

Facilitating Better Outcomes for Our Children and Young People

Our approach to joint commissioning



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Contents

1. About this Approach	4
1.1 Context and Purpose	4
1.2 Core Principles.....	5
2. Joint Commissioning	6
2.1 What is joint commissioning?	6
2.2 Why is joint commissioning important?	6
2.3 Joint understanding.....	6
2.4 Equality & Diversity	7
3. Delivering the vision.....	7
3.1 Joint Commissioning Delivery Plan	7
3.2 Governance Model	8
3.3 Performance Reporting	8
3.4 Dispute resolution.....	9
4. Children and Young Person’s Outcomes Framework	10
Error! Bookmark not defined.	
6. Other key documents	11

1. About this Approach

1.1 Context and Purpose

In early 2019, Ofsted and the Care Quality Commission (CQC) conducted a joint inspection of Kent to judge the effectiveness of the area in implementing the disability and special educational needs reforms as set out in the Children and Families Act, 2014. The inspection highlighted that Joint Commissioning arrangements across the area were underdeveloped, which impacted on the effectiveness of commissioned services to meet the needs of children and young people.

Significant work has been undertaken since the inspection to deliver effective joint commissioning. This document sets out our commitment to working jointly to improve the outcomes of all children and young people.

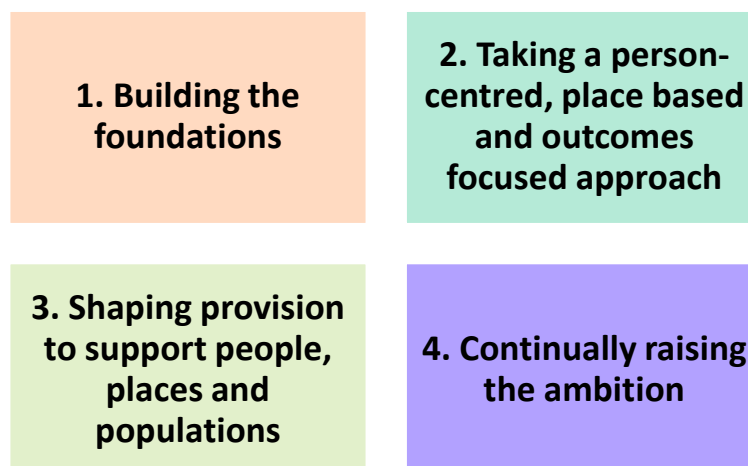
Although we are awaiting the special educational needs and disability services (SEND) revisit from Ofsted, a recent inspection of Kent County Council children's service the report noted that *"Strategic and operational partnership working across the county council is a strength. Effective strategic plans form the foundations for practice and multi-agency working. Clear lines of accountability and effective governance arrangements track the operational impact services make for children. These arrangements include ongoing negotiations with strategic partners and government departments in order to continue to secure the best arrangements for Kent's children"*. Through this inspection the council was considered and graded outstanding.

One of the fundamental elements of the reforms in the Children and Families Act, 2014 is local partners working effectively together to improve outcomes for children and young people with special education needs and disability. The Act gives local partners the flexibility to decide how the system will work in their area and what structure is most effective for them.

Delivering the vision requires both strong leadership and good governance. In the context of joint commissioning, this means both shared and collective leadership between Kent County Council and the NHS. It also includes providers and other partners, such as the voluntary and community sectors, children and young people, and parents and carers. The document sets out how this will be achieved, and the standards designed to support continuous improvement via cross-organisational reflection, benchmarking and peer review.

1.2 Core Principles

This approach has been informed by the Integrated Commissioning for Better Outcomes Framework, jointly commissioned by the LGA and NHS Clinical Commissioners (NHSCC). The joint commissioning approach and delivery plan is built around four domains:



Underpinning the four domains are a set of jointly agreed and owned principles. It is essential that agencies follow these to facilitate better outcomes for children and young people:

- **Coproduction and engagement** – By involving parents, carers, children and young people in the commissioning process we will be able to ensure that services truly work for those for which they are intended.¹
- **Innovation** – We must recognise one of the most pressing challenges facing the public sector, which is the pressure on available financial resources. Therefore, innovative ways of delivering services will be encouraged.
- **Joint understanding** – With multiple agencies working across the area for our children and young people, there is a need to jointly understand the local area. We will operate from a single shared understanding of the local area, through the Joint Strategic Needs Assessments to set our commissioning priorities.
- **Outcomes based** – The local area needs to be at the forefront of developing services that meet the needs of children, young people and their families, through coordinated delivery across multiple providers. This needs to include the more intelligent use of data, to predict demand and improve services. Moreover, we must also be open-minded and not lose sight of the experiences that children, young people and their families have and use these to improve our services.
- **Capacity building** – Delivering change will be limited unless there is the capacity within the wider system to be able to do this. Therefore, we must support the market wherever possible to enhance our children and young people's outcomes, while promoting efficiency.

¹ This is also a requirement as part of the statutory SEND code of practice: 0 to 25 years.

- **Joint ownership** – Joint ownership promotes joint decisions, allowing for more joining up of services. We do this while recognising we have different statutory responsibilities and that all these principles must be embedded into business-as-usual activities.

2. Joint Commissioning

2.1 What is joint commissioning?

Joint Commissioning is a strategic approach to planning and delivering services in a holistic, joined-up way. It is a means for the different partners that commission education, health and care provision, to deliver positive outcomes for children and young people.

There is no single definition or ‘right way’ to jointly commission services, however, in practice it means organisations collaborating and sharing responsibility for integrated services and their outcomes. This can involve working in partnership at all stages of the commissioning process, from the assessment of needs to the planning and procuring of services, and monitoring of outcomes.

Our approach recognises that joint commissioning needs to occur at various levels: with individuals and their families and carers; with communities; and across larger populations. It details the steps that will be undertaken to achieve the vision of improving outcomes for Children and Young People.

2.2 Why is joint commissioning important?

The health, education and care system in Kent is made up of a complex array of providers and services. Coming together to jointly commission services to close gaps between organisations and settings and makes clearer how service users should be supported by a network of services. It also produces efficiencies by reducing service duplication and improves outcomes by delivering services that better meet the needs of those using them.

There are also legislative requirements that are placed on local authorities and CCGs to work together. The Children Act, 2004 establishes the duty to encourage cooperation between relevant partners and local authorities. Furthermore, section 26 of the Children and Families Act, 2014 places a duty on local authorities and partner commissioning authorities to make arrangements for joint commissioning for children and young people that have Special Educational Needs or Disabilities. This is further strengthened by the Care Act, 2014 with the duty to ensure there is no gap in care and support between children and adult services.

2.3 Joint understanding

There are some unique and significant challenges in meeting the needs of children and young people across Kent. These challenges include but are not limited to, the geographical placement of support and care services, a diverse county of children

and young people and some growing demand of children and young people with complex needs.

Need Assessments will be used to agree and regularly review shared priorities. These will inform the development of a Joint Delivery Plan which will be used to continuously frame joint working and track delivery. There will also be widespread use of a range of public health and social care data, shared intelligence on contracts and market analysis.

Market position statements will be used to summarise the supply and demand for services in the area and how it may change in the future. It will also set out how strategic commissioners will support and intervene in the market, presenting data that will help providers develop effective business plans.

2.4 Equality & Diversity

This approach also restates KCC's² and the NHS'³ commitment to Equality and Diversity. We recognise that across the area there is great diversity amongst the peoples who access our services. In these circumstances, we must ensure that we comply with our statutory obligation under the Equality Act, 2010 to protect individuals from discrimination on the basis of their protected characteristics.

In order to ensure that we as a local area comply with this duty, it will be expected that all jointly commissioned activities will have completed Equality Impact Assessments. Through undertaking analysis of the key issues on equality and diversity, we will better understand how children and young people are treated entering our services and keep service users at the centre of all the services that we deliver together.

3. Delivering the vision

3.1 Joint Delivery Plan

Our initial Joint Commissioning Delivery Plan sets out the practical steps that will be undertaken to deliver the vision and can be found in Appendix 1. It was based around the four domains of building effective foundations for change and focuses on what needs to happen to ensure better outcomes for children and young people.

The Delivery Plan drew on the available evidence and set out the priorities for action. It drove production of individual project specific joint commissioning plans to ensure these priorities were met and outcomes improved for children and young people. It was used to develop innovative approaches to address gaps in services and improve transition to adult services.

² KCC's Equality, Diversity and Human Rights Policy

³ Kent and Medway CCG Constitution section 1.2.2

Appendix 1 sets out some of the services that are in scope for consideration to be jointly commissioned. Four pilot areas were chosen to test out the approach and lessons learnt has been fed back into the delivery process to ensure that practices and processes are continually being refined and improved. The pilot services were:

- The Neurodevelopmental Assessment Pathway
- Speech and Language Therapy
- Independent Special School Placements
- The Joint Funding of Individual Packages of Care/Support

The Delivery Plan will now be superseded by the Kent and Medway Integrated Children's Delivery Board's Plan.

3.2 Governance Model

A key step in delivering good quality joint commissioning outcomes is building strong governance to ensure that outcomes-focused integrated commissioning is embedded across the area. It will provide the structure to drive continuous improvement and cross-organisational reflections on the impact of the commissioning arrangements.

The Kent and Medway Integrated Children's Delivery Board oversees all partnership working including joint commissioning, it receives risk and issue escalation, makes decisions on informed and evidenced options and provides read across to other related activity. From this meeting partners take issues and opportunities via their individual organisations' governance structures.

3.3 Performance Reporting

It is important that we measure and understand the impact joint commissioning activity is having on children and young people, as well as the wider system. Key metrics will be developed as part of the commissioning plans for any service that is jointly commissioned and fed into the high-level Outcomes Framework (detailed in section four).

The Kent and Medway Integrated Children's Delivery Board is embedding a culture of evaluating the impact of what we do, regularly reviewing the performance and outcomes of services to determine the effectiveness and seek continuous improvement.

The views of children and young people will form part of any review using the "You're Welcome" guidance. This will enable commissioners to triangulate the experiences of those using the services with the performance data.

Children and young people rightly have expectations of what we do as commissioners, therefore, there has been a co-produced charter of expectations. It is expected that commissioners will take these into account during their commissioning

activities and be able to evidence where they are taking these considerations into account – moreover, there must be clear evidence of coproduction and engagement with those that would be affected by the service and/or provision.

1. **Respect us & be kind**
2. **Include and accept us**
3. **Listen, understand and act upon what we say**
4. **Be honest and trust each other**
5. **Support us to grow and learn from our experiences**
6. **Let us lead and make decisions**

3.4 Dispute resolution

It is recognised that there are times when organisations will not be able to agree on the best way forward and there must be mechanisms through which to handle the resolution of disputes. This section is not intended to be prescriptive, but merely to agree the adoption of the relevant principles resolve our disagreements.

- **Understanding of organisations** – Organisations operate in very different contexts, this includes different statutory responsibilities. Therefore, it is required that parties understand and respect these differences.
- **Clear communication** – Communication is key throughout the process of jointly working together in partnership. Therefore, any issues must be communicated at an early stage.
- **Resolution happens at the lowest level possible** – Issues should be handled at the most appropriate level, escalation should only occur as a last resort. This is to promote trust between organisations.
- **Penultimate decision** – Will be reached through escalation to the 0-25 Health and Wellbeing Board. If final decision is required, the CCG Accountable Officer and the Corporate Director for Children, Young People & Education will determine resolution.

4. Children and Young Person's Outcomes Framework

The Children and Young Person's Outcomes Framework describes the things that children and young people and their parents/carers want for them.

In Kent, the current Children and Young People's Framework (CYPF) was developed in 2016 and sets out the shared ambition of public and voluntary sector partners to improve the lives of children and young people growing up in Kent. Work was undertaken in late 2019 and early 2020 to refresh the framework. Stakeholders across education, health and social care came together to develop the new framework and identified the following seven high level outcomes.



A shared understanding of how the new outcomes framework will support commissioning, practice and impact measurement across the area will be developed and regularly reviewed by the Joint Commissioning Committee.

A set of indicators will sit underneath each outcome to measure progress towards the achievement of the outcomes. It is recognised that the engagement and participation of children and young people is essential to the success of improving outcomes,

therefore feedback will be collected from children, young people and their families and used to improve services and delivery.

5. Other key documents

This section holds the links to other documents that this Approach to Joint Commissioning links with, or can be used to gain a better understanding of the context in which our joint commissioning activities operate in.

[Joint Strategic Needs Assessment](#)

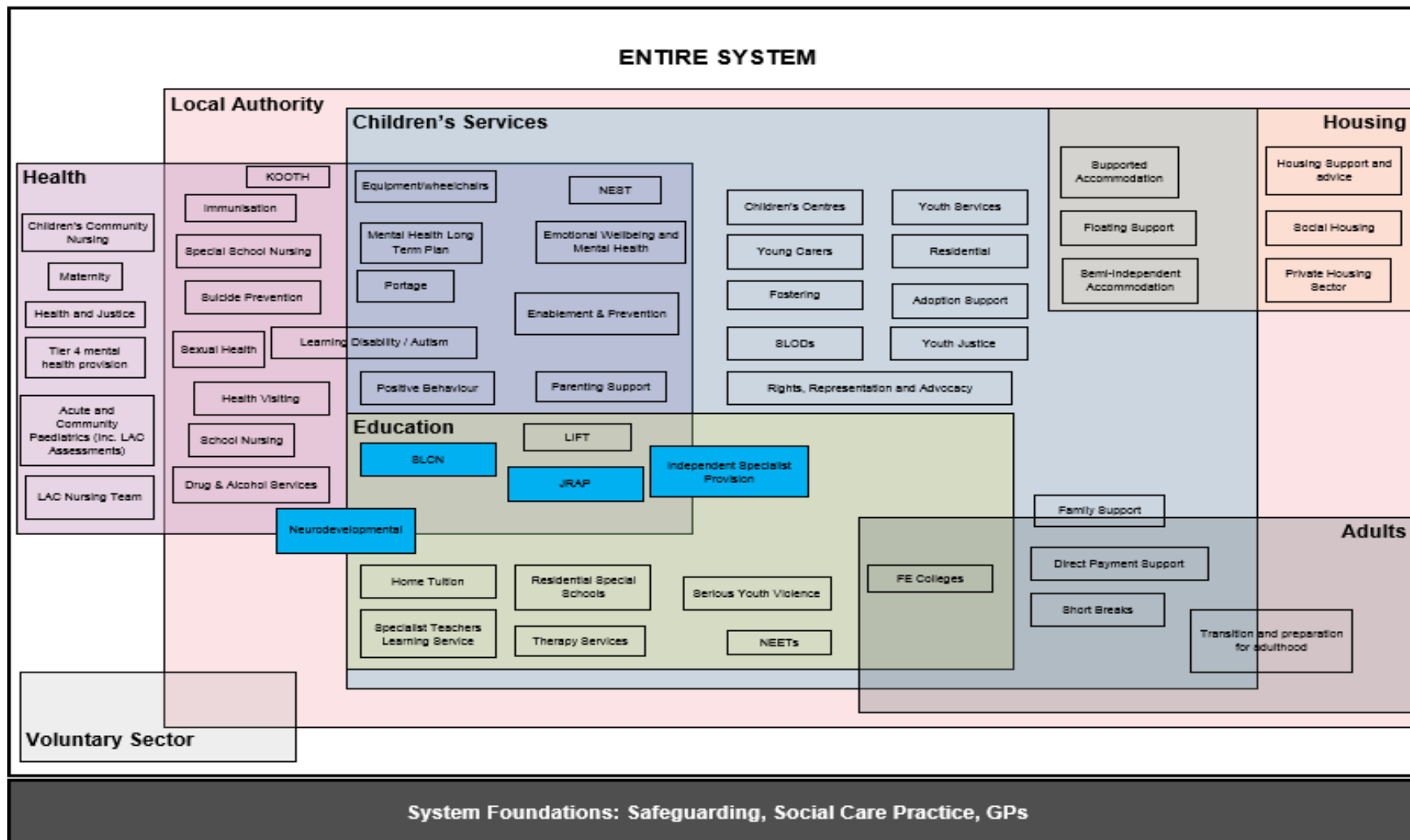
[SEND Health Needs Assessment 2019](#)

[Kent & Medway CCG Constitution](#)

[KCC Equality & Human Rights Policy](#)

[NHS Long Term Plan](#)

Appendix 1



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