

CABINET
24 NOVEMBER 2009

**JOINT RECOMMISSIONING OF THE WILTSHIRE SPEECH & LANGUAGE
THERAPY SERVICE: CABINET APPROVAL OF THIS PARTNERSHIP BETWEEN
WILTSHIRE COUNCIL AND NHS WILTSHIRE AND BRIEFING TO CABINET OF
PROGRESS THE TENDERING EXERCISE**

Executive Summary

Cabinet will be aware from the paper approved on 23rd June 2009 that the Speech & Language Therapy Service in Wiltshire is being jointly re-commissioned by NHS Wiltshire and Wiltshire Council via a competitive tendering exercise.

Cabinet approval of this commissioning partnership is now required to take this partnership work forward to the newly commissioned service from 1st April 2010 and to ensure the right arrangements are in place for the successful management of this contract.

Proposal

That Cabinet

- i) approves this Level Three Partnership between Wiltshire Council and NHS Wiltshire to enable its subsequent registration in accordance with the Council's Partnerships Protocol;
- ii) delegates authority to the Corporate Director for Children and Education to finalise the Partnership following its registration, so that the Partnership Agreement will be signed by both Wiltshire Council and NHS Wiltshire to ratify this partnership and
- iii) notes the progress of the tendering exercise for the provision of the single Wiltshire-wide Speech and Language Therapy Service.

Reason for Proposal

Historically this service has been provided separately to both Wiltshire Council and NHS Wiltshire from three different service providers through the providers' own Service Level Agreements offering different levels of service to children & young people in different parts of Wiltshire.

The Children's Trust Board Executive commissioned a review of additional communication needs, and in line with national recommendations sought to re-commission an integrated county-wide single provider Speech and Language Therapy service offering improved economies of scale and more consistent quality of service. This proposal was agreed at the October 2008 Children and Young People's Trust Board and subsequently approved by Wiltshire Council on 24th June 2009 and NHS Wiltshire on 1st July 2009.

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Purpose of Report

The purpose of this report is to formally seek Cabinet's approval of the commissioning partnership with NHS Wiltshire. This partnership covers both the tendering/pre-contract phase leading up to the start of the new contract on 1st April 2010 and the contract management phase for the duration of the new Wiltshire-wide service contract (minimum of 3 years and a maximum of 5 years). This report also takes this opportunity to brief Cabinet of the outcome of the recent competitive tendering exercise for this service.

i) **Cabinet Approval of the Commissioning Partnership**

As part of the Council's Partnerships Protocol Cabinet are being asked to scrutinise this partnership and to satisfy itself in principle that it is appropriate for the Council to enter in to this partnership, whilst delegating authority to the Corporate Director for Children and Education to finalise the Partnership following its registration, so that the Partnership Agreement will be signed by both Wiltshire Council and NHS Wiltshire to ratify this partnership. The Council's Partnership Protocol requires that this Partnership is registered and as this has been identified as a Level Three partnership Cabinet approval is required. Please refer to the extract below from the Council's Partnerships Protocol:

Step 4: (Level 3 partnerships only) Cabinet Approval

Cabinet's role is to scrutinise high risk partnership arrangements and to satisfy itself that it is appropriate for the Council to enter into such partnerships.

Cabinet will receive a report on the partnership, including the completed Partnerships Form.

Cabinet will then either:

- (1) approve the partnership, in which case please go to **Step 5**; or*
- (2) require changes or further information, in which case the Officer who completed the Information Section should go back to **Step 2** and implement Cabinet's requirements; or*
- (3) reject the partnership, in which case the partnership may not proceed. Existing partnerships which are rejected should be referred to the Legal Unit and other relevant officers to work out an exit strategy.*

ii) **Competitive Tender for Speech and Language Therapy in Wiltshire**

Following consultation with stakeholders (i.e. parents/carers early years settings and schools) in June 2009, a service specification was finalised and tender documents were despatched to all seven organisations that responded to a public notice seeking

expressions of interest. Competitive tenders were sought on a Best Value basis with a price to quality ratio of 30:70. Only two organisations submitted tenders by 6th October (the tender return date). These tenders were from the two main existing providers:

- Wiltshire Community Health Services (The provider arm of NHS Wiltshire);
- Salisbury Foundation NHS Trust.

The other current provider (Swindon Primary Care Trust) declined to tender and only provides about £3,500 of speech and language therapy in eastern Wiltshire.

A robust tender evaluation process is being undertaken. The evaluation process consists of four parts:

- Pre-qualification evaluation – a pass/fail evaluation covering probity, financial standing and policies and procedures. Both tenderers passed.
- Price evaluation – checking the prices received for the service and scoring these against the published weighting 30% (or 30 points). The prices received are still being analysed and clarification is being sought in a number of areas of the bids received. However whichever bid is successful the Council's contribution to this service will remain static.
- A tender evaluation panel of commissioning officers looking at the service proposals.
- A stakeholder evaluation panel covering issues of importance to stakeholders (parents/carers, schools and early years settings).

Once a preferred provider has been identified this will be subject to approval by the NHS Wiltshire Board.

Background

The Children's Trust Board Executive commissioned a review of additional communication needs, and in line with national recommendations sought to re-commission an integrated county-wide single provider Speech and Language Therapy service offering improved economies of scale and more consistent quality of service. This proposal was agreed at the October 2008 Children and Young People's Trust Board and subsequently approved by Wiltshire Council on 24th June 2009 and NHS Wiltshire on 1st July 2009.

Main Considerations for the Cabinet

In Children's Services we are increasingly integrating our commissioning across both the Council and NHS Wiltshire. The recent appointment of a jointly funded Service Director for Commissioning and Performance is evidence of joint working. Speech and Language Therapy is one of the services funded by both organisations, where there is a need to agree jointly the services required to improve outcomes for Wiltshire's children and young people.

Environmental Impact of the Proposal

The new Speech and Language Therapy service will not immediately change the current environmental impact of this service. However in time the effect of skilling-up the wider Children's workforce, it is hoped there will be a reduction in specialist Speech and Language Therapy for those children and young people with speech and language delay. This would mean that in time there would be less travelling required for children and young people and their families as most services would be provided closer to home in the community and in universal settings.

Equality and Diversity Impact of the Proposal

The result of this proposal will be a more equitable service being made available to all Children and Young People requiring Speech and Language Therapy in all community areas across Wiltshire.

Risk Assessment

A rolling risk assessment of the project is being undertaken as part of the management and this will continue up to the start of the new service contract on 1st April 2010.

Financial Implications

The main financial implication for the Partnership is the funding of the Speech and Language Service itself; however officer time will also be needed to attend meetings of the Implementation Group and subsequent contract monitoring.

The procurement is being jointly funded by the NHS Wiltshire and the Wiltshire Council. The resulting service will be delivered via aligned funding.

As noted in the June paper, there needs to be a commitment from both the Council and the NHS Wiltshire to commit to fund the service for the duration of the contract. Based on present annual expenditure the Council Contribution to this will be £536k for up to 5 yrs (based on a 3 year contract with an optional 2 year extension).

Legal Implications

The Council's Legal Services team has prepared a Partnership Agreement which has been circulated to the service commissioners for approval.

Options Considered

Following the Council's Partnership Protocol means there is no option other than to register this Partnership.

Conclusion

The conclusion is to jointly re-commission the Speech & Language Therapy Service across Wiltshire by formally registering a Level 3 Partnership with NHS Wiltshire.

Following Cabinet Approval this Partnership will be registered with the Corporate Procurement Unit. Following on from this the Partnership Agreement will be signed by the Council and NHS Wiltshire.

CAROLYN GODFREY - Corporate Director, Children and Education

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Background Papers

1. Cabinet report 23rd June 2009 Agenda item 13 – Re-commissioning the speech and language therapy service in Wiltshire.

Appendices

Appendix 1 - Partnerships Form – Joint recommissioning of the speech and language therapy service.