



# Haverling

L O N D O N B O R O U G H

## CHILDREN & LEARNING OVERVIEW & SCRUTINY SUB-COMMITTEE AGENDA

|                |                                    |   |
|----------------|------------------------------------|---|
| <b>7.30 pm</b> | <b>Wednesday<br/>29 April 2015</b> | <b>Committee Room 2 -<br/>Town Hall</b> |
|----------------|------------------------------------|---|

Members 9: Quorum 4

**COUNCILLORS:**

Gillian Ford (Chairman)  
Jason Frost (Vice-Chair)  
Nic Dodin

John Glanville  
Joshua Chapman  
Philippa Crowder

Carol Smith  
John Wood  
Keith Roberts

| <b><u>CO-OPTED MEMBERS:</u></b> | <b>Statutory Members<br/>representing the Churches</b>                     | <b>Statutory Members<br/>representing parent<br/>governors</b>  |
|---------------------------------|--|---|
|                                 | Phillip Grundy, Church of<br>England<br>Jack How, Roman Catholic<br>Church | Julie Lamb, Special Schools<br>Margaret Cameron, NAHT<br>Keith Passingham, NASUWT<br>Emma Adams, Primary<br>Lynda Rice, Secondary |

Non-voting members representing local teacher unions and professional associations:  
Ian Rusha (NUT)

**For information about the meeting please contact:  
Agatha Williams 01708 432436  
agatha.williams@onesource.co.uk**

## **Protocol for members of the public wishing to report on meetings of the London Borough of Havering**

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

### **What is Overview & Scrutiny?**

Each local authority is required by law to establish an overview and scrutiny function to support and scrutinise the Council's executive arrangements. Each overview and scrutiny sub-committee has its own remit as set out in the terms of reference but they each meet to consider issues of local importance.

The sub-committees have a number of key roles:

1. Providing a critical friend challenge to policy and decision makers.
2. Driving improvement in public services.
3. Holding key local partners to account.
4. Enabling the voice and concerns to the public.

The sub-committees consider issues by receiving information from, and questioning, Cabinet Members, officers and external partners to develop an understanding of proposals, policy and practices. They can then develop recommendations that they believe will improve performance, or as a response to public consultations. These are considered by the Overview and Scrutiny Board and if approved, submitted for a response to Council, Cabinet and other relevant bodies.

Sub-Committees will often establish Topic Groups to examine specific areas in much greater detail. These groups consist of a number of Members and the review period can last for anything from a few weeks to a year or more to allow the Members to comprehensively examine an issue through interviewing expert witnesses, conducting research or undertaking site visits. Once the topic group has finished its work it will send a report to the Sub-Committee that created it and will often suggest recommendations for the Overview and Scrutiny Board to pass to the Council's Executive.

## **Terms of Reference**

The areas scrutinised by the Committee are:

- Pupil and Student Services (including the Youth Service)
- Children's Social Services
- Safeguarding
- Adult Education
- Councillor Calls for Action
- Social Inclusion

## AGENDA ITEMS

### 1 **APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

(if any) - receive.

### 2 **DISCLOSURE OF PECUNIARY INTERESTS**

Members are invited to disclose any interests in any of the items on the agenda at this point of the meeting. Members may still declare an interest in an item at any time prior to the consideration of the matter.

### 3 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

### 4 **MINUTES** (Pages 1 - 6)

To approve as a correct record the Minutes of the meetings of the Committee held on 17 March 2015 and authorise the Chairman to sign them.

### 5 **ANNUAL REVIEW OF CORPORATE PARENTING PANEL**

Council Officers will present a review of the work of the Corporate Parenting Panel over the last year.

### 6 **TRADED SERVICES** (Pages 7 - 16)

Report attached

### 7 **SEND UPDATE INCLUDING PERSONAL BUDGETS** (Pages 17 - 38)

Documents attached

### 8 **PERFORMANCE INDICATORS**

The Head of Learning and Achievement will present current performance information to the Sub-Committee.

**9 URGENT BUSINESS**

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which shall be specified in the minutes, that the item should be considered at the meeting as a matter of urgency.

**10 DATE OF FUTURE MEETINGS**

1 July 2015  
9 September 2015  
14 January 2016  
15 March 2016  
27 April 2016

**Andrew Beesley  
Committee Administration &  
Interim Member Support Manager**

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**MINUTES OF A MEETING OF THE  
CHILDREN & LEARNING OVERVIEW & SCRUTINY COMMITTEE  
17 March 2015 (7:30pm – 9:50pm)**

**Present:** Councillors Gillian Ford (Chairman), Jason Frost (Vice-Chair), Nic Dodin, John Glanville, Joshua Chapman and John Wood.

Co-opted Members: Jack How, Emma Adams

Non-voting Member: Ian Rusha

The Chairman advised those present of action to be taken in the event of an emergency evacuation of the building becoming necessary.

**40 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

Apologies were received from Councillors Philippa Crowder and Carol Smith. Councillors Nic Dodin and Keith Roberts were not present.

Apologies were also received from co-opted Members - Philip Grundy Lynda Rice and Julie Lamb.

The Chairman gave details of the action to be taken in case of fire or other event that may require an evacuation of the meeting room.

**41 MINUTES**

The minutes of the meeting of the Sub-Committee held on 15 January 2015 and of the joint meeting with Health Overview and Scrutiny Sub-Committee held on 18 February 2015 were agreed subject to the correction that Alan Steward was present at the meeting of 18 February 2015 as a representative of the Havering Clinical Commissioning Group.

The minutes of both meetings were otherwise agreed as a correct record and signed by the Chairman.

## 42 SCHOOL ATTENDANCE EXCLUSION DATA

The sub-committee considered a detailed report on Attendance and Exclusion that was presented by the Alternative Provision & Looked After Children (LAC) Education Manager.

It was stated that absence from school, whether due to poor attendance or school exclusion, had a detrimental effect on the achievement of children and young people.

One of the reasons for the Government's focus on attendance was that there was clear evidence linking attendance to academic success and positive progression post compulsory schooling. Members noted that of pupils who missed more than 50 per cent of school only three per cent managed to achieve five or more GCSEs at grades A\* to C including Maths and English. Seventy-three per cent of pupils who had over 95 per cent attendance achieved five or more GCSEs at grades A\* to C.

The issue of taking children out of school for holidays in term time was one which had been much debated. The present Government's stance was that parents should not, except in the most exceptional circumstances, take their child out of school during term time. Local authorities and schools were therefore under an obligation to discourage parents/carers from taking such action. The Government had tightened its stance in this area through recent updated legislation.

The sub-committee noted that vulnerable children were particularly at risk in respect of exclusion rates. This included pupils with SEN, pupils eligible for Free School Meals, looked after children and pupils from certain ethnic groups. The ethnic groups with the highest rates of exclusion were Gypsy/Roma, Travellers of Irish Heritage and Black Afro-Caribbean communities.

Permanent exclusion rates in Havering had been consistently higher than the London and national average over the past few years. This disrupted the learning for young people and in addition, outcomes for excluded pupils did not compare favourably with those of their peers. The Council had a responsibility to minimise school absence and exclusions to ensure that all pupils, regardless of background and ability, had the opportunity to achieve their full potential at school.

The Alternative Provision & LAC Education Manager stated that Havering was seeing a rise in more vulnerable families, including large sibling groups, and families with very complex needs moving into the borough as well as a rise in child protection cases as the demography of the borough changed. In the face of these challenges the Learning and Achievement Service had restructured its support for vulnerable groups at risk of exclusion and introduced new support systems that included the following:

- Instituting an 'In Year Fair Access Panel' (IYFAP) for both primary and secondary aged pupils with the support of Havering schools. A



pre-IYFAP meeting included multi-agency support and considered the holistic needs of pupils to be discussed at the IYFAP meeting.

- Creating a post of Vulnerable Children's Coordinator to facilitate the IYFAP process and liaise with other key LA professionals and external agencies in respect of excluded pupils and those at risk of exclusion.
- Attending governor appeal meetings where pupils were permanently excluded
- Reorganising the former Access Panel (AP) and LAC service into an Education Inclusion and Support Service, incorporating Attendance, Behaviour and Traveller Services.
- Acknowledgement that schools were in need of extra support and training around the positive handling of students not only in the classroom but also reviewing whole school approaches to behaviour management such as Restorative Approaches.
- The Attendance and Behaviour Service also provided a transition service to support students via the IYFAP panel.

In response to Members' questions, the sub-committee was informed that the service worked with and learnt from other boroughs and alternative providers to make more choices available.

It was clarified that primary exclusion was rare and this could also be attributed to the good working relationship with primary head teachers.

It was also stated that some schools had decided not to buy services from the authority such as the Attendance Officer but to employ staff directly.

Members were informed that there had not been any instances of concern from the Academies in the borough. There had always been a willingness to accept guidance.

The sub-committee was informed that the Alternative Provision & LAC Education Manager also held the position of Virtual Head Teacher - a local authority appointment to promote the educational achievement of all the children looked after by the council.

It was noted that the service worked with secondary schools in the borough to develop an effective managed move system. There were about thirty secondary school managed moves currently in progress.

The sub-committee asked to be presented with data on school referrals.

The sub-committee **noted** the report.

#### 43 **PERFORMANCE OF ALL SCHOOLS AND VULNERABLE GROUPS INCLUDING THOSE IN RECEIPT OF PUPIL PREMIUM**

The sub-committee received a report that summarised the 2014 performance of Havering primary and secondary school pupils in key stage assessments, tests and examinations, and the performance of schools in their most recent Ofsted inspections.

The report stated that the 2013/2014 school year was a positive year for Havering schools. In the primary phase, attainment for the majority of indicators had improved, with some remaining unchanged. Havering had enjoyed its best ever attainment at foundation stage, key stage one and key stage two.

At key stage 4, new DfE (Department for Education) performance table calculations were introduced in 2014 - suppressing the exam equivalents of multiple GCSEs – meaning that the 5 A\*-C grades (including English and Maths) pass rate fell, though not as sharply as nationally.

Overall attainment at key stages one, two and four remained above the national average for each of the main attainment measures and was higher than the average performance of the Council's statistical neighbours.

The sub-committee noted the following challenges faced in Havering:

The main challenge in the short and medium term was to improve the borough's ranking, particularly when compared with London by improving the:

- Percentage of schools judged at least 'good' by Ofsted, particularly in the secondary sector;
- Progress pupils made between key stages two and four;
- Attainment of pupils groups such as Children Looked After and low attaining pupils (previously called SEN without a statement) at all key stages;
- Attainment of pupils at key stage four in secondary schools in some subjects, particularly, humanities, science and mathematics;

- The gap in attainment between disadvantaged pupils and non-disadvantaged peers;
- Performance of FE colleges providing for 16 to 19 year olds

The Sub-Committee was informed that Havering was the second lowest funded London authority. The issue of obtaining further financial support considering the changing nature of the borough's population was raised along with seeking additional resources and additional teachers.

The Sub-Committee **noted** the report.

#### 44 **MASE (MULTI-AGENCY SEXUAL EXPLOITATION) PARTNERSHIP**

The Head of Children's Services provided a verbal update to the sub-committee on the current progress within the partnership. It was stated that the MASE was looking at Child Sexual Exploitation issues in Havering. It was explained that a meeting with the Police on Child Sexual Exploitation had been held that day and officers would be presenting an update on this area at a future meeting.

It was agreed to invite appropriate council officers and the Police representative to this meeting.

#### 45 **ADMISSIONS PROCESS/SCHOOL PLACES**

The School Admissions Code was the statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels. The purpose of the Code was to ensure that all school places for maintained schools (excluding maintained special schools) and Academies were allocated and offered in an open and fair way. The Code had the force of law and imposed mandatory requirements and included guidelines setting out aims, objectives and other matters in relation to the discharge of functions relating to admissions.

The local authority, acting as the admission authority for the community and voluntary controlled schools in the borough, was required to determine its admission arrangements to these schools for each school year. The local authority was also required to adopt qualifying schemes for the co-ordination of admissions during the course of the normal admission rounds to Reception, Year 3 and Year 7 at all maintained schools and academies.

The Sub-Committee **noted** the report.

46 **FINAL SELF EVALUATION FORM FOR NOTING**

The Sub-Committee was informed that a very detailed Self Evaluation Form (SEF) report had been completed but it was mentioned that following a recent inspection in Barking and Dagenham, the service understood that a new framework was now in place that required the SEF document to be revised to a smaller version.

This work was about to get under way and Members were offered the choice to receive the edited version of the fully detailed report.

The Sub-Committee **agreed** to receive the full version of the report.

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**Chairman**



## CHILDREN AND LEARNING OVERVIEW & SCRUTINY COMMITTEE

**Subject Heading:**

Title **Education Traded Services  
Development Update**

**CMT Lead:**

Name Mary Pattinson

**Report Author and contact details:**

Name Shola Omogbehin, **01708 433783**

Email: **shola.omogbehin@havering.gov.uk**

**Policy context:**

- **Local Government Act 2013**
- **Localism Act 2011**

### SUMMARY

Havering Education Services is the unified brand representing the London borough of Havering's traded services for schools. The current portfolio comprises of 25 individual in-house teams which sit within different directorates. These council departments offer a range of traded support including annual subscriptions, ad hoc services and training programmes offered at competitive prices. Schools can purchase via the services for schools portal [www.haveringeducationservices.co.uk](http://www.haveringeducationservices.co.uk).

The majority of service providers enjoy very good customer ratings and repeat purchases and they have a long history of supporting schools to bring about continuous and sustained improvements.

For many years, the council has adopted a model of providing both statutory and traded services within the same service departments with staff members often fulfilling both aspects. This has helped in maintaining vital links and relationships with schools thereby facilitating intelligent school improvement data gathering and targeting of appropriate support as need arises.

The future plan is to develop models of trading for additional non statutory provisions across the council, including targeting the Early Years and PVI sector Comprising of 114 Early Years settings. There are also additional growth potentials to be realised in the academy, free school, independent and sixth form college sectors both in Havering and out-of borough.

## RECOMMENDATIONS

To note this report

## REPORT DETAIL

### Scope of education traded services

The current portfolio of the council's education support services (traded services) comprises of 25 individual service providers (Appendix A) spread across three service directorates i.e. Children, Adults & Housing, Culture and Community and OneSource (See appendix for full list). Education establishments are supported in a wide range of areas such as;

- Leadership and Governance
- School Improvement and Curriculum
- Facilities, Technical and Asset management
- Administration and Finance
- Pupil and Staff Wellbeing

Most service departments operate a model of providing both statutory and traded services within the same team, with staff members often fulfilling both aspects. This model has proven to be beneficial to the council in the sense that it has helped in maintaining vital links and relationships with schools thereby facilitating intelligent school improvement data gathering and targeting of appropriate support as need arises. Further work is on-going to develop additional income streams across service departments and in 2015, a number of additional traded offers have been included within the portfolio of services including Emergency Planning and Business Continuity, Alternative Education Provision Service and CCTV & Alarm Monitoring Services.

### Sales Mechanism

Since 2013 the Council has implemented an e-Business solution to deliver education services more efficiently to schools with the introduction of a 'one stop shop' system via the online education services portal [www.haveringeducationservices.co.uk](http://www.haveringeducationservices.co.uk). The website (The Portal) is the public gateway effectively enabling education establishments to access the council's education support services 24/7 using a 'shop and drop' system. There are currently 9000 registered users from 360 establishments from both Havering and out-of borough, including schools, colleges, Early Years Providers and Child Minders accessing the portal for services, training and communication.

## **Customer Base**

Education traded service providers have a strong customer base in Havering and increasingly out-of borough. Most services achieve 100% buy in from Havering primary and special schools. Although most secondary schools have converted to academies, by and large most secondary schools continue to purchase support services from the Council. It is widely acknowledged by schools that the majority of the council's traded services personnel go about their work with high degree of professionalism and deliver good quality service in comparison to some of our competitors.

The out-of borough market segment has been progressively expanding year on year (Appendix B) and this is where the growth opportunity for most in-house teams lies. There are emerging opportunities for providers to fill service gaps especially in neighbouring boroughs where services have either been scaled down or discontinued. An analysis of service uptake for 2014/15 buy-in across service providers in L&A shows that 94 out-of borough schools spread across 33 Local Authorities (See Appendix A) purchased one service or more from one of our providers. There are additional growth potentials to be realised in the academy, free school, independent and sixth form college sectors both in Havering and out-of borough. Furthermore, with the launch of our integrated training offer on the education services portal, we're aiming to offer education establishments far and wide a wider choice of training and services thereby reinforcing our 'one stop shop' approach and generating additional income as a result.

## **Customer Voice**

A formalised customer survey was launched in 2013 to enable schools evaluate the services they receive from the council's education traded services providers. The pattern of customer satisfaction over the past two surveys shows that the collective Havering traded services offer is highly valued by schools with a consistent 80% and above good or better across 7 performance criteria, that is, customer focus, communication & relationship building, range of service offers, clarity of service information, quality of service delivery and value for money. This year's survey similarly demonstrates that schools generally hold the council's service providers to high regard with 84% overall good or better positive rating. Out of the 25 service departments offering traded provision to schools, 12 were rated 100% good or better in one or more aspect of performance and 5 providers were rated 90% good or better. 14 of our service providers were rated more favourably in this year's survey compared to the previous year. In the case of 7 providers including service departments that were less favourably rated in 2013, the customer positive rating has been in double digit on last year. This is evidence of the commitment of responsible officers and senior managers across service departments to address areas identified by schools as requiring improvement and to take steps to make changes.

## **Wider partnership work with school stakeholders**

In order to ensure long term sustainability of the council's education traded services provision, it has been essential to give schools a stake in the development of the provision. In this regard, in 2014, a Traded Services Review Board was launched which comprises of representative Headteachers from across education sectors. The primary role of the board is to support the development of traded services by acting as a key

consultative and advisory body. In addition to this, throughout the year, traded services teams and the central business support team organise series of continuous improvement forums and activities to afford school stakeholders additional opportunities to contribute towards shaping our service provision. One of the key forums that has been in operation for the past two years is the Havering School Buyers Network comprising of School Business Managers or Finance Leads and this forum constitutes a platform for sharing best practices in procurement and for exploring collective cost savings in purchasing goods and services for schools.

## **Competitors**

The delegation of school funds and growing number of self-governing schools has resulted in increased competition in the education market place, particularly from external providers, both from the private and public sector organisations. This new regime has heightened price sensitivity in schools in seeking to maximise value for money and this places pressure on service providers to maintain high quality service delivery while charges are kept competitive. Major private organisations offering a wide range of education support services such as Capita and Strictly Education with substantial sales and marketing teams target Havering schools. In addition to these, a number of specialist private organisations compete with some of the council's in-house teams to offer specific services to schools, for example, EPM (Education Personnel Management). Focus Education, Optimus Education Cambridge Education and 3BM offer services much similar to our School Improvement, Education Human Resources and SIMS Support services.

Locally, competition is growing from neighbouring councils who had previously either downscaled or disbanded their education support departments. In recent months both Thurrock and Waltham Forrest councils have revamped their traded service provision and we continue to face competition from Essex Education which has a long and established track record for delivering education services in the London and Essex geographical areas.

## **Adding value to support services through a dedicated Brokerage Service**

As from January 2015, a brokerage service will be available for education establishments to assist schools and academies in the London Borough of Havering and beyond in circumstances where they need to find a supplier or want to go out to tender to award a contract that is specific to them. The brokerage service will demonstrate the LAs unflinching commitment to supporting schools in ensuring that procurement risks are minimised irrespective of the providers they choose for services no longer provided by in-house teams. Furthermore, in the current economic climate, school senior leaders have a duty to demonstrate best value for money to their governing bodies and It is anticipated that the LA led approach will offer the reassurance and best value purchase of goods and services.



## **Challenges, Growth and Development Opportunities**

The increasing number of academies both in Havering and surrounding boroughs usually results in a reduction in buy in from the council's traded services since most of the sponsors operate their own back office services such as HR, Finance, Payroll, Computing Support and Properties Management. This coupled with the associated reduction in education funding allocated to the council with each converting academy poses a challenge to the viability and long term sustainability of service provision.

Maintaining current levels of service delivery whilst service providers' budgets come under increasing pressures is a challenge. Any restructures that may result in cut in staffing levels could limit capacity to meet demands as customer base grows. This could lead to a situation whereby supply of resources dictates services and requests for services are ignored or turned down. One way to minimise this risk is through increased partnership work with other neighbouring local authorities to cross collaborate in plugging shortfalls in local capacity.

Schools are coming under greater budgetary pressures arising from the current economic climate. This coupled with increasing prices being charged for services to cover the full cost of service provision may compel schools to rationalise their spending on services which could lead to a fall in uptake of perceived non-critical services. This may gradually lead to some service providers less competitive. Steps are being taken to minimise this risk through regular consultation with schools stakeholders to promote increased transparency in charging and to secure on-going commitment.

There is potential for the council's traded services portfolio to be expanded through focused work at both service and department level to develop models of trading for additional non statutory provisions across the council. Initial exploratory work has started to develop a package of support services that Early Years and PVI sector can purchase. Comprising of 114 Early Years settings, it is anticipated that opportunity to purchase services from the council's traded services will become available in the current financial year.

Various service departments are taking steps to nurture high level contacts with strategic education leaders in LAs where services have been scaled down or deleted with a view to gaining 'preferred provider' status for services to their schools. Opportunities are also being looked at to trade specific expertise with other Local Authorities where there is an identified gap in specific areas. A recent success story relates to the Schools Finance Support Service which has been offering professional expertise to the corporate finance team at Newham in helping to set up revised systems aligned to Newham's move to One Oracle. This is a chargeable support being offered to Newham Council and it will generate income for the council's traded services.

There are growth potentials in the academy, free school, independent and sixth form college sector out-of borough. There are presently 6 independent schools in Havering that we can extrapolate from this data that there is greater potential for the organisation as a whole to increase revenues from this segment of our market when an integrated marketing strategy is implemented and service teams adopt a transparent market intelligence sharing approach. The efforts being made to integrate the ordering and invoicing processes across service departments and the new integrated customer information system being developed will impact positively in this key area.

In addition the current levels of purchase from non-Havering academies, through intelligent marketing and relationship development, there is growth potential to be realised in the broader academy sector, free schools, independent and sixth form colleges in London and the South East,. A mapping exercise to establish gaps in provision in Local Authorities across the London and surrounding areas is underway with the aim of targeting schools in these areas with specific services that may not be available for them through their LAs.

## **IMPLICATIONS AND RISKS**

Outlined below are some risk areas that may have implications for the viability and sustainability of education traded service:

- Loss of income resulting from schools gaining academy status
- Maintaining the current levels of procurement from schools whilst both service provider and schools budgets come under additional pressures
- Discontinuation of whole service units or parts of services may result in collateral loss of revenue to remaining services because schools may opt to buy from competitors with a more integrated and holistic offer of services
- Lingering areas of unsatisfactory service performance will damage the reputation of the council's education traded services brand and potentially result in loss of revenue
- Unrealised revenues streams due to lack of shared market intelligence between service departments

## Appendix A - List of services offered to Schools 2014/15

### Children, Adults & Housing

- 1 Adult College
- 2 Attendance, Behaviour and Traveller Education Service
- 3 Education Human Resources
- 4 Ethnic Minority Achievement Team - Primary Offer
- 5 Ethnic Minority Achievement Team - Secondary Offer
- 6 Finance Support Service for Academies (LMS Team)
- 7 Finance Support Service for LA Maintained Schools (LMS Team)
- 8 Catering Services
- 9 Business Support Service
- 10 Governor Services
- 11 School Improvement Services - Primary Offer
- 12 School Improvement Services - Secondary Offer
- 13 Premises Advisory and Monitoring Services
- 14 SIMS Support Service  
Special Education Needs
- 15 The Europa Centre for Modern Languages

### Culture and Community

- 1 Havering Music School
- 2 Grounds Maintenance

### OneSource

- 1 Education Buildings, Design and Maintenance  
(Technical Services)
- 2 Education Asset Management
- 3 Printing Services
- 4 Procurement and contracting service
- 5 ECC (Computer Repairs)
- 6 ECC (Computing Support)
- 7 Security Response & Patrol Service
- 8 General Insurance & Risk Management
- 9 Schools' Health & Safety Advisory Service
- 10 Payroll
- 11 Passenger Travel Service
- 12 Vehicle Maintenance

### Externally provided services

|   | <b>Service</b>               | <b>Provider</b>                   |
|---|------------------------------|-----------------------------------|
| 1 | Swimming Pools Service       | Sports and Leisure Management Ltd |
| 2 | Swimming Instruction         | Sports and Leisure Management Ltd |
| 3 | Occupational Health Services | Medigold                          |

## Appendix B – Level of buy-in from out-of borough schools across different LAs

| Local Authority                 | Number of Schools | Service Provider   |
|---------------------------------|-------------------|--|
| Barking and Dagenham            | 5                 | Education HR, Havering School Improvement Services                             |
| Barnet Council                  | 1                 | Havering School Improvement Services   |
| Bournemouth Council             | 1                 | Havering School Improvement Services   |
| Bromley                         | 1                 | Havering School Improvement Services   |
| Derbyshire County Council       | 1                 | Havering School Improvement Services   |
| Ealing Council                  | 2                 | Havering School Improvement Services   |
| Enfield Council                 | 1                 | Havering School Improvement Services   |
| Essex County Council            | 6                 | Havering School Improvement Services   |
| Greenwich                       | 1                 | Havering School Improvement Services   |
| Hackney                         | 1                 | Havering School Improvement Services   |
| Harrow Council                  | 2                 | Education HR, Havering School Improvement Services                             |
| Hertfordshire County Council    | 3                 | Havering School Improvement Services   |
| Hillingdon                      | 2                 | Havering School Improvement Services   |
| Leeds City Council              | 1                 | Havering School Improvement Services   |
| Leicester City Council          | 1                 | Havering School Improvement Services   |
| Luton Borough Council           | 1                 | Havering School Improvement Services   |
| Merton Council                  | 2                 | Havering School Improvement Services   |
| Milton Keynes Council           | 1                 | Havering School Improvement Services   |
| Newham                          | 4                 | Education HR, Havering School Improvement Services                             |
| Northamptonshire County Council | 1                 | Havering School Improvement Services   |
| Redbridge                       | 19                | Education HR, Havering School Improvement Services, Havering Governor Services |
| Royal borough of Greenwich      | 1                 | Havering School Improvement  |

|                              |                           |   |
|------------------------------|---------------------------|---|
|                              |                           | Services  |
| Royal borough of Kingston    | 1                         | Havering School Improvement Services  |
| Southwark                    | 1                         | Havering School Improvement Services  |
| Staffordshire County Council | 1                         | Havering School Improvement Services  |
| Suffolk County Council       | 1                         | Havering School Improvement Services  |
| Surrey County Council        | 1                         | Havering School Improvement Services  |
| Thurrock                     | 17                        | Havering School Improvement Services, Havering Governor Services, Health & Safety Advisory Services |
| Tower Hamlets                | 7                         | Education HR, Havering School Improvement Services, SIMS Support Service                            |
| Waltham Forest               | 4                         | Havering School Improvement Services, SIMS Support Service  |
| West Sussex County Council   | 1                         | Havering School Improvement Services  |
| Westminster                  | 1                         | Havering School Improvement Services  |
| Windsor and Maidenhead       | 1                         | Havering School Improvement Services  |
| <b>Total LAs = 33</b>        | <b>Total Schools = 94</b> |   |

## BACKGROUND PAPERS

Not applicable

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## CHILDREN AND LEARNING OVERVIEW AND SCRUTINY COMMITTEE

|   |   |
|---|---|
| <b>Subject Heading:</b>                   | Implementation of SEND reforms under the Children & Families Act 2014 (a) |
| <b>CMT Lead:</b>                          | Joy Hollister – Group Director of Children, Adults and Housing            |
| <b>Report Author and contact details:</b> | Denny Grant – Interim CAD Team Manager, 01708 433864                      |
| <b>Policy context:</b>                    | Children and Families Act 2014  |

### SUMMARY

The Special Educational Needs and Disability (SEND) Green Paper ‘Support and Aspiration’ was published in the spring of 2011. The Green Paper represented the most radical reform to special educational needs and disability for 30 years. In autumn 2011, the Department of Health and the Department for Education launched a significant Pathfinder programme to test proposed reforms to the services and systems which underpin support for children and young people with SEND. The Green Paper has now become part of The Children and Families Act 2014 (the Act) which came into force in September 2014 with the support of all political parties. A Code of Practice accompanies the legislation and outlines requirements for Local Authorities and CCGs when bringing in the reforms.

This report aims to summarise the key aspects of the legislation, progress by the Local Authority to date in meeting these new requirements and details of the next steps to be taken.

### RECOMMENDATIONS

The purpose of this report is to inform Members of the progress to date in implementing the reforms brought about by the Act in respect of children and young people aged 0-25 with SEND. Members are asked to note the content of the report.

**REPORT DETAIL**

**1. Overview**

The legislation covers many aspects relating to SEND. From the outset, it was clear that a Project Team would be required to oversee the various strands of the reforms. This was established in September 2013 and included setting up working groups to develop detailed plans in relation to each work stream.

For the sake of clarity, this report follows the category headings used by the Pathfinder Champions. On-going training and development for staff continues to take place across each of these areas, as required. Some of this has included bespoke events as part of the Pathfinder Champion offer.

**2. Local Offer**

**2.1. Requirements**

Local authorities are required to publish in one place a clear and easy-to-understand 'local offer' of education, health and social care services to support children and young people with SEND and their families.

**2.2. Progress**

A test website was developed during 2013 in close collaboration with parent representatives to ensure that the information was presented in an easy-to-use and appealing format. A decision was subsequently taken to publish the Local Offer on the same platform as the existing Family Services Directory. This can be found at [www.havering.gov.uk/directory](http://www.havering.gov.uk/directory). The site was upgraded significantly and the format and key elements identified during the test website phase was reflected in the final format.

A working group has been in place since January 2014 and includes representation from NELFT, schools, colleges and parents. Positive Parents – our Parent/Carer Forum – have also set up a sub-group to look at specific aspects of the site and they report their findings into the working group.

A detailed policy has been drafted setting out how requests for inclusion on the Local Offer will be dealt with, as well as identifying where on-going responsibilities (such as responding to feedback) will lie. This includes the establishment of a Stakeholder Panel & Steering Group which will also take over the developmental role of the current working group.

**2.3. Next steps**

Long-term, constant improvement and development of the Local Offer in co-production with children & young people and parents/carers will continue to



ensure that the Local Offer is responsive and comprehensive. A full self-evaluation will be undertaken to identify areas for development and plan actions. Aspects relating to the 16-25 age range will also be reviewed by the 16-25 Compliance Group which will hold its first meeting in May.

Once the Local Offer policy and terms of reference of the Stakeholder Panel & Steering Group are formally approved, the group will meet quarterly to oversee this work.

### **3. Co-ordinated Assessment Process and EHC Plans**

#### **3.1. Requirements**

Education, Health and Care (EHC) plans will replace Statements of SEN and Learning Difficulty Assessments (LDA). No new Statements or LDAs will be offered from 1 September 2014. The statutory assessment process must be co-ordinated across education, health and care. It is vital that the EHC plans reflect the views, interests and aspirations of children, young people, and their parents.

Local Authorities have until 2018 to convert existing Statements and LDAs to EHC Plans. The Conversion Plan has been agreed with the DfE and is being implemented at present.

#### **3.2. Progress**

The initial working group evolved into the EHC Development Group in October 2014. The membership of this includes representatives from Positive Parents, the Children and Adults with Disabilities (CAD) Team, Prospects – our commissioned independent advice and guidance adviser, NELFT and early years and school SENCOs.

A template EHC Plan has been developed in conjunction with parents. Detailed information about how to apply for an EHC assessment and a clear flowchart of the assessment process are published on the Local Offer, as well as the phased plan for converting existing Statements and LDAs.

Training and support has been provided by the CAD Team to schools and colleges. In respect of conversions, detailed quality assurance has taken place to provide feedback to schools/settings on good practice.

Representation from all partners has been secured at Panel, which makes the final decisions relating to the EHC Plans, including colleagues from the CAD Team, NELFT and schools.

A well-established person-centred planning model is being used for the EHC process to ensure that the individual's views and aspirations remain central to the creation of the EHC plan.

### 3.3. Next steps

The documentation and processes will continue to evolve in response to feedback from staff and families. The CAD Team will continue to work closely with children and young people, parents and carers, schools, colleges and health colleagues.

The increase in applications for EHC assessments has been noted across the age ranges. Data relating to this will be closely monitored.

## 4. **Personal Budgets**

### 4.1. Requirements

Parents and young people will be able to request a personal budget when the local authority has agreed a statutory EHC assessment and confirmed that it will prepare an EHC plan. They may also request a personal budget during a statutory review of an existing EHC plan.

The aim of this is to enable parents and young people to have more choice and control over the services they need for themselves or their child, and how they are provided. Personal Budgets are intended to show parents how the funding for their child is used, as well as to allow them to have a say in how this is spent. Some may want to have Direct Payments to purchase the services themselves, as is already the case in Children's Social Care and Adult Services. There is a caveat in the Act that this agreement must be within the efficient use of resources.

### 4.2. Progress

This has been a challenging area for all Local Authorities, due in no small part to the difficulty in calculating unit costs for services.

An attempt was made to carry out a paper exercise to pilot personal budgets with a small group of families. The Local Authority was unsuccessful in establishing the pilot as families felt that bringing up a child with SEND was very challenging already. However, this work did identify that there was an insufficient choice of respite services available. This highlighted the close link with the Joint Commissioning strand of the project (please see 5 below) and the need for market development and a resource allocation system (RAS).

A Personal Budgets policy has been drafted and was reviewed during a bespoke support session offered to Havering as part of the Pathfinder Champion programme. This was helpful in forming the subsequent draft of the policy and also resulted in the establishment of a Personal Budgets Policy working group to finalise this policy and look at its implementation.

4.3. Next steps

Continue to develop the policy and liaise with colleagues in Adult Social Care with regards to the RAS. Also we aim to link the policy with the Clinical Commissioning Group's personal health budgets policy with a long-term view to having a joint policy.

The CAD Team will work closely with Adult Social Care and health colleagues to develop the market for respite in particular.

**5. Joint Commissioning**

5.1. Requirements

Joint Commissioning is a strategic approach to planning and delivering services in a holistic, joined-up way. It is a means for the different partners commissioning education, health and care provision to deliver positive outcomes for children and young people with SEND. It is a requirement of the Act that there is joint commissioning with health colleagues, in particular the CCG.

5.2. Progress

A Joint Commissioning working group has met regularly since November 2013 and has been instrumental in forging strong links with the Havering Clinical Commissioning Group (CCG). This has been aided by the appointment of a Joint Children's Commissioner in May 2014, working both for the Local Authority and the CCG.

A number of projects and opportunities for re-commissioning have been identified jointly with the CCG. These include Speech & Language Therapy, Special School Nursing and Child & Adolescent Mental Health Services (CAMHS).

5.3. Next steps

Key areas to re-commission and agree together have been identified for the next year. The working group is also discussing how to put key performance indicators into CCG contracts. This will support the development of established pathways for accessing services such as CAMHS and continuing health care.

**6. Engagement & Participation of children and young people, parents & carers**

6.1. Requirements

Engagement and participation of children, young people and parent carers is central to the reforms and is the driver behind the other work streams. It is

vital that children, young people, parents and carers, are seen as equal partners. There is a marked shift from consultation towards proper co-production.

## 6.2. Progress

Various groups of parents have been involved and consulted since the project's inception. Positive Parents have been commissioned to be Havering's official parent forum, representing all parents and carers of children and young people with SEND. Parent representatives have been included on several of the work streams and have been invited to training events in relation to the SEND reforms. While they have played an active role to date, the Local Authority recognises that further work is required to ensure that co-production becomes the norm. A co-production event with our Pathfinder Champion was held in March 2015 with CAD Managers and parent representatives. This has started the dialogue about developing the co-production principles for working together in the future.

A parent event was organised by the Local Authority at the Salvation Army in July 2014 to explain more about the reforms. This was well attended with approximately 40 families represented. A further parent engagement event is being facilitated jointly by the CCG and the Local Authority in April 2015 entitled "Priorities for Special Education Needs and Disabilities (SEND) children". This will include a group discussion, inviting ideas from families about how we can improve services for SEND children and young people.

Parent representatives have been involved in co-producing the current offer for 2015/16 in relation to short breaks. The Local Authority continues to work with parents on priorities for short breaks for 2016/17.

Advocacy for All, a charity helping to give young people with SEND a voice, were commissioned in December 2014 to work with young people with SEND in Havering to gather their views about various aspects of the SEND reforms. To date, they have been working primarily with a small cohort of young people from the borough's special schools and the Foundation Skills Centre at Havering College. While this work is very valuable and their report is eagerly awaited, it is recognised that the majority of young people with SEND attend mainstream schools and the Local Authority is committed to working with schools to ensure it reaches this cohort.

## 6.3. Next steps

The Local Authority is considering extending the contract with Advocacy for All, to include working with mainstream schools. It is also exploring whether a children and young people's SEND forum could be established, perhaps along the lines of the new Children in Care Council.

While the vital role of the official parent forum is acknowledged, the Local Authority will be looking to ensure the widest possible representation of

parent groups to ensure as many families as possible are given the opportunity to participate in shaping services.

## **7. Preparing for Adulthood**

### **7.1. Requirements**

The Act sets out substantial new rights and protections for young people that do not exist in the previous system. These will require a new way of working. In particular, local authorities and their partners will need to work together with young people to help them achieve successful outcomes in the long term, such as getting a job or going into higher education. Planning will begin from an early age and will be done by working together with multiple agencies, providers, parent carers and young people themselves.

This is a key area which cuts across all of the work streams for the reforms.

### **7.2. Progress**

Extensive work is taking place around additional Post-16 SEND provision. The multi-agency approach which has been adopted will support developing personalised pathways. Independence skills, employment opportunities and individualised programmes will be at the heart of this.

### **7.3. Next steps**

A 16-25 Compliance Group, to ensure compliance across the Children and Families and Care Acts, has been established with colleagues from the CAD Team, Adult Services, CCG and the Care Act hub. The group will be looking at a variety of aspects ranging from the Local Offer to Commissioning to the development of additional Post-16 provision. The opportunity for these teams to work more closely together will offer enormous scope for jointly developing pathways and services for this age range.

The Local Authority will be exploring the potential to work with other organisations to engage more young people and enable the 'learner voice' to be heard.

## **IMPLICATIONS AND RISKS**

The financial, legal and human resources implications and risks are not set out here as no specific actions are recommended in this report. Such implications and risks of non-compliance with the Act would require separate detailed analysis, should Members require this.

An Equality Analysis in respect of the SEND Project was completed in November 2013 and a copy is attached to this report.

**BACKGROUND PAPERS**

APPENDIX A – EQUALITY ANALYSIS



## LONDON BOROUGH OF HAVERING EQUALITY ANALYSIS

### HAVERING SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) PROJECT

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#### SCOPE OF PROPOSAL

- 1. What is the scope and intended outcomes of the activity being assessed; in terms of both the Council's organisation and staffing, and services to the community?**

The Special Educational Needs and Disabilities (SEND) section of the Children and Families Bill has arisen out of the Green Paper "Support and Aspiration" which was published in March 2011. The intention of the legislation is to create a more family-friendly SEND process which draws together the support a child requires across education, health and social care (EHC). The draft legislation is currently going through parliament and will become law early in 2014. The draft regulations and Code of Practice (COP) have now been published and have a September 2014 implementation date. Work is currently being undertaken to ensure Havering is well placed to implement the changes. A number of Local Authorities across the country have received funding as pathfinders for the new approach. Havering is working with Bexley and Bromley who are London Pathfinder Champions.

Havering's SEND Project focuses on the four major areas of change and development:

#### The Local Offer

It is a requirement of the new legislation that the Local Authority will publish its local offer of services for children with SEND on its website. The Local Offer must show parents how services can be accessed and include health, education, social care and the voluntary sector. Parents must be able to comment on services.

#### Education, Health and Care Plans 0-25

The legislation requires Local Authorities to ensure the integration of education, health and social care for children and young people with SEND up to the age of 25. The draft COP says there must be a single assessment procedure (involving parents and children) on which health, social care and education agree so that families do not have to repeat their story a number of times. This must result in an outcomes-based single Education, Health and Care Plan document which draws together the support and resources required across the three areas, as well as leisure and voluntary sector activities, as appropriate.

## Joint Commissioning

Under the new legislation, there must be joint commissioning arrangements between education, health and social care in order to ensure that sufficient resources are provided to assess children and then to provide for their needs. There must be a formal mechanism for resolving complaints and difficulties between the agencies.

## Personal Budgets

As part of the changes, parents of children with SEND must be offered a personal budget for the services their child requires. This can range from a managed budget in which the parents understand all that is spent on their child's plan so that they can redirect spending if necessary, to parents receiving direct payments for all or part of the services in the plan.

### **1 (a) Organisation and Staffing**

These changes will require reorganisation in some areas of the Council as well as new ways of working. In particular, much more integrated working will need to take place across education, health and social care.

If any restructure is required, a separate Equality Analysis will be carried out.

### **1 (b) Services to the Community**

Services required by children and young people with SEND will be assessed and provided differently as a result of the new legislation. The move from Statements of SEN to the new Education, Health and Care Plans will probably be the most significant change for parents and carers but this, as well as the introduction of managed budgets and direct payments, should result in a more streamlined and effective service giving parents and carers more choice and control and ensuring better outcomes for these children and young people in the longer term.

## **PEOPLE AFFECTED**

### **2. Which individuals and groups are likely to be affected by the activity?**

#### **2 (a) Staff Individuals and Groups**

Staff across various teams in the Council are likely to be affected by the changes required by the new legislation, including:

- Learning & Achievement (in particular, the SEN Team);
- Adults' Social Care;
- Children's Social Care;
- Commissioning.



## **2 (b) Community Individuals and Groups** *(including voluntary organisations)*

- Children and young people in Havering aged 0-25 with special educational needs and/or disabilities.
- Parents and carers of those children and young people.
- Schools and colleges (both special and mainstream schools).

## **DATA AND INFORMATION**

- 3. What data/information do you have about the people with ‘protected characteristics’ or other socio-economic disadvantage among these individuals and groups? What information do you have about how they will be affected by the activity? Will you be seeking further information in order to assess the equalities impact of the activity? How is this information being used to influence decisions on the activity?**

### **3 (a) Staff**

As over 70% of Council staff are local residents, we also recognise that some staff members might be indirectly affected as parents/carers of children and young people with SEND. The impact on those staff members and their children has been considered under the Community sections of the Equality Analysis (EA).

### **3 (b) Community**

At the time of writing, it is not possible to provide accurate and complete data relating to children and young people aged 0-25 with SEND, nor is it possible to provide service users’ diversity profile breakdowns. The Council uses several different data systems for different age groups and types of need. This has already been identified by the project team as an important area for development. An ICT solution will be needed in order to capture and maintain service users’ data across education, health and social care covering the expanded age range of birth to 25 and diversity profile monitoring. This will enable the accurate recording of data, monitoring and reporting on service take-up and any gaps identified, and projecting future need and trends.

The following data is available in respect of children and young people aged 0 to 18:

The number of children in Havering with learning difficulties and disabilities (LDD) will increase, most significantly among primary school age children. Current projections suggest an overall increase of 7.5% across all categories of LDD by 2017. The most common categories of LDD are Moderate Learning Disability (30%), Behaviour, Emotional and Social Difficulties (19%) Speech, Language and Communication Needs (17%). The latest School Census (January 2012) identified that there were 1,966 pupils in Havering receiving some sort of Special Educational Needs (SEN) provision. The most common presentations were speech, language and communication needs (546 cases), moderate learning difficulty (458 cases) and behaviour, emotional and social difficulties (401 cases).]

Please note that the following information relates to adults with learning difficulties and/or disabilities between the ages of 18 and 64 (data is not available specifically for ages 18 to 25):

It is estimated that more than 14,000 adults in Havering have a moderate or severe disability. This will rise by around 7% in the next ten years, with more than 15,000 adults in Havering having a physical disability by 2021. The number of adults with learning disabilities is predicted to increase by roughly the same amount.

No data is available in relation to parents and carers of children and young people in Havering aged 0-25 with SEND.

## **CONSULTATION**

### **4. If no data and information is available about the groups likely to be affected by the activity, how would you inform your EA? Will you be considering carrying out some consultation to inform your EA?**

#### **4 (a) Staff**

Managers whose staff are likely to be affected by the project are already involved in either the main SEND Project Team and/or the various sub-groups which have been established to manage the four major strands of the project. Health colleagues from the Clinical Commissioning Group have also been involved.

Staff are already engaged in and will continue to be involved in designing and creating the new processes which will be required.

#### **4 (b) Community**

The changes brought about by the legislation will require the involvement of families in many ways, including developing new processes and providing feedback on the Local Offer.

Views from children and young people with SEND are being gathered through an organisation called Advocacy for All, which uses a team of young advisers to enable young people with a range of disabilities to have a voice. They support their peers by arranging a safe place to discuss and voice their opinions on issues that are relevant and of interest to them and any changes that are happening. Advocacy for All is running workshops at Havering's special schools and will be preparing a report of their findings.

A parents' forum has been fully engaged since the start of the project and have provided input on a number of issues, in particular the Local Offer and EHC Plans. This will continue throughout the project, with parent representatives being invited to join several of the working groups looking at specific areas of the project.

Special schools and colleges, as well as voluntary sector organisations have also been included in discussions and will continue to be involved in various subgroups of the project.

## **LIKELY IMPACT**

### **5. Based on the collected data and information, what will be the likely impact of the activity on individuals and groups with protected characteristics or other socio-economic disadvantage?**

#### **5 (a) Staff**

The changes will impact the ways staff work and the roles they perform. A realignment of roles and responsibilities is very likely.

The full extent of any impact will not be known until new processes and ways of working have been discussed and agreed. If any restructure is required, it will be a subject to a separate Equality Analysis and will be carried out in accordance with Council policies.

We do recognise that some staff members living locally might be indirectly affected as parents/carers of children and young people with SEND. The impact on those staff members has been considered under the Community sections of the EA.

#### **5 (b) Community**

By their very nature, the legislative changes will impact all children and young people with SEND in Havering and the intended lasting effect on this group and their families is anticipated to be wholly positive.

It is anticipated that the introduction of personal budgets will give families more choice and control, and the publication of a Local Offer will provide them with transparency and clarity as to what support might be available to them. The multi-agency approach for EHC plans and joint commissioning will result in joined-up working and more straightforward, streamlined systems. Putting families at the centre of the planning process will ensure better support and more positive outcomes for young people, preparing them for adulthood and supporting their independence.

There are potential issues which mean that some children and young people, and also a small number of parents and carers, may have difficulty in engaging in the change process and understanding the new systems due to disability or language. For example, disabilities such as visual or hearing impairment, learning difficulties or language barriers may hinder parents' and carers' ability to participate in the changes and access new systems.

Please refer to section 9(b) for further information on how we will mitigate this adverse impact.

### **6. What is the likely impact on arrangements for safeguarding children and/or safeguarding vulnerable adults?**

#### **6 (a) Vulnerable children and 6 (b) Vulnerable adults**

All existing safeguards will remain in place and necessary checks (e.g. DBS checks and disclosures) will continue to be carried out as required.

Staff will continue to be trained so that they can respond appropriately to the needs of the expanded age range (0-25).

## **PREVENTING DISCRIMINATION**

### **7. If any negative impact is identified, is there a way of eliminating or minimising it to reasonable level? If not, how can the negative impact be justified?**

#### **7 (a) Staff**

If any negative impact on staff is identified, a separate Equality Analysis will be carried out. Please refer to section 1(a).

We will ensure that all staff members working with children and young people with SEND have completed relevant Equality and Diversity training and comply with the Equality in Service Provision policy at all times.

Staff members who live locally and have children with SEND are considered under section 7(b) below.

#### **7 (b) Community**

The potential barriers for children and young people to engage, understand and contribute to the change process have already been identified and addressed. Please refer to section 9(b) for further information.

There may be a small number of parents and carers with learning difficulties or other disabilities or limited English language skills who may not be able to understand the changes or navigate new systems. Please refer to section 9(b) for further information.

## **PROMOTING EQUALITY**

### **8. How will the activity help the Council fulfil its legal duty to advance equality of opportunity in the way services are provided?**

#### **8 (a) Staff**

Please refer to section 7(a).

#### **8 (b) Community**

Please refer to sections 7(b) and 9(b).

## **SPECIFIC NEEDS**

### **9. What actions will you be taking in order to maximise positive impact and minimise negative impact from the activity?**

#### **9 (a) Staff**

Positive impact will be maximised by fully involving staff in the project and encouraging them to take ownership of work streams which will directly benefit them. This will ensure that new ways of working are progressed to meet the legislative requirements whilst giving staff the opportunity to develop their existing skills sets.

A programme of staff training will be established as part of the main Project Plan as the project progresses.

#### **9 (b) Community**

Positive impact will be maximised by involving parents, young people, head teachers and other professionals to result in a system which provides the best outcomes for children and young people with SEND.

As mentioned in section 4(b) above, we work with a team of young advisers from an independent charity who support children and young people with SEND, including those whose first language is not English, and ensure their peers are informed and engaged, and their voices are heard. Advocacy for All is running workshops at Havering's special schools and will be preparing a report of their findings that will feed into the service planning and development process.

A communication plan is being developed to ensure that information is easy to understand and is accessible to all affected families, particularly those who face barriers accessing our services or information about services due to disability or language. In order to ensure that families are aware of the service changes arising from legislation and are able to make informed decisions, we will use a diverse range of communication channels and methods, including alternative formats and other languages, where appropriate.

As we develop the Local Offer website, we will ensure that it is fully accessible by involving parents, considering compatibility with Assistive Technology and other accessibility features.

## **MONITORING AND REVIEW**

### **10. Once implemented, how often do you intend to monitor the actual impact of the activity?**

#### **10 (a) Staff and 10 (b) Community**

The Equality Analysis will be revised when the legislation is passed to take account of any other significant changes in SEND service provision. If necessary, separate equality analyses will be prepared for different strands of the project.

Feedback will be obtained via parents' forums and through the Local Offer website, and will be monitored on a regular basis.

Specific monitoring mechanisms will be developed as the project progresses in order to provide families with a wide range of opportunities and methods to feed back any concerns, suggestions, complaints and compliments.

## **SIGN OFF AND PUBLICATION**

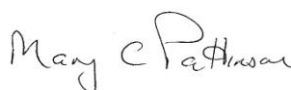
- 11. When completed, the Equality Analysis needs to be signed off by the Head of Service. Once signed off, it should be forwarded to the Directorate Equality Analysis Web administrator to publish it on the council's website.**

**HEAD OF SERVICE**

**Name: Mary Pattinson**

**Date: 11 December 2013**

**Signature:**





## CHILDREN AND LEARNING OVERVIEW & SCRUTINY COMMITTEE

**Subject Heading:**

Title Implementation of SEND reforms under the Children and Families Act 2014 – SEND Transport (b)

**CMT Lead:**

Name Joy Hollister

**Report Author and contact details:**

Name Dr Denny Grant

Email: denny.grant@havering.gov.uk

**Policy context:**

- **London Borough of Havering: Home to School/College Transport Policy**
- **Education Act 1996**
- **Children and Families Act 2014**

|                |
|----------------|
| <b>SUMMARY</b> |
|----------------|

The Local Authority needs to respond to new legislation and to face a range of challenges arising from both an increased population and an accompanying growth in its number of Children and Young People with Special Educational Needs (SEN). It needs to make more SEN provision within the borough whilst also keeping this within existing resources, in spite of rising costs and growing demand. It is planning to increase capacity in its own schools through the creation of additionally resourced provision for a range of needs, located in strategic areas of the borough. It is also planning to create more capacity in special schools through the use of off-site units.

Since the implementation of the Children and Families Act (2014) the LA has a range of new responsibilities, particularly in respect of post 19 students. It faces increased costs, not least in transport. It is therefore proposing a review of its Home to School/College Transport, with a view to securing best value. This will also help the LA to explore how align its new SEN developments in a way that reduces transport expenditure.

This report sets out:

- The rationale for a transport review.
- A brief legal framework and statutory guidance around school/college transport and the legal definition of eligibility.
- The proposed focus within this review, including the methodology and consultation
- Plans to further improve our services and performance against indicators

## RECOMMENDATIONS

Members are asked to note the Report contents.

## REPORT DETAIL

### CONTEXT AND RATIONALE

The London Borough of Havering has been experiencing a range of changes over the past few years, particularly in terms of its demography, including a changing school population, both within and across phases. In common with other London Authorities, it is facing the challenges arising from the continuing expansion in its pupil population, with a bulge in the primary sector, leading to shortages of places, soon to feed through into the secondary phase. 20% of this population are likely to have special educational needs (SEN), 2 to 3%, of whom, will have Complex Needs (CN), requiring an Education, Health and Care Plan (EHCP).

#### *Statutory Duties and Responsibilities*

In Havering, this translates into around 1000 to 1500 of Children and Young People (CYP) aged 0-16, being issued with EHCP, with a growing number presenting with an increasing complexity, severity and diversity of needs. The Children and Families Act (2014) has added new duties and responsibilities to all LAs, introducing the provision of personal budgets. It also extends LA responsibilities to include SEN provision for Young People from 19 to 25.

The Education Act 1996, as amended by the Education and Inspections Act 2006, requires all local authorities to produce a Sustainable Modes of Travel (SMoT) Strategy to meet school travel needs for all Young People up to the age of 25. Section 508B places a duty on LAs in England to make suitable free travel arrangements for eligible children as they consider necessary to facilitate their attendance at school; Schedule 35B provides the definition of an “eligible child”.

Eligible children include:

- Children with special educational needs
- Children with a disability or mobility problems
- Children who could not reasonably be expected to walk to school because of the nature of the routes
- Children outside walking distance where no suitable alternative arrangements have been made, and
- Children eligible for free school meals or whose parent receives the maximum rate of working tax credit

Determining “eligibility” is complex and is increasingly becoming an area of work subjected to close legal scrutiny, including judicial review.

Havering has, of course, been making home to school/college transport to children and young people considered to be eligible, for a number of years. With the recent implementation of the Children and Families Act (2014) which came into force last September, it is now considering how



it might offer personal budgets as one of the ways of making transport provision for those eligible. However, it is also opportune to review how eligibility is assessed, particularly in terms of its rigour, the quality controls and the appeals procedures. This is to ensure that the LA continues to meet its statutory responsibilities whilst also making the most effective use of its diminishing resources.

### *Financial Issues*

The introduction of “eligibility criteria” which include social deprivation factors on top of SEN and mobility needs, and a move away from just a single focus on distance, has meant that most LAs now face additional expenditures on transport. Such expenditures are funded from the LA’s Base Budget and not from its Dedicated Schools Grant (DSG) so that it receives no additional funding from Central Government for this function. Although inflation has remained low over the past few years, Havering continues to face increases in its transport costs, year on year, particularly due to the fact that it has a growing population of children and young people with SEND.

## **SEND TRANSPORT STRATEGY**

Havering’s strategy is being developed with consideration of the Council’s policies and objectives and of Government guidance and aspirations to reduce dependency on cars and other means of transport for school travel and to encourage healthier modes of travel and transport.

The Council’s vision is to provide children and young people with access to a choice of sustainable modes of transport to school to achieve health and environmental benefits in the borough and its community. Its objectives are:

- To encourage children and young people to have a healthier lifestyle by encouraging and promoting walking and cycling for all or part of journeys to and from school.
- To contribute to make Havering a safe, clean and green borough with more travel choices for all children and young people, by tackling congestion, improving safety, reducing pollution, and encouraging walking and cycling and greater use of safer and more reliable and accessible public transport.
- To reduce car-borne school transport and to increase walking, cycling, and the use of public transport; where car-use is necessary to reduce single passenger journeys and achieve greater car-sharing.

The Council is committed to raise the numbers of those who walk or cycle to school regularly and aims to increase and improve cycle and walking pathways. It recognises that reliance on the car is at the expense of the healthier alternatives of walking and cycling and has contributed to obesity, congestion, stress and pollution.

In Havering, most children either walk or cycle to school, use public transport or are taken by their parents. Where public transport is used within the London area children and young people are entitled to free or discounted travel.

### *Planned Developments*

Havering has a policy of inclusion and is committed to making provision for children and young people with SEN as close to home as possible, in the local community. However, it only has 3 special schools for Complex Needs, namely at Dycorts, Corbets Tey and Ravensbourne, serving 3 different areas of the borough. It also has a total of 8 Additionally Resourced Provision (ARP), distributed across the borough, There are 2 ARPs for those children on the Autistic Spectrum (ASD), located at RJ Mitchell (Primary) and Hall Mead (secondary), with another 2 for Language

at Mead (Primary) and Redden Court (secondary). There is one for Visual Impairment at Crownfield (Primary) whilst there are 2 for Hearing Impairment at Hacton (Primary) and Sanders (Secondary). There is also a Learning Support Centre to support children and young people with behaviour issues based at Hilldene. Children and young people therefore require to travel, some undertaking longer journeys, particularly where there is only one specialist facility serving the whole of the borough, e.g. children and young people with ASD attending RJ Mitchell or Hall Mead; children and young people with VI attending Crownfield or indeed those with HI attending Hacton or Sanders.

Havering is considering increasing its SEN provision in order to meet the needs of its expanding population. It is considering an increase in the number of ARPs whilst also expanding capacity in its special schools. It is therefore timely for the LA to review its SEN Transport Strategy so that this may be reconciled with its planned developments, with the aim of securing Best Value.

## **METHODOLOGY**

The LA proposes to review the way in which eligibility is determined and the procedures followed, including the decision making and appeal processes, in addition to the quality controls. It will also look at how budgets are allocated by phase, both within and outside of the borough.

The review will comprise:

- An analysis of overall expenditure; with a focus on pre 16, post 16 and post 19 expenditure within the borough, including similar analyses by phase in respect of out-borough expenditure.
- A forecast of how new responsibilities for post 19 students are likely to impact on travel costs.
- An analysis in respect of the number of pupils, the frequency and distribution by age and area, the types of needs and the number of allocations made not on distance but on eligibility, including the consideration of social deprivation factors.
- Evaluation of the Decision making processes, from initial screening through to final decision making, and the criteria used to determine eligibility.
- The types and number of journeys involved, including the number of routes and vehicles
- The uses of alternatives to travel, including travel solutions such as walking buses, travel training, etc.
- An assessment of how additional resources such as increased capacities in special schools and ARPs might reduce transport expenditure.

The review will also look at the LA's Home to School/College Strategy and consider any areas that might require revision in light of the new legislation, particularly in terms of any new practices that might arise from its implementation, e.g. the provision of personal budgets for transport.

The LA intends to consult with parents, schools and other providers in order to seek their views on how it can best plan for the future. It will work closely with transport officers and providers with a view to securing best value.

The consultation will include the rationale for the review, the relevant analyses and an appraisal of the options available. It is envisaged that the review will take around 12 months to complete, and will begin this year. The review is intended to promote equality and reduce financial risks whilst also ensuring that the LA fulfils all its statutory functions effectively. It will therefore also serve to reduce risks in each of these areas.

## **CONCLUSION**

The LA will conduct a systematic transport review aimed at enabling it to fulfil its statutory duties and responsibilities within the most effective use of its resources. It is proposing to create additional SEN capacity within the borough to meet an increasing range of needs. This will have an impact on how it provides home to school/college transport. A review, carried out in full consultation with key stakeholders, will enable it to secure best value, at a time when the LA is having to respond to increased demand and pressures within its diminishing resources.

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