

Agenda Item:

Title of meeting:	Cabinet
Date of meeting:	7 th April 2014
Subject:	Special Educational Needs and Disabilities (SEND) Reform Grant
Report from:	Julian Wooster, Director of Children's and Adults' Services
Report by:	Julia Katherine, Child Support Services Commissioning Manager
Wards affected:	All
Key decision:	No
Full Council decision:	No

1. Purpose of report

- 1.1 The purpose of this report is to provide Cabinet with an update on plans for implementing the Special Educational Needs and Disabilities (SEND) Reforms in Portsmouth.
- 1.2 Children and young people who are identified as having special educational needs (SEN) can struggle to get the support they need to do well. It can often take too long for their families to find out that their child needs extra help. Also, the system of support available to children and young people with SEN is very complex, with teachers, health workers and social care workers often working separately to meet the particular needs of a child or young person. The Special Educational Needs and Disabilities (SEND) Reforms are aimed at addressing the barriers that prevent children and young people with SEN from getting the support and services they need.
- 1.3 The Department for Education has confirmed that funding has been allocated to local authorities to enable them to meet the implementation cost of the reforms, as outlined in the Children and Families bill in the form of an un-ring-fenced SEND Reform Grant. The allocation for Portsmouth in 2014/15 is £253,647.
- 1.4 This report sets out how it is proposed that this funding is used to ensure that best value is achieved from the grant and that Portsmouth is ready for implementation from 1st September 2014.

2. Recommendations

2.1 Cabinet are recommended to:

- (a) Approve the full allocation of the Special Educational Needs Reform Grant of £253,647 in 2014-15.
- (b) Approve the proposals for utilising the grant to enable the successful implementation of the Special Educational Needs and Disabilities Reform in Portsmouth as set out within the report.

3. Background

3.1 The Children and Families Bill is due to receive royal assent by the end of March, with enactment from 1st September 2014. Part 3 of the Bill has major implications for the way in which we commission and deliver services for children and young people with special educational needs and disabilities.

3.2 The Bill outlines 7 new statutory duties for Local Authorities:

1. A duty to jointly commission services across Education, Health and Social Care to meet the needs of children and young people with special educational needs and disabilities.
2. A duty to publish a 'Local Offer' of the services available for children and young people with special educational needs and disabilities.
3. A duty to implement an integrated assessment process to assess the needs of children and young people with special educational needs and disabilities.
4. A duty to issue Education, Health and Care Plans for those with the most complex needs (instead of statements of special educational needs) following assessments.
5. A duty to deliver personal budgets and, where appropriate, direct payments to families with Education, Health and Care plans.
6. A duty to extend the statutory protections currently available to pupils with statements of special educational needs from 0 to 25 years, where appropriate.
7. The same duties apply to all educational providers including, Maintained schools, Academies, Free Schools, Further Education and Sixth Form colleges.

3.3 All local authorities must be ready to implement these new statutory duties from 1st September 2014. For example, no new statements of special educational needs can be issued after 1st September; local authorities must instead have in place the systems to enable multi-agency assessments, resulting in the issuing of Education, Health and Care Plans. A transition period of 3 years will enable local authorities to achieve full implementation, including for example transitioning across all those who

currently are subject to a statement of special educational needs or a Moving On Plan.

- 3.4 In Portsmouth, preparation for the implementation of the SEN reforms is integral to Children's Trust Plan Priority G: Improving services and outcomes for children, young people and their families with disabilities. The cohort of 0-25 year olds who will be subject to Education, Health and Care Plans is anticipated to include around 1200-1300 children and young people. There are currently around 900 children with statements of SEN. There are around 100 new requests for statutory assessment each year. All of this work will need to be undertaken in line with the new legislation and new Code of Practice from 1st September 2014.

4. Improving services and outcomes for children, young people and their families with disabilities

- 4.1 The Children's Trust Plan also includes associated programmes to improving services and outcomes for children, young people and their families with disabilities, which are dependent on the SEND programme including:
- a. The development of an integrated disability service - involving initially education (SEN Services), Youth Service Personal Advisers and Children's Social Care. This will ensure families receive a more co-ordinated and efficient service.
 - b. Personalisation of Home to School Transport - Cabinet at its March meeting approved changes to Home to School Arrangements to ensure a more responsive and personalised service, which in the majority cases will be dependent on the new Education, Health and Care Plans.

5. Proposals for the SEND Reform Grant

- 5.1 The work being undertaken in Portsmouth to implement the SEND Reforms is being project managed by a small implementation team. This work is overseen by the Priority G Board. The work has been divided into 8 work streams, as detailed below, which cover the new statutory duties on local authorities outlined in section 3.

New Statutory Duty	Activity	2014-2015 Expenditure	2015-2016 Onwards Annual Costs	Comment
1. Local Offer: A Local Offer of all services available to Children and Young People aged 0-25 with special Educational Needs and disabilities across Education, Health & Care	Web-site to be commissioned.	£10k (estimated)	£0	



<p>must be published by 1st September 2014. This must be co-produced with service users, kept up to date, and feed back in to the commissioning cycle.</p>				
<p>2. Education Health & Care Assessment & Plan: All new requests for statutory assessment must be carried out as a multi-agency assessment which may lead to an Education Health & Care Plan from 1st Sept 2014. Families undergoing assessment will have access to 'key workers'. All children with statements and Moving On Plans will need to be transitioned across to an Education Health & Care Plan via a Person Centred review of their statement.</p>	<p>Staff restructure to create an integrated disability service, incorporating Education (SEN), Personal Advisers and Children's Social Care disabilities team.</p>	<p>£62k (actual)</p>	<p>£62K (actual)</p>	<p>2 posts are currently unfunded within the service. This will remain a pressure, however the service is currently being reviewed in the light of the legislative changes and will be redesigned within the cash limit available.</p>
<p>3. 0-5s Pathway: To extend the statutory protections so that assessments can start from birth, where it is clear that the child has long term and complex needs.</p>	<p>Additional Assessment Co-ordination capacity.</p>	<p>£16k (actual)</p>		<p>Staff employed on fixed term contracts.</p>
<p>4. 16-25s Pathway: To extend the statutory protections up to the age of 25.</p>	<p>Development Officer (actual)</p>	<p>£38k (actual)</p>		<p>Staff currently employed on a fixed term contract. Post to end on 31/12/14</p>
<p>5. Personal Budgets: To have the infrastructure in place to be able to deliver personal budgets for all families who have an EHC Plan.</p>	<p>1 Development Officer to implement the new home to school transport assistance policy, including re-assessments, processing direct</p>	<p>£26k (actual)</p>	<p>£26 k (actual)</p>	<p>1 additional permanent member of staff will be required to implement this policy, however, once the new policy is embedded, the capacity required to</p>



	payments and ensuring spending is brought back within budget.			deliver this will be delivered from within the core service.
6. Parents & Young People's engagement: To ensure effective stakeholder engagement and co-production with all service users both new to the system and those families who already have a statement or Moving On Plan.	Parent Engagement Officer and Young People's Engagement Officers employed by the voluntary sector.	£24k (actual)	£0	
7. Communication: To ensure that all stakeholders are kept up to date with the changes.	Delivery of the communication plan (information leaflets for parents etc)	£6k (estimated)	£0	
8. Workforce Development: To ensure that professionals working with 0-25 years olds with special needs and disabilities have the necessary skills to competently deliver the new ways of working. Professionals include SEN Officers, GPs, Social Workers, Educational Psychologists, School staff, Health Visitors, Therapists, CAMHS, Social Work staff, School Nurses, Early Years practitioners.	A programme of training and workforce development including targeted workshops, training and supervision for Assessment Co-ordinators plus a stakeholder conference in March 2015.	£30k (estimated)	£0	On-going workforce development programme will need to be incorporated into corporate programme.
9. Project Management and support: to ensure successful delivery of the project within required timescales.	Project manager and business support.	£41k (actual)	£0	Seconded posts
Total cost:		£253k	£88K	
Grant available:		£253k		

- 5.2 A significant amount of activity is being undertaken that relates to the implementation of the SEND Reforms, but which does not form part of this recommendation for allocation of the grant funding as it is being funded from within existing resources.
- 5.3 The Service is currently being reviewed & restructured in the light of the legislative changes to realign processes and pathways. Once the changes have been embedded, the requirement for these services is anticipated to reduce. The team structure that surrounds these is therefore being redesigned within the existing cash limit available.

6. Reasons for recommendations

- 6.1 The Council received a ring fence grant of £75K in 2013/14. This was used to fund a small implementation team to put into practice and drive forward the changes that will ensure Portsmouth are ready to implement the new SEN Disability Legislation from September 2014. The costs of this team for 2014/15 have been incorporated into the proposal above.
- 6.2 The work that has been undertaken so far in Portsmouth to implement the SEND Reforms was praised recently by a DfE representative, speaking at the Stakeholder conference on 24th February. The progress and readiness of all local authorities for implementation is being closely monitored by the DfE. Approval of the above implementation proposals will ensure that Portsmouth can successfully implement the SEND Reforms in readiness for the enactment of the Children and Families Bill in September 2014.
- 6.3 The Department for Education (DfE) are monitoring closely the way that local authorities are using the grant funding allocated to ensure full compliance with the new legislation and a number of local authority Lead Cabinet Members, Director of Children's Services and Senior strategic leaders have received visits from the DfE where this funding has not been used effectively and/or local authorities have not achieved sufficient progress towards implementation.

7. Equality impact assessment (EIA)

- 7.1 This report does not require an Equality Assessment as the proposal does not have any impact on a particular equalities group.

8. Legal Implications

- 8.1 There are no legal comments as the proposed plan is consistent with the reforms outlined in the Children and Families Act which will be effective from the 1st September 2014.

9. Head of Finance's comments

- 9.1 Whilst the reforms are expected to be fully implemented over a three year transition period, the Special Educational Needs Reform Grant of £253,647 has been allocated for 2014-15 only. Some of the proposals contained within this report involve an on-going annual expenditure commitment in the region of £88,000. The service is currently redesigning the structure and processes to accommodate the changes required to manage the on-going delivery of the reforms within the current cash limit.
- 9.2 Any un-ring-fenced funding received by the Council would generally be retained centrally as a "windfall" gain. However, in order to achieve the government's priorities in respect of the Special Educational Needs Reform as outlined in the report, it will be necessary to invest and develop the service.

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Signed by:

Appendices:

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

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Signed by: