



## 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 November 2013**

**Signature:**

A handwritten signature in cursive script that reads "Mary C. Pattinson".