

## Report to the Cabinet

Meeting to be held on Thursday, 1 February 2018

### Report of the Head of Service, Policy, Information and Commissioning (Start Well)

#### Part I

Electoral Divisions affected:  
All

### Joint Commissioning Arrangements for Children and Young People's Special Education Needs or Disabilities Provision - North Lancashire

Contact for further information:

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#### Executive Summary

The Special Educational Needs or Disabilities (SEND) Joint Commissioning Framework agreed by the County Council's Cabinet in September 2017 highlighted the need to review and establish more effective joint commissioning arrangements across the county.

Under Section 10 of the Children Act 2004 and Section 75 of the National Health Service Act 2006 local authorities and Clinical Commissioning Groups (CCGs) 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 special educational needs or disabilities.

As part of the establishment of more effective joint commissioning arrangements it is proposed that the County Council enters into a Collaborative Commissioning Agreement with Fylde and Wyre Clinical Commissioning Group (CCG) for the delivery of speech and language (SLT) and occupational therapy (OT) services across North Lancashire.

This is deemed to be a Key Decision and the provisions of Standing Order No. 25 have been complied with.

## **Recommendation**

The Cabinet is recommended to:

- (i) Approve that the County Council enters into a Collaborative Commissioning Agreement with Fylde & Wyre CCG from 1 April 2018 until 31 March 2019, for the delivery of SLT and OT services across North Lancashire.
- (ii) Approve that the County Council becomes an Associate to the existing NHS Standard Contract between Fylde & Wyre CCG and Blackpool Teaching Hospitals NHS Trust.
- (iii) Authorise officers to enter into a Section 75 agreement if necessary.

## **Background and Advice**

The SEND service has a statutory duty to secure specialist educational provision, which includes speech and language therapy (SLT) and occupational therapy (OT), for children and young people aged 0-25 with special educational needs or disabilities (SEND). In brief, an SLT assessment and treatment service is provided to children and young people with communication and language difficulties in a variety of settings whilst the OT service enables and supports children and young people with long term conditions and disabilities to maintain and/or increase their independence.

Commissioning arrangements for SLT and OT provision differ across the county. In North Lancashire the County Council and Fylde & Wyre CCG each separately commission SLT and OT services from Blackpool Teaching Hospitals NHS Foundation Trust (BTH). Historic contractual agreements have been extended on an annual basis in order to maintain service delivery. The current arrangements will end on 31<sup>st</sup> March 2018.

Fylde and Wyre CCG entered into an NHS Standard Contract with BTH from 1<sup>st</sup> April 2017 for a two year period (with options to extend). To enable joint commissioning of services across the whole of North Lancashire the CCG have agreed to the County Council becoming an associate to this Contract. It is therefore proposed that the County Council enters a Collaborative Commissioning Agreement with Fylde & Wyre CCG to formalise the arrangement. The County Council is currently an associate to other Health contracts, with CCGs across the remainder of the Lancashire County Council footprint, for the provision of SEND services so this would not be a unique relationship.

## **Consultations**

Proposals have been discussed with and are supported by the SEND Partnership Board and the Children and Maternity Commissioners Network, comprising officers of the Lancashire CCGs and Lancashire County Council.

## **Implications:**

This item has the following implications, as indicated:

### **Risk management**

The statutory duty to secure specialist education provision falls on local authorities. If the provider were to withdraw services on 31<sup>st</sup> March when the current arrangement end the County Council would need to carry out a competitive tender process. The timescales required to award a contract would put service delivery at significant risk.

### **Financial**

The 2017/18 budget envelope for commissioned SLT and OT services provided to Blackpool Teaching Hospital from Lancashire County Council will be £352,239. The 2017-2020 Medium Term Financial Strategy includes budget provision of £356,501 for 2018/19 but cannot be confirmed until the Council's budget is approved by Full Council in February 2018.

### **List of Background Papers**

Paper	Date	Contact/Tel
Report to Cabinet: Refreshed Special Educational Needs and Disabilities Joint Commissioning Framework 2017-2019 <a href="http://council.lancashire.gov.uk/ieDecisionDetails.aspx?ID=12122">http://council.lancashire.gov .uk/ieDecisionDetails.aspx? D=12122</a>	14 September 2017	Josh Mynott/(01772) 534580

Reason for inclusion in Part II, if appropriate

N/A