



MEETING

DATE

ITEM

**INDIVIDUALS OVERVIEW AND
SCRUTINY SUB-COMMITTEE**

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: REPORT OF THE INDIVIDUALS OVERVIEW AND SCRUTINY SUB-COMMITTEE-LEARNING DISABILITIES AND SUPPORT TOPIC GROUP

SUMMARY

This report contains the findings and recommendations that have emerged after the Topic Group scrutinised the subject selected by the Sub-Committee in September 2014.

The environmental, equalities & social inclusion, financial, legal and HR implications and risks are addressed within the topic group's report.

RECOMMENDATIONS

That Members:

1. Note the report of the Individuals Overview and Scrutiny Sub-Committee Topic Group
2. Decide whether to refer the recommendations of the Topic Group to Cabinet.

REPORT DETAILS

At its meeting on 9 September 2014, the Individuals Overview and Scrutiny Sub-Committee agreed to establish a topic group to scrutinise the support available to young people with learning disabilities with transition from School to College/ University, and where capable, into work opportunities.

Attached is the Topic Group's report. The report includes details of the research that the group undertook in reaching the conclusions set out.

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<p>REPORT OF THE INDIVIDUALS OVERVIEW AND SCRUTINY SUB-COMMITTEE LEARNING DISABILITIES AND SUPPORT TOPIC GROUP</p>

1.0 BACKGROUND

- 1.1 At its meeting on 9 September 2014, the Individual Overview and Scrutiny Sub-Committee agreed to establish a topic group to scrutinise the support available to young people with learning disabilities with transition from School to College/ Further Education, and where capable, into work opportunities.
- 1.2 The following Members formed the topic group at its outset: Councillors Darren Wise (Chairman), June Alexander, Ray Best, Philip Hyde, Nic Dodin and Gillian Ford.
- 1.3 The topic group met on eight occasions, one was a visit to the Bungalow at Quarles College, and so all aspects of the support available in Havering could be reviewed. The Topic Group has now reached its findings and conclusions which are detailed in this report

2.0 SCOPE OF THE REVIEW

- 2.1 To review the Education Health and Care Plans current status and programme of work.
- 2.2 To understand the transition arrangement and support available to individuals through College/ Further Education.
- 2.3 To understand the level of information that is available in respect of employment for those with learning difficulties.
- 2.4 To understand how people with learning difficulties are supported in the workplace in private and public sector by the Council.
- 2.5 To understand the access to advocacy that people with learning difficulties have.
- 2.6 To understand the access to skills training that people with learning difficulties have in respect of finding employment, including interviewing skills in both public and private sector roles.

3.0 FINDINGS

Learning Disabilities Team (Adults)

- 3.1 The group was informed that the Learning Disability Team was a joint service with North East London Foundation Trust (NELFT). The service had approximately 42 staff consisting of both Learning Disabilities and Health functions including speech and language therapists, occupational therapists and care managers. The service ran from the Hermitage in Hornchurch, where a number of clinics were also run.
- 3.2 The group noted that the Learning Disability Team was aware of 700 people (18+) who accessed the Learning Disability Service, however it was noted that from the last Census (2011) it was evidenced that there was a total of 2500 people, of all ages, with a learning disability or difficulty. Of the 700 that were known, there was 120 in residential care, 100 in supported living and the rest in their own homes with family.
- 3.3 The group was informed of a number of private providers who offered care and employment opportunities. These included Jackson's Café in High Street, Romford who provided catering opportunities for people with learning disabilities and Shaw Trust who ran a gardening programme at the Crematorium. There were 63 private care providers in total including East Living, Voyage and A2 Dominion. However, not all providers were used, and there were a number of "pop-up providers". Officers explained that anyone could set up day care, supported living and residential care, however day care and supported living does not need registration with the CQC. This made the "pop-up providers" difficult to regulate. The Learning Disability Team was working closely with planning and commissioners about the services that were needed in the borough and "pop-up providers". The group raised concern about providers who were not registered and how those would be monitored for safeguarding.
- 3.4 The group agreed that they would wish to look more at younger people and how they were supported through school, and the transition to College/University, and capable of entering into employment.

Learning Disabilities and Support for 0-25 year olds

- 3.5 The group met with parent representatives from Positive Parents and Special Educational Needs Support and Advocacy (SENSA). Positive Parents was a parent forum across Havering which was government funding, they supported parents and carers of children and young people with all disabilities aged 0-25, and acted as the link between parents and providers in order to ensure that services were designed in a way that maximises their potential. SENSA provided training on SEN and an advocacy service for parents of children with learning disabilities.
- 3.6 Positive Parents and SENSA explained to the group that there were a number of issues in respect of the Education Health and Care Plans

(EHCP), as they were not in the spirit as the government had first suggested, were very basic and not at all parent friendly. Positive Parents, were of the opinion, that there had been no parent input into the initial plans. The initial plan was based on the DfE guidance, which included questions on pregnancy and pre-natal information. Positive Parents felt that this information was irrelevant to the plan. The group noted that this had changed as the EHCP's evolved. Positive Parents had 490 members and had suggested a number of changes to the form at a local level to make it more child and parent friendly. Whilst these had been taken on board by the Borough, this was only in relation to Part A; there were other parts that needed reviewing. An EHCP should be written with the child at the centre of it, which was a different way of working, but essential in ensuring that the plan was effective. (Recommendation 4.1)

- 3.7 Positive Parents stated that, in their opinion, there were no procedures available in some schools, as to how the current statements would be converted to EHCP. It was understood that there was a 14 week period to convert (this had subsequently changed to 21 weeks to become a more manageable target). The responsibility had been passed to schools to convert the statements, however they had only undertaken one-days training, which was felt to be insufficient. The group agreed that they would need to speak with officers within Learning and Achievement to understand this process.
- 3.8 The group met with the Head of Learning and Achievement to understand the processes in place for the conversion of the current statements to EHCPs. The group was informed that the changes were part of the Children's and Families Act which became law on 1 September 2014. The borough were working closely now with Positive Parents to commission the work over a host of strands. The main difference of the Children and Families Act was that it covered individuals from 0-25 years old, whereas Adult Social Care covered individuals from 18 and over. The challenges would be in ensuring that the two services worked together.
- 3.9 The group noted that there was approximately 1000 statements in the process of being converted, with another 400 young people in post 16 education, totalling 1400 children and young people to "convert" to EHCPs.
- 3.10 Officers explained to the group that the Local Offer on the Havering website had been publicised to offer support for families and children with disabilities. It was added that it was easy for families to access the information as it was designed so that it could be viewed on a tablet, computer or smart phone. The group felt that this needed to be publicised more, as it was not something that they as members, were aware of. Officers stated that the Local Offer was a legal requirement of the Children and Families Act and the Department of Education had said it was one of the best Local Offers in the country. (Recommendation 4.2)
- 3.11 Positive Parents said that they had publicised the process of the conversions to their members, however there were still some parents that had not been aware of the process. Officers explained that there was a

parent friendly booklet which had been given to schools to distribute to families. The group noted that it appeared that many families did not receive this booklet. SENSA informed the group that they were now receiving more enquiries from families of secondary school children as the schools appear not to be aware of the conversion process. It was noted that often there would be a breakdown in communication with parents, especially if the parents may have a learning disability or another need which they needed support with. (Recommendation 4.3)

- 3.12 The group viewed the current EHCP that was being used. The EHCP was a working document that would evolve as the time went on. There were a number of representatives who looked at the document, including SENCOs, Schools, Health and Social Care and parents. Concerns were raised by both Positive Parents and SENSA on the "All about me" section of the EHCP form. They stated that fears, phobias and anxieties were not always recorded. Often schools may not be aware of these, or they had not been picked up at all. Parents needed to be prompted by professionals supporting the implementation of this section of the plan.
- 3.13 Other parts of the form also raised concern as it was felt that some of the headings of the sections which needed to be completed by professionals i.e. teachers, psychologist etc. together with parents and where necessary the child. The language used in the headings was not clear for parents to understand exactly what is needed in each section. Officers explained that it was necessary to have these headings as professionals would understand and the sections needed to be labelled in this specific way should the EHCP be needed in a court of law. The group felt that an explanatory note needed to be included so that parents and others were aware of what each heading meant. (Recommendation 4.4)
- 3.14 The group was informed that the SEN team would get involved with children from an early age. Key workers in early years setting should be picking up on any difficulties so that children aged 0-5 could be diagnosed and support put in place at an earlier stage. There were also good links with the local hospital in the maternity unit, picking up any disabilities from birth.
- 3.15 The group noted that the transition meetings were only between the school and the parents. Initially schools did not feel that it was their responsibility to invite any other agencies (Health, social care etc.) Therefore the majority of meetings were just taking place between the school and the parents. Some parents were not aware of who should be at the meeting or what they are for. The group agreed that a checklist of what should take place be made available to assist all involved in the process and to add to the guidance that may already be available. (Recommendation 4.5)

External agencies/ support

- 3.16 The group met with representatives from Prospects and Havering College to understand the process currently in place for transition between school and colleges. Prospects were contracted by the London Borough of Havering to provide information, advice and guidance, and were responsible for

preparing the section S139A assessment for young people to make the transition from school.

- 3.17 Prospects held two contracts, one with schools to provide career guidance to children and the second with the London Borough of Havering to provide targeted support to young people with special needs. Prospects provided advice and guidance in the production of EHCPs, they attended the young person's Year 9 review, which was a statutory requirement, and again in Year 11 at the point of transition. It was noted that this year's year 11 cohort would be the first to be converted to EHCPs.
- 3.18 The group noted that schools purchase a number of days for career guidance. Each school decided how to use the resource they have purchased, some pupils require one hour, some may only need 30 minutes dependent on how the individual School decides to use its resource. The challenge for Prospects was to influence schools to be more flexible. All schools currently bought a minimum of 40 days of support, some purchased more. They often used one day a week plus parents evenings. The majority of schools preferred to have 1 to 1's, however the schools needed to be more creative with the time. The group felt that schools should be encouraged to work more creatively with the hours they bought to ensure that support was in place for all students (Recommendation 4.6 and 4.7)
- 3.19 The SENSA representative raised concerns about the way advisors interacted with children with special needs. Prospects stated that there were 15 Career Advisors, three were specialised in working with children with special needs. However the advisors were under some time constraints and lack of training. The group felt that specific specialised training needed to be put in place for the advisors. The council had cut Prospects contract from £1.2 million to £670,000 over the last two years and was not commissioning Prospects to deliver business engagement for people with learning disabilities. Prospects reinforced this by advising the group they had not been proactively engaging with businesses with regard to learning disabilities, citing training and funding as some of the reasons behind this. (Recommendation 4.8)
- 3.20 Positive Parents stated that it was essential that with the EHCP, all involved needed to be looking at ways of matching a young person's needs with their aspirations. Prospects stated that they were unable to influence the provision within the borough. They were only working to identify gaps. There was some confusion as to when the conversions would take place; Prospects stated that they were waiting for the borough to start the conversions however it appeared that there was a delay in communications between the borough and Prospects. (Recommendation 4.9)
- 3.21 The group was informed that Havering College of Further and Higher Education purely provide learning support for students with a disability. The College was informed of students with a learning disability and the young person was invited to the college for an initial assessment, where the individuals' needs could be determined and reasonable adjustments can be

made. The group found that there were 70 learning support workers, 35 in the support centre and 35 across the college.

- 3.22 The College's aim was to enable young people to live independently. The College provided Foundation skills course of 20 hours a week, and enabled young people to learn Higher Education needs.
- 3.23 The group was informed about CONNECT. This was available from 12:00noon to 14:00 for mainstream learners to support social skills, there were 4-5 lunch clubs for more inclusion and CONNECT was open 2 days a week in the summer break to ease transition before young people started at the Ardleigh Green campus.
- 3.24 The College had over 250 learners with special needs. Where Havering College is named in an EHCP at Year 11, they were advised before the plan got signed off. Where necessary a representative from the college would attend the transition meeting and meet with the parents and any other relevant body to carry out the assessment.
- 3.25 The representative from the college explained the Bungalow which was on the Quarles campus. This was used by the Learning Support Team for a small number of students who ultimately would transition to the mainstream college. Members of the group wished to visit the Bungalow to find out more.
- 3.26 The group met with a representative from Havering Chamber of Commerce, who informed the group that whilst the Chamber of Commerce did not specifically offer training to young people with learning disabilities, existing training could potentially be opened up for this purpose. It was noted that very little job matching took place and that there were few work opportunities for children with disabilities.
- 3.27 The group agreed that there should be more focus on individual children and that parents should work with employers to support young people entering the workplace. The lack of jobs for disabled children could put a strain on the families. The Career pathway available in Havering were from the ROSE project, Shaw Trust and the Camden Society
- 3.28 It was noted that Havering College was represented on the Chamber of Commerce and that this could be a useful link to lots of different businesses. Whilst job vacancies were not formally circulated it was suggested that two young people with learning disabilities met with the Chamber of Commerce to explain the kinds of work they might be interested in doing. Chamber members could then provide guidance to disabled children on what they look for in staff. (Recommendation 4.10)
- 3.29 The group discussed the issue of a careers event just for young people with a learning disability, which would be the responsibility of the local authority. This event could include the Havering Chamber of Commerce, the Rose Project and other external agencies. It was also felt that the local authority could also have a list of vacancies on its website, specifically for young

people with a learning disability, which could be linked to the local offer. (Recommendation 4.11)

- 3.30 The group had tried on a number of occasions throughout its review to engage with the Job Centre; however they had not been very forthcoming. Members of the group had received some negative feedback about experiences with the Job Centre. The group felt that it would have been useful to have met with a representative in order to understand any issues there may be in this area. Officers explained that the link between the Job Centre and the Local Authority had become difficult and agreed that the Job Centre needed to be more proactive and establish better links with partners. (Recommendation 4.12)

Visit to the Bungalow, Quarles Campus

- 3.31 Two members from the group and a representative from Positive Parents visited the Quarles Campus to understand how students with learning disabilities were supported. The group was shown around the main campus, the annex and the bungalow.
- 3.32 The group noted that the main campus housed the canteen; this was fully supported at lunchtime with three lunch clubs. One was a quiet club, one for computer use and one for the lively students. The lively group was the most popular. Students were encouraged to purchase their own requirements in the canteen; however staff were on hand to assist where needed. Students could also take lunch back to classrooms if they wished.
- 3.33 A shop was within the main foyer of the campus and was run as an enterprise by students, it was a form of work experience and some students made things to sell. It was hoped to expand this in the future.
- 3.34 The group observed the foyer and concerns about security were raised. It was explained that there was always a support worker at the front of the campus so that all students can be observed. Only independent students are able to leave the campus at lunchtimes. There had been no major incidents in the last 20 years.
- 3.35 It was noted that the students with learning disabilities and difficulties, in the mainstream campus, would study in one room between 9am – 12 noon, with no movement until lunchtime and support workers were with students all the time.
- 3.36 The group viewed the annex; this was set up for students to practice everyday skills, there were four kitchen areas each with an oven, sink, washing machine and tumble dryer. The annex was also used for breakfast club for those students transported to the campus in the morning. It was noted that most students used the transport and some had a distance to travel. The breakfast club provided a space to relax in before starting the day's learning.

- 3.37 All students that arrived by transport were registered off the bus in the morning and then back on at the end of the day. There was support staff that would follow up on students that had not arrived at the college in the morning to find out why they were not in attendance. The group learnt that there was capacity for 227 high learners on campus, however there were currently 56 in the mainstream college
- 3.38 It was noted that the Foundation Skills team had a minibus which could be used for work placements. A recent work placement had been at a local Care Home, where the students had been involved in the landscaping of the garden, which had won the Havering in Bloom. The minibus was also used on a regular basis to access Tesco so that the students could buy food in which to prepare in the Bungalow, as part of their independent skills.
- 3.39 The group also viewed a greenhouse which was used to produce hanging baskets and was a small enterprise. The students took pride in growing the seedlings and creating the baskets to sell. There were plans to create a sensory garden and a small coffee shop for students and staff within the grounds of the greenhouse.
- 3.40 The group viewed the bungalow, it was explained that the building was designed to flow so that it was easy to access. There were different areas in the bungalow dependant on the needs of the student and was specifically for students with complex needs.
- 3.41 In total 6 students used the Bungalow with 2 support staff. The students attended Monday to Thursday from 9am – 3pm; Students from Corbets Tey School came in on a Friday. The Bungalow was specifically for learning independent life skills; however this was not necessarily to live alone, but to understand that they had the skills to make themselves a drink or a snack without having to wait for a carer to do it for them.
- 3.42 The group viewed the garden, this included fitness equipment, a trampoline and punch bag. The group learned that the students made good use of these facilities.
- 3.43 There was a sensory room with a water bed. Support staff explained that this was well used as students often needed “time out” or time to chill if things escalated. A bedroom was set up, to assist with domestic skills such as changing a bed.
- 3.44 The group raised concerns about safety issues in the kitchen area, in relation to knives and general household safety. They also asked if there were any interactions with the emergency services, as some people had a fear of uniforms. It was explained that all knives are locked away, however the students were taught how to walk with knives, how to chop food and general safety issues in a kitchen. The Community Police often came to the Bungalow to give talks to some groups about safety. It was suggested they might want to consider working with the Fire Brigade to explain safety in the kitchen whilst reducing the fear of uniforms.

- 3.45 The group asked about how work placements were scheduled. It was explained that for entry 3 students they would spend 3 days at the college and the 4th day carrying out a work placement, for entry 1 and 2 students, they would attend college for 4 days a week; however during their lesson timetable blocks of days or a week where the work placements would be scheduled.
- 3.46 It was explained that qualifications were achieved on a continuum scale, in a classroom situation; some students were able to meet the qualifications actively, whereby witness testimonies and photos were evidenced. The college worked with the ROSE project, set up work experience for students and had job coaches who could shadow students for a period of time and then withdraw once the student was confident. The job coaches could be reinstated if the student felt they needed additional support.
- 3.47 All students were assessed every year on a case by case basis, some students do move across into the mainstream campus, and this is done on a phased basis, so it is not a shock to the students. Transition was continued throughout the summer so that there was no lengthy break in continuity for the students. It was noted that 3 students would be transferring to the mainstream college shortly.

Other findings

- 3.48 The group agreed that the ROSE project was very successful. It was agreed that effective scrutiny could be achieved by focusing on areas needing improvement.
- 3.49 The group discussed at length past experiences of children with learning disabilities who had left school in May and not started at the further education until September. All the social and learning skills that had been developed had gone in this short time. It was felt essential that there be some ownership between schools, colleges and employers in ensuring that these skills are not lost. The group also felt that simple interviewing techniques should be built in to any future opportunities being developed to improve employment skills, for example in the offer to children and young people who will be based in the new 16-25 provision which plans to open in September 2016. (Recommendation 4.13)
- 3.50 At its penultimate meeting, the group learned that the changes that had been made to the EHCP, with the input from Positive Parents and SENSE, had now been removed and the EHCP put back to its original form. (See paragraph 3.6, 3.12 and 3.13). The group was very concerned that some EHCP's may not be person centred and the outcomes not specific, measurable, achievable, realistic and timely (SMART). (Recommendation 4.1)

4.0 RECOMMENDATIONS

- 4.1 All Education Health and Care Plans to be person centred and to ask the right questions. The child should be at the centre of the plan with both child

and parents input. All outcomes on EHCP's should be SMART, with the child at the centre of the plan. Consultation on all parts of the EHCP's should be carried out with relevant partners during the initial stages of the review.

- 4.2 To ensure that the Havering Local Offer is publicised and signposted more effectively so that all members of the public are aware of the services available.
- 4.3 To ensure that all schools are passing the relevant information onto families and children to make them aware of support available and any transition processes, taking into account the needs of the parents, who may also need additional support.
- 4.4 To ensure that all headings in the EHCP have explanatory notes to explain exactly what needs to be provided in each section.
- 4.5 To devise a checklist to assist everyone involved in the process of the transition meeting and ensure that all parents are aware of the reasons for the meeting and who should be present.
- 4.6 To encourage school to arrange Career Guidance interviews for young people with Learning Disabilities during the first academic term of Year 11.
- 4.7 To encourage schools to be more flexible and provide additional Career Guidance for young people with a Learning Disability in Schools and Colleges to support an effective transition.
- 4.8 FOR PROSPECTS: To review available training of staff working with young people with a Learning Disability or difficulty with a view to providing more specific needs based training where required (*taken from Prospect brief*)
- 4.9 To ensure that all agencies and individuals are aware of how and when the conversion to EHCP will take place for each child/ young person.
- 4.10 To ensure that two young people with Learning Disabilities from Havering College are engaged with the Chamber of Commerce to explore the types of work they may be interested in. The Chamber of Commerce can then share this with its members with a view to getting young people into local businesses.
- 4.11 To arrange a career's event to include employers of young people with learning disabilities ensuring the needs of the young people are considered.
- 4.12 To strongly encourage the Lead Member to establish a link between the Local Authority and Job Centre to enable people with a learning disability to obtain employment.
- 4.13 To include simple interviewing techniques on the Local Offer site for children and families to access.

ACKNOWLEDGEMENTS

During the course of its review, the topic group met and held discussions with the following people:

Annette Froud – Learning Disabilities Service Manager
Karen Street – Positive Parents
Angela March – SENSA
Mary Pattinson – Head of Learning and Achievement
Denny Grant – Senior Consultant - Education
Lisa Harvey – Deputy Manager of LSS
Matthew Joyce – Prospects
Emma Thompson – Havering College
Daren Nunn – Havering College
Tracey Fisher – Positive Parents
Chris Laney – Havering Chamber of Commerce
John Green - Strategic Commissioning Lead - Prevention

The following comments are submitted by members of staff:

Financial Implications and Risks:

There are no direct financial implications arising from the implementation of these recommendations, although, should demand and pressure be raised due to the review and training of developing Education Health Care plans, this may result to pressure on staffing should the need become apparent.

Currently the Prospects contract has been reduced to statutory minimum. Should the criteria or remit need to be revisited in what it provides, funding will need to be identified.

Joint working with the schools and agencies would be recommended to encourage awareness and understanding, to avoid essential people missing out on needs that are required.

Any additional cost implication to arise should additional resources be required will need to be met from existing resources and any specific grants allocated for new burdens, or by reallocation of existing resources.

Legal Implications and Risks:

There are no apparent legal implications in noting the contents of the Topic Group Report and no recommendations which appear to have any legal risks if implemented

Human Resources Implications and Risks:

There are no direct HR implications or risks, to the Council or its workforce, that can be identified at this time from the recommendations made to Members in this report. If the recommendations from the outcome of this review of support by the

Topic Group are subsequently endorsed by Cabinet for implementation, as read, this may impact on the Council's services in terms of capacity, staffing levels and training undertaking within relevant teams with responsibility for EHC Plans and support for young people with learning disabilities and/or learning difficulties.

Equalities and Social Inclusion Implications and Risks:

The overriding principle of equality legislation is generally one of equal treatment. However, the provisions relating to education, work and disability discrimination are different in that public authorities in the exercise of their public functions may, and often must, treat a disabled person more favourably than a person who is not disabled and may have to make changes to their practices and proactively consider reasonable adjustments to ensure, as far as is reasonably possible, that a disabled person can benefit from what they offer to the same extent that a person without a disability can. The implementation of the recommendations set out in this report aim to ensure that children/young people with disabilities and their parents/guardians receive person-centred support and appropriate advice and guidance to be able to fully participate in public life both during their childhood and adulthood. The recommendations relating to improved access to information and advice will help ensure that parents and children are aware of support available to them upon leaving school and entering further education or work. As these recommendations are implemented it will be important to capture equalities data on usage and where possible satisfaction of these improvements. In doing so the organisation will be able to identify any gaps or issues that need to be addressed, minimise potential negative impact and optimise positive outcomes for service users, and will be able to demonstrate compliance with the duties set out in the Equality Act. The recommendations relating to a closer relationship with the business sector may benefit from the organisation developing key points from the well-established business case for employing disabled people. This could be disseminated with a view to dispelling some myths around employing disabled people. Again the benefits of this and any related activity stated in the report will need to be captured. The suggested improvements to the EHCP process, subject to these being implemented will help ensure that the process is more inclusive and accessible, and the support that children/young people with learning disabilities and their parents/guardians receive is needs based and person-centred.

Background Papers List

Notes of Learning Disabilities and Support Topic Group Meetings:

16 October 2014
25 November 2014
6 January 2015
26 February 2015
5 May 2015
14 May 2015
16 June 2015
21 July 2015