WEST MIDLANDS REGIONAL SEND PARTNERSHIP

Children and Families Act (PART 3)

WORKING WITH YOU TO PLAN FOR IMPLEMENTATION

23rd June 2014
West Midlands SEND Champion Consortium

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- Sandwell: Pat Evans/Nurinder Shergill
- Solihull: Jeannette Essex
- Shropshire: Janice Stackhouse
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- Stoke: Geoff Catterall/Brian Hepburn
- Telford & Wrekin: Karen Levell
- Walsall: Karen Grandison
- Warwickshire: Hugh Disley/Adrian Wells
- Wolverhampton: Viv Griffin/Sandy Lisle
- Worcestershire: Peter Harwood
Key Questions

West Midlands Focus: collaboration and partnership

- How can colleges and Local Authorities in the West Midlands work together to deliver the reforms?
- What needs to be achieved?
- What are the challenges?
New requirement for **LAs, health and care services to commission services jointly**, to ensure that the needs of children and young people are met.

LAs to publish a clear, transparent ‘**local offer**’ of services, so parents and young people can understand what is available; developed with parents and young people.

**More streamlined assessment process**, co-ordinated across education, health and care, and involves children and young people and their families throughout.

New **0-25 Education, Health and Care Plan**, replacing the current system of **Statements and Learning Difficulty Assessments**, which reflects the child or young person’s aspirations for the future, as well as their current needs.
A new **duty on health commissioners** to deliver the health elements of EHC plans.

**Option of a personal budget** for families and young people with a plan, extending choice and control over their support.

**New statutory protections for young people aged 16-25 in FE**, including right to request particular institution named in their EHC plan and the right to appeal to the First-tier Tribunal.

A stronger focus on **preparing for adulthood** including new powers for LAs to provide children’s services to young people over 18 to improve transition to adult services.

**Academies and Free Schools** to have the same SEN duties as maintained schools.
Revised Draft Code of Practice

A revised draft SEND CoP (242 pages): was published (16 April 2014).

Intro and 11 chapters:

1. Principles
2. Impartial information, advice and support
3. Working together across education, health and care for joint outcomes
4. The Local Offer
5. Early years providers
6. Schools
7. Further education
8. Preparing for adulthood from the earliest years
9. Education, Health and Care needs assessments
10. Children and young people in specific circumstances
11. Resolving disagreements
Main Changes

- 0-25
- Participation of children and young people and parents in decision-making at all levels
- Decision makers – age of 16, subject to mental capacity
- Strong focus on high aspirations and on improving outcomes
- Joint planning and commissioning of services to ensure close co-operation between education, health and social care
- Guidance on publishing a Local Offer of support
The Local Offer
Principles

• **Collaborative:** local authorities must involve parents, children and young people in developing and reviewing the local offer.

• **Accessible:** should be easy to understand, factual and jargon-free. Should be well signposted and publicised.

• **Comprehensive:** describe support available across education, health and social care from 0 to 25 and how to access it including eligibility criteria. Describe where to go for information, advice and support, and how to make complaints or appeal against decisions.

• **Transparent:** must be clear about how decisions are made and who is accountable and responsible for them.
What must be included

- Education, health and social care provision for SEN;
- How parents and young people request assessment for EHC plan;
- Arrangements for identifying and assessing SEN;
- Other educational provision such as sports or arts provision;
- Post-16 education and training provision;
- Apprenticeships, Traineeships, and Supported Internships;
- Arrangements for travel;
- Support to help movement between phases of education
- Sources of information, advice and support relating to SEN
- Childcare, including provision for disabled children and with SEN;
- Leisure activities;
- Support available to young people in higher education
- Arrangements for resolving disagreements, mediation, parents’ and young people’s rights to appeal to Tribunal and routes of complaint and redress for health and social care.
Available as a plain text version:

Publishing the local offer

Local authorities must:

- make their local offer widely accessible and on a website
- publish their arrangements for enabling those without access to the web to get the information
- enable access for different groups, including disabled people and those with different types of SEN.
Preparing and reviewing the local offer

Local authorities:

- must involve children and young people with SEN and their parents in developing and reviewing (co-production)
- must involve schools, colleges, health services and others - all must cooperate with each other in development and review.
- should have engagement with providers of relevant early years education.
- must keep under review the special educational and social care provision available in their area and outside.
- must seek and publish comments about the local offer, including those received from or on behalf of children and young people with SEN and their parents. (You said, we did)

Q: How do Colleges link information to the Local Offer?
What’s a single plan?

- Over the next 3 ½ years a single plan **may** replace an existing Statement of Special Educational Need
- The assessment will be different and quicker
- The plan will include education, health and social care needs instead of just education
- The plan **will apply in colleges** not just schools
- It will be ‘co-produced’ with families and young people
- Tell us once!
- Increased power and control
- Culture and relationships will therefore change – spirit of partnership
Current Students

- LDAs will be phased out by September 2016
- Requirement to convert current LDAs (sect 139a) to EHC Plans by September 2016
- Young people have a right to request an EHCP up to the age of 25
- Outcome focused ⇒ HE, employment, ordinary life
- Students sit at the heart of their plan
New Students

- Requirement to issue new EHC Plans for college start in Sept 15, by 31st March 2015
- Colleges must be ‘consulted’ on the content – to confirm that you can:
  - Meet need
  - Offer the provision specified
  - Offer value for money
- Respond within 15 days of consultation
- Cannot reasonably refuse admission to a ‘mainstream’ college
Commissioning

- For outcomes
  - Right courses – personalised outcome focused curriculum
  - Assessment – set out in EHC Plan
  - Progression – year at a time
  - Contracts – link to plans for provision specification

- Twenty-five hour offer – packages of support
  - Work experience
  - Personal budget
EHC personal budgets

- Once an LA confirms a plan is necessary, a parent or young person can request an EHC personal budget. This is an amount of money identified to achieve outcomes agreed in an EHC plan.

- It may be managed in three ways:
  - The local authority manages the funds and commissions the support specified in the EHC plan (sometimes called “notional arrangements”).
  - The funds are paid to a third party to manage on behalf of the parent or young person.
  - The funds are paid to the parent or young person as a direct payment, and they buy the provision specified in the plan.

- An EHC personal budget should cover only the special individualised provision made available through the EHC plan.
Funding EHC Personal Budgets

• Base funding, notional SEN budget and high-needs block funding enable schools and colleges to provide teaching and support arrangements for all of their pupils and students.

• If individual needs exceed the level of provision the school or college normally provides, additional funds:
  • can definitely come from funding provided by the LA from their high-needs block
  • can possibly come from funding managed by a school or college, if the head or principal agrees.

• It is normally these additional funds, beyond the normal provision as set out in the local offer, that would be offered as part of an EHC personal budget.
Overview: Reform of high needs funding

<table>
<thead>
<tr>
<th>Element 1: Core education funding</th>
<th>Element 2: Additional support funding</th>
<th>Element 3: Top-up funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mainstream per-pupil funding (AWPU)</td>
<td>Contribution of £6,000 to additional support required by a pupil with high needs, from the notional SEN budget</td>
<td>“Top-up” funding from the commissioner to meet the needs of each pupil or student placed in the institution. Element 3 = threshold for a Statement of SEN / Education Health Care Plan</td>
</tr>
</tbody>
</table>

Pre-16 SEN and AP

<table>
<thead>
<tr>
<th>Mainstream settings</th>
<th>Specialist settings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base funding of £10,000 for SEN and £8,000 for AP placements, which is roughly equivalent to the level up to which a mainstream provider would have contributed to the additional support provision of a high needs pupil. Base funding is provided on the basis of planned places.</td>
<td></td>
</tr>
</tbody>
</table>

Post-16 SEN and LDD

<table>
<thead>
<tr>
<th>All settings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mainstream per-student funding (as calculated by the national 16-19 funding system)</td>
</tr>
<tr>
<td>Contribution of £6,000 to additional support required by a student with high needs</td>
</tr>
</tbody>
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## ADDITIONAL BURDEN FUNDING

<table>
<thead>
<tr>
<th>Location</th>
<th>Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Birmingham</td>
<td>£991,910</td>
</tr>
<tr>
<td>Coventry</td>
<td>£279,758</td>
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<tr>
<td>Dudley</td>
<td>£259,415</td>
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<tr>
<td>Sandwell</td>
<td>£304,380</td>
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<tr>
<td>Solihull</td>
<td>£182,351</td>
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<tr>
<td>Walsall</td>
<td>£255,704</td>
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<tr>
<td>Wolverhampton</td>
<td>£237,085</td>
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<tr>
<td>Staffordshire</td>
<td>£583,111</td>
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<tr>
<td>Stoke-on-Trent</td>
<td>£231,532</td>
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<td>Herefordshire</td>
<td>£188,886</td>
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<td>Worcestershire</td>
<td>£406,596</td>
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<td>Shropshire</td>
<td>£269,946</td>
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<td>Telford and Wrekin</td>
<td>£175,182</td>
</tr>
<tr>
<td>Warwickshire</td>
<td>£403,938</td>
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Next Steps

- Proposed 15th September 2014, regional planning event
- Involve Colleges, LA officers, Careers Advisers and representative students

Aims:
- Confirm process for new referrals to meet the deadline 31st March
- Design the Conversion Process and timescales
Thank You