

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I115811
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1. **TITLE:** Approval of the Strategic Procurement Plan for Integrated Therapies Service and associated contract extensions

2. **SERVICE AREA:** People

3. **PURPOSE OF DECISION**

To seek approval for the procurement of an Integrated Therapies Service, to include Occupational Therapy (OT) and Speech and Language Therapy (SALT) and to extend the current contracts with Berkshire Healthcare Foundation Trust for SALT and OT services for children and young people in Bracknell Forest to allow for the procurement to be undertaken. Approval is sought to extend the contracts for one year initially with the option to extend for up to a further one year'.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

RESOLVED that

- i. the Executive approve the Strategic Procurement Plan for the provision of an Integrated Therapies Service as a jointly commissioned service with NHS Frimley Integrated Care Board, the Royal Borough of Windsor and Maidenhead and Slough Borough Council. NHS Frimley Integrated Care Board will be the lead commissioner.
- ii. the Executive agree the proposed contractual term of 7 years, starting with an initial period of three years and two further optional extension terms of 2 years (3+2+2 years).
- iii. the Executive delegate authority for the contract award decision to the Executive Director: People in consultation with Executive member for Children, Young People & Learning.
- iv. the Executive approve an extension via waiver of the current Children and Young People's Occupational Therapy Service Level Agreement for one year to cover the dates 02/09/23-01/09/24 and, if required, to cover the dates 02/09/24-01/09/25.
- v. the Executive approve an extension via waiver of the current Children and Young People's Speech and Language Therapy contract for one year to cover the dates 03/09/23-02/09/24 and, if required, to cover the dates 03/09/24-02/09/25.

7. **REASON FOR DECISION**

1. The procurement of the Integrated Therapies Service is required to meet the needs of children and young people with Special Educational Needs and Disabilities (SEND).

2. The proposal for jointly commissioning an Integrated Therapies Service will include a core clinical service. The core clinical offer includes SALT, OT and Physiotherapy. This core element of the integrated service will provide services where there is a clinical need such as intervention when a child or young person has experienced an accident or where there is a specific clinical need such as Dysphagia. Physiotherapy services are included in the core health service and are commissioned to provide assessment and intervention to children and young people who present with a nonacute condition affecting their physical development and/or function and where specialist physiotherapy support is required. Clinical pathways for this cohort of Children and Young People will predominantly be through community health services such as health visiting, community paediatrics and primary care and Acute pathways.
3. The proposed joint commissioning model will ensure the best use is made of resources. Currently, there are four different contracts with different specifications, eligible populations/schools and monitoring arrangements. This results in inequitable provision and outcomes, service gaps, and disputes. A joint arrangement across East Berkshire would ensure a consistent service model is delivered across the area. A single provider ensures reduced variation in practice, more standardisation and a reduction in variation of access and outcomes. Impact measures would be monitored in a consistent way, the inequality of outcomes is reduced and there would be an increase in children who can access the service. A single needs assessment ensures the pooling of public health input, clinical expertise, schools' feedback, data and informatics and community insights. An aligned strategy means an at scale approach to tackling issues such as recruitment and retention, quicker resolution of disputes, and a single contract management approach.
4. The service model and specification will be jointly developed by NHS Frimley ICB, BFC, RBWM and Slough Borough Council to include the learning that took place during the pandemic, use of technology, and a contract monitoring and performance management framework with clear key performance indicators. Regular and robust contract monitoring will be undertaken throughout the life of the contract. A joint contract will clearly outline the costs of the service and the funding contribution of each Commissioning Partner. Key data sets will be presented in a dashboard at the SEND Improvement Partnership Board to provide the required system oversight.
5. Engagement will take place in the autumn term 2023 with key stakeholders including schools forum, service users, schools, health professionals, parents and the parent carer forums across East Berkshire to support the development of the new service model and specification. Workshops led by NHS Frimley ICB are taking place throughout July and August with multi-agency professionals at the three Local Authorities to progress this work. The Bracknell Forest Council (BFC) workshop took place on 24th July 2023.
6. Bracknell Forest Council wants all children and young people in the borough to be safe, to learn, to gain confidence, be happy and be supported to reach their full potential. Ensuring all children and young people with SEND are supported in achieving their aspirations is of paramount importance to us.
7. In November 2021, BFC's SEND services were inspected by Ofsted and the Care Quality Commission (CQC) and nine significant areas for improvement were identified. The fifth area for improvement is 'the lack of support available to children and young people while waiting excessive amounts of time to access occupational therapy services. Also, the lack of capacity in the occupational therapy team, resulting in delays to their contributions to education health and care plans (EHCPs).

Improving OT wait times is a key improvement that needs to be delivered, as set out in our Written Statement of Action (WSOA).

8. ALTERNATIVE OPTIONS CONSIDERED

1. Do nothing: The current contract and associated obligations will lapse, therefore there would be no provision for an Integrated Therapies Service. This would leave us unable to meet our statutory duty to provide OT, SALT and physiotherapy to children and young people in Bracknell Forest. It would also leave us unable to fulfil our duty to ensure all EHCP assessments are completed within the 20-week timeframe, including the necessary input from SALT and OT therapists.
2. Extending beyond the requested period: There is no further provision within the current contract for this to be extended. Additionally, the service specifications have not been reviewed for several years and are no longer fit for purpose.
3. A competitive tender as the sole commissioner: The Integrated Therapies Service must be commissioned jointly by BFC and NHS Frimley ICB, as stated in the SEND Code of practice (2015). BFC and NHS Frimley ICB could commission this service jointly without RBWM and Slough Borough Council. However, the same provider currently provides the same services across Berkshire. Under Section 10 of the Children Act 2004 and Section 75 of the National Health Service Act 2006 local authorities and NHS Frimley ICB have a statutory duty to consider the extent to which children and young people's needs could be met more effectively through integrating services and aligning or pooling budgets in order to offer greater value for money, improve outcomes and/or better integrate services for children and young people with SEN or disabilities.
4. A joint commissioning exercise with a Local Authority partner as the lead commissioner: NHS Frimley ICB is the largest financial contributor to the service. The three Local Authorities are much smaller partners and due to resourcing challenges, neither BFC, RBWM or Slough Borough Council can act as lead commissioner for this project.
5. Spot purchasing without a contractual arrangement: Best value for money is unlikely to be achieved. The SEND Code of practice states that BFC and NHS Frimley ICB must jointly commission a service and publish

9. **DOCUMENT CONSIDERED:** Report of the Executive Director: People

10. **DECLARED CONFLICTS OF INTEREST:** None

Date Decision Made	Final Day of Call-in Period
19 September 2023	26 September 2023