



**Title of meeting:** Cabinet

**Date of meeting:** 5<sup>th</sup> March 2015

**Subject:** Special Educational Needs and Disabilities (SEND)  
Implementation Grant (New Burdens) 2015-16 allocation

**Report from:** Julian Wooster,  
Director of Children's and Adults' Services

**Report by:** Julia Katherine,  
Inclusion Commissioning Manager

**Wards affected:** All

**Key decision:** No

**Full Council decision:** No

---

### 1. Purpose of report

The purpose of this report is to seek agreement to allocate the Special Educational Needs Implementation Grant for 2015-16 to continue to fund the additional staff who have been recruited to carry out the 'conversion' statutory assessments, as specified in the new special educational needs and disabilities legislation.

The funding allocated to Portsmouth is £116,389. This has been allocated as an un-ring-fenced grant and so Cabinet approval is required in order to allocate this grant to the Education Service to support continued implementation of the SEND Reforms.

### 2. Recommendations

Cabinet are recommended to:

- a) Approve the full allocation of the Special Educational Needs Implementation Grant of £116,389 in 2015-16.
- b) Approve the proposals for utilising the grant to continue to fund the staff who have been employed on a fixed term basis to enable successful conversion of existing statements and Moving-on Plans to Education Health and Care Plans.

### 3. Background

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.

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.

Portsmouth has made a good start in implementing the SEND Reforms. Transitional arrangements are in place for gradually transferring SEN statements and Learning Difficulty Assessments to Education, Health and Care Plans by April 2018.

In December 2013 an SEN Reform Grant was announced to help local authorities plan for the reforms. Portsmouth received £253,647 to develop the systems and processes required to implement the reforms. In June additional 'new burdens' funding for 2014-15 was announced in recognition of the additional assessments required to convert existing statements and Learning Difficulty Assessments to Education Health and Care Plans. In Portsmouth this will mean approximately 1,000 education health and care needs assessments (over a 14 week period each) to convert existing statements and LDAs, plus an additional estimated 100 new assessments per year over a period of 20 weeks each.

Portsmouth have allocated the funding to employ additional staff on fixed term contracts within the SEND team to work with families, schools, colleges and early years settings to facilitate person centred annual reviews and write the new Education Health and Care Plans.

In December, the government announced funding allocations for 2015-16. Portsmouth has been allocated £116,389. It is proposed to use this additional funding to pay for the staff described above, who have been employed on one-year fixed term contracts to December 2015. The shortfall in funding of £27,895 between the staff costs shown below and the funding allocation of £116,389, will be met from funding from other sources within the department.

### Staffing costs 2015-16

Posts	Band	Time period	FTE	Cost
SEND Advisers	8	April 2015 to Dec 2015	4.4	£111,428
SEND Case Workers	5	April 2015 to Dec 2015	2.0	£32,856
<b>Total</b>				<b>£144,284</b>

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

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.

The DfE are continuing to monitor closely the way that local authorities are using the grant funding allocated to ensure full compliance with the new legislation. Implementation will be subject to inspection by Ofsted and CQC.

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

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.

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. Head of Legal Services' comments**

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. Head of Finance's comments**

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 2015-16 amounts to £116,389 and forms part of a two year allocation to Authorities by the Department for Education.

Due to the time limited nature of the grant and the uncertainty of the 2015-16 allocation, the additional posts have been recruited on fixed term contracts until December 2015.

.....  
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 .....

.....  
Signed by: