



**Officer Key Decision  
25 January 2021**

**Report to Strategic Director  
Children and Young People**

**AUTHORITY TO VARY AND EXTEND THE CONTRACT FOR THE PROVISION OF SPEECH AND LANGUAGE THERAPY FOR CHILDREN AND YOUNG PEOPLE IN MAINSTREAM SCHOOLS AND SUPPORT FOR CHILDREN AND FAMILIES IN FAMILY WELLBEING CENTRES (FORMER CHILDREN'S CENTRES) AND LINKED EARLY YEARS SETTINGS**

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Key Decision
<b>Open or Part/Fully Exempt:</b> (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
<b>No. of Appendices:</b>	None
<b>Background Papers:</b>	None
<b>Contact Officer(s):</b> (Name, Title, Contact Details)	<p>Sharon Buckby Head of Inclusion Services <a href="mailto:sharon.buckby@brent.gov.uk">sharon.buckby@brent.gov.uk</a></p> <p>Sue Gates Head of Early Help <a href="mailto:Sue.Gates@brent.gov.uk">Sue.Gates@brent.gov.uk</a></p> <p>Nigel Chapman Operational Director, Integration &amp; Improved Outcomes, Children and Young People: <a href="mailto:nigel.chapman@brent.gov.uk">nigel.chapman@brent.gov.uk</a></p>

**1.0 Purpose of the Report**

- 1.1** This report requests approval to vary and extend the Contract for the Provision of Speech and Language Therapy for Children and Young People in Schools and support for the Speech and Language Communication needs of children and families attending Family Wellbeing Centres (former Children's Centres) and Linked Early

Years Settings with London North West University Healthcare NHS Trust as required by Contract Standing Orders 88 and 89.

## **2.0 Recommendation(s)**

2.1 That the Strategic Director, Children and Young People, in line with delegated powers (as detailed in 5.3 and 5.4):

(a) Approves a variation to the current Contract with London North West University Healthcare NHS Trust as follows:

- an increase in the number of children receiving services under the Contract for the period 1 April 2021 to 31 March 2022 by an additional 33 children and young people, with a total of 560 children and young people in mainstream schools receiving SLT during this period. This will increase the number of sessions from 5,600 to 6,000 per annum.
- an increase of £68,195.50 to the core contract price for the period 1 April 2021 to 31 March 2022 to cover the increased service.

(b) Approves the extension of the Contract for a further year from the 1 April 2021 to 31 March 2022, by exercising the option to extend under the Contract terms.

(c) Notes the intention of London North West University Healthcare NHS Trust (LNWHT) to increase the number of staff for this contract by 0.6 FTE of a band 7 Speech and Language Therapist to deliver the increase in core sessions.

## **3.0 Background**

3.1 Under the Children and Families Act 2014, local authorities have a responsibility to meet the educational needs of children and young people as stated in a child or young person's Education Health and Care Plan (EHCP).

3.2 The Council currently has a contract for the provision of Speech and Language Therapy (SLT) for pupils with a Brent EHCP in mainstream schools in and out of the borough and support for the Speech and Language Communication needs of children and families accessing Family Wellbeing Centres and linked early years settings. The contract period is 1 April 2019 – 31 March 2021, with an option to extend for a further 3 years. The Council is planning to exercise the option to extend for a period of only one year.

3.3 The contracted service delivers an equitable and inclusive Speech and Language Therapy service for children and young people with Special Educational Needs and Disabilities (SEND) with an EHCP and includes support for children aged 0 to 5 and their parents attending Brent Family Wellbeing Centres and linked early years settings. In December 2020, 8 Family Wellbeing Centres were established to replace Brent's 17 Children's Centres. The geographic coverage of Family Wellbeing Centres aims to ensure all families across the borough have access to services. They build on strong multi-agency working to offer a wider range of services and support to families and in particular for children older than 5. This includes support to families with Speech and Language and Communication Needs (SLCN).

- 3.4 The contracted service adheres to all aspects of the SEN Code of Practice (Jan 2015). The Service supports delivery of the 5 priorities identified in the SEND strategy 2019 – 2021:
- Priority One  
Ensure early intervention at all ages and support for children and young people and their families to prevent escalation to more specialist services.
  - Priority Two  
Provide services that are integrated and co-ordinated in a multi-agency approach so that families only need to “tell the story once” and find it easy to navigate the system with effective information sharing and advice.
  - Priority Three  
Make provision of the highest possible quality through effective joint commissioning, so that children and young people can have their needs met locally wherever possible.
  - Priority Four  
Ensure the participation of parents and carers and children and young people in the design and delivery of services.
  - Priority Five  
Improve outcomes and life chances for children and young people with SEND to enable greater independence and effective transition to adulthood.
- 3.5 Demand for the speech and language therapy services provided by Brent Council is high. The number of children and young people with an EHCP in Brent is continuing to rise. The total number of children and young people with an EHCP has risen from 2076 in 2018 to 2426 in 2020, an increase of 17%. The three key needs which may require SLT within mainstream schools or FE settings are Autistic Spectrum Disorder (ASD), Speech and Language Communication Needs (SLCN) and Hearing Impairment (HI). In 2018 there were 498 children with these identified needs in their EHCPs and 661 in 2020, an increase of 33% (SEN2 published data).
- 3.6 At the end of Quarter 2 2020/21 (September 2020), 534 pupils were receiving SLT in mainstream schools or FE settings, 391 of whom were in primary schools and 143 of whom were in secondary schools or Further Education colleges. Quarter 2 saw an increase of 82 children and young people receiving SLT from Quarter 1, despite the service discharging 38 children and young people. Through Children’s Centres and linked early years settings, in 2019/20 2,698 under 5s received universal SLT support, 957 under 5s received targeted SLT support and 342 under 5s were identified as needing specialist SLT support.
- 3.7 The estimated value of the SLT Contract is £3,835,707 over 5 years (a 2 year contract with the option to extend by up to 3 years). The contract value in Year 1 (2019/20) was £709,253.98, of which £470,627.98 was DSG and £238,626 was from the General Fund. In Year 2 (2020/21) the contract value is £799,675.96 of which £561,049.96 is DSG and £238,626 is from the General Fund. The contract value has increased in line with demand.

- 3.8 Officers are seeking a variation to the current contract to provide for an anticipated increase in demand in children with EHCPs in mainstream schools. This has been estimated as 33 children in the financial year 2021/22, which would increase the number of children and young people covered by the Contract from 527 to 560 for the period up to 31 March 2022. The increase in pupil numbers will lead to an increase in sessions from the current 5,600 sessions to 6,000 per annum. This would be covered by an additional 0.6 FTE Band 7 Speech and Language Therapist. The total cost in Year 3 would be £867,871.46 which is an increase of £68,195.5. £629,155.46 of the Year 3 costs would be funded by DSG and £238,626 from the General Fund. This would bring the total cost of the Contract over Years 1-3 to £2,376,801.4. Given current pressures on the DSG High Needs Block funding, this has been communicated to Schools Forum.
- 3.9 The local authority is working with LNWHT on implementation of an adapted delivery model of the Speech and Language support for children in early years given the establishment of the Family Wellbeing Centres. This is expected to result in efficiencies in the delivery model, while ensuring continued delivery of early identification, preventative and targeted intervention support to families.
- 3.10 A number of actions are underway to review demand for SLT which will inform future commissioning intentions. A contract extension is therefore proposed for 12 months only. A review is currently underway to assess the need of every child with a Brent EHCP where SLT is identified to confirm if SLT is required to meet identified outcomes or if other approaches linked to quality first teaching and the graduated response would be relevant. Development work is also being carried out with health partners (CCG and Public Health) to review services to support school readiness and child development for under 5s. It is anticipated that this work will be completed by 31 March 2021. The 12 month extension of the current contract will provide officers sufficient time to use the outcomes of this work to determine future commissioning requirements and review delivery options before SLT services are recommissioned.
- 3.11 The 12 month extension would:
- provide sufficient time for officers to review current practice and service structures to inform the future structure of service delivery
  - provide continuity of SLT for pupils in mainstream schools and for families accessing support through the Family Wellbeing Centres and linked early years settings. LNWHT has consistently delivered a good service and established strong links with the council, schools and families
  - ensure the LA continues to fulfil its statutory duties.

#### **4.0 Financial Implications**

4.1 The estimated contract value for 2021/22 is £0.868m and the current funding available is £0.588m, made up of a DSG budget for Speech and Language Therapy (SLT) of £0.350m and £0.238m from the General Fund (Early Help). The current funding allocation is currently insufficient to cover the cost and will lead to a shortfall of £0.28m. Increased levels of demand for SLT services due to the rise in EHCPs has contributed to pressures against the DSG budget and has formed part of the overall DSG deficit.

4.2 Although there will be an increase to the High Needs Block allocation for 2021/22,

this shortfall will need to be reviewed as part of budget setting to mitigate the shortfall for 2021/22 and further review of this area as part of the overall DSG deficit recovery plan. There however remains a risk that levels of demand will continue to exceed the funding available.

## **5.0 Legal Implications**

- 5.1 Regulation 72 of the Public Contracts Regulations 2015 (“PCR 2015”) provides that variations to existing contracts are permitted without commencing a new procurement in certain circumstances. Regulation 72(f) provides that contracts may be varied where the value of the variation is below both the relevant EU procurement threshold and 10% of the initial contract value for service. As the value of the variation as mentioned in paragraph 2.5 of this report and the total value of the previous extensions (referred to in paragraph 3.7), will be below 10%, the variation will be permitted under the Regulations.
- 5.2 It is proposed in paragraph 3.10 of this report that the variation will be in relation to the increase in the core service sessions to cover additional children and young people who require the service. Therefore, the proposed variation would not substantially alter or amend the existing terms and conditions of the Contract in accordance with the PCR 2015 and the Council’s Constitution.
- 5.3 For the purposes of the Council’s Constitution under the table at paragraph 9.5, 3(b) of Part 3 Responsibilities for Functions, the total value of the variation is less than £1m and provided that there are sufficient budgetary provisions, a Strategic Director has delegated authority to approve the variation of this contract.
- 5.4 It is proposed under paragraph 2.0(b) that the Contract is extended for a period of one year commencing from the 1 April 2021. Strategic Directors may extend contracts using delegated powers in accordance with and subject to the conditions set out in section 3(b) of the table at paragraph 9.5 of Part 3 of the Constitution. Therefore, a Strategic Director has delegated authority to agree the proposed extension.

## **6.0 Equality Implications**

- 6.1 It is considered that there have been no changes in equality implications of the proposals set out in this report since beginning of the contract and that there is no disproportionate effect on any particular protected characteristic group.

## **7.0 Consultation with Ward Members and Stakeholders**

- 7.1 The Lead Member for Children’s Safeguarding, Early Help and Social Care has been consulted on the approach set out in this report.

## 8.0 Human Resources Implications

8.1 The service is provided by one external provider and therefore there are no implications for Council staff arising from extending and varying the contract.

**Report sign off:-**

Nigel Chapman

Operational Director, Integration & Improved Outcomes,  
Children and Young People