



Officer Key Decision 27 July 2021

Report to the Strategic Director of Children and Young People

Approval to Novate the Contract for Provision of Speech and Language Therapy for Children and Young People in Mainstream Schools and Support for Children and Families in Family Wellbeing Centres and Linked Early Years Settings

Wards Affected:	All
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	None
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	<p>Brian Grady, Operational Director, Safeguarding, Partnerships and Strategy, 020 8937 4122 brian.grady@brent.gov.uk;</p> <p>Shirley Parks, Head of Forward Planning, Performance and Partnerships, 020 8937 4529 Shirley.parks@brent.gov.uk</p>

1.0 Purpose of the Report

- 1.1 In accordance with Standing Order 114, this report concerns approval for Brent Council to novate a contract for Speech and Language Therapy for Children and Young People in Mainstream Schools and Support for Children and Families in Family Wellbeing Centres and Linked Early Years Settings

from London North West Health Trust to Central London Community Healthcare NHS Trust.

2.0 Recommendation(s)

That the Strategic Director of Children and Young People:

- 2.1 Approves a novation of the contract for Speech and Language Therapy for Children and Young People In Mainstream Schools and Support for Children and Families in Family Wellbeing Centres and Linked Early Years Settings from London North West Health Trust to Central London Community Healthcare NHS Trust from the 4 August 2021

3.0 Detail

- 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 with London North West Health Trust 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 exercised their option to extend for a period of only one year from the 1 April 2021 to 31 March 2022 and an extension for Year 3 was approved by the Strategic Director of Children and Young People in Jan 2021.
- 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 years old. This includes support to families with Speech and Language and Communication Needs (SLCN).
- 3.4 North West London CCG has made a decision to serve notice on London North West Health Trust ("LNWHT") with regards to delivery of all community services, which includes Speech and Language Services. The new Integrated Care System is intending for these services to be delivered by Central London Community Healthcare NHS Trust ("CLCH"). The North West

London Collaboration of CCGs confirmed the process as a necessary action to prevent any further fragmentation of services, and align Brent and Harrow CCGs with the same pattern of service provision in other boroughs, where a Trust specialising in community services holds the contract, rather than the acute hospital Trust. Following a meeting with key partners on 27 April, the Council received verbal confirmation that the transfer of community services will take effect from 4 August 2021. The Local Authority has subsequently been issued with a letter from LNWHT to inform the Council that as of 4 August 2021, and following an evaluation process, Brent Children's Speech and Language Therapy Service will also transfer from LNWHT to CLCH.

3.5 Officers are therefore seeking agreement to novate the current contract for Speech and Language Therapy for Children and Young People in Mainstream Schools and Support for Children and Families in Family Wellbeing Centres and Linked Early Years Settings from LNWHT to CLCH on 4 August 2021. This will:

- Ensure that SLT services continue to be delivered in line with increasing demand. 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%.
- provide continuity of SLT for pupils in mainstream schools and for families accessing support through the Family Wellbeing Centres and linked early years settings. At the end of Quarter 4 2020/21 (March 2021), 538 pupils were receiving SLT in mainstream schools or FE settings. Through Family Wellbeing Centres and linked early years settings, in Q4 221 successful contacts were made with under 5s receiving universal SLT support.
- ensure the Local Authority continues to fulfil its statutory duties
- provide sufficient time for officers to review current practice and service structures to inform the future structure of service delivery

3.6 A number of actions are underway to review demand for SLT which will inform future commissioning intentions. 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.

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 was £799,675.96 of which £561,049.96 was DSG and £238,626 was from the General Fund. The total cost in Year 3 will be £867,871.46, of which

£629,245.46 is 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. The contract value has increased in line with demand.

- 3.8 The local authority has been working with LNWHT and will work with CLCH 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.
- 3.9 Under section 3(b) of the table at paragraph 9.5 of Part 3 of the Constitution, Strategic Directors are able to novate contracts and agreements without the need for Cabinet approval:
- (a) provided that the novation or assignment would not be in breach of the Procurement Legislation.
 - (b) provided that the novation or assignment does not substantially alter the terms and conditions of the contract.
 - (c) provided that there is sufficient existing budgetary provision.
 - (d) the relevant Director is satisfied that the contractor to which the contract, agreement, deed or other transaction is to be novated or assigned meets the Council's requirements for financial standing, health and safety standards and technical expertise.
- 3.10 Referring to sub-paragraphs (a) to (d) in paragraph 3.9 above, it is considered that you have delegated authority as:
- (a) It is not considered that the novation of the Contract would breach Procurement Legislation as the service will be delivered by another healthcare trust due to the collaboration and alignment between the two health authorities.
 - (b) There are no proposed amendments to the contract and therefore the contract will not be substantially modified.
 - (c) There are no additional budgetary provisions required for the novation of the contract.
 - (d) Officers have liaised with colleagues in the Finance Department and can confirm that CLCH to which it is proposed to novate the contract meets the Council's requirements for financial standing, health and safety standards and technical expertise.

4.0 Financial Implications

- 4.1 There will be no additional costs to be incurred for novating the contract and the proposed contract with CLCH would have a full year value of £0.868m in 2021/22 funded from the DSG (£0.629m) and the General Fund (£0.239m). The contract value in 2021/22 is £68k higher than the value in 2020/21 as a result of increased demand. For the proposed period of August 2021 to March 2022 with CLCH, the contract cost would be £0.578m.
- 4.2 As the service provided is demand led, it would need to be reviewed regularly and any efficiencies identified as mentioned in paragraph 3.8 above would go towards reducing the deficit in the High Needs block of the DSG.

5.0 Legal Implications

- 5.1 Recommendation 2.1 is that of the existing Contract with LNWHT is novated to CLCH. As detailed in paragraph 3.9 and 3.10 above, the table at paragraph 9.5, 3(b) of Part 3 Responsibilities for Functions, sets out the requirements for the novation and addresses each of these points. On the basis of the information in paragraph 3.9 and 3.10, the Strategic Director has delegated authority to approve the novation of this contract.
- 5.2 Any novation of contract will need to be formalised by way of a novation agreement to be entered into with both LNWHT and CLCH. Legal Services will review any novation agreement to ensure it protects the Council's position.

6.0 Equality Implications

- 6.1 The proposals in this report have been subject to screening and officers believe that there are no adverse equality implications.

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/Property Implications (if appropriate)

- 8.1 This service is currently provided by an external contractor and there are no implications for Council staff arising from retendering the contract.

Related Document

Report - Authority to Vary and Extend the Contract for the Speech and Language Therapy for Children and Young People in Mainstream Schools and Support for Children and Families in Family Wellbeing Centres and Linked Early Years Settings - January 2021

Report sign off:

Brian Grady

Operational Director, Safeguarding,
Partnerships and Strategy