

**Decision Maker:** Education Policy Development and Scrutiny Committee

**Date:** 6 November 2012

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** **COMPARISON OF THERAPY PROVISION IN BROMLEY SCHOOLS AND INDEPENDENT SCHOOLS**

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**Chief Officer:** Terry Parkin, Executive Director, Education and Care Services

**Ward:** Boroughwide

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**1. Reason for report**

- 1.1 This report has been requested by Members to identify the current capacity and delivery methods of speech and language therapy and occupational therapy (hereinafter referred the as 'therapies') for children and young people in Bromley (PDS May 2012 refers).
- 1.2 The report considers therapies funded by the Local Authority and Bromley Primary Care Trust (PCT) in comparison to therapies provided by schools in the Independent sector and one other out of borough maintained school.
- 1.3 Members have requested this detail prior to giving consideration to any request for the re-tendering and commissioning of therapy services in 2013.
- 1.4 Members have also requested commentary on the value of Early Intervention of therapy services.

**2. RECOMMENDATION(S)**

**2.1 The Education PDS Committee is asked to:**

- (i) consider the content of the report for information purposes;
- (ii) consider the re-alignment of the contracts held by the London Borough of Bromley and the PCT with Bromley Healthcare to provide a core service with the flexibility to meet identified needs as and when required;
- (iii) consider the appropriateness of an Invest to Save bid.

### Corporate Policy

1. Policy Status: Existing Policy: Draft Education and Care Services Plan for 2012/13
  2. BBB Priority: Children and Young People - Enjoy learning and achieve their full potential; ensuring the health and wellbeing of children and young people, and their families
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### Financial

1. Cost of proposal: Not Applicable
  2. Ongoing costs: Not Applicable
  3. Budget head/performance centre:
  4. Total current budget for this head:
  5. Source of funding: Revenue Support Grant
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### Staff

1. Number of staff (current and additional): No LBB staff are employed in the delivery of therapies boroughwide.
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### Legal

1. Legal Requirement: Statutory Requirement : Education Act 1996 ,Children Act 2002
  2. Call-in: Applicable
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected)
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

### 3. COMMENTARY

Speech and Language Therapy (SaLT) and Occupational Therapy (OT) is delivered into Bromley school settings primarily through commissioned provision which is delivered by Bromley Healthcare (BHC).

Funding for the commissioning is provided by both LB Bromley, SEN, through the Dedicated Schools Grant and by Bromley Primary Care Trust (PCT).

Historically commissioning has been carried separately and funding is also separate.

There is no clarification of the respective statutory duties of local authorities and Primary Care Trusts for the funding of therapy provision within educational settings. Current discussions with the Department of Health linked to the SEND Pathfinder project indicate that the Department of Health will maintain this position and will not give national direction or guidance as to any criteria to establish a joint funding methodology and thus agreement is expected to be locally negotiated. However, there has been case law acknowledging that SaLT can be defined as an educational need as the therapy is required to access the curriculum.

#### 3.1 SPEECH AND LANGUAGE PROVISION:

Bromley PCT has a duty to provide community health care for all Bromley residents who are registered with a Bromley GP. The PCT commissions a contract with BHC with a value of £1.2m per annum for the delivery of community therapy and nursing provision for this purpose. BHC's delivery includes provision for therapy for pupils in mainstream schools and for pre school aged children. This is typically delivered through out patient clinics. The target cohort is those in primary schools. As and when pupils are discharged they may still access 'advice clinics' in the community. However, when pupils attending Bromley's special schools are discharged they may attend advice clinics which are established by BHC on these school sites. The number of school aged pupils identified as having speech and language as a primary or secondary need identified in their Statement of Education Need in 2011/12 is 1,062 children or 2.2% of the school aged population.

##### 3.1.1 PCT Commissioning within specialist school provision

PCT currently commissions SaLT at the following Special Schools:

- Riverside School (St Pauls Cray) All age
- Marjorie McClure School All age
- The Glebe (Key Stage 3 and Key stage 4 only)

There are currently 169 children and young people on Bromley Healthcare's caseload across these three special schools, resulting in the delivery of 8 full days of therapy per week.

PCT commissioning is carried out by way of an overarching agreement with BHC for children and adults' healthcare provision across the borough.

PCT also currently commissions SaLT at 12 Provisions for children with complex needs and/or autism. These are attached to mainstream primary schools.

There are currently 134 children and young people on BHC's caseload across these 12 Provisions, with BHC delivering 9 full days of therapy per week.

PCT also currently commissions SaLT at the following schools:-

- Darrick Wood Primary and Secondary Campus – part funded with LBB
- Green Street Green Speech & Language Provision
- Raglan Speech & Language Provision – part funded with LBB

There are currently 75 children and young people on Bromley Healthcare's caseload across these 3 settings, with BHC delivering 15½ days of therapy per week.

PCT commissions SaLT at three specialist pre school settings.

The value of the PCT contract is £1,424k.

This contract has 3½ years to run, although a contract variation can be put in place on an annual basis but this must fit into the PCT review cycle.

**Appendix 1** details the level of provision which is currently funded by PCT in Bromley Schools

### **3.1.2 LBB Commissioning**

LBB currently commissions SaLT at the following Special Schools:-

- The Glebe (Age 16 – 19 only)
- Burwood

LBB currently commissions SaLT at three Provisions attached to mainstream primary schools:-

LBB currently commissions SaLT at the following schools and settings :-

- Darrick Wood Primary and Secondary Campus – part funded with PCT Darrick Wood Pre School for Deaf Children
- Raglan Speech & Language Provision – part funded with PCT
- Hayes Secondary SPALD Provision (Speech and Language Disorder)
- Phoenix Classrooms x 2
- Assistive Technology Project based at Marjorie McClure School as an Outreach service

**The value of this contract is £239,792 p.a.**

LBB Inclusion Support Service has a separate contract with BHC for SaLT which specifically supports children entering Reception and Year One mainstream school classes. This provides fortnightly one to one therapy sessions for 120 pupils. The purpose of this intervention is to avoid more costly intervention at a later date.

**The value of this contract is £63,614.**

There are currently 148 children and young people on Bromley Healthcare's caseload for LBB commissioned contracts with BHC delivering 12½ days of therapy per week.

In June 2012, these contracts were combined and extended for one year until the end of July 2013. It is proposed to request permission to tender for the contracts on the open market in January 2013.

**Appendix 2** details the level of provision which is funded by LBB in Bromley Schools.

In addition to the above, in the event of a SEN Tribunal directing that individual pupils must have specifically defined SaLT provision, LBB separately commissions the therapy by way of individual 'spot purchased' contracts. There are currently 3 contracts with BHC with a total value of £9,945 p.a., and an additional two contracts with other third party SaLT providers with a total value of £4,900

In summary, LBB currently commission SaLT to the value of £313,351 plus other third parties value £14,845 into Bromley school settings.

There are a total of 526 children and young people receiving SaLT therapy in Bromley special schools and provisions, from a total school population of 46,396, i.e. 1.13% which reflects the national average.

Every child has a Statement of Special Educational Need with a statutory requirement for SaLT therapy input.

### **3.2 SPECIALIST PROVISION WITH NO CURRENT THERAPY INPUT**

There is no SaLT provision at the following provisions:-

Kingswood PRU

Grovelands PRU

Priory SpeLD (Specific Learning Disability)

Ravensbourne SpeLD (Specific Learning Disability)

### **3.3 CURRENT SERVICE DELIVERY**

SaLT is currently delivered through either one to one therapy or small group therapy, with additional time spent working with school staff to ensure that they model strategies within the classroom environment.

The PCT contract allows flexibility on the part of the Provider to adjust the therapy resource allocation into specific schools dependant upon ongoing needs analysis. This is undertaken by BHC Head of Service. Assessed need may vary on a termly or annual basis. Thus, for instance, if an unmet need is recognised in a school that has insufficient support to meet the need, a resource may be moved from a better resourced school to address that need.

The LBB contract is currently less flexible in that it specifies the actual school where the therapy will be delivered. This contracting arrangement is favoured by schools as they have a definitive resource allocation which enables the school planning to be more robust.

As these methods of service delivery are so different, assessing the efficiency of different arrangements for organising and providing SaLT is complex. Commissioners need to consider how to align the 2 contracts in order to ensure a flexible, coherent and transparent delivery model which can be robustly monitored in order to maximise resources. Cohorts of children with language needs may change over time and thus there is a need for flexibility within the contracting of the service.

There is a need to clarify and disseminate the range of evidence based and effective delivery methods for therapy services to ensure targeted support is delivered in the most cost effective manner. This may include group work, team teaching/therapy work as well as the more traditional 1:1 therapy which is more widely known.

The monitoring must consider both academic attainment and also the broader skills of social communication, interactive and life skills that allow for independent living. This evaluation should involve service users.

### **3.4 OCCUPATIONAL THERAPY PROVISION:**

#### **3.4.1 PCT Commissioning**

PCT currently commissions OT at the following special schools:

- Riverside School (St Paul's Cray)
- Marjorie McClure School

There are 87 children and young people on Bromley Healthcare's caseload across these two special schools, delivering 3½ full days of therapy per day, plus additional technician support as required.

PCT commissions the OT at two pre school settings. PCT commissioning is carried out by way of an overarching agreement with BHC for children and adults' healthcare provision across the borough.

The value of the PCT contract is £445k.

**Appendix 1** details the level of provision which is funded by PCT in Bromley Schools.

#### **3.4.2 LBB Commissioning**

LBB currently commissions O/T at:

- Riverside, Beckenham

There are 12 children and young people on Bromley Healthcare's caseload for LBB commissioned contracts with BHC delivering 2 days of therapy per week

**Appendix 2** details the level of provision which is funded by LBB in Bromley Schools.

In addition to the above, in the event of a SEN Tribunal directing that individual pupils must have specifically defined OT provision, LBB separately commissions the therapy by way of individual 'spot purchased' contracts.

There are a total of 99 children and young people receiving OT therapy in Bromley schools, from a total school population of 46,396, i.e.0.21%.

### **3.5 THERAPY PROVISION IN OUT OF BOROUGH (INDEPENDENT & MAINTAINED) SCHOOLS**

An analysis of SaLT provision for Bromley children being funded in Out of Borough (Independent and maintained) schools has been undertaken across those schools which typically provide for speech, language and communication needs as a child's primary disability.

**Appendix 3** illustrates the level of SaLT and OT provision that is available in these schools.

The ratio of SaLT provision to pupils is considerably higher in independent special schools and also in the maintained out of borough schools reviewed than that provided in Bromley schools. The highest ratio is provided at Moor House, which is a specialist speech, language and communication school which has 10 full time therapists and 3 therapy assistants with a pupil role of 71, thus providing a ratio of 1:5 ½. The cost of a place at Moor House is £32,000. The school which provides a better comparison to Riverside, St Paul's Cray is Parkwood Hall, where there is one full time therapist and 2 therapy assistants, with a pupil role of 79, making a ratio of 1:26. Riverside provides a ratio of 1:100.

### **3.6 PROJECTED GROWTH IN NUMBER OF PUPILS**

The current school population in Bromley is 46,396. This figure is forecast to increase by 1.3% in 2013/14 and by 2.8 % in 2014/15. There is however a higher projected growth of children and young people with complex needs who will require therapy input.

### **3.7 THE VALUE OF EARLY INTERVENTION**

Speech, language and communication is the most common type of need in primary aged children with Statements of SEN. Those who struggle to communicate are at high risk of poor outcomes, including educational achievement, behaviour and vulnerability, mental health, employability and criminality.

Early intervention is provided to those children with the most complex speech and language needs through the Pupil Resource Agreements. 169 pupils have received Pupil Resource Agreements, which include a short period of very intensive SaLT therapy, in the school year September 11 – July 12. Of those, 37 Agreements have ceased, as children are accessing 'School Action' and 'School Action Plus' and only 21 have been issued with Statements.

**Appendix 4** provides further analysis on the value of Early Intervention.

A number of older pupils are in specialist out of borough independent provision specifically for speech and language difficulties. Most have been placed via Tribunal. Had there been appropriate SaLT provision in the borough, the LA would have been able to argue to maintain these children in Bromley schools. Also, early intervention may have prevented some of these children from requiring this at a later stage.

### **3.8 SUMMARY**

Current provision of therapy services in the borough is limited and is not comparable with other therapy provisions in out of borough schools (both independent and maintained).

The current commissioning process is not coherent or cost effective. Statutory changes are being introduced in the Health and Social Care Act 2012 and the Care and Support legislation which impose a duty on Health and Local Authorities to commission jointly, with clarity as to who is the responsible commissioner.

A joint strategy to commissioning might include a move towards an early intervention strategy which could provide co-ordinated and targeted support which would develop sustained capacity.

There is a need to ensure that what is provided is fair and equitable. The current delivery methods should be re-aligned with PCT providing a 'core service' which LBB could then top up flexibly in response to changing needs.

There is a need to develop a system of data collection which helps to evaluate outcomes.

In line with Bromley Council policy to increase local specialist provision for the growing number of children with complex SEN, a spend to save option may be considered an appropriate cost effective way forward.

Spending to save in borough would ensure that LBB would be in a stronger position to meet needs and avoid costly placements (often via tribunal) out of borough.

#### **4. POLICY IMPLICATIONS**

- 4.1 This review which will inform member decision making will contribute to the delivery of the priorities for Children’s Services as set out in the Education and Care Services plan in line with statutory guidelines and local priorities.

#### **5. FINANCIAL IMPLICATIONS**

- 5.1 Further modelling will need to be carried out. There are potential for efficiencies to be obtained through contract reposition and the bringing together of the current separate contract arrangements. Careful consideration will be needed to ensure that any consolidation of contracts continues to meet the requirements of the commissioners whilst meeting the needs of users.

#### **6. LEGAL IMPLICATIONS**

- 6.1 The Local Authority has a statutory duty to meet the needs of all children inclusive of those pupils with a disability or a special educational need in the school environment to promote and assist the student’s learning process. Part of that duty is the liaison with other agencies to provide support and specialist assistance such as SaLT and Occupational Therapy.

#### **7. PERSONNEL IMPLICATIONS**

- 7.1 There are no direct personnel implications arising from this report.

<b>Non-Applicable Sections:</b>	N/A
Background Documents: (Access via Contact Officer)	The Bercow Report : A Review of Services for Children and Young People (0 – 19) with Speech, Language and Communication Needs: <a href="https://www.education.gov.uk/publications/.../DCSF-00632-2008">https://www.education.gov.uk/publications/.../DCSF-00632-2008</a>