croydon councils tenders and contracts regulations with the contract award being planned for January 2024.
- 2.5 However, for any new commission to be successful, to mobilise meaningful improvement, and to ensure a safe and smooth transition of staff (under TUPE), information and support to children and young people, a period for mobilisation will be required. The 3-month extension will support in this being possible.
- 2.6 A mini contract has been in place since May and is due to end in December 2023. This contract was commissioned to meet the needs of children that required support who have been unable to access to access the main contract.
- 2.7 As an improved offer from the main contractor is gradually happening, it is hoped that when the mini contract ends in December, the main contractor will be in a steady state position to maintain an acceptable level of support before the new contract starts.
- 2.8 In tandem, commissioners are exploring what mitigations can be put in place if the main contract is not operating at a satisfactory level by January.

### 3. What will be different?

- 3.1 A seven-year contract with a 12-month notice period, gives both the provider and the Council the ability to serve notice.
- 3.2 With significant scrutiny at a national level there is much work currently underway to understand and improve the challenges being faced for children and young people after the publishing of the SEND and Alternative provision green paper<sup>2</sup>. The new contract will need to be able to respond to these changes, at a national and local level. A longer contract length enables this to allow for improved long-term planning which builds in flexibility within the contract as a result.

<https://www.kcl.ac.uk/research/send>

The screenshot shows the King's College London website. The navigation bar includes 'Study', 'Student Services', 'Research & Innovation', 'Our facilities', and 'About'. The 'Research & Innovation' section is active, with sub-links for 'About Research', 'Impact', 'Support', 'Funding', 'Facilities', and 'Collaborate with King's'. The main content area features a 'Society' tag and the title of the study: 'The demand for, and supply of, therapists for children and young people with Special Educational Needs and Disabilities – A scoping study'. Below the title is a 'Background' section with text: 'Seeking to deepen the evidence base for the SEND and Alternative Provision Green Paper published by the DHSC and DfE in 2022, this study seeks to scope the structure and character of the workforce providing speech and language, occupational and physiotherapy for children and young people with special education needs and disabilities (SEND). The study is framed by a broader interest in the demand and supply of such therapies. Various bodies representing the therapy professions, parents and charities have suggested a gap in the demand and supply of, these therapies for children and young people with SEND. However, existing data are not'. To the right, a 'Project status: Ongoing' badge is present, followed by the 'Principal Investigator' section, which identifies 'Professor Ian Kessler' as the 'Professor of Public Policy and Management'. Below this, the 'Affiliations' section lists 'Faculty of Social Science & Public Policy' and 'NIHR Health & Social Care Workforce Research Unit'.

- 3.3 The new contract will also for a strong workforce strategy to be developed and implemented to mitigate the shortages that are currently experienced.
- 3.4 Stronger contract and performance management will be established from the outset of the contract with monthly contract management meetings that will take place to review the KPI's delivery, highlight and exception reporting of operational matters. In addition, quarterly more strategic commissioning and performance management meetings will take place to discuss and address any strategic areas that need to be discussed.
- 3.5 Where performance concerns are raised or seen, this will be picked up quickly.
- 3.6 Capacity challenges should be easier to respond to with the new model of provision.

- 3.7 Formal contract management arrangements will be adopted to reassure stakeholders confidence in the new contract; with formal review points written into the contract, at key stage gates throughout the contract period. Improvement action plans will be used, where KPI' are not being delivered against and initial remedial work to address this has not been successful where identified and needed
- 3.8 Annual commissioning reviews will be undertaken to consolidate the information from each year, which also include stakeholder feedback, including children, young people and their parents and/or carers. This information will inform the future years provision, where appropriate, to support continuous improvement.
- 3.9 The contract length supports and fosters the development of strong partnership working that will need to be established during the contract life to improve and embed a strong good practice model.

**4. Future offer**

- 4.1 The proposed service model will align with several strategic conversations and initiatives that are underway and/or in developmental stage. The diagram below is used as a visual aid for reference.

**Diagram 1**



## 5. Finance

5.1 The current contract is an integrated service, which provides practice benefits through each element of the therapies' services being commissioned together. The financial contribution to the aligned budget has been established for some years. The largest contribution is from SWL ICB (Health), with annual pay awards being reflected on the health budget, with the Council contributing and the DSG providing a sum from both the Early Years budget and the High Needs budget and social care.

5.2 SLCN has increased 25% with an increase of a further 25% projected over the next five years.

5.3 The three tables illustrate the following:

- The contract values as agreed in 2018.
- The current budget as of Aug 2023.
- The proposed budget for the new contract

Table 2

Contract value as of 2018	Current budget for 2023/24	Proposed annual contract value from Apr 24
Early Years block - £123K	Early Years block- £123K	Early Years block - £154K
High Needs block - £497K	High Needs block - £497K Plus additonal spend - £213K Plus 10% inflation from LBC General Fund on HNB and EYB - £62K	High Needs block - £834K
ICB SLT - £1.2M	ICB SLT - £1.354M	ICB SLT - £1.5M
ICB OT - £587K	ICB OT - £633K	ICB OT - £734K
ICB Equip - £30K	ICB Equip - £30K	ICB Equip - £30K
Children with Diasabilities OT - £202K	Children with Diasabilities OT - £222K	Children with Diasabilities OT - £253K

## **6. Summary**

- 6.1** In summary, this commission is an opportunity for the partners ICB, LBC and SF to jointly address the actual and forecast needs of children and young people that access the integrated therapies offer.
- 6.2** A service which will be transformative and provide services which are sustainable in terms of professional practice and sustainable and appropriate staffing levels now and in the future. It will offer range and choice that meets needs to deliver outcomes.
- 6.3** The board is asked to agree the finance increases related to the DSG funding areas of £988k per annum, as illustrated above, to reflect the increase in needs of children and to enable any future provider/s to model there services accordingly.
- 6.4** It is proposed that an annual review of the contract includes a sustainability assurance for the future. It would include a review of finances to ensure that and identified uplift is addressed as necessary.

### **Recommendations**

Schools' Forum is asked to:

1. note the information within this paper, which has been gathered through the transformation programme over the past 12 months.
2. agree to an increase in financial contribution of DSG from both the High Needs block and Early Years block, to reflect the increase in the needs of children and young people receiving an EHCP with therapies support identified.
3. note that the contract will be for a period for 7 years.

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Date: **4<sup>th</sup> September 2023**