

OPEN

Children and Families Committee

DATE: 12 February 2024

Paediatric Speech, Language and Communication Therapy Service

Report of: Deborah Woodcock, Executive Director of Children's Services

Report Reference No: **CF/20/23-24**

Ward(s) Affected: All

Purpose of Report

- 1 This report outlines the council and integrated care board's (ICB) approach and the current service pressures for paediatric speech, language, and communication therapy (SLCN) services, and the initial stages taken to review the service.
- 2 The report provides details on the planned recommissioning activity and co-production with the public and stakeholders to shape the future service offer.
- 3 This service falls under the 'fair' priority of the council's Corporate Plan 2021-2025, and specifically to reduce inequalities, promote fairness and opportunity for all and support our most vulnerable residents.

Executive Summary

- 4 The council and the ICB have a statutory duty to ensure children and young people between the ages of 0 to 25 years, have the appropriate services to meet their education, health and care plan (EHCP) needs. This includes therapies such as speech, language, and communication support.
- 5 This paper outlines the journey so far, the service pressures and emerging new demands arising from the planned expansion of local authority maintained special school provision, to ensure the authority can meet the needs of children and young people with special educational needs (SEND) in a financially sustainable way. It aims to provide the detail on the planned recommissioning activity that will ensure that children, young people and their families/carers are at the heart of the service redesign.
- 6 The council and ICB has initiated a review of the SCLN services and in the initial stages recognised a need to ensure there is a suitable pathway for children requiring support, and how the partners intend to address this need.

RECOMMENDATIONS

The Children and Families Committee are asked to:

1. Approve a co-produced service redesign following from a service review, and engagement process for paediatric speech, language and communication.
2. Approve the review of a jointly commissioned service (Section 256/75 Agreement) between the council and the Integrated Care Board for the provision of for paediatric speech, language and communication, as the first stage in a wider programme of jointly coordinated activity to meet the eligible needs of children with SEND, including broader paediatric therapeutic support.

Background

- 7 The council and ICB have a statutory duty to provide SLCN services for a child where this is required in the Education Health and Care Plan (EHCP) in Section F or Section G for health, this duty is set out within the Children's and Families Act 2014 Part 3 and the Special Educational Needs and Disability Code of Practice: 0 to 25 years (DfE, 2015a).
- 8 The council has agreements with Mid Cheshire Hospitals NHS Foundation Trust (MCHFT) and East Cheshire Hospital NHS Trust (ECT) to provide SLCN services for children who have this requirement as part of their EHCP. The agreement is based on the current community service contracts held by the ICB, as there is a need to ensure that the clinical assessment can be followed on by therapy within the child's education setting.
- 9 Speech, language and communication therapy supports children and young people who have difficulties with communication, or with eating, drinking and swallowing. The therapy works in partnership with key people (parents, carers, teachers, pre-schools, occupational therapist, physiotherapists, health and social care) in the child's environment to support their communication development.
- 10 The service providers in Cheshire East deliver SLCN where there is an identified need (EHC Plans), within schools (maintained), children's centres, community settings, health clinics and sometimes within the child's home. The speech and language therapy service offers support for the following needs:
 - Augmentative & Alternative Communication (AAC)
 - Cleft Lip & palate
 - Autistic Spectrum (ASC)
 - Early language and communication
 - Feeding and swallowing
 - Hearing Impairment
 - School aged language

- Selective mutism
- Speech sound
- Stammering
- Voice

- 11 The increased level of demand for SLCN felt by Cheshire East as the numbers of children on EHCPs has risen is replicated across every other area in England, and this has presented challenges around the recruitment and retention of speech and language therapists.
- 12 Nationally all local authorities have seen a rise in EHCPs, however with a rise of 18% in Cheshire East, this is the 9th largest increase across all 152 local authorities. The increase in demand could be to several factors, from better identification and/or parental/professional challenge.

Table 1: EHCP Growth across Cheshire East and Compared to England, Northwest and Statistical Neighbour (SN) Average:

2023		
	EHCPs	Year-on-year rise
England	517,206	9%
North West	71,970	12%
Cheshire East	4,029	18%
SNs	4,795	11%

- 13 The number of EHCPs in Cheshire East has increased significantly over the last four years rising from 2,087 in early 2018 to 4,029, (as of January 2024), which is over a 90% increase.

Table 2: EHCP Annual Growth 2017 to 2022

Year	No of ECHPs	Increase
2022	4029	617
2021	3412	478
2020	2934	464

2019	2470	383
2018	2087	308

**New data for 2023 will be published in March 2024.*

- 14 The proportion with SLCN provision named in Section F of the education, health and care plan (Education) has increased alongside the demand for EHCPs. The council's collates data about the number of EHCP's on an annual basis this is called the SEN2 census data. In January 2023, it was reported that 26.5% (1113 children and young people) who required an EHCP, was for SLCN in 2022.
- 15 Table 3 below, highlights that SLCN is the number one requirement for children with a special education need. Based on the number of children requiring SLCN as part of their EHCP at over 26%, with an increase of over 20%+ for EHCPs annually, this could see an additional 100 to 150 children requiring a service for SLCN each year.
- 16 Cheshire East has two dedicated special education needs schools, Springfield Special School (Crewe) and Park Lane (Macclesfield). The pupil numbers within Springfield Special School and Park Lane Special School have increased over the past 6/7 years. The council has invested into a special school expansion, which will provide a further 120 special school places over the next 2 years at Springfield Crewe and Springfield new annex in Wilmslow.

Table 4: Pupil Numbers at both Springfield Special School and Park Lane Special School:

Spring Field Special School, Crewe	Park Lane Special School, Macclesfield
2016 - 129	2017 - 84
2021 - 186	2021 - 93
2023 - 210	2023 - 130

- 17 The caseload held by Speech and Language Therapists across both providers is currently at the recommended maximum and/or slightly above (Royal College of Speech and Language Therapists). National case load per WTE is currently at around 102 patients, this is subject to the complexity of the case. Caseloads are defined by several factors including the following:
- Legal requirements
 - Contractual obligations
 - Presence and level of clinical risks
 - Timing
 - Predicted outcomes in current context
- 18 Both ECT and MCHFT are reporting a caseload of 2500 children as a combined total for ICB and council. The service providers MCHFT and ECT

have highlighted a continuing trajectory of new demand outstripping the discharge of pupils from the SLCN service. SLCN continues to be a service in demand and commands a high level of importance and scrutiny across schools and parents, and the Cheshire East SEND Partnership. The council's SLCN active caseloads as of November 2023 are as follows:

South – 487 - reported that they have no child waiting over 18 weeks

North – 516 - reported that they have no child waiting over 18 weeks

Total – 1003

No of children discharged - 141

19 An initial review of the current service has identified several areas of that require further investigation:

- **Recruitment and Retention.** There has been challenges in the borough in terms of attracting and recruiting Speech and Language Therapist. However, MCHFT have addressed part of this issue with the recruitment of Speech and Language Therapy Assistants to support the work within schools. This is under the supervision of a Speech and Language Therapist and was discussed with the Parent Carers Board, who agreed that this was an acceptable arrangement.
- **Demand Management.** Parents have concerns about the waiting times for initial assessment, this is under review with the council and ICB. There has been year on year uplifts (growth) to the budgets to support the service. The growth of EHCP has increased the needs/demands. A performance management process will be launched in January to obtain quantifiable, measurable data which will track demand. We also need to focus on supporting children on the waiting list for triage and assessment to 'wait well', signposting to good quality information and accessible lower-level support wherever possible.
- **Spot purchasing.** There is additional spot purchasing around education (Part F, EHCP) placements; some are these are due to Tribunal rulings, out of area school placements and some are for complex requirements not covered by the two contracted providers.
- **Out of Area Placements.** The commissioned service only covers the service within the Cheshire East locality. There are some reciprocal arrangements with Staffordshire, but due to demands for SLCN in other areas some NHS Trusts are unable to commit to these arrangements.
- **Cheshire East Chatters (Talking Walk In).** This is an early help service, located within Cheshire East Family Hubs and data (April to November 2023) shows that 223 families have accessed the service of which 66% needs were met, 11% were referred to the SLCN service, 22% referred to Other. The service has seen in 8 months a 53%

increase in demand. With the current pressures on SLCN service and the demand for EHCP's, the ability to meet needs earlier will reduce demand at a later stage.

- **Historical arrangements.** There was an agreement that the council would only provide SLCN services to maintained mainstream/special schools. Any non-maintained, academies and independent special schools would be funded directly from the Department of Education and therefore should contract their own SLCN services. These require further oversight to understand the impact on children, schools and the council, and the issues around provision within Independent Special Schools.
- **Commissioned Providers.** Due to the former NHS Clinical Commissioning Groups (CCGs) recommissioning of its community Services contract in 2015/16, the council had to split its provision to a North and South service, subsequently we now have two providers. This is causing a disparity in the offer, and an increase in the management and overhead costs. However, with the ICB merged across the whole of East Cheshire this is giving us the opportunity to work towards having one contract, potentially as a wider partnership.
- **Special Education Schools Expansion.** The council has invested into the expansion of its special education schools' provision. The expansion of Springfield school Crewe will provide an additional 50 school places. The Springfield annex at Dean Row (Wilmslow) will increase the capacity with 70 additional places. Overall providing 120 special school places within the borough. There is a planned 2-year phasing of pupils into these provisions.
- **Benchmarking.** Commissioners are seeking further data and information from comparators councils. Initially, it has been identified that Cheshire East allocates circa £934 of its budget per young person with an identified SCLN in their EHCP (see paragraph 33 for a full budget breakdown). Staffordshire have shared budget and demand information that demonstrates a lower cost base. Spending £139k on direct support and an additional £200k for a specialist beacon school serving three of its eight districts. Whilst the model in Staffordshire is quite different to that of Cheshire Eats as a comparison, if Staffordshire's beacon school was to be replicated to serve the whole county this could result in an allocated budget of circa £408 for each young person in Staffordshire with an identified SLCN in their EHCP. We also have data from Cheshire West and Chester which would indicate they too source this support at a lower cost than Cheshire East (c£800 per young person, data subject to verification)

20 There will be several stages to the review and recommissioning of the service but will be in the following format:

Stage 1: Immediate Needs

Stage 2: Understanding, Reviewing and Engagement

Stage 3: Service Development/Coproduction and service redesign

Stage 4: Recommissioning

Stage 5: Contract Award/Mobilisation

Stage 6: Service Launch

Consultation and Engagement

- 21 Consultation, engagement is a continual process for commissioning as it provides the intelligence that inform the strategy, policy, quality assurance and performance of all our services.
- 22 Cheshire East parents, children, and families alongside professionals will be engaged with as part of the service improvement and redesign. It is intended that the new service model will be co-produced with parents/children and families, professionals, and key stakeholder e.g., schools, health visitors, school nurses.
- 23 Initial conversations have taken place with several groups; further engagement is planned with the following boards/groups:
- Parent Carers Forum
 - Learning Disability Health Sub Group
 - SEND Board
 - Child Health Hub network
 - Short Break Coffee Mornings
 - Cheshire East Carers Forum
 - Family Hub Steering Group
 - VCFS Groups for families and children with SEND
 - Jigsaw
- 24 Engagement being initiated in December 2023 to parent carers, partner agencies, families and professionals that will shape future of the SLCN service. The proposed engagement will include:
- Publication online survey and questionnaire for parents, carers and families to receive comments.
 - An online survey and questionnaire with schools/education partners, professional to receive comments.
 - Virtual and in-person workshops with carers, children, young people, families and professionals from December 2023 to March 2024. These will be advertised via social media, the council

website and with current existing routes for example, Carers Forum, Parent Carers Forum.

- Communication to all contracted and other providers on the Commissioning Intentions.
- Virtual online Market Place events for providers, advertised by the Chest Procurement Portal for wider markets to attend.
- All relevant stakeholders will be notified including partners, members, and town/parish councils.
- Briefings to networks such as the SEND Board, Parent Carers Board of the development and results.

Reasons for Recommendations

- 25 This service falls under the ‘fair’ priority of the council’s Corporate Plan 2021-2025, and specifically to reduce inequalities, promote fairness and opportunity for all and support our most vulnerable residents. Therefore, to meet our obligations to Children’s and Families Act 2014 Part 3 and the Special Educational Needs and Disability Code of Practice: 0 to 25 years (DfE, 2015a) the current service offer for SLCN for children and young people needs to be redesigned to meet current and emerging needs, and at a financially sustainable cost to both the Local Authority and Integrated Care Board.
- 26 The council and ICB are reviewing the practicalities of a jointly procured contract. Any partnership would be formalised using a Section 256/75 Agreement and should realise natural efficiencies through the reduction of contract on-costs and management overheads.

Other Options Considered

- 27 There are three options available to the council, this report would recommend option 2, to gain the most effective and efficient service offer for children and young people. The outlined option appraisal is set out below:

	Option	Impact	Risk
1.	Do nothing	The council will be at risk of non-compliance with its legal obligations. Future service demand/needs for children may not be met.	Increased costs due to certainty of additional Tribunal cases. Reputational damage at a national level. Increased costs for spot provision of service/s.

			Failure to comply to the council FCPR's and Public Contract Rules 2015.
2.	The council and ICB agree to review and consider jointly procuring the future service	The council and ICB would meet all legal obligations. Will realise natural savings (one contract – less overheads/management fees). May attract more providers to increase competitive tendering. Seamless service for children and young people.	The review may decide that a partnership may not be suitable. Partnership can have a financial or reputational risk. ICB want a phased approach between 2024 and 2026 to include broader community paediatric services within scope in 2025.
3.	The council procure the service without its health partner.	Would continue to offer a similar service with the issues of clinic needs and community, is not a future proof approach. An opportunity to reduce the service to one provider, so will provide some efficiencies and savings.	Would not realise the saving benefits. Would be more barriers for children accessing the service. Reduces the opportunities to ensure the service is fit for the future and can meet the growing demands and changing needs of the patients.

Implications and Comments

Monitoring Officer/Legal

- 28 The council have a statutory duty to provide SLCN services for a child/ren where this is required in their EHCP and outlined in Section F. This duty is set out within the Children's and Families Act 2014 Part 3 and the Special Educational Needs and Disability Code of Practice: 0 to 25 years (DfE, 2015a).
- 29 The outcome of consultation and market engagement will feed into the redesign and recommissioning of this service.
- 30 Once the recommissioning and procurement of services has been approved, the procurement should be undertaken in accordance with the relevant provisions of the Public Contract Regulations 2015 and Cheshire East Council's and the Integrated Care Board's Contract Procedure Rules.

Section 151 Officer/Finance

- 31 There is a VEAT/WARN to cover the financial years of 23/24 and 24/25, with a requirement that a recommissioning exercise will have a mobilised service

for April 2025. The proposal can be funded from within existing budgets and funded by the High Needs Block of the Dedicated Schools Grant (DSG).

32 The expected costs for 23/24 are as follows:

- NHS Central Cheshire Integrated Care Partnership Therapy Service (MCHFT) (Mid Cheshire NHS Trust)
£489,388 (includes NHS pay deal increase)
 - NHS East Cheshire Trust Therapy Service (ECT)
£550,524 (includes NHS pay deal increase)
- Total - £1,039,912.00

Policy

The SLCN service will contribute towards the vision of the Corporate Plan 2021-2025 to be an open, fair, and green council and help to deliver the priority to be a council which empowers and cares about people.

This recommissioning activity has no impact on current policies both nationally and locally.

Equality, Diversity and Inclusion

33 Our joint SEND strategy sets out what we want to achieve as a partnership for children and young people with SEND in Cheshire East, and the key actions that we will carry out to achieve our priorities is our commitment to children and young people with additional needs and ensures they have appropriate support to aspire to achieve in line with peers.

34 An Equality Impact Assessment has been started and will be updated as part of the review, engagement and consultation process.

Human Resources

35 There is no direct impact on any employees within Cheshire East Council.

36 Employees for the two providers are on NHS terms and conditions of employment and will be eligible for TUPE. During the tender all applicants will be provided with a full list of the eligible employees.

Risk Management

37 There is a potential risk that the governance timeline will not meet key deadlines and slow the commissioning process down. Early progression and decision making will mitigate this risk.

- 38 A Section 256/75 Agreement with the ICB will mitigate any financial and reputational implications for the council. The council and ICB will be responsible for the oversight of the future service contract.

Rural Communities

- 39 There are no direct implications to the offer within rural communities the intention is to co-produce the future service offer and we will seek to include citizens who use or need SLCN that live in rural communities.
- 40 There is an opportunity to align this service pathway with our health partners to achieve a seamless service and improve access for children and young people with SLCN having improved access.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 41 The service will be developed with children, young people and their families/carers with a focus on those with and/or requiring Education, Health and Care Plans.
- 42 Developing the multi-agency support, safeguarding approach will be part of the service development and shape the future offer.
- 43 A key development is to align this service within education, health and community settings. This will improve the identification of children with SLCN at the earliest opportunity.

Public Health

- 44 The service has a positive impact on the health and wellbeing for children with SLCN. The early identification and improved access will improve longer term outcomes.

Climate Change

- 45 The recommissioning of the service will include expectations around Social Value, this includes social, economic and environmental impacts.
- 46 The service provider will need to demonstrate their impact on the environment throughout the life of the contract. This will be included as part of the service specification and monitored by quarterly performance measures.
- 47 Targets around recycling, energy consumption, carbon reduction with the use of electric vehicles, employing people within the community it serves virtually on a place-based locality will be measured.

<p>Cont act Offic er:</p>	<p>Martyn Baggaley, Head of Integrated Commissioning, Children, Families & Adults with Complex Needs, Adults, Health & Integration</p> <p>Martyn.Baggaley@cheshireeast.gov.uk</p> <p>Liz Smith, Senior Project Manager (Commissioning)</p> <p>Liz.smith@cheshireeast.gov.uk</p>
<p>App endice s:</p>	<p>None for this reoport</p>
<p>Back groun d Pape rs:</p>	<ol style="list-style-type: none"> 1. Children and Families Act 2014, Part 3: https://www.legislation.gov.uk/ukpga/2014/6/part/3/enacted 2. Special Educational Needs and Disability Code of Practice: 0 to 25 years (DfE, 2015a). https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf