

REPORT TO: Children, Young People and Families Policy & Performance Board

DATE: 20 October 2014

REPORTING OFFICER: Strategic Director, Children and Enterprise

PORTFOLIO: Children, Young People and Families

SUBJECT: Current position of the Reform Programme for Special Educational Needs & Disability September 2014

WARD(S): Borough-wide

1.0 PURPOSE OF THE REPORT

1.1 To update the PPB on recent developments and the current position in Halton as regards the SEND Reform Programme.

2.0 RECOMMENDATION that:

- (1) The PPB notes the report &
- (2) Endorses the continuing actions.

3.0 SUPPORTING INFORMATION

The Children & Families Act received Royal Assent on 13 March, 2014. Several aspects have now come into force as of 1 September, 2014. The Code of Practice was finalised by Parliament in July 2014.

Priorities for 1 September 2014 were:

- To implement the Education, Health & Care Plan model for new applications and for conversions
STATUS: Achieved
- To support the model with appropriate roles/new appointments
STATUS: Posts approved & adverts pending, using grant funding.
- To upgrade and update the linked database system with all workflows
STATUS: Achieved
- To begin the process of converting 450 existing Statements of Special Educational Needs over a 3 year period
STATUS: Conversion Plan on the SEND Local Offer & on-going

- To begin the process of converting 170 Learning Difficulty Assessments to Plans over a 2 year period
STATUS: Conversion Plan on the SEND Local Offer & on-going
- To continue our approach to joint commissioning
STATUS: Model of partnership-working continuing
- To further develop the Local Offer and monitor/audit the Offer, in consultation with children, young people, parent carers
STATUS: Additional post approved, using grant funding
- To revise our approaches to information, advice & guidance, including provision of advocacy for all children & young people who require it
STATUS: Advocacy being discussed as part of the new contracts with commissioned services
- To monitor the newly-commissioned mediation / dispute resolution service, in line with legislative requirements
STATUS: Service commissioned by the deadline, discussions continuing
- To plan for & carry out a training programme 2014/2015 , in the first instance
STATUS: Training Plan in place & approved

Policy Implications of the SEND Reform Programme: Education, Health & Care Plans / Process

In order to comply with legislative duties under the Act, a robust process has been developed, in order to meet the legal deadline of 20 weeks.

Tribal has supported training and development of the system, to meet our needs.

An Education, Health & Care Plan template has been agreed and approved by the DFE. It combines a person-centred approach alongside the legal requirements, as set down in the Code of Practice.

A critical part of this process will be the appointment of 5 Assessment Co-ordinators, managing the interface with parent carers, families, children, young people and all stakeholders, on behalf of the Authority.

It is unlikely that these approved posts will be advertised until 1 October, due to SEN team re-structuring. These posts are being funded by deletion of some existing posts within the current structure plus New Burdens funding, in order to meet the changing needs of the service & to comply with legal requirements.

Any appointments are unlikely to be completed until the end of December 2014

As our statutory duties run from 1 September 2014; we have a contingency plan that is “fit for purpose” to cover the short-term from 1 September to 1 January 2015.

The current teams need an additional 4 staff to undertake the role of Assessment Co-ordinator / case worker and 2 staff to offer a high level of additional SEN administrative support for this interim period.

These 6 temporary staff will support team members who have agreed to take on additional responsibilities during this period of time

Staff are currently being sought, in line with procurement procedures, approved by COMT, using grant funding.

“New Burdens” funding for 2014/2015 amounts to **£142,150**. This will be paid in 3 instalments directly by the government to the Local Authority:

- 2 instalments in August 2014
- 1 instalment in November 2014
- 1 instalment in March 2015

This grant has been allocated to meet all of our obligations 2014/2015

Policy Implications of the SEND Reform Programme: The Local Offer

Local authorities are required to publish and keep under review information about services they expect to be available for children and young people with special educational needs aged 0-25.

The intention of the local offer is to improve choice and transparency for families. It is also be an important resource for professionals in understanding the range of services and provision in the local area.

A further key role for the local offer is to inform the joint commissioning for children and young people with special educational needs and disabilities by setting out in a single place what is available locally.

The local authority will continue to work together with children and young people, parent carers and with local services, including the voluntary and community sector, in order to develop the offer and keep it under review. This is co-production.

The Local Offer also includes information about the provision the local authority expects to be available in its own area for children and young people with special educational needs and outside of its area for the children

and young people for whom it is responsible, regardless of whether or not they have Education, Health and Care Plans.

The Local Offer must cover:

- education, health and care provision for children and young people with SEN (which should include information about its quality and the destinations/outcomes achieved by those who use it);
- arrangements for identifying and assessing children and young people with SEN, including arrangements for requesting an EHC needs assessment;
- other education provision (outside of schools or colleges such as sports or arts provision);
- training provision, including apprenticeships;
- arrangements for travel to and from schools, post 16 institutions and early years providers;
- support to help children and young people in moving between phases of education and to prepare for adulthood;

The Local Offer is has been developed by existing staff within the SEN & Policy /Performance teams respectively & is now a live offer via the Halton Children's Trust website.

It can be accessed on www.halton.gov.uk/localoffer

Policy Implications of the SEND Reform Programme: Advocacy & Mediation

A considerable amount of the preparation in this area has been due to the involvement of our Halton SEND Partnership (formerly Parent Partnership Service), linking in to national developments, particularly around the role of the Independent Supporter.

This is initially a 2-year government -funded programme, developed and monitored by the Council for Disabled Children.

Our local SEND Partnership has received a grant to appoint an Independent Supporter & this is underway.

We will also be able to link into the regional offer of Independent Supporters, managed by Barnados North-West & PSS in Liverpool locally.

This is a developing programme and a considerable amount of training is required, prior to the offer of this service.

This will greatly assist our families and young people, who might need some impartial and independent advice during the EHC 20-week statutory assessment process.

A new dispute resolution & mediation service has been commissioned to meet our legal duties, with all legal deadlines met for the 1 September. This will be provided by "Your Family Matters".

There have already been a number of supplementary meetings to agree the finer points of the contract. Local provision is provided by PSS in Liverpool.

Policy Implications of the SEND Reform Programme: Next Steps

The Reform programme will continue and the project plan for Year 2 will reflect our developing priorities:

Key Issues:

- To successfully appoint Assessment Co-ordinators by January 2015
STATUS: Advertised and applications received
- To successfully appoint a Lead Officer for the Halton SEND Local Offer
STATUS: To be advertised at the end of September
- To audit Halton SEND Local Offer
STATUS: Part of the on-going cycle of Local Offer development
- To embed the work of the Independent Supporters
STATUS: On-going via Halton SEND Partnership
- To embed the work of the mediators within the contract
STATUS: On-going via Division of Inclusion & Commissioners
- To evaluate the delivery of the programme overall
STATUS: Project Plan continuance – linked to appointment of an Evaluator
- To implement on-going training requirements across Halton, in line with the medium & long-term training Plan
STATUS: Plan in place, sessions advertised via Children's Trust website / Training Plan, SEN newsletters etc;
- To monitor capacity of service provision & allocations: e.g. Educational Psychology Service, Speech & Language Therapy
STATUS: On-going monitoring by the Division of Inclusion, alongside appropriate Commissioners
- To ensure that the information relating to Complaints, dispute resolution, mediation and Tribunals is reviewed to ensure it is both comprehensive &

accessible.

- To maintain engagement with parents, families, children & young people via:
Halton Family Voice
Halton Impart
Halton SEND Partnership
Involve & to explore further avenues for consultation & co-production: e.g through the ENROL portal during an EHC Needs assessment.
STATUS: Project Plan continuance

FINANCIAL IMPLICATIONS

SEND Reform Programme September 2014: Budgets

Budgets are being carefully monitored to ensure that the “New Burdens” funding is allocated appropriately. A third grant is expected to be released for 2015/2016.

It is not yet known if there will be any further new money thereafter.

This area represents a risk area for the Local Authority, as the 2015/2016 grant has not yet been agreed.

SEND Reform Programme September 2014: Governance

It is anticipated that the Strategic Group for SEND reforms will continue, offering the strategic overview of the Plan 2014/2015.

The Reform programme will continue to be the focus of all key Boards and partnership meetings, to enable further work around integrated working.

Where appropriate & agreed, some of the Task & Finish Groups will continue to operate: e.g. Preparing for Adulthood and Personal Budgets

IMPLICATIONS FOR THE COUNCIL’S PRIORITIES

Children & Young People in Halton: Implementation of S.3 of the Children & Families Act, 2014 goes to the very heart of the agenda to support our children & young people. It directly addresses the needs of children & young people with a wide range of additional needs.

Employment, Learning & Skills in Halton: The Preparing for Adulthood agenda, which forms an important part of the reform programme, is focusing on transition into adulthood, independent living skills & employment.

A Healthy Halton: The programme, as described above, fully supports a healthy Halton, as we want all of our children & young people to achieve, thrive and enjoy high levels of positive social, emotional & mental health.

A Safer Halton: Aspects of the Reform Programme equip young people to have a more positive interaction with their communities and to keep safe – for example, independent travel training.

Halton's Urban Renewal: As above, we anticipate that, overtime, our young people with additional needs will have even greater levels of confidence and self-esteem to cope with all of the planned changes.

RISK ANALYSIS

Any risks affecting the children & young people would be addressed from within their settings, on an individual basis and as appropriate to the particular activity that the child or young person is undertaking.

Risks in terms of budgetary allocations are referenced above, as Halton waits for the next New Burdens allocation for 2015/2016. This grant is required to help embed the reforms and change of professional practice

EQUALITY & DIVERSITY ISSUES

The above is at the very heart of the ethos & vision surrounding the Special Educational Needs & Disability Reform Programme. The programme is delivered in line with all of the requirements under the Equality Act, 2010.

LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Supplementary information relating to all aspects of the Reform Programme can be accessed via www.sendpathfinder.co.uk/infopacks