



<b>Title of meeting:</b>	Cabinet
<b>Date of meeting:</b>	9th February 2017
<b>Subject:</b>	Special Educational Needs and Disabilities (SEND) Implementation Grant 2017-2018
<b>Report from:</b>	Alison Jeffery, Director of Children's Services
<b>Report by:</b>	Julia Katherine, Head of Inclusion
<b>Wards affected:</b>	All
<b>Key decision:</b>	No
<b>Full Council decision:</b>	No

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## 1. Purpose of report

- 1.1 The purpose of this report is to seek agreement to allocate the Special Educational Needs Implementation Grant for 2017-18 plus the additional funding to conduct a strategic review of high needs provision.
  - 1.1.1 The implementation grant funding allocated to Portsmouth for 2017-18 is £147,605. This has been allocated as an unringfenced grant and so Cabinet approval is required in order to allocate this grant to the education directorate to support the continued implementation of the SEND reforms.
  - 1.1.2 This funding will be used to continue to fund the additional staff who have been recruited to carry out the transfer of existing statements and learning disability assessments to education health and care plans, as specified in the new special educational needs and disabilities legislation (Children and Families Act 2014).
  - 1.1.3 Additional funding has been allocated to enable all local authorities to carry out a strategic review of their high needs provision. Portsmouth has been allocated £90,993 for this purpose.

## 2. Recommendations

2.1 Cabinet is recommended to:

- 2.1.1 Approve the allocation of the Special Educational Needs Implementation Grant of £147,605 in 2017-18 to the Education portfolio.

- 2.1.2 Approve the allocation of the funding of £90,993 to support high needs strategic planning in 2017-18 to the Education portfolio.

### 3 Background

- 3.1 New legal duties came into force in September 2014, through the Children and Families Act to reform the way support is provided for children and young people with special educational needs and disabilities (SEND). The aim of these SEND Reforms is to improve outcomes for children and young people with SEND and to enable them to achieve their potential and live happy and fulfilled lives.
- 3.2 The Act places the views, wishes and aspirations of children, parents and young people at the heart of the system and requires a culture change in the ways in which professionals work with families and with each other.
- 3.3 Portsmouth has made good progress in implementing the SEND Reforms. Transitional arrangements are in place for completing the transfer of all SEN statements and learning disability assessments to education, health and care plans by April 2018.
- 3.4 In Portsmouth this will mean approximately 1,000 education health and care needs assessments to be transferred from existing statements and learning disability assessments, plus an additional estimated 100 new assessments per year. All transfers and new assessments are completed over a 20 week statutory time period.
- 3.5 The council has utilised the allocated 2016/17 funding to employ additional staff on fixed term contracts within the SEND team to work with families, schools, colleges and early years settings to co-ordinate these statutory, multi-agency assessments and write the new education health and care plans.
- 3.6 In December 2016, the government announced the SEND reforms implementation annual funding allocation for Portsmouth in 2017-18 is £147,605.
- 3.7 It is proposed to use this funding to extend to March 2018 the fixed term contracts of the staff who have been taken on to deliver the transfers of statements to education health and care plans and to continue the engagement and co-production work with young people with SEND, parent/carers and schools to support the implementation of the reforms, as set out below.

### 3.8 Implementation grant - proposed costs 2017-18

Activity	Costs
<b>Staffing</b> - SEND team additional staffing to cover the transfers of statements to education health and care plans (continuation of existing fixed term contracts)	£128,400 (actual staff costs)
<b>Young people</b> - engagement, participation and co-production with young people and young inspectors programme	£9,000 (to be provided as a grant)
<b>Parents/carers</b> - engagement, participation and co-production with parents/carers	£9,000 (to be provided as a grant)
<b>Total available</b>	<b>£ 147,605</b>

3.9 An additional £90,993 has been allocated to enable a strategic review of high needs provision to ensure that Portsmouth has in place a continuum of provision that can meet the anticipated future need for special educational provision. It is proposed that the full allocated amount is used for this purpose, as set out below. This would enable us to pull together the recommendations from the mini-reviews carried out so far and enable us to future-proof provision with the new funding formula for schools.

### 3.10 Strategic review - proposed costs 2017-18

Activity	Cost
<b>Project lead</b> - to employ a project lead on a fixed term contract to complete a strategic review of high needs provision	£65,741 (estimated)
<b>Co-production activity</b> - to facilitate engagement, participation and co-production with young people, parents/carers	£10,000 (to be paid as a grant)
<b>Stakeholder engagement</b> - to facilitate engagement, participation and co-production with schools, colleges, early years providers and health - to include a contribution to the Portsmouth Education Partnership and Inclusion manager post	£15,000
<b>Total available</b>	<b>£90,993</b>

- 3.11 The scope of the review will be developed in partnership with parents/carers and young people with SEND in Portsmouth as well as with providers including schools, colleges, early years settings and health providers.
- 3.12 The aim of the review will be to ensure that Portsmouth has in place the right balance of mainstream additionally resourced provision and inclusion centres, as well as specialist educational provision to meet the assessed special educational needs and disabilities of children and young people aged 0-25 in the city, going forward.

#### **4 Reasons for recommendations**

- 4.1 The work that has taken place in Portsmouth to implement the SEND Reforms has been praised by the Department for Education (DfE), and Children's Minister, Edward Timpson, in recognition of the progress made in implementation of the reforms.
- 4.2 The DfE is continuing to monitor closely the way that local authorities are using the grant funding allocated to ensure full compliance with the new legislation.
- 4.3 Implementation is subject to a new local area SEND inspection by Ofsted and CQC.

#### **5 Equality impact assessment (EIA)**

- 5.1 A preliminary EIA was completed in 2014 for the Information, Advice & Support for Parents, Carers & Young People Service, as part of the implementation of the SEND reforms outlined in the Children and Families Act 2014. It was found that the reforms do not impact negatively on any of the protected characteristics under the Equality Act 2010 so a full EIA was not required.
- 5.2 An EIA is not required for this report as this also relates to the SEND reforms and the recommendations will not negatively impact on any of the equality strands as this is to allocate the SEND funds to ensure the continuation of funding for additional staff who have been recruited to carry out the 'conversion' statutory assessments, as specified in the new special educational needs and disabilities legislation.

#### **6 Legal implications**

- 6.1 The report comments and aims are consistent with implementing the statutory changes to the provision of SEND the benefit being that in dealing with the changes in the way suggested above the Authority is exposed to less risk associated with challenge and is acting consistently with promoting the best outcomes from those persons requiring SEND input.



**7 Director of Finance’s comments**

- 7.1 The purpose of the SEND Reform grant is to support local authorities with the additional costs associated with the implementation of the SEND reforms, however it is not ring fenced. The grant allocation to Portsmouth for 2017-18 amounts to £147,605 and is the second instalment of a two year allocation to Authorities by the Department for Education.
- 7.2 Due to the time limited nature of the grant and the previous uncertainty of the 2017-18 allocation, the additional posts have been recruited on fixed term one-year contracts. This allocation would allow those to be extended.
- 7.3 The spending proposals within this report cannot be accommodated without the allocation of the grant to these activities.

Signed by: Alison Jeffery, Director of Children's Services

**Appendices:** None

**Background list of documents:**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

.....  
Signed by: