

Children and Families Scrutiny Committee Agenda

Date: Monday, 23rd April, 2012
Time: 1.30 pm
Venue: Ash Grove Primary School, Macclesfield

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Minutes of Previous Meeting** (Pages 1 - 6)

To approve the minutes of the meeting held on 13 March 2012

3. **Declaration of Interest/Party Whip**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests and for members to declare the existence of a party whip in relation to any item on the agenda.

4. **Public Speaking Time/Open Session**

A total period of 15 minutes is allocated for members of the public to make a statement(s) on any matter that falls within the remit of the Committee.

Individual members of the public may speak for up to 5 minutes, but the Chairman will decide how the period of time allocated for public speaking will be apportioned, where there are a number of speakers.

Note: In order for officers to undertake any background research, it would be helpful if members of the public notified the Scrutiny officer listed at the foot of the agenda, at least one working day before the meeting with brief details of the matter to be covered.

For any apologies or requests for further information, or to give notice of a question to be asked by a member of the public

Contact: Mark Grimshaw
Tel: 01270 685680
E-Mail: mark.grimshaw@cheshireeast.gov.uk

5. **School Improvement: Addressing the changing national landscape** (Pages 7 - 16)

To receive a presentation from the Quality Assurance Principal Manager

6. **Special Educational Needs and Disability Policy** (Pages 17 - 60)

To consider a report of the Strategic Director - Children, Families and Adults

7. **Cheshire Youth Offending Service** (Pages 61 - 66)

To consider a report of the Head of Service - Early Intervention & Prevention

8. **Youth Policy Strategy Group**

Verbal update from Councillor G Baxendale and Councillor A Thwaite.

9. **Work Programme update** (Pages 67 - 80)

To consider the work programme.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Children and Families Scrutiny Committee**
held on Tuesday, 13th March, 2012 at Oakenclough Children's Centre,
Wilmslow

PRESENT

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

Councillors L Brown, P Hoyland, D Neilson, W Livesley, G Merry, M Sherratt
and B Silvester and John McCann

Apologies

Councillors H Gaddum, D Mahon and G Wait and Jill Kelly

In attendance

Councillor R Bailey

Officers

Fintan Bradley – Head of Service: Strategy, Planning and Performance
Barbara Dale - School Admissions and Organisation Manager
Mark Grimshaw – Scrutiny Officer

149 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 14 February 2012 be approved as a correct record.

150 DECLARATION OF INTEREST/PARTY WHIP

Councillor David Neilson declared a personal interest with regard to item 6 on the grounds that a letter he had written was referenced in the report.

151 PUBLIC SPEAKING TIME/OPEN SESSION

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

152 SUMMARY OF ACTIONS RESULTING FROM THE ANNOUNCED INSPECTION OF CHILDREN & FAMILY SERVICES

Fintan Bradley, Head of Service: Strategy, Planning and Performance, attended to provide an update on the progress which had taken place across a range of service areas as a result of the Announced Inspection of Children & Family Services in June/July 2011. The published report from Ofsted had outlined a series of areas for improvement within specified timescales and these had been distilled into a specific action plan by the Children and Families senior leadership

team. Fintan Bradley noted that actions from the April 2011 Unannounced Inspection had been merged into the plan and that it was being monitored through the Local Safeguarding Children's Board (LSCB) Performance Management sub group.

It was queried whether the department had been surprised with the number of actions that had emerged from the inspection. Fintan Bradley confirmed that the department had not been surprised as they were already aware of the service gaps. He stated that it was important for the department to be self aware and self critical and that it would have been more of a concern if the actions had come as a surprise. Following from this point, it was stated that considering six out of the seventeen areas required immediate attention this demonstrated that the self assessment processes must not have been robust. Fintan Bradley acknowledged that this was partly due to the flux as a result of being a new Council but continued to assert that the service would need to improve the systems around 'deep dive' self review.

It was questioned if there were any processes in place for feedback to be provided to residents/professionals who had made a referral to the Council on a child safeguarding issue. Fintan Bradley confirmed that feedback systems were in place and that the Council would always seek to offer the referrer alternative routes for dealing with the issue if it was not escalated to the Common Assessment Team.

Attention was drawn to the action which recommended that the Council 'Ensure that service users are actively and consistently engaged are able to contribute to service development'. It was noted that there were 'still issues' with this action and it was queried what these were and whether the service was confident that improvements could be made. Fintan Bradley acknowledged that the department needed to get better at listening to service users and then doing something positive with that information. Whilst this practice was going on, there were still issues of consistency. The Committee was reassured that the performance management sub group of the LSCB were looking at this issue carefully and that a report could be brought to scrutiny in three months to provide an update on progress.

It was noted that a 16 plus working group had been referenced in a number of action points. Bearing in mind that a recent Task Group had been established to look at the issue of care leavers, it was queried whether the Committee was duplicating work streams. Fintan Bradley confirmed he would seek clarification on this point.

A point was made regarding the proposal to discontinue the monitoring of the foster carer support groups. It was queried whether it would be more appropriate to maintain the monitoring in order to determine that the groups were being effective as a support mechanism. Fintan Bradley confirmed that he would take this comment back for further consideration.

As a number of the actions related to the PARIS recording system, it was queried what was being done to improve this. Fintan Bradley explained that the issue with the PARIS system was multifaceted. Firstly, as it was a system that was bought 'off the shelf'; it lacked the flexibility to fit around the needs of the service. He described that the department was currently looking to procure a new system that would be bespoke to the needs of service whilst allowing it to meet the relevant

statutory requirements. It was noted that this process of design would take some time to get right.

It was asserted that the Committee should be informed of the procurement process for the new ICT, particularly in terms of cost. In such a report, it was remarked that the Committee should also be informed on what steps were in place to ensure that the PARIS system was being supported/improved in the interim/transition period.

It was also hoped that the new software system would align itself with new Ofsted Inspection framework by linking in with the child's journey through the system. It was commented that this had been an issue in terms of recording equality and diversity issues and in particular the child's religion. This was a concern as fostering requirements desired that the child's religion be considered during placement. Fintan Bradley assured the Committee that the new electronic recording system would allow the service to accurately track the child's journey. Adding to this point, Fintan Bradley commented that the service was not waiting until the new system was available to tailor the recording system to the child's journey. Indeed, a software patch had been developed for PARIS in order to make chronologies clearer.

Reference was made to an action which moved that the Council needed to 'ensure that there was minimal need for cared for children to move placements thereby reducing the number of placement moves'. It was queried what actions were being carried out and how would they achieve the necessary outcomes. Fintan Bradley explained that he did not have this information to hand but that he would distribute it to Members by email.

RESOLVED –

- a) That the report be noted.
- b) That a report of the sub-group of the LSCB looking at the active engagement of service users be brought to a future meeting (3-4 months).
- c) That clarification be sought over whether the work of the 16 plus working group duplicated the Care Leavers Task and Finish group.
- d) That continued monitoring of foster carer support groups be considered by the service.
- e) That a report on the procurement process of the new electronic recording system be brought to a future meeting. That this report also include what steps were in place to ensure that the PARIS system continued to be supported in the interim/transition period.
- f) That information on what actions were being carried out to 'ensure that there was minimal need for cared for children to move placements thereby reducing the number of placement moves' be emailed to the Committee.

153 **DETERMINATION OF LOCAL AUTHORITY COORDINATED SCHEME AND ADMISSION ARRANGEMENTS**

Barbara Dale, School Admissions and Organisation Manager, attended to present a draft Decision Paper which outlined the outcome of the statutory consultation undertaken during the Sprint Term 2012 on the Council's proposed admission arrangements and co-ordinated admission scheme for 2013. She explained that the paper sought Cabinet approval to determine these arrangements prior to the 15 April 2012. The Committee was asked to consider the paper and offer advice to officers regarding the proposed changes and procedures implemented.

Attention was drawn to point 10.7 in the draft decision paper which described how several comments received during the consultation had requested that a number of successful schools be allowed to grow their pupil admission number (PAN) in order to meet demand and foster parental choice. Barbara explained that the Council had a responsibility to manage such requests carefully as expanding capacity could have significant knock on effects on the viability of other nearby schools.

A discussion was had as to whether this was the policy that the Council should be implementing. It was asserted that the Council should not be giving priority to keeping open schools and rather be rewarding good performing schools with more places. In response to this, a number of comments were made which argued that the Council had a responsibility to improve the standards of all schools and take a long term view of placement strategy. Indeed, it was stated that a system that responded to the preferences of a particular set of parents at a particular year could be unworkable as communities could lose their local school. It was also noted that increasing school capacity could bring with it traffic congestion issues.

The Chair asserted that a difficult policy balance needed to be sought – one which firstly addressed the issue of parental choice and secondly made sure that local communities were served by improving the standards of all schools.

It was queried whether there were any examples of children who had to travel a significant distance as they could not access a local school. Barbara Dale explained that if this happened the Council would look at school placement allocation in order to try and get all children attending a school within a 'reasonable' distance from their home. 'Reasonable' in this context might be 2 miles for a primary school child and 3 miles for a secondary school pupil, although this could not be guaranteed. In all cases, arrangements would be administered fairly for all families. She also described how the Council occasionally used some of the held back dedicated schools grant money to supplement any staffing issues arising from further admissions.

RESOLVED – That the report be received.

154 **WORK PROGRAMME UPDATE**

Members considered the work programme. It was suggested that the following items be added to the work programme:

- Strategies to improve underperforming schools

- Finance and performance reports on a quarterly basis starting from June 2012
- SEN policy

It was also suggested that a 'workshop' session could be arranged in May in order to plan the 2012/13 work programme.

RESOLVED –

- a) That the work programme be noted with the following additions:
 - a. Strategies to improve underperforming schools
 - b. Finance and performance reports on a quarterly basis starting from June 2012
 - c. SEN policy
- b) That the Scrutiny officer explore organising a 'workshop' session in May 2012.

155 **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.

The meeting commenced at 1.35 pm and concluded at 3.30 pm

Councillor A Kolker (Chairman)

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Scrutiny Briefing : April 23rd 2012



School Improvement :
Addressing the changing national landscape.

Issues to be covered:

- 1 To inform and promote debate around the changing national and local context for School Improvement.
- 1 To outline the local developments relating to the emerging Teaching School agenda.
- 1 To summarise the implications from the revised Ofsted inspection framework and the further proposed changes as from September.

The Changing National Context



- 1 The status of our schools : **Maintained v Academies**
ALSO : Free Schools, University Technical Colleges (UTC) and Studio Schools
- 1 Governance : Trusts, Federations, soft partnerships
- 1 Accountability : DfE, Ofsted, Local Authority.
- 1 Revised/increasing role for the National College for School Leadership (NCSL) around the Teaching School Agenda

'Increased autonomy equals increased responsibility'

The changing role of the DfE



- 1 Recently established 'School Underperformance and Brokerage Division'
- 1 National Advisors – work with Authorities and schools around Academy conversions, warning notices and IEBs (Interim Executive Boards)
- 1 There are revised national floor standards and approximately 500+ schools nationally who have performed at or below these new thresholds over the last 3 yrs.
- 1 The Authority is engaged in discussions with DfE representatives around solutions to address underperforming schools – most recent meeting in March focused upon primary schools.

The emergence of Teaching Schools



- 1 100 Teaching Schools (TS) initially appointed nationally – Cheshire East had two of these : Fallibroome and Holmes Chapel Academies in Phase 1 and now a Crewe Partnership of Schools in Phase 2.
- 1 TS are managed and quality assured through the National College
- 1 Each TS has an alliance of schools within which it works, involving local as well as regional institutions.
- 1 Both TS and the Local Authority have established a strategic partnership which is intended to utilise a range of resources to bring about further school improvement through effective school to school support
- 1 Meetings scheduled with the Crewe partnership following their meetings with the National College later this month.

Teaching School : Core Remit



Teaching Schools /NCSL : developments to date



- 1 Active use by the Local Authority of the [National Leaders in Education](#) (NLE) – these are national identified school leaders offering outstanding leadership and some of our schools in an Ofsted category are receiving direct support from these experienced school leaders. Cheshire East has 3 current NLEs.
- 1 [Local Leaders in Education](#) (LLE) – Cheshire East has a group of around 15 school leaders who have undertaken national training to again support schools to initiate school improvement. These leaders will be deployed to support identified schools as required.
- 1 [Specialist Leaders in Education](#) (SLE) – there are now 27 accredited specialist leaders who are recognised as outstanding practitioners in aspects of the curriculum or school systems. These are being deployed now for direct work in schools.
- 1 [National Leaders of Governance](#) (NLG) experienced Governors identified to work directly with Chairs to improve effectiveness of governance

Ofsted Inspections – the new framework



- 1 The new inspection framework now has 4 key judgements which contribute to an overall judgement for the school. The 4 sub judgements are :
Achievement, quality of teaching, quality of leadership and behaviour/safety of pupils.
- 1 Further changes are now being consulted upon and will mean revised arrangements as from September 2012 – a key change will be the proposed removal of a satisfactory judgement.
- 1 To date Cheshire East has had close to 20 inspections under the latest framework – some of the outcomes are still draft and not 'available' as yet.
- 1 There are currently 19 schools judged as satisfactory and there is an event scheduled with these schools to help to secure that they receive a good judgement at their next inspection.

Challenges going forward



- 1 Coordination of the support, challenge and monitoring of schools involving the DfE, National College (through Teaching Schools) and the Local Authority.
- 1 Working with current satisfactory schools to secure the best outcomes.
- 1 Working closely with those schools currently within an Ofsted category to bring about rapid yet sustainable improvements.

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DEVELOPING NEW APPROACHES TO WHOLE SCHOOL IMPROVEMENT

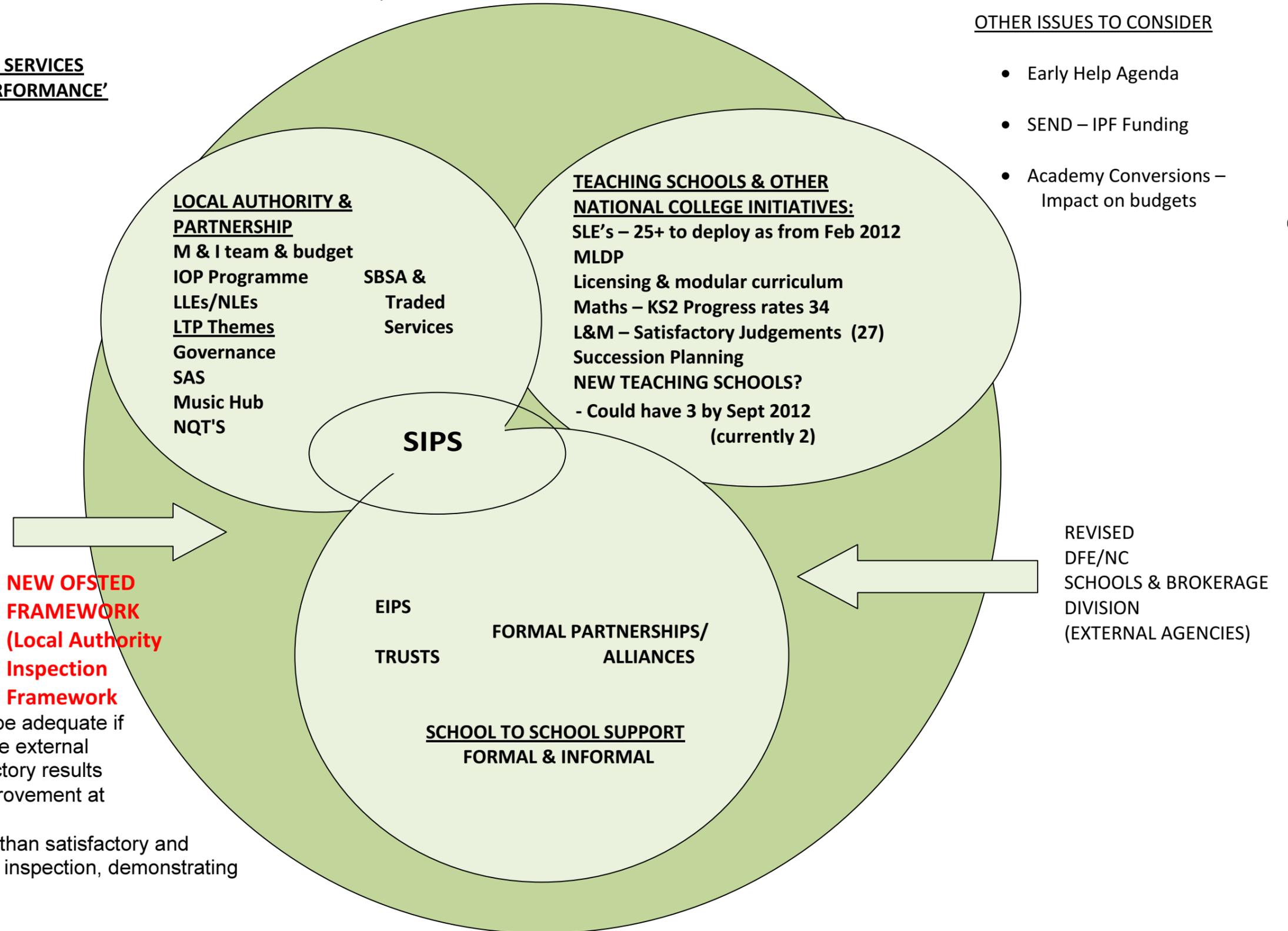
CONTEXT

- Cheshire East 'Performs Well' (Ofsted) in terms of attainment – increased risk in terms of rates of progress.
- 2010-11 Annual Performance Stocktake – 'Good to Great' – concerns in the rates of closing the gap for our more vulnerable learners.
- Changing National agenda – DFE, NCSL – new floor standards and emphasis on school to school support – moving from a concept into reality.
- Revised role of Local Authority towards commissioner of services – clear move away from 'Reliance Model'.

INTEGRATION OF SCHOOL IMPROVEMENT SERVICES TO ADDRESS 'UNDERPERFORMANCE'

CONCERNS:

- ARE OUR SCHOOLS READY FOR A REVISED OFSTED FRAMEWORK WITH A REAL FOCUS ON PROGRESS & VULNERABLE GROUPS?
- x PRIMARY SCHOOLS CURRENTLY IN AN OFSTED CATEGORY – 4-5 SEEN AS HIGH RISK AND DUE AN INSPECTION.
- ARE SCHOOLS FULLY EMBRACING THE NATIONAL AGENDA AROUND TEACHING SCHOOLS AND THEIR FUTURE ROLE.
- ESTABLISHING TRUE PARTNERSHIP WORKING WITH CLEARLY DEFINED ROLES & EXPECTED OUTCOMES.
- WORKING WITHIN AN OFSTED FRAMEWORK WHICH DOES NOT HAVE A 'SATISFACTORY JUDGEMENT':
 - "capacity to improve is unlikely to be adequate if the school is in receipt of extensive external support simply to produce satisfactory results
 - has not resolved the areas for improvement at its previous inspection
 - has outcomes which are no better than satisfactory and which were satisfactory at the last inspection, demonstrating that improvement is too slow.



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Summary information for Schools identified by DfE

Oakefield Primary School	Ofsted judgement : RECENTLY REMOVED	LA Statement of Action : AGREED
Key Actions :	Removal of Headteacher July 2011. NLE appointment on 3 year programme. Previous HMI Monitoring : Outstanding L&M. Very positive T&L review recently completed. Proposed capital expansion of school.	
Current rate of progress of improvement :	GREEN – sustainable improvements being seen. Latest Section 8 Monitoring visit last week moved to Section 5 based upon accelerated progress throughout the school – school now judged as overall satisfactory and no longer in a SM category.	
Cranberry Primary School	Ofsted judgement : Special Measures (November 2011)	LA Statement of Action : AGREED
Key Actions :	Current Headteacher on maternity leave. School invited to be part of national pilot for HMI ‘Early Intervention Visit’ – February 27 th . Outcome : <i>‘The school has acted with urgency and has put in place a series of appropriate actions and plans to address the areas for improvement identified by the inspection’</i> (HMI letter.) NLE and SLE support in place – NLE 2 days per week – LA funded.	
Current rate of progress of improvement :	GREEN – LA Statement agreed very recently – NLE already having direct impact.	
Daven Primary School	Ofsted judgement : Requires Improvement (Feb. 2012)	LA Statement of Action : Submitted to I&A 15.03.12
	HT & CofG attended OfSTED seminar 29 th Feb 2012. NLE appointed 1-2 days per week. NLG appointed - work unable to start till April 2012 when NLG accredited. Conflicting comments from HT & V-CofG. 3 monitoring visits booked. 2 T&L reviews booked. Teaching school and SLE support brokered. Children’s Centre on site	
Current rate of progress of improvement :	GREEN – LA Statement yet to be submitted – definite actions in place to address L&M.	
Sir William Stanier Secondary	Ofsted judgement : Requires Improvement (Feb. 2012)	LA Statement of Action : recently submitted
Key Actions :	New Headteacher and Deputy within the last year, leadership praised by OFSTED, with good capacity to improve. LA funded NLE and SLE support for leadership and SLE support for English and Mathematics, in place. Robust action in terms of re -structuring of middle leaders in Maths and English underway. Partnership with two local teaching schools – one providing SLE/NLE one providing additional support. Direct support for FSM pupils via LA programme. Additional Assistant HT post in place with responsibility for quality of teaching. RAP in place. Current tracking data shows projected 5+A-C inc E&M at 35% compared to FFTD at 42%. Further data feed on 30 th March.	

Current rate of progress of improvement :	AMBER – LA Statement submitted on 9/3/12. SLT strong and positive with good capacity to improve . Rates of improvement needs further acceleration.
Mablins Lane Primary	Ofsted judgement : Requires Improvement (March 2012) LA Statement of Action : Yet to be submitted
	Leadership & Management 4. Seminar invite yet to be received. HT on phased return intension to be full time by Easter. Most improvement within the last 2 months. Staff & GB no confidence in the HT. NLE has been in place pre-Ofsted to strengthen L&M.
Current rate of progress of improvement :	AMBER – Key decisions needed relating to L&M
Dean Valley Primary	Ofsted judgement : Section 8 Monitoring visit : Satisfactory progress LA Statement of Action : AGREED
Key Actions :	Current Headteacher addressing required improvements and targets in LA RAP, new chair of Governors (Ex LA senior school improvement officer, HT and SIP) providing rigorous challenge and developing strong infrastructure. Current internal tracking data (verified by local moderation) shows improved rates of progress - significantly above target HMI visit 12 th January 2012. – Outcome –“...the school is making satisfactory progress in addressing the issues for improvement” “Senior leaders with strong support from the local Authority have responded positively to the major shortcomings identified at the last inspection”
Current rate of progress of improvement :	Safeguarding shortcomings highlighted at inspection signed off by LA at last monitoring visit. 07-03-12
Current rate of progress of improvement :	AMBER - School Improvement proves having significant impact on standards
Underwood West Primary	Ofsted judgement : Section 8 Monitoring visit : Inadequate progress
	The recent T&L review, March 2012, confirms that the school is continuing to show good progress in making the required improvements in pupil achievement and demonstrate capacity for sustained improvement. Children in the FS have standards well below average but are making better than expected progress. The Y6 are on track to achieve : 69% E&M Lev 4+, 88% two levels of progress in English, 81% two levels of progress in Maths. 4 days of HT consultant support reduced to 2 days July 2011 and from October 2011 has been withdrawn
Current rate of progress of improvement :	GREEN - School Improvement proves having significant impact on standards

3. Other related Schools :

a. Audlem Primary School :

IEB now embedded. Headteacher –‘removed’ from post at end of Autumn term 2011 and strong interim leadership put in place by LA as from January.

Section 8 monitoring visit - Feb 2nd gave overall judgement of inadequate progress since last full inspection – expected judgement due to poor L&M.

Report recognised acceleration since appointed of interim leadership and the rigour /pace from IEB.

Additional L&M brought into the school with strong Dept Head.

Substantive Headteacher now appointed and working with IEB to shape further improvements ahead of September start.

Changes to staffing already underway to remove ineffective T&L.

A good education for all: Ofsted consultation on amended inspection arrangements

Summary

As Governors will be aware, a new Ofsted Inspection framework has been in place since January 2012 which focuses on four key areas – achievement, teaching and learning, behaviour and safety and leadership and management. Ofsted is now consulting (until 3 May) on further amendments to the inspection arrangements for schools and FE/skills providers to start in September of this year. They are aimed at raising ambition, expectation and standards to make all provision at least 'good'.

Overview

Sir Michael Wilshaw, who took up the post of Her Majesty's Chief Inspector (HMCI) in the New Year, signalled early his intention to raise expectations and the quality of teaching, and to make Ofsted inspection and judgements a key vehicle for doing so. He launched a consultation on proposed amendments to inspection arrangements for schools, FE/skills providers and initial teacher education (ITE) partnerships.

Proposals for school inspections

- For a school to be judged 'outstanding', the quality of the teaching must be outstanding.
- The expectation is that the quality of education for all children should be at least good, so any school not providing a 'good' or better education will be deemed to be causing concern, and inspection reports will be clear about what must be done to improve; reports will make a distinction between schools that are showing strong signs of improvement and those that are not. The acceptable standard for the quality of education will be raised to good, rather than satisfactory.
- A single judgement of 'requires improvement' will replace the current 'satisfactory' judgement and 'notice to improve' category, giving a new four point scale: outstanding, good, requires improvement and special measures.
- All schools judged as 'requires improvement' will be re-inspected, usually within 12-18 months of their last inspection, and will not receive a monitoring inspection.
- If, at a school's third consecutive inspection, it is not judged to have made sufficient progress to be graded 'good' it will be deemed to be 'inadequate' and will require 'special measures'. For schools judged as 'satisfactory' before 31 August 2012, this inspection will count as their first 'requires improvement' judgement for the purpose of implementing this proposal.
- From September 2012, schools will receive no notice of inspection.
- Schools will be asked to provide anonymised information of performance management outcomes, which will not be reported but will be used with other evidence in evaluating the leadership and management of senior managers and governing bodies and whether they are using performance management effectively to assist in the drive for improvement.

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CHESHIRE EAST COUNCIL

REPORT TO: Children and Families Scrutiny

Date of Meeting:	23 rd April, 2012
Report of:	Lorraine Butcher, Strategic Director Children, Families and Adults
Subject/Title:	Special Educational Needs and Disability Policy
Portfolio Holder:	Councillor Hilda Gaddum

1.0 Report Summary

- 1.1 The Local Authority has a general responsibility to promote high standards for all children and young people, including those who have special educational needs and disability.
- 1.2 Launch of the public statutory consultation of the Special Educational Needs and Disability (SEND) Policy commenced on the 1st November, 2011 until the 1st April, 2012.
- 1.3 The responses from the statutory consultation period and the comments of Children and Families Scrutiny Committee have now been considered and amalgamated into the final SEND Policy.

2.0 Introduction

- 2.1 The SEND Policy is built on its vision that 'no child or young person is left behind' and that every child and young person achieves the best possible outcomes. The policy sets out the principles, pledge, commitment and the responsibilities for all those involved with Special Educational Needs and Disability provision.
- 2.2 The SEND policy reinforces Children and Families Services commitment with its partners to continue supporting, maintaining and developing a diversity of high quality provision to meet the needs of children and young people with special educational needs and disability.

3.0 Decision Requested

- 3.1 To note, invite final comments and endorse the SEND Policy.

4.0 Reasons for Recommendations

4.1 The final SEND Policy has considered all the views from the statutory consultation and made the necessary amendments. A summary of the views captured throughout the consultation are reflected in Appendix A.

5.0 Wards Affected

5.1 All

6.0 Local Ward Members

6.1 All

7.0 Policy Implications including

7.1 The SEND Review has highlighted the requirement for a Special Educational Needs Disability policy. This has been factored into the SEND Review project plan and the policy has undertaken a statutory consultation process.

8.0 Financial Implications (Authorised by the Borough Treasurer)

8.1 The cost of the design of the document commissioned to Opening Doors is £2,000.

9.0 Legal Implications (Authorised by the Borough Solicitor)

9.1 The local Authority has a range of statutory duties for Special Educational Needs and Disability of which include

- Keep under review Local Authority arrangements for Special Educational Needs and Disability provision
- Identify and assess needs of children and young people with special educational needs and disabilities, and put in place appropriate provision
- Plan strategically with schools and other significant partners to develop systems for monitoring and accountability for special educational needs and disability
- Provide high quality support and service delivery to schools
- Develop co-ordinated multi-agency Special Educational Needs and Disability provision
- Promote high standards in education for children and young people with special educational needs and disabilities
- Improve accessibility to curriculum, premises and written information for children and young people with special educational needs and disabilities

- Consult the governing bodies of maintained schools and nurseries in its area for the purpose of co-ordinating Special Educational Needs and Disability provision

10.0 Risk Management

10.1 The risks include:

- Not
fulfilling our statutory duties

11.0 Background

11.1 Cheshire East Children and Families Service began a process of reviewing its arrangements for children and young people with special educational needs and disabilities in April 2010.

11.2 The SEND Review has six key strategic priorities which are outlined below:

- Development of a ASC-specific special school
- Review Resourced provision
- Review Funding for individual pupils
- Current pathways for access to SEND Services
- SEND Policy
- Early Years and Settings

11.3 A key outcome of the SEND Review to date, particularly feedback from schools, parents, guardians and carers highlighted the requirement for a clearly stated SEND policy.

11.4 In response, Cheshire East Children and Families Service drafted a SEND Policy, (enclosed as a separate document), which sets out the policy framework within which Cheshire East Children and Families Service and it's partners will maintain and develop provision for children and young people with special educational needs and disability from birth to 25 years of age.

11.5 The publication of the government's Green Paper, '[Support and Aspirations: A new approach to special educational needs and disability](#)', marks the start of a period of consultation and testing in local areas from September 2011. The SEND policy reflects the main themes and ethos of the Green Paper.

12.0 Access to Information

12.1 Further background papers relating to this report include the:

SEND Policy

12.2 These can be inspected by contacting the report writer:

Name: Fintan Bradley

Designation: Head of Service; Strategy Planning and Performance

Tel No: 01606 271504

Email: Lorraine.butcher@cheshireeast.gov.uk

Appendix A – Summary Feedback on the Special Educational Needs and Disability (SEND) Policy

After receiving a number of comments via the consultation process and through Cheshire East scrutiny committee the SEND Policy has been amended as follows:

Original Draft Policy & Respondent Comment	Amended to
<p>Original Policy: Effective early intervention is based on a secure assessment of their needs from a range of agencies.</p> <p><i>Comment - I was wondering if the term 'secure assessment' may be open to too much interpretation.</i></p>	<p>Effective early intervention based on an assessment of their needs from a range of agencies</p>
<p><i>Minutes from Scrutiny Committee (Members comments) – 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.</i></p>	<p>Moved the Pledge nearer to the front of the SEND Policy, after Introduction and Vision.</p>
<p>The needs of children and young people with special educational needs and disability will be identified early, assessed quickly and matched effectively to appropriate provision.</p> <p><i>Comment - Take out 'assessed quickly'. This comment may be misleading for some readers.</i></p>	<p>The needs of children and young people with special educational needs and disability will be identified early, and matched effectively to appropriate provision.</p>
<p>Original Policy: Formal assessments of a child's and/or young person's special educational needs and disability will be undertaken by the local authority, and all agencies involved will endeavour to do their best to complete these within the recommended timescale.</p>	<p>Formal assessments of a child's and/or young person's special educational needs and disability will be undertaken by the local authority, and all agencies involved will endeavour to do their best to complete these within the recommended statutory timescale.</p>

<p><i>– Comment “If this is a pledge to effectively enable children and young people with SEND to achieve their full potential I would like to see this changed to “will complete these within the recommended statutory timescale” to include a ‘get out clause’ waters down the potency and intent of this pledge”.</i></p>	
<p>Original Policy: Parents/carers will be treated with respect and their and their knowledge will be valued and used to inform the provision put in place for children and young people.</p> <p><i>Minutes from Scrutiny Committee (Members comments) – It was suggested that the wording of this be change 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.</i></p> <p><i>Comment - Parents have extensive knowledge of their child and aspirations but that does not make them experts in education. Their knowledge and wishes should be considered and inform the provision but I feel to refer to it as expertise could cause difficulties in deciding upon appropriate provision for the pupil.</i></p>	<p>Parents/carers will be treated with respect and their knowledge will be valued and used to inform the provision put in place for children and young people.</p>
<p>Original Policy: Out of borough placements and residential provision will only be considered when it is clear that the child or young person’s needs cannot be met appropriately in a Cheshire East setting.</p> <p><i>Minutes from Scrutiny Committee (Members comments) – It was</i></p>	<p>Currently checking the wording of the pledge with Legal.</p>

<p><i>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"</i></p> <p><i>Comment - Out of borough placements should not be a last resort. Out of borough placements should be monitored and if a gap in the education service in the borough is noted, services should be put in place.</i></p>	
<p><i>Comment – I feel the roles and responsibilities should be set out within a tabular format which possibly indicates cross over in responsibilities if these exist. From my understanding, there is sometimes conflict with different agencies about whose responsibility and role something is. This should be clearer within this document and is in far too much detail. For example, providing information could be everyone's responsibility but there will be different aspects and I feel this would be clearer if indicated in a table. I think this would enable you to see at a glance whose responsibility something was, rather than trying to read through every element.</i></p>	<p>As set out in the draft SEND policy, each partner has a clear understanding of their respective roles and responsibilities and although there is some cross over between the LA and schools/governing bodies there is still a clear distinction in terms of duties and roles each holds within the process.</p> <p>To put the roles and responsibilities in to a tabular format may even confuse the reader due to the lack of defined dual roles and responsibilities. From looking at other SEND Policies such as Wigan, Essex, Devon, Hampshire and Bracknell Forest they do not use a tabular format and have defined the various partner roles in a similar format to the draft SEND Policy. Also, the SEN Code of Practice defines each partner role separately and only sets out the role and responsibilities between mainstream schools and maintained schools in a tabular format.</p>

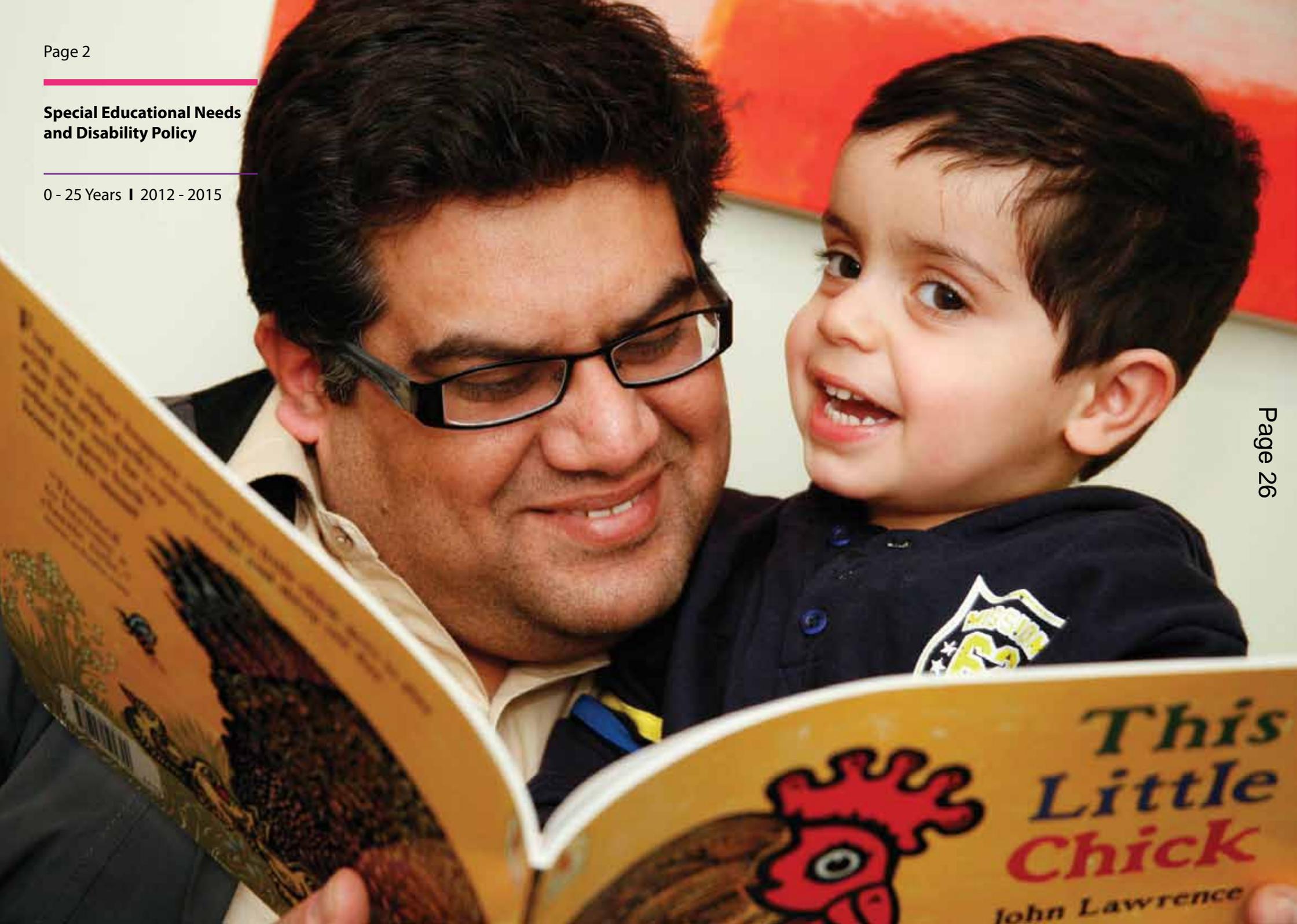
	<p>Other than the comment about 'parents not being the experts' in terms of parent responsibilities we haven't received any further comments regarding the roles and responsibilities section.</p>
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Special Educational Needs and Disability Policy

0 - 25 Years
2012 - 2015

**Special Educational Needs
and Disability Policy**

0 - 25 Years | 2012 - 2015



Special Educational Needs and Disability Policy

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Executive Summary

Cheshire East Local Authority is pleased to present the Special Educational Needs and Disability (SEND) Policy, which sets out the framework within which all children and young people with special educational needs and disability, regardless of ability, gender, language, ethnic or cultural origin, are valued.

The SEND policy reaffirms our full commitment with its partners to continue supporting, maintaining and increasing diversity of high quality provision to meet the needs of children and young people with special educational needs and disability,

building on our vision 'no child or young person is left behind'.

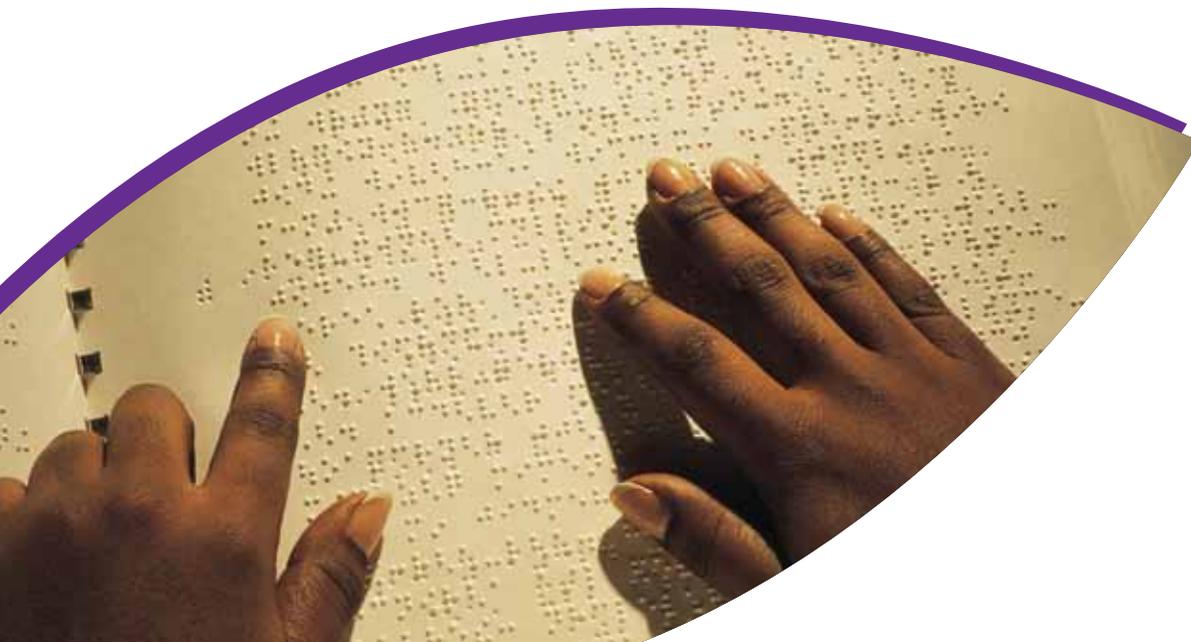
This document sets out the pledge, principles and responsibilities for all those involved in supporting children and young people with special educational needs and disabilities.

We are confident that this Special Educational Needs and Disability Policy will assist us all in developing our work with children and young people with special educational needs and disability.

On behalf of Cheshire East Local Authority, I would like to thank all those

engaged in this work. Most importantly, I would like to assure parents/carers and children and young people with special educational needs and disabilities of our dedication in seeking to ensure opportunities of the very highest quality will be available to all children and young people with special needs and disabilities in Cheshire East.

Lorraine Butcher,
Director of Children, Families and Adult Services.



Introduction

No Child or Young Person is Left Behind

The Local Authority's (LA) Special Education Needs and Disability (SEND) Policy 2012-15 sets out the actions which will be taken by the Children and Families Service, and our partners, to ensure that the needs of children and young people aged 0 to 25 with SEND are met effectively, and that they have every opportunity to access high quality provision as close to their local community as possible.

The policy defines the roles and responsibilities of service providers and sets out the support that parents, children and young people can expect to receive, in order to ensure that **NO CHILD OR YOUNG PERSON IS LEFT BEHIND** and that every child and young person achieves the best possible outcomes.

Vision

Cheshire East Council's vision for Special Educational Needs and Disabilities is:

- To work together to ensure all children have a fair start in life

The overarching vision for Children and Families is:

- For Cheshire East to be a place where all children and young people are supported well to maximise their life choices
- To provide responsive, locally based services which make sense to children, young people and their families, that addresses their needs early
- To be a place where no child or young person is left behind because organisations do not work together

Aim

It is our aim to work with a range of service providers to ensure that:

- No child or young person is left behind and that every child and young person receives the support they need to lead successful lives



Pledge

Children and Families Services pledges to ensure that:

- The needs of children and young people with special educational needs and disability will be identified early, and matched effectively to appropriate provision
- Each child and young person's special educational needs and disability will be identified, recorded and their progress regularly reviewed in a manner consistent with the Code of Practice on SEN 2001
- Formal assessments of a child's and/or young person's special educational needs and disability will be undertaken by the local authority, and all agencies involved will endeavour to do their best to complete within the recommended statutory timescale
- Parents/carers will be treated with respect and their knowledge will be valued and used to inform the provision put in place for children and young people
- Children and young people will be listened to and they will have a voice in deciding what happens to them
- Children and young people with Special Education Needs and Disability will benefit from co-ordinated provision, because services work effectively in partnerships with parents/carers and each other
- High quality support will be provided for parents/carers, settings and schools
- The curriculum will be suitably differentiated and/or supported to ensure that there are clear objectives and targets which are appropriate for the child or young person
- Schools will use their resources effectively, and where necessary seek external specialist support
- Where appropriate, children and young people with Special Education Needs and Disability will be provided for in a local school alongside his or her peers in a local setting
- There is effective transition from one phase to the next in collaboration with Children and Families Services, parents/carers and external agencies working together

Principles

Our vision is underpinned by a number of principles that guide the provision and commissioning of services for children and young people with special educational needs and disabilities.

Children and young people in Cheshire East with special educational needs and disabilities have an entitlement to:

- Effective early intervention based on an assessment of their needs from a range of agencies
- Quality first teaching, wherever possible in a mainstream school, that is as close to their home as possible
- Specialist provision if their needs cannot be met in a mainstream school
- Provision which gives best value for money at the right time in the right place
- Support from services and agencies which work well together to provide the right service, at the right time, in the right way
- Services which listen and involve them in decisions about matters which directly affect them
- Services which involve their parents/ carers as equal partners in their education
- High quality Special Education Needs and Disability information, which is easy to find, up to date, relevant and available in a range of formats
- The right support as they make the transition from one setting to the next, into the world of work and into supported or independent living



Scope of the Policy

This policy applies to all children and young people in Cheshire East between the ages of 0-25 who have Special Education Needs and Disability and to whom the Authority has a statutory obligation as defined by the Education Act 1996 and the SEN Code of Practice (2001).

This policy also has implications for all our partners in the Special Education Needs and Disability process, i.e. schools/colleges, independent specialist providers, governing bodies, parents/carers and statutory/voluntary agencies.

The policy promotes equality to all pupils and their families whatever their gender, ethnic origin, home language, religion, disability or social circumstances.



Definitions

For the purpose of this policy the definitions provided in this section are taken from the Special Educational Needs Code of Practice 2001 and from the Equality Act 2010.

“Children and Young people aged 0-25 with additional needs” is a broad term used to describe all those at risk of poor outcomes as defined by the “help children achieve more” agenda (replacing the “Every Child Matters” outcomes).

An estimated 20-30% of children have additional needs at some point in their childhood, requiring extra support from education, health or social care. This could be for a limited period, or on a long term basis.

Children have special educational needs if they have a learning difficulty which calls for special educational provision to be made for them.

Children have a learning difficulty if they:

- a) Have significantly greater difficulty in learning than the majority of children of the same age and/or
- b) Have a disability which prevents or hinders them from making use of educational facilities of a kind provided for children of the same age; and
- c) Are under compulsory school age and fall within the definition of (a) or (b) above, or would do so if special educational provision was not made for them.

Children and young people must not be regarded as having a learning difficulty solely because the language or form of language of their home is different from the language in which they will be taught.

Special educational provision means:

- a) For children of two or over, educational provision which is additional to, or otherwise different from, the educational provision made generally for children of their age in schools maintained by the LA (other than special schools in the area); and
- b) For children under two, educational provision of any kind (Educational Act, 1996).

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The Equality Act 2010 defines a person with a disability as someone who has “a physical or mental impairment, which has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities”.

For the purpose of deciding whether a child or young person is disabled, a long-term effect of an impairment is one:

- which has lasted for at least 12 months; or
- where the total period for which it lasts, from the time of first onset, is likely to be at least 12 months; or
- which is likely to last for the rest of the life of the child or young person affected (Equality Act, 2010)

‘Physical impairment’ includes sensory impairment and mental impairment including learning difficulties and an impairment resulting from, or consisting of, a mental illness. The definition can include a wide range of impairments, including hidden impairments such as dyslexia, autism, speech and language impairments and Attention Deficit Hyperactivity

Disorder (ADHD). Pupils with severe disfigurements are also covered by the Equality Act 2010, as are those with progressive conditions that are likely to change over time such as cancer.

Many, although not all, children and young people with a disability will have a special educational need if they have difficulty accessing education or if they need special educational provision to be made for them.

The term Learning Difficulties and/or Disabilities (LDD) is used to refer to individuals or groups of learners who have either a learning difficulty in relation to acquiring new skills or who learn at different rates to their peers and who have a disability as defined under the Equality Act 2010.

The terms Special Education Needs and Disability and LDD are often used interchangeably. However, for the purposes of this policy, and the Local Authority’s Children and Young People’s Plan, children and young people with Special Education Needs and Disability include children with LDD, but do not exclusively make up this vulnerable group.

Cheshire East - Context

Cheshire East Council came into being in April 2009, when Cheshire County Council was disaggregated and two new unitary authorities were formed.

The Children's Act 2004 placed a new duty on agencies to co-operate to improve outcomes for children and young people and established new Children's Services Authorities, the new Cheshire East Children and Families Service was established in September 2009.

Cheshire East has a diverse rural / urban profile. The area is classed as significantly rural, with more than half the population living in rural or rural market town areas. The other eight towns, although urban, have outskirts which contain areas classified as more rural than urban.

The population in Cheshire East has steadily increased over the past nineteen years, from 340,500 in 1991 to 363,800 in 2010 – an increase of 7%.

The age structure of Cheshire East is slightly older than that of England & Wales. In 2010, 6% of Cheshire East's residents were aged under 5, 11%

were aged 5 to 14 and 19% were aged 65 or more.

The number of children (aged 0-15) in 2010 has increased marginally (235) since 1991, to 65,800 in Cheshire East; however, whilst numbers have increased by 9% in Crewe & Nantwich they have decreased by 3% in Congleton and 4% in Macclesfield. It is forecast that by 2029 there will be around 4% fewer children living in Cheshire East than there were in 2009 whilst the number of people aged 85 or above will have doubled within the same period.

Educational attainment among school pupils in terms of achieving 5 or more GCSE grades at A*-C grade is above the national average. Cheshire East schools generally perform well; children get off to a good start with a large percentage of childcare establishments, nursery education and primary schools judged to be better than similar areas and better than standards found nationally.

Key Strategies and Priorities

The following documents provide strategic direction to the policies of the Children and Families Service:

The Cheshire East Sustainable Community Strategy 2010 – 2025

The Cheshire East Council Corporate Plan

The Children and Young People's Plan

The Children and Families Service Plan

The future pattern of provision, including support and outreach services for children and young people with Autism Spectrum Conditions (ASC) and/or Behavioral, Emotional and Social development (BESD) is under review.

The Special Educational Needs and Inclusion Team

The Special Educational Needs and Inclusion Team discharge the Local Authority's statutory responsibilities for children and young people with special educational needs and disabilities.

The team consists of:

- Special Education Needs and Disability Assessment and Monitoring Team
- Educational Psychology Service
- Sensory Inclusion Service (Vision and Hearing Support)
- Early Years Service
- The Child Development Service
- Autism Support Team
- Medical Needs
- Elective Home Education

Children and Families Approach

Cheshire East Children and Families Service has developed Levels of Need model in partnership with the Local Safeguarding Children Board (LSCB) and the Cheshire East Children's Trust. The model is designed to support practitioners make sure children and young people are helped to access the right help at the right time, based on an assessment of their needs. The model identifies the four levels of need as Universal, Targeted, Complex and Specialist.

Large Image

National Context

Cheshire East Parent's and Carers' Voice

This parental support group has produced a report entitled "The Parents Perspective on Special Education in Cheshire East", providing insights into their children's experiences of special educational needs in their schools, and providing some recommendations for action.

Legislative Framework

The Local Authority must provide services for children and young people with special educational needs or disabilities in line with the statutory framework as set out in:

- SEN Code of Practice 2001
- Education Act 2002
- Education Act 1996
- Education and Inspections Act 2006
- Education and Skills Act 2008
- Apprenticeships, Skills, Children and Learning Act 2009
- Equality Act 2010

National Policy Framework

The policy is also governed and informed by the following national policies and guidelines:

- Supporting young people with learning difficulties to participate and progress, DfE (2010a)
- Ofsted Common Inspection Framework for Further Education and Skills, 2009
- Healthy Lives, Brighter Futures; The Strategy for Children and Young People's Health, 2009
- Aiming High for Disabled Children: better support for families, May 2007
- Improving the Life Chances of Disabled People, 2005
- National Service Framework for Children and Young People and Maternity Services, 2004
- Removing Barriers to Achievement - The Government's Policy for Special Educational Needs and Disability, 2004
- Inclusive Schooling - Children with Special Educational Needs, Guidance 2001
- REACT 2010 Commissioning Funding and Funding for 16-19 Education and Training - High Level Guide for Local Authorities
- Young People's Learning Agency (YPLA) Placement Technical Guidance for Independent Specialist Providers, 2011/12
- Assessments Relating to Learning Difficulties, 2010

Government Reviews

The policy is also influenced by strategic developments of the following Government reviews:

- Ofsted Review Special Education Needs and Disability, 2010
- Salt Review, 2010
- Lamb Inquiry, 2009
- Bercow Review, 2008
- Rose Review, 2008
- Aiming High for Disabled Children, 2008
- Learning for Living and Work Framework, (LflW) 2010

Special Educational Needs and Disabilities Green Paper

The publication of the government's Green Paper, 'Support and Aspirations: A new approach to special educational needs and disability', March 2011 marks the start of a period of consultation and testing in local areas from September 2011.

Local Authority - Roles and Responsibilities

The Local Authority has a number of key statutory responsibilities which are set out in this section of the policy.

Providing Information

The Local Authority has a responsibility to provide information as set out under Schedule 2 of the SEN Regulations to:

- Promote high standards of education for children and young people with SEND
- Encourage children and young people with SEND to participate fully in their school and community to take part in decisions about their education
- Encourage schools in their area to share their practice in providing support for children and young people with SEND
- Work with other statutory and voluntary bodies to provide support for children and young people with SEND

Identifying Children with SEND

The SEND and Inclusion Team and the Early Years Team work on an ongoing basis with health services, settings, schools and a range of agencies.

The team identifies children with SEND of all levels of intervention, taking into account the action taken by the setting or school, and the progress made by the child and young person, in accordance with the SEN Code of Practice.

Monitoring the Admission of Children with SEND to Maintained Schools

The schools admission team is responsible through the admissions forum for setting out the Local Authority's policy in relation to the admission of children with SEND and our response, where this gives cause for concern or complaint.

The SEND Assessment and Monitoring team is responsible for the admission to school of a child with a statement of SEN. The procedure followed is in accordance with schedule 27 of the Education Act 1996.

The Local Authority Admissions Team and the SEND and Inclusion Team liaise to address concerns relating to admissions procedures and time scales.

The percentage of statements amended by 15th February each year for phase transfers is monitored and action taken where needed by The SEND Assessment and Monitoring team.

Organising the Assessment of Children's Special Educational Needs

Organising the assessment of children's special educational needs under section 323 of the Education Act 1996 is carried out by the SEND Assessment and Monitoring Team, in accordance with guidance in Sections 7 and 8 of the SEN Code of Practice, 2001.

In 2007 the Local Authority introduced a funding mechanism called Individual Pupil Funding (IPF). IPF is a funding stream

for children and young people who in the past would have undergone a statutory assessment. IPF still acknowledges where the child has needs beyond the level which can reasonably be funded through the school budget. Individual Pupil Funding is currently under review.

Organising the Making and Maintaining of Statements including any Local Protocols

This is carried out in accordance with guidance in Sections 7 and 8 of the SEN Code of Practice 2001, by the Special Educational Needs and Disability Assessment and Monitoring Team.

Providing Information for Parents/Carers, Settings and Schools

Information for parents of children and young people with Special Educational Needs and Disability is provided through the Parent Partnership Website.

The Family Information Service provides a range of impartial leaflets for parents as well as links to other useful local and national organisations.

Cheshire East's Special Education Needs and Disability and Inclusion Team provide a range of published resources which sets out the Local Authority's information in relation to Special Educational Needs and Disability provision for children and young people.

Pre- and post-16 institutions and other agencies provide information and guidance for parents/carers and young people.

Information on the process for the Post 16 Independent Specialist Provider Placement Procedure is provided to parents, carers, schools, and specialist providers. This procedure outlines the process for new and existing placements at an Independent Specialist Provider. Educational placements are commissioned by the Local Authority for young people with learning difficulties and/or disabilities, who are subject to a learning difficulty assessment, who are over compulsory school age but under the age 25 are available.

Securing Training, Advice and Support for Staff working with Children with SEND

The Local Authority provides a learning and development programme aligned to local and national priorities. This programme includes:

- Special Educational Needs Co-ordinators (SENCO) Networks – induction for new SENCOs
- National training programmes – Ofsted 'SEN in Mainstream Schools' and 'Judging the achievement of children with Profound and Multiple Learning Difficulties'
- Targeted use of resources to support specific training programmes e.g. moving and handling, medical needs in school, Communication Aids Project, Let's Talk Project

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- Signpost support for tailored development programmes aligned to specific aspects of Special Education Needs and Disability e.g. Dyslexia-friendly schools, Associate Member of the British Dyslexia Association
- Training for staff working with children and young people on the autistic spectrum continuum
- School-based training aligned to identify developmental needs in individual schools or groups of schools
- Guidance to schools on entitlement to additional support
- Learning development programme for early years Special Education Needs and Disability consultants
- Family Support Workers carry out a Bridging Worker role for children and young people with disabilities who require after school provision
- Statutory Assessment and Monitoring Team support and advice to SENCOs who are new to the post in statutory procedures and IPF requirements

In addition, an integrated Workforce Development training plan, as detailed in the Early Years Foundation Stage (EYFS), has been drawn up to address the needs of the practitioners from the different early years providers. The plan covers ten priority areas for training.

Planning and Reviewing Provision for Pupils with SEND

The Local Authority is expected to keep its pattern of provision for special educational needs under review.

A comprehensive review was undertaken in 2005-2006 and a new pattern of provision for SEND was agreed by the Local Authority. The Local Authority is currently undertaking a review of SEND provision and has identified interim key priorities for improvement.

The Local Authority's strategy for Monitoring, Challenge, Intervention and Support for settings and schools promotes high standards of education and well-being for all children and young people, and sets out how we will ensure that settings and schools make

inclusive provision for children with SEND.

Reviewing and Updating SEND Policy and Development Plans

The SEND Policy will be reviewed on a 3-year cycle.

The Children and Young People's Plan objectives, targets and milestones are reviewed annually.

The SEND action plan will be reviewed on a 3-year cycle. This action plan has been developed by the Local Authority and its partners to develop and implement an integrated approach to the delivery of services for children and young people with SEND, with the aim of improving outcomes.

Auditing and Monitoring Performance

The SEND database is monitored quarterly to provide management information relating to children with SEND. The Monitoring and Intervention Manager (in the Children and Families Quality Assurance Team) and the Principal Manager for SEND monitor the effectiveness of provision through a range of indicators. Specialist Services contribute to this process through:

- Monitoring and review of locality action plans to improve service delivery and outcomes for children and young people
- Annual meetings with Education Improvement Partnerships to agree how best to support and advise settings and schools
- Service involvement in individual casework and in developing the capacity of mainstream schools to better meet the needs of children with SEND

- Attendance at annual reviews of children with IPF and statements of SEND
- Monthly IPF panel meetings to allocate additional resources
- Half-termly educational psychology group consultations
- Weekly operational meetings of the SEND Assessment and Monitoring Team to monitor, review and allocate a range of resources
- Bi-annual quality assurance board to ensure the consistency and quality of statements of SEND (as recommended in the Lamb Inquiry 2009)

The SEND Assessment and Monitoring Team provides data in line with the national performance indicators for the completion of Statutory Assessments within the expected time limits of 26 weeks. This is provided in June, based on the previous financial year, and published in November by the DFE.

The Local Authority completes a self-evaluation of SEND provision, performance and progress and this is reviewed with the Children and Families Senior Management Team on a quarterly basis.

Challenge and Intervention

The Local Authority must monitor, challenge, intervene and support schools in making provision for children with SEND. Schools are monitored to ensure that the local authority is able to account for the money which it delegates and spends itself in connection with schools, and gives best value for money. The Children and Families Service through the Quality Assurance Team's Monitoring and Intervention Service and its other Service Groups acts as the 'critical friend'; both supporting schools and settings in what they do well, and challenging them, when appropriate, to do better.

This requires:

- A detailed analysis of all performance data related to standards, wellbeing and finances;
- Close knowledge of the current picture gained through regular visiting to targeted schools, with the school's agreement;
- A good grasp of a school's aspirations including its plans and targets;

- A system of regular meetings of those with knowledge and understanding of the schools

If there is an issue with a school regarding the quality of SEND and or inclusion, further investigation and challenge will take place. This will be undertaken by the Monitoring and Intervention Officer from the Special Education and Inclusion Team or an external specialist adviser. The investigation will take the form of one or all of the following:

- Immediate communication
- School visit
- Paired visit
- Focused review
- Themed review

If, following the monitoring review, serious and/or chronic concerns around SEND and/or inclusion is evident, a focused review will take place. This will occur with one to three days' notice.

Providing Education and Training Post 16

For the majority of young people (over the age of 16) who have learning difficulties and/or disabilities, education and training provision will be delivered in a mainstream setting.

Local Authorities have a duty to secure enough suitable education and training to meet the reasonable needs of persons who have SEND who are over compulsory school age, but under 19, as well as for those aged 19 or over but under 25, who are subject to a learning difficulty assessment (section 15ZA of the Education Act 1996, inserted by the Apprenticeships, Skills, Children and Learning (ASCL) Act 2009).

Local Authorities have existing duties to encourage, enable and assist the participation of all young people with learning difficulties and/or disabilities up to 25 years and also in respect of transport arrangements. It is important that all of these duties are aligned with the interests of the learner.

The Cheshire East Independent Specialist Provider Placement Procedure 2011/12 provides information in relation to the small number of young people in receipt of a learning difficulty assessment whose education and training needs can only be met by an independent specialist provider.

Local Authorities have a statutory duty as defined in Section 80 of the Education and Skills Act 2008 to undertake assessments relating to learning difficulties.

Providing Boarding Accommodation Post – 16

Section 46 of the Apprenticeships, Skills, Children and Learning (ASL) Act provides Local Authorities with the power to secure boarding accommodation for persons who are over compulsory school leaving age but under 25 and subject to a learning difficulty assessment.

The following documents provide guidance and documented procedures in line with national policy to facilitate and record placement decisions for

provision at independent specialist providers, for young people aged 19 but not yet 25, with a learning difficulty assessment. They can also be used to communicate the procedures to young people, their parents, carers and advocates, referring agencies, schools, colleges and independent specialist providers.

- YPLA's Placement Information: Learners with Learning Difficulties and/or Disabilities at Independent Specialist Providers 2011/12
- Cheshire East Council's Independent Specialist Provider Placement Procedure 2010/12



Schools and Parents/Carers Roles and Responsibilities

This section sets out the role and responsibilities schools, parents and carers have for children and young people with special educational needs and disabilities.

Schools Must:

- Ensure that the 5% nominal funding provided for SEND is used to deliver the necessary provision for any pupil who has SEND
- Inform the pupil's parents/carers that special educational provision is being made for them because they have SEND (i.e. they are being supported at School Action of the SEN Code of Practice)
- Ensure that parents/carers have knowledge about the SEND provision that the school makes, and that they are able to make their views known about how their child is educated and have access to information, support and advice regarding their child's SEND
- Ensure that, where the responsible person - the head teacher and the appropriate governor - has been informed by the Local Authority that a pupil has SEND, those needs are made known to all who are likely to teach/support them
- Ensure that teachers in the school are aware of the importance of identifying, and providing for, those pupils who have SEND
- Ensure that a pupil with SEND joins in the activities of the school together with pupils who do not have SEND. The school must do this so far as is reasonably practical and compatible with the child receiving the special educational provision required by their learning needs, in relation to the efficient education of the pupils with whom they are educated, and the efficient use of resources
- Work in partnership with the Local Authority and the governing bodies of other schools, when it seems to be necessary or desirable, in the interests of co-ordinating special educational provision in the area as a whole
- Have a written SEND policy containing the information as set out in the Education (Special Educational Needs) Regulations 1999 (reproduced in the SEN Code of Practice), and report to parents on it in the school prospectus, including the name of the person responsible for coordinating SEND provision
- Have regard to the SEN Code of Practice, which is designed to help schools make effective decisions, but does not set out what to do in each individual case

Performance Information

In order to support the Local Authority in its role of monitoring, challenging and supporting schools in making provision for children with SEND, schools should maintain the following information:

- Recent OFSTED inspection reports
- Fischer Family Trust/school data
- Self-Evaluation Form judgements about all aspects of provision
- School's strategic plan
- Analysis of trend data and moving averages (very important for schools with small cohorts)
- Analysis of pupil progress data matching individual pupils' results between key stages
- Exclusion and attendance data
- SEND policy, process and protocols
- Financial data including open and transparent information about how the notional 5% SEND funding is spent

- Visits/information available from any other Service Group including - Human Resources, Specialist Support Services and the Parent Partnership Service

- Human resources data

Provision for Children with Statements

For children and young people with SEND for whom the Authority maintains a statement, schools must:

- Use the funding allocated by the Local Authority to deliver the provision specified in statements
- Monitor the child and young person's progress against the objectives as set out in the statement
- Initiate the annual review of the statements, ensure that all relevant representatives are invited to the review meeting and provide a report to the Local Authority no later than 10 days after the annual review or the end of term, whichever is earlier

The Duty to Promote Equality - Disability Equality Scheme

From 2007 schools must publish a three-year equality scheme or plan showing how they will promote equality of opportunity for disabled pupils, staff and those for whom they provide services. They must also publish an annual action plan showing how they are implementing their scheme. A school's equality plan should show:

- How people with an interest in the plan have been involved in its development
- The methods for assessing the impact of policies and practices on equality for disabled persons
- The steps that will be taken to promote equality of opportunity for disabled people
- The effect of policies and practices for disabled people, including information on recruitment, development and retention of disabled employees
- Educational opportunities for, and achievements of disabled pupils

- The arrangements for making use of this information to help promote equality of opportunity

Responsibilities for Governing Bodies

Governing bodies have a responsibility to ensure that:

- The school has a Special Educational Needs and Disability policy which includes the arrangement for both the identification and provision for special educational needs and disabilities, and that this information is available to parents
- The necessary provision is made for any pupil who has SEND through school action or school action plus
- A member of the governing body is named as the 'responsible person' for SEND
- Teachers in the school are aware of the importance of their responsibility for identifying and providing for SEND pupils
- The SENCO receives appropriate training and has the time to carry out their role and responsibilities

Planning

Schools should plan well and make good provision for pupils with SEND by ensuring:

- Outstanding quality first teaching
- Learning targets for individual pupils are identified
- Additional or different provision from the differentiated curriculum is planned and offered to all pupils
- That SEND provision is reviewed in light of individual pupil progress
- That if a school has a policy of planning, target setting and recording the progress of all pupils, as part of personalised learning, then there is not a need for the school to write Individual Education Plans for children and young people with SEND

Special Educational Needs and Disability Policy

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Other Responsibilities for Headteachers and Teachers

In addition to many of the responsibilities outlined above, head teachers and teachers have a responsibility to ensure that:

- The school's special educational needs and disability policy is implemented in line with requirements of the current legislation
- Staff attend appropriate in-service training to meet the needs of children and young people with special educational needs and disability
- Arrangements are in place to report on the use of SEND funding to the Governing Body and that systems are in place for setting, monitoring and reviewing Individual Education Plans (IEP's) and Individual Behaviour Plans (IBPs) and reviews of Statutory Statements

- Visits by the Local Authority's are facilitated, when requested, and pupil records are made available for inspection, for those children at School Action, School Action Plus and with Statements
- High standards of SEND provision are promoted
- Children with SEND are encouraged to access and participate in learning in a setting or school as close to their home as possible

Responsibilities for Parents

Parents are responsible for ensuring that their child receives full time education suitable to their age, ability and aptitude and to any special educational needs they may have, either by regular attendance at school or otherwise.

Parents of pupils with statements of special educational needs and disabilities have a right to express a preference for school placement

They also have the right to appeal to the First Tier Special Educational Needs and Disability Tribunal if, it is not possible to reach an agreement with the Local Authority regarding appropriate special educational needs provision

If parents/ carers have any concerns or questions about this process, or disagree with any part of the statement, advice or support is available from the Local Parent Partnership Service. In addition, they can contact Global Mediation Ltd, which is an independent service set up to help resolve or prevent disagreements between parents/ carers and the Local Authority

Using either of these services does not prevent an appeal to the First Tier Tribunal Special Educational Needs and Disability and their rights are not affected. An appeal to the Tribunal can run at the same time as any disagreement resolution

Parents/carers can also request a copy of the school's published complaints policy which sets out the formal complaints process for the school community

The Management of SEND Funding

Funding for SEND is provided through the Dedicated Schools Grant (DSG). The Local Authority currently retains 11% of DSG and this funds the Local Authority's statutory responsibilities for school age children and young people. The remainder is devolved to schools to meet their statutory responsibilities for children and young people. The DSG funding devolved to schools contains a notional element for SEND. The Local Authority also receives funding from the Early Intervention Grant which funds early year's provision and support for SEND.

The Notional SEND Budget

The notional SEN budget comprises 5% of the relevant parts of schools budgets plus a General Special Needs Allowance (GSNA) which has been delegated on an attainment-based formula. These are represented by amounts 'A' and 'B' on the school's Special Educational Needs and Additional Educational Needs statement. Together these budgets are the notional amounts intended for 'Level 1' intervention and support at School Action and School

Action Plus. Early and effective use of this resource for additional and different interventions should enable pupils to progress and increasingly prevent the need for additional resource at levels 2 & 3 under Individual Pupil Funding (IPF).

Depending on the number and type of children with SEN, many schools will need to spend more than this total figure for children and young people at School Action and School Action Plus. The 5% budget amount and the GSNA should not be regarded as a limit; it is intended to support the schools evaluation of Special Educational Needs and Disability spending. Some authorities, for example, have suggested a notional figure of 7% of budget.

Expectations of effective interventions and support at Level 1 are set out in the IPF handbook.

The Local Authority has a notional budget to secure suitable education and training for young people aged 16-25, with a learning difficulty assessment, which will be used to contribute to:

- The learning costs of continuing and new learners with high level specialist needs in placements in Independent

Specialist Providers commissioned by the Local Authority;

- Learning support costs of continuing and new learners with high level support needs in placements commissioned by the Local Authority, through special arrangements with mainstream providers;
- Actual learning support costs for continuing and new learners in a General Further Education College, where the costs of additional learning support are over £19,000

In practice this means that the Local Authority works closely with the Young Peoples Learning Agency (YPLA) to ensure that all commissioning decisions, for all learners, take into consideration the YPLA national budget available. There is also a duty to ensure that the placement process is managed collaboratively and the funding is used with equity and transparency.

Individual Pupil Support

Many schools will receive delegated funding (amount 'C') allocated via statements for classroom assistant hours, or more recently via Individual Pupil Funding (IPF). IPF is only provided to support pupils with the longest standing most complex needs who in previous years would have required a Statement.

One of the key criteria is the range and effectiveness of Level 1 interventions through the graduated response, which in many cases will prevent the need for additional resource under IPF.

Once IPF is agreed, it is transferred quickly to schools and should be used flexibly, rather than necessarily funding individual Teaching Assistant support.

There continues to be pressure on the teaching assistant budget and there is an ongoing review by the Authority into the overall approach to SEN funding and provision to ensure Value for Money within allocated resources.

Some primary schools are designated as specially resourced for Autism, Hearing Impairment, Complex MLD

or BESD. These schools receive an additional resource in the form of a "lump sum" to support their additional responsibilities. Resource provision is currently being reviewed as part of the SEND review.

Other Budgets for use at School Action and School Action Plus

Secondary schools receive a lump sum for the development of inclusion resource provision which is intended for early, targeted intervention for a range of vulnerable pupils including those with learning needs or behavioural needs.

They also receive funding for Additional Educational Needs (AEN). Whilst in some cases schools may be targeting support for specific groups, e.g. pupil mobility or English as an Additional Language (EAL), the Audit Commission has advised that, given the correlation between deprivation and SEN, many schools will use some of this funding to add to general SEN spending detailed in section 1 above.

Other Funding Available for SEN

Over recent years the Age Weighted Pupil Unit (AWPU) has grown due to the addition of specific amounts for personalisation. Whilst some of this has been delegated through the notional SEN budget described in section 1 above, the remainder has been allocated as part of general AWPU.

In 2010-11 some schools received funding from national primary and secondary strategies to support intervention programmes for groups who are making less progress. The relevant amount included in the 2011-12 budget, and in future budget delivery, is no longer ring fenced and is included in the 'Source of Funds – Supplementary Information' statement.

The same applies to the relevant amount previously received as School Development Grant, some of which has previously been used for staff development relating to SEN and Inclusion and/or specific projects to develop new approaches.

In some Education Improvement Partnerships (EIPs) there have been agreements to jointly fund specific activity and development particularly for outreach and staff development around SEN inclusion.

The Local Authority retains DSG funding to support a range of SEND activities related to the statutory responsibilities defined in the SEN Code of Practice.

School transport may be provided for pupils due to the complex nature of their special educational needs which prevents them from either walking to school or using multi-occupancy vehicles. The Local Authority's Complex Special Needs Transport Policy sets out entitlement to transport on complex/special needs grounds and is reviewed annually.

Evaluating Impact of SEN Spending – Audit Commission Value for Money Toolkit

As part of their self evaluation of the effective use of funding and ensuring successful outcomes for children, schools are strongly advised to use the Audit Commission on-line self-evaluation tool to evaluate the use of their budget for vulnerable children and the impact this is having on their progress.

The DfE is concerned about the national growth of delegated resource for SEN and the lack of detailed evaluation evidence across schools, local authorities and nationally of the impact of SEN spending on outcomes for individual pupils. The inspection framework introduced in January 2012 will enable inspections to make a judgement on the impact of expenditure on pupil outcomes.



Equality

By law, all new policies, services and functions should be subject to an equality impact assessment (EIA).

The Equalities Act 2010 requires an assessment of impact, both positive and negative; to be made using robust data on the following protected characteristics:

- Age
- Gender
- Caring responsibilities
- Disability
- Religion and Belief
- Transgender
- Race (language barriers are seen as a race issue)
- Gypsies and Travellers
- Socio-economic disadvantage
- Sexual orientation

Glossary

ADHD Attention Deficit Hyperactivity Disorder

AEN Additional Educational Needs

ASC Autism Spectrum Conditions

ASCL Act Apprenticeships, Skills, Children and Learning Act 2009

AWPU Age Weighted Pupil Unit

CEAT Cheshire East Autism Team

CYP Children and Young People

CYPP Children and Young People's Plan

DfE Department for Education

DSG Dedicated School Grant

GSNA General Special Needs Allowance

IBP Individual Behaviour Plan

IEP Individual Education Programme

IPF Individual Pupil Funding

LA Local Authority

LDD Learning Difficulty and Disability

LLDD Learners with Learning Difficulties
and/of Disabilities

MLD Moderate Learning Difficulties

SENCO Special Educational Needs Coordinator

SEND Special Educational Needs and Disability

YPLA Young People's Learning Agency

Appendix 1 – SEND Early Intervention Model Based on Level of Need

Universal

- Quality first teaching (every teacher is a teacher of SEND)
- Fund school notional 5%
- Ofsted
- Inclusion development programme strands 1-4
- Information for parents
- Family Information Service
- All pupil voice
- Complaint procedure
- Reasonable adjustment
- Statutory compliance – sen code of practice, Equalities act 2010
- School 2 school support
- Transition review

Targeted

- Advice and guidance - SENCO
- Parent partnership service
- Individual Education Plan / Individual Behaviour Plan
- School Action and funded at school level with the notional 5%
- Early years school action
- CEAT
- SEN Register
- Opportunities for families to share success and challenges
- Clear, helpful advice
- Pre-CAF
- EWO's
- Access to local quality assurance team
- Parent partnership service
- Half termly SEND reviews

Complex

- School action plus where more than one agency is involved
- CAF Process
- Additional funding supplied above the 5% notional budget is provided using agreed funding criteria (IPF)
- Access to statutory assessment process
- Access to specialist services
- Access to multi professional team
- Access to out of year admissions protocol
- Learning difficulty assessment 19 - 25
- Individual specialist educational placement
- Mediation, parent partnership, multi professional team
- Half termly review

Specialist

- Statement of special educational needs
- Resourced provision place
- Special school place
- PRU
- Travel arrangements in accordance with the SEND policy
- Residential provision
- Learning difficulty assessment 19 – 25
- Individual specialist educational placement
- Statutory annual review
- Transition plan
- Access to statutory appeals process
- Mediation, parent partnership, multi professional team

UNIVERSAL SERVICES FOR ALL CHILDREN AND YOUNG PEOPLE

UNIVERSAL

Children and young people whose needs are being adequately met by their parents/carers and who are accessing universal services (e.g. health visiting, GP, schools).

RESPONSE: Continue meeting child or young person's needs as a universal service. Universal services will remain involved at all levels of need.

Consider common assessment framework

TARGETED

Children and young people who would benefit from additional help in order to make the best of their life chances.

RESPONSE: A practitioner who identifies unmet needs for a child or young person should consider how these needs can best be met. Consider using the Common Assessment Framework (CAF) process to assess and meet needs.

Use common assessment framework

COMPLEX

Children and young people who have a range of additional needs, currently unmet, and who require co-ordinated support from more than one agency. This also includes children and young people with complex health needs or disabilities.

RESPONSE: Use the Common Assessment Framework to fully assess the child or young person's needs. This should involve the parent(s) or carer(s) and the child or young person. Request support from other agencies that will join the 'Team Around the Child' (TAC). Identify a Lead Professional to co-ordinate support. Use the CAF process to develop and implement an Action Plan and review regularly.

Use specialist assessment

SPECIALIST

Children and young people who need immediate protection or who require integrated support from a statutory service such as CAMHS, Children's Social Care, or Youth Offending Service.

RESPONSE: Request service from appropriate specialist agency and remain involved in the multi-agency TAC. If at any point you are concerned about the safety of a child or young person, contact Cheshire East Children's Assessment Team on 0300 123 5012



If at any point you are concerned about the safety of a child or young person, contact Cheshire East Children's Assessment Team on **0300 123 5012**



(If outside office hours contact the Emergency Duty Team on **0300 123 5022**)

Contacts

**Special Educational Needs
and Disability Policy**

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Contact info????



image ?



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CHESHIRE EAST COUNCIL

REPORT TO: C&F Scrutiny

Date of Meeting: 23rd April 2012
Report of: C&F Scrutiny
Subject/Title: Cheshire Youth Offending Service
Portfolio Holder: Hilda Gaddum

1.0 Report Summary

- 1.1 The report is in regard to the Cheshire Youth Offending Service. Cheshire East currently manages a Shared Service with Cheshire West and Chester (CWAC) for the delivery of youth justice services. The report identifies recent discussions in regard to developing services across a wider Cheshire footprint.

2.0 Decision Requested

- 2.1 n/a

3.0 Reasons for Recommendations

- 3.1 n/a

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 All

6.0 Policy Implications including - Carbon reduction - Health

- 6.1 n/a

7.0 Financial Implications (Director of Finance and Business Services)

- 7.1 n/a

8.0 Legal Implications (Authorised by the Borough Solicitor)

- 8.1 n/a

9.0 Risk Management

9.1 n/a

10.0 Background and options

- 10.1 Section 38 of the Crime & Disorder Act 1998, places a statutory duty on local authorities to secure as appropriate all youth justice services in their area.
- 10.2 A shared service agreement with CWAC is in place for the delivery of a Cheshire Youth Offending Service (YOS). A similar arrangement is in place in Halton and Warrington (H&W) and in broad terms H&W Youth Offending team is half the size of the Cheshire YOS. Services are delivered to some of the most dangerous and vulnerable young people in Cheshire.
- 10.3 In this time the arrangement in Cheshire has contributed to a YOS which consistently delivers performance in the top quartile nationally and has the reputation of a forward thinking, high performing service.
- 10.4 Cheshire YOS has improved performance whilst realising cashable efficiency savings, in excess of 10%. An example of this would be a reduction of £272,941, which was achieved for 2010/2011.
- 10.5 In January 2011 the Youth Justice Board was commissioned to appraise the potential of widening the footprint into a pan Cheshire YOS to include Halton & Warrington. The YJB reported in March 2011 with the overwhelming recommendation being that there is a strong argument to do nothing at this stage. The rationale for this argument is as follows:
- Amalgamation is not absolutely necessary and would have associated costs in the immediate term.
 - YJ services works well with 2 services serving 4 authorities
 - Savings already achieved in both YOTS in line with expectations
 - Quality and performance is very good.
 - There is no compelling argument either political or financial to amalgamate services.
- 10.6 In the summer of 2011 Cheshire East was invited to join a project group looking at an options appraisal regarding improved collaboration across Cheshire.
- 10.7 The group quickly focussed upon the development of a 'One YOT' across the Cheshire footprint and the opportunity to have a more considered debate regarding a range of collaborative options was lost.

10.8 In summary the potential development of a One YOT would provide analysis of how a single entity would

- Improve performances
- Increase efficiencies
- Sustain localism

10.9 In summary the proposal for a pan Cheshire YOT argued that it would assist with issues of sustainability for Youth Offending Services. Also identified were potential savings of £249,510 over a 2 year period. The savings would be shared proportionally between Halton, Warrington, Cheshire East, CWAC Police and Probation.

10.10 Efficiencies would be realised by a reduction of 3 senior management posts and further reduction in back office and performance functions.

10.11 Following careful consideration, including taking the advice of Cabinet and taking into account the evidence presented by the project board including associated partners and discussions with other colleagues Cheshire East Council shared its preferred position, this being:

- **A continuation of the present shared service arrangement with CWAC with a proposal to explore more formal shared services arrangements with Halton & Warrington in regard to court work.**

The preferred position was reached based on a number of factors.

10.12 Performance

Sadly the project board lost sight of the issue of improvement in performance. Discussion and focus upon performance was scant. This lack of emphasis is highlighted in that the sum total of improving performance results in:

- “A single set of performance measures” will be agreed.
- Collaboration working and joint initiatives will enable the One YOS to be more effective”.
- “A number of small specialist teams will be brought together in order to deliver effective work across the footprint.

10.13 There is no sophisticated or mature evidence that identifies that One YOT would improve performance on the contrary issues of loss of management capacity where we manage the most complex and high risks could seriously impact on performance.

10.14 In reality collaborative work already takes place depending upon the needs of the young person. Cheshire YOS works collaboratively in specialist areas such as sex offenders and violent offenders. Furthermore Cheshire YOS has been committed to collaboration with other YOT's in the region and with other partners, beyond the statutory requirement. Recent examples of collaborating with other YOT's include:

- Developing a virtual Court Team with Halton and Warrington- planning is well advanced with plans to launch in May 2012.
- Developing a joint approach to the new Management Information System
- Accommodation developments with Manchester YOT
- Central Training Group- joint commissioning of training with all Merseyside YOT's.
- Collaboration on auditing and serious incident report writing to encourage objectivity and learning- Stoke, Halton and Warrington YOT's.

10.15 Efficiency Savings

10.16 Whilst efficiencies are always at the forefront of discussions the ability to realise savings which may have to be assigned across 4 x LA areas and the potential need for redundancy payments meant that savings in the next 2 years could well be minimal and complicated to achieve.

10.17 Further work identified and agreed for legal advice to be sought regarding the implementation of a shared management structure.

- In compiling a set of job descriptions across a single management structure, it was clear that working practice in each area is fundamentally different.
- There were 3 sets of terms and conditions and gradings were different.
- Any potential merger raises the risk of equal pay claims.
- The process of recruitment and selection could be open to challenge
- The payment of redundancy costs could leave one area more liable financially.
- A comprehensive process for consultation and negotiation would need to take place across 3 locally agreed protocols

10.18 When you add in a proposed management fee to a host authority of £15,000 per annum and the fact that due to the timing of selection processes and subsequent notice periods there could well be **no saving in the financial year 2012/13.**

10.19 This would result in needing to realise savings in year 2 in excess of £250K needing to be achieved. Again this would more than likely have other associated costs regarding the likes of redundancy.

10.20 Partners/Regional Developments

10.21 A full discussion has taken place with the Youth Justice Board regarding their change of position from March 2011 as they now support a One YOT. This centred upon the sustainability issues for Halton and Warrington being the reason they favour a One YOT development in Cheshire. However it is clear that national policy guidance is still being formed. A new national 'Positive for Youth' strategy identifies the need for local integration of services based on the local needs for young people. Also conflicting reports regarding potential funding streams for the new Police and Crime Commissioners provide further

uncertainty. Following the discussion the Youth Justice Board were happy with the Cheshire East approach and understood fully the reasons for wanting to stay part of a shared service arrangement with CWAC.

10.22 Furthermore recent announcements in regard to all local authority areas having a community budget in the next two years again highlights the emphasis on local solution approaches. Therefore we consider the proposal of a **One YOT premature in the current policy landscape.**

10.23 In considering other similar developments regionally or nationally we have made informal enquiries through a network of contacts. On the evidence found we know of no plans for the likes of Pan Merseyside or Pan Manchester YOS. Therefore at this time we do not see a move to this type of arrangement either regionally or nationally.

10.24 The Cheshire YOS Board met on 2nd Feb and the Board was split on the proposal for a One YOT. CWAC indicated they are in favour but wanted a more thorough options appraisal before a key decision was made. In light of this the current shared service agreement was extended until October 2012 to allow CWAC time to deliberate.

10.25 **Maintaining our Statutory Responsibility**

As identified in 1.2 of this report the work undertaken by the Cheshire YOS involves some of the most complex & risky situations for our young people. With this in mind the idea that we in effect “**commission**” **this service to a neighbouring local authority to manage on our behalf represents inherent risks.**

10.26 In summary the recommendation to continue the present shared services arrangements with CWAC is based on the fact that the proposal for a One YOT across Cheshire.

- **Shows no evidence that performance would improve**
- **Increases potential risks in the proposal of a single management structure.**
- **Is premature in the current policy landscape regarding the likes of youth developments.**
- **Could result in the loss of control of services in Cheshire East regarding some of our most dangerous and vulnerable young people.**
- **Presents potential savings which may negatively affect Cheshire East disproportionately and will be hard to realise.**

10.27 Cheshire East is currently developing a new plan to deliver services of young people. Whilst the preferred approach is to continue a shared service arrangement with CWAC plans will take into account the potential cessation of the formal arrangement with CWAC. The alternative would be a more joined up local approach by incorporating the YOS work into a range of other services delivered on a community basis.

11.0 Access to information

The background papers relating to this report can be inspected by contacting the report writer:

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CHESHIRE EAST COUNCIL

REPORT TO: CHILDREN AND FAMILIES SCRUTINY COMMITTEE

Date of Meeting: 23 April 2012
Report of: Borough Solicitor
Subject/Title: Work Programme update

1.0 Report Summary

- 1.1 To review items in the 2012 Work Programme, to consider the efficacy of existing items listed in the schedule attached, together with any other items suggested by Committee Members.

2.0 Recommendations

- 2.1 That the work programme be received and noted.

3.0 Reasons for Recommendations

- 3.1 It is good practice to agree and review the Work Programme to enable effective management of the Committee's business.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 Not applicable.

6.0 Policy Implications including - Climate change - Health

- 6.1 Not known at this stage.

7.0 Financial Implications for Transition Costs

- 7.1 None identified at the moment.

8.0 Legal Implications (Authorised by the Borough Solicitor)

- 8.1 None.

9.0 Risk Management

9.1 There are no identifiable risks.

10.0 Background and Options

10.1 In reviewing the work programme, Members must pay close attention to the Corporate Plan and Sustainable Communities Strategy.

10.2 The schedule attached, has been updated in line with the Committees recommendations on 13 March 2012. Following this meeting the document will be updated so that all the appropriate targets will be included within the schedule.

10.3 In reviewing the work programme, Members must have regard to the general criteria which should be applied to all potential items, including Task and Finish reviews, when considering whether any Scrutiny activity is appropriate. Matters should be assessed against the following criteria:

- Does the issue fall within a corporate priority
- Is the issue of key interest to the public
- Does the matter relate to a poor or declining performing service for which there is no obvious explanation
- Is there a pattern of budgetary overspends
- Is it a matter raised by external audit management letters and or audit reports?
- Is there a high level of dissatisfaction with the service

10.4 If during the assessment process any of the following emerge, then the topic should be rejected:

- The topic is already being addressed elsewhere
- The matter is subjudice
- Scrutiny cannot add value or is unlikely to be able to conclude an investigation within the specified timescale

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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Designation: Scrutiny Officer
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As of 13/04/2012

Children and Families Scrutiny Committee Workplan: September 2011 – April 2012

Portfolio Holder – Hilda Gaddum

Historical Record

Date of Meeting	Agenda Setting Meeting	Topic	Purpose/Key issues (including origin)	Comments post meeting
20 September 2011		Management Structure Update	Members top receive verbal update	That a breakdown of responsibilities aligned to each senior manager be distributed to the Committee.
		OFSTED inspection	Members to consider report,	That a special meeting be convened pre 18 October 2011 to discuss in further detail. That congratulations be passed to staff and mgmt at Claremont rd.
		Summary of Schools Performance		Item be added to work programme relating to what CE do to improve underperforming schools.
		Training Requirements		Training sessions on: <ul style="list-style-type: none">- LA's changing interface with schools and education- Architecture of partnerships.
18 October 2011		FOSTERING AND ADOPTION VIDEO		That the Fostering and Adoption team be congratulated for their work in producing the film. That it be suggested to Stephen Kelly that he contacts

				other media outlets such as Cinemac, the BBC, BBC North West and ITV to see if the film could be distributed more widely.
		VIRTUAL HEAD		That the following additional information be provided in future Virtual School reports: <ul style="list-style-type: none"> a) The national 'mainstream' educational attainment figures for comparison b) The Cheshire East 'mainstream' educational attainment figures for comparison c) The number of students in each yearly cohort.
		WORK PROGRAMME UPDATE		That the item regarding what Cheshire East was doing to improve underperforming schools be added to the agenda for the meeting scheduled 15 November 2011. That the proposed 2012/13 budget be brought to the Committee for consideration at the next scheduled meeting. That thanks be extended to Gill Betton for drafting the Children's Directorate glossary.
15 November 2011		'CHILD & ADOLESCENT MENTAL HEALTH SERVICES' (CAMHS) OVERVIEW	Members to consider and comment	That the Committee support the work to integrate the existing autism provision into a single 'multi-agency' pathway to improve the autism assessment and support pathways across the authority. That the Committee support further progress in preventative approaches and services to meeting the emotional health and wellbeing needs of children, young people and their families/carers. That more detail on the financial background and

				<p>requirements for increasing investment into preventative approaches be circulated to the Committee for consideration. That this information include:</p> <ul style="list-style-type: none"> a) What current funding was in place proportionately from each organisation for CAMHS as a whole and for the preventative agenda. b) Who managed the current budget in terms of allocation. c) How the investment needs had been worked out. d) Where it was expected the money would be spent and from which organisations proportionately would the extra funds come from. <p>That a geographical map indicating where services relating to CAMHS were located be circulated to the Committee.</p>
		CHILDREN'S TRUST AND CHILDREN AND YOUNG PEOPLE'S PLAN 2011-2014	Members to be briefed.	<p>That the Committee supports the work of the Trust as the best way of achieving joined up, integrative working for the benefit of children and young people in Cheshire East.</p> <p>That an update report be brought back to the Committee in 12 months outlining the progress against the Trust's proposed outcomes and priorities and that this report include the budgetary implications of retaining the Trust along with evidence of any possible savings the joint working fostered by the Trust has produced.</p> <p>That the minutes of each respective Trust meeting be circulated to the Committee for their information.</p>
		ADDRESSING SCHOOL UNDERPERFORMANCE :	Members to consider	That when a school receives an OfSTED report and/or when a school has a number of issues identified, the

		LOCAL AUTHORITY INTERVENTIONS INCLUDING THE 'IMPROVING OUTCOMES PROGRAMME' (IOP)		<p>relevant ward Councillor be made aware and adequately briefed.</p> <p>That detailed performance data relating to Cheshire East Schools be circulated to Members when available.</p> <p>That 'appendix c' be brought back to the Committee as part of the regular performance report and that this include the date of publication for respective OfSTED reports.</p>
		DRAFT SPECIAL EDUCATIONAL NEEDS AND DISABILITY POLICY	Members to consider and comment	<p>That the draft SEND policy be brought back to the Committee on 13 December 2011 for further consideration.</p> <p>That site visits to the special schools in Cheshire East be arranged.</p>
		WORK PROGRAMME UPDATE	Members to comment	<p>That the following items be deferred until January 2012:</p> <ul style="list-style-type: none"> a) The impact on council services following the opening of Academies b) Out-of-Borough Care Placements Task and Finish Report from Lancashire County Council c) Disabled Respite Care <p>That a line by line analysis of the Quarter 2 budget report be brought to the next scheduled meeting.</p>
13 December 2011		DRAFT SPECIAL EDUCATIONAL NEEDS AND DISABILITY POLICY	Members to consider	<p>That thanks be passed to the Headteachers of the special schools which hosted Councillor visits.</p> <p>That the following comments be considered in the formulation of the final SEND Policy document:</p> <ul style="list-style-type: none"> a) That the wording in the penultimate bullet point on page 39, beginning 'Out of Borough

				<p>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.</p> <ul style="list-style-type: none"> 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. <p>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.</p> <p>That a review of the consultation responses be brought to a subsequent Committee meeting.</p>
		CHILDREN AND FAMILIES BUDGET	Members to be briefed	<p>That the report be noted.</p> <p>That a request be made that more detailed financial information be brought to the next appropriate meeting.</p> <p>That a request be made that information regarding the 2012/13 budget be brought as soon as possible to a subsequent meeting.</p>

		WORK PROGRAMME UPDATE		That the work programme be noted That the Home to School Transport Task and Finish Review be added to the next agenda for consideration.
17 January 2012		HOME TO SCHOOL TRANSPORT TASK AND FINISH REVIEW	Members to consider	That both the report of the Task and Finish Group and the Minority Report be put forward for consideration by Cabinet. That the Minority Report be endorsed by the Committee.
		ACADEMIES THE IMPACT ON CHESHIRE EAST COUNCIL	Members to consider	That the Committee support the department in providing services to Academies at competitive market rates. That the Committee have sight of the packages being offered to Academies prior to them being put on the market and that the Committee be involved in the monitoring of their efficacy. That it be recommended to the service that they consider Public Relations initiatives with regard to the possible false perception of Cheshire East school performance decreasing as a result of the loss of high performing Academies from the data set.
		DISABLED RESPITE CARE		That the update be noted. That a report outlining future respite care options and the improved transition between children's and adult's respite care be brought to a subsequent meeting. That thanks be extended to Cath Knowles and her team

				for all their hard work in achieving a positive outcome in challenging circumstances.
		WORK PROGRAMME UPDATE		That the work programme be noted That a special meeting be arranged to consider the 2012/13 budget proposals prior to the 23 February 2012. That an item regarding the transfer of an element of the early intervention budget from local authority to police control be added to the work programme.
		FORWARD PLAN - EXTRACTS		That the forward plan be noted That the item regarding Admission Arrangements be considered by the Committee prior to the 2 April 2012
14.02.12		CABINET RESPONSE TO FOSTERING TASK AND FINISH REVIEW		That an update report be brought to the Committee in 12 months with a particular emphasis on the welfare reforms and their impact on care leavers. That thanks be noted for both Councillor Flude for Chairing the review and for the officers who gave up their time to provide evidence.
		THE FUTURE OF CAREERS ADVICE, TARGETED YOUTH SUPPORT AND UPDATE ON CONNEXIONS.		That the Member group responsible for youth support report to the Committee in the near future
		FAMILY SUPPORT		That the annual Children in Need report be distributed to the Committee. That Councillors be provided with information regarding the Children Centres aligned to their respective wards.
		SCHOOL ADMISSIONS CODE AND ADMISSIONS APPEAL CODE 2012		That a progress report be brought to the Committee once the consultation period had ended.

Next Agenda Setting Meeting: tba

Ongoing items/reviews/Monitoring Papers

Item	Reporting:	Committee Meeting							
		20/9	18/10	15/11	13/12	17/01	14/2	13/3	10/4
PERFORMANCE REPORTING (key exceptions – red/amber and explanations/commentary) to include adoption rates, staffing information and profile of children in Cheshire East	Quarterly	X		X					
INDEPENDENT INSPECTIONS OR REVIEWS <ul style="list-style-type: none"> • Annual Unannounced Inspection • Children Services Performance Rating • Schools Inspection 	Quarterly	X							
SAFEGUARDING	When Appropriate								
REGULATION 33	Bi-annual								
BUDGET PROCESS – summary of budget position update given to Cabinet.	When Appropriate				X				
REVIEW OF WORK PROGRAMME	Regular	X	X	X	X	X	X	X	

Possible Future Issues / Items (Chronology)

Meeting dates: 8 May

Item	Corporate Priority / Targets	Suggested Action	Notes	Due Date and Status
School Organisation Plan	Support our Children and Young People	Members to consider		TBC Deferred from March
Regulation 33		Members to be updated		TBC On track
Electronic recording system upgrade			To include: <ul style="list-style-type: none"> - Information on the procurement process - Work that is being done to improve the current system and ensuring a smooth transition - Approximate costs of the new system and justification/value for money. 	TBC
Update on listening to service users (from action plan)			Update from performance mgmt sub group of the LCSB.	June 2011

Possible future items for consideration:

- Director of Public Health inc. work on Obesity and Diabetes (when appointed)
- Childcare support for working parents
- How safeguarding issues are checked in schools
- Complaints – tba
- Services packages for Academies
- Future respite options and the successful transition between children's and adult's services.
- Allen Report
- Troubled Families
- Fostering
- Member group on Youth Support brief
- School Admission (June/July 2012)
- Early Years Education

Training Requirements/Planned sessions

- Local Authorities' changing interface with schools and education – **part II tba**
- Training session on the SEN 'Pledge' - **tba**

Disregarded / Discontinued Items

Item	Date	Reason
Post 16 Transfer of Funding to Local authorities	22.09.10	Responsibility no longer with LA
Analysis of School Performance	22.09.10	To be merged with educational attainment item
Early Years Funding Reform	22.09.10	Briefing heard on 27.07.10
Children's Centres	26.10.10	Dealt with as part of the Family Support review.
School Status report	26.10.10	Merged with Academies item
Interventions in Schools	26.10.10	To be dealt with in the schools inspection item.
School Admissions Policy / TLC review	14.12.10	Superseded by White Paper item
Redesign of Children's Services	17.02.11	Incorporated into Safeguarding item
Teenage Pregnancy	17.02.11	Superseded by Director of Public Health Item
NEETS	17.02.11	Superseded by Connexions Item
Macclesfield High School Review	04.05.11	Item no longer needing consideration
Transport for Young People	18.05.11	Superseded by Home to School Transport Review
Aiming Higher Report	13.06.11	Superseded by Disabled Respite Care item.
Member Engagement in Social Services Systems	03.08.11	Superseded by Training session on Contact, Referrals and Assessments

Task Groups – potential/current/completed

Title	Progress Notes	Actions
Managing the Provision of School Places (formerly TLC)	Went to Scrutiny November 2009.	
Residential Provision	Recommendations agreed 07.09.10 – went to Cabinet 20.09.10 for consideration. Members to review action plan following Officer's response to recommendations.	
Family Support	Reported to Committee 07.12.10. Went to Cabinet 20.12.10	Cabinet Response required ASAP
Education attainment	Set up Task and Finish Group to review the work of the multi agency improvement and achievement group	
Foster services	Recommendations agreed 04.11. Went to Cabinet 06.11	Response received February 2012. Update required February 2013.
Health and Looked After Children	Discuss with Health and Wellbeing Scrutiny Committee.	To set up with conjunction with the Health and Wellbeing Committee.
Cared for Children 16 plus service.	Set up Membership 28/06/2011 – deferred to January 2012	Re-establish
Home to School Transport	Following recommendation from Cabinet meeting.	Reports received by Cabinet – February 2012
Health and Cared for Children	Following Fostering service review – in partnership with H&W Committee	Ongoing.

Dates of Future Cabinet Meetings

30 April 2012

Dates of Future Council Meetings

16 May 2012.