

# CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Children and Families Scrutiny Committee**  
held on Tuesday, 13th December, 2011 at Committee Suite 1,2 & 3,  
Westfields, Middlewich Road, Sandbach CW11 1HZ

## PRESENT

Councillor A Kolker (Chairman)  
Councillor K Edwards (Vice-Chairman)

Councillors L Brown, S Gardiner, P Hoyland, D Mahon, D Neilson, G Merry and  
B Silvester and John McCann

## Apologies

Councillors W Livesley, G Wait and M Sherratt, Jill Kelly and Lorraine Butcher.

## In attendance

Councillors Hilda Gaddum and Rhoda Bailey

## Officers

Fintan Bradley – Head of Strategy, Planning & Performance  
Dominic Oakeshott – People Finance Lead  
Mark Grimshaw – Scrutiny Officer

### 119 APOLOGIES FOR ABSENCE

### 120 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 15 November 2011 be approved as a correct record.

### 121 DECLARATION OF INTEREST/PARTY WHIP

None noted.

### 122 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public who wished to address the Committee.

### 123 DRAFT SPECIAL EDUCATIONAL NEEDS AND DISABILITY POLICY

The Chairman opened the item by referring to a number of visits to the respective special schools which had been undertaken by Councillors prior to the meeting. All those who attended agreed that the visits had been interesting and enlightening and wished their thanks to be noted and passed on to the Headteachers.

Fintan Bradley, Head of Strategy, Planning & Performance, attended to give a presentation on the background of the Special Educational Needs (SEN) Review. In providing the context, he reported how much the Council spent on SEN (£27.6m) and how this was allocated to particular services and pupils.

Fintan Bradley reported that there were six work streams contributing to the SEN Review and that these were as follows:

- 1) Development of a specialist Autistic Spectrum Condition (ASC) specific School
- 2) Resourced Provision
- 3) Funding
- 4) Current pathways for access to Special Educational Needs and Disabilities (SEND) services.
- 5) SEND Policy
- 6) Early Years and Settings.

For the purpose of this meeting, attention was drawn to the SEND Policy. Fintan Bradley explained that there was a legal requirement to produce such a policy and therefore the Council were currently consulting on the proposed draft. As part of this consultation, the Committee were asked to submit their comments in order to help shape the final document.

Members made a number of comments on the draft SEND Policy document.

- Regarding the penultimate bullet point on page 39, beginning 'Out of Borough Placements' - it was suggested that it was necessary to look carefully at the wording of this point in order to protect the Council from legal challenge. It was agreed that it was important to state clearly that the Council would have the final say on whether a child's assessed needs could be met appropriately in a Cheshire East setting or not.
- In terms of the fourth bullet point on page 39, beginning 'Parents/Carers' – it was suggested that the wording of this be changed to reflect the following: "Parents/carers will be listened to and their views treated with respect. Their expertise will be valued and help to inform the provision put in place for children and young people"
- It was stated that in terms of the 'principles' outlined on p.21, it was suggested that there needed to be a clear definition of 'special educational needs' that all stakeholders would sign up to and agree.
- It was suggested that it would be useful to put 'the pledge' at the beginning of the document as this was easy to understand and helped put the rest of the policy in context.

A number of queries were also made. Firstly, it was asked whether the proposed implementation of the pupil premium would have an impact of the Individual Pupil Funding. Fintan Bradley explained that the Pupil Premium was to be aimed at Cared for Children, pupils on free school meals and army children. Having said this, he noted that the service were looking to see if there would be any overlaps and if convergences could be made in order to prevent double funding.

Secondly, it was questioned who would be responsible for the monitoring of the efficacy of SEN funding in light of the removal of School Improvement Plans (SIPs). Fintan Bradley confirmed that the assessment and monitoring team would

be responsible for this and that SEN funding would be reviewed on an annual basis. He also noted that this process needed to be made more robust and that work was being carried out to make improvements.

It was queried how many places would be available in the proposed Autistic Spectrum Condition specific school? Fintan Bradley confirmed that there would be 50-60 places available for children and young people aged between 2 and 19.

It was questioned how much of a school's budget was set aside for SEN. Fintan Bradley explained that the Direct Schools Grant included a recognition of SEN in the formula. There was also a separate SEN budget that the Council held which schools could bid into.

With regard to the section on planning, it was queried whether it was risky not to insist that schools write Individual Education Plans (IEPs) for children and young people with SEND. Fintan Bradley confirmed that whilst IEPs had their place they were not always useful as they often were a barrier to inclusion and tended to be reactive. It was asserted that personalised learning led to better integration and helped schools be reactive.

As a final point it was suggested that it would be useful for the Committee to receive a training session which would explore how 'the pledge' stated in the policy was practically articulated with service users. It was stated that the use of case studies could assist with this.

Additionally, it was suggested that the Committee receive a review of the consultation responses at a subsequent meeting.

#### RESOLVED –

- a) That the following comments be considered in the formulation of the final SEND Policy document:
  - a. That the wording in the penultimate bullet point on page 39, beginning 'Out of Borough Placements' be considered in order to protect the Council from legal challenge. Important to state clearly that the Council would have the final say on whether a child's assessed needs could be met appropriately in a Cheshire East setting or not.
  - b. That the wording in the fourth bullet point on page 39, beginning 'Parents/Carers' be changed to the following: "Parents/carers will be listened to and their views treated with respect. Their expertise will be valued and help to inform the provision put in place for children and young people"
  - c. That a clear definition of 'special educational needs' be added to the 'principles' section that all stakeholders would sign up to and agree.
  - d. That 'the pledge' be put at the beginning of the document as this was easy to understand and helped put the rest of the policy in context.
- b) That a training session be arranged which, with the aid of case studies, would explore how 'the pledge' stated in the policy was being practically articulated with service users.

- c) That a review of the consultation responses be brought to a subsequent Committee meeting.

## 124 CHILDREN AND FAMILIES BUDGET

Fintan Bradley and Dominic Oakeshott, People Finance Lead, attended to present the mid term financial summary for the Children's and Families Service. They explained that the report outlined an indication of where the budget was heading for the rest of the financial year in the five main areas of the Directorate and that it also set out the strategies for reducing the overspend in particular areas.

A number of comments were made with regards to the reporting of financial information to the Committee. Firstly, it was stated that financial information was not being reported to the Committee on a regular basis and that this was a concern as it should be a key function of scrutiny to understand policy in light of its financial context. It was also noted that when financial information was provided, it did not have the requisite amount of detail. It was asserted that the Committee only wanted the information so that they could offer some assistance and possible ideas to the Cabinet for savings and improvements.

Dominic Oakeshott, explained that it would have a resource implication in terms of officer time to provide a more detailed financial report as this information was not reported routinely. Having said that, he acknowledged that there needed to be a balance of headline and detailed information and that he would feed the Committees comments back to the Borough Treasurer.

In terms of the overspend outlined in the report, Councillor Hilda Gaddum explained that the overspends for the 2011/12 financial year were one-off requirements which would not be replicated in future budgets.

There was recognition from the Committee that the spending pressures in the Children and Families Directorate were real. Indeed, attention was drawn to the Southwark Judgement which would a real financial impact on the budget. With this in mind, Councillor Hilda Gaddum acknowledged the work of the Strategic Director and the Directorate in managing a considerable budget with all of its myriad challenges.

### RESOLVED –

- a) That the report be noted.
- b) That a more detailed financial report be brought to the next appropriate meeting.
- c) That information regarding the 2012/13 budget be brought as soon as possible to a subsequent meeting.

## 125 WORK PROGRAMME UPDATE

Members considered the work programme.

RESOLVED –

- a) That the work programme be noted
- b) That the Home to School Transport Task and Finish Review be added to the next agenda for consideration.

126      **FORWARD PLAN - EXTRACTS**

The Committee gave consideration to the extracts of the forward plan which fell within the remit of the Committee.

RESOLVED – That the forward plan be noted.

127      **CONSULTATIONS FROM CABINET**

There were no consultations from Cabinet.

The meeting commenced at 1.30 pm and concluded at 4.10 pm

Councillor A Kolker (Chairman)