

MUNICIPAL YEAR 2015/2016 REPORT NO.

MEETING TITLE AND DATE:

PORTFOLIO REPORT

OF:

Tony Theodoulou
Acting Director of
Children's Services

Agenda – Part:	Item:
Subject: SEND Implementation Grant	
Wards: All	
Key Decision No:	
Cabinet Member consulted: Ayfer Orhan	

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1. EXECUTIVE SUMMARY

To-date the Department for Education (DfE) has awarded Enfield with SEND Grant Implementation funding of £547,812 and £320,743 (total £868,555).

This funding has been used to support additional expenditure lawfully incurred, or to be incurred, in implementing the SEND reforms, eg,

- To build capacity in the SEN Team, Educational Psychology, LDD Careers Service, Health and Voluntary Sector to ensure that the Authority is able to meet its statutory obligation to transfer children and young people with existing Statements of Special Educational Need or Learning Difficulty Assessments (LDA) to the new Education, Health and Care Plans (EHCP) by September 2018.
- To provide training for all those affected by the Reforms, eg, School Staff, Education, Health & Social Care Professionals, Parents, Children and Young People.
- To develop Enfield's Local Offer (statutory requirement), including consultation activities and making a DVD as part of the "young people friendly" version.

This funding has allowed Enfield to make a good start and excellent progress towards converting Statements/LDAs to EHCPs and in meeting other statutory requirements of the reforms:

- Approx 200 Statements have been converted to EHCPs
- To-date, over 600 schools, professionals and parents have been trained
- Feedback from the Independent Support Service has indicated that 90% of parents they had worked with were happy overall with the process they had experienced to convert their child's Statement to an EHCP.
- Enfield has met its statutory requirement to produce and maintain a Local Offer; following feedback from users we are now working towards

Phase 2.

A further £228,691 SEND Implementation Grant has been awarded to Enfield for 2015/2016.

A sub group of the SEND Project Steering Group which has representation from Education, Health, Social Care, the Voluntary Sector and Project Management, have identified that this additional funding should be used to continue to fund additional capacity in the following teams until March or September 2016. This will ensure that we can continue to respond to this challenging 2/3 year transition period. Funding will support:

- SEN Caseworkers
- 1 Educational Psychologist
- 1 Health Professional
- 1 Parent Support Caseworker for Enfield SEND Information, Advice and Support Service
- School Improvement Service
- LDD Careers Adviser
- Other priority services and pressures in Children's Services

The use of this additional funding as outlined will ensure:

- The LA can continue to respond within the statutory timeframe to the conversion of Statements to EHCPs.
- Maintenance and support of the cultural shift that is required for the reforms to be fully embedded.
- Parents, young people and professionals are prepared and understand the reforms and how they affect them.
- Quality assurance and monitoring of the impact to-date. This will support the new Ofsted/CQC Inspection Framework when it goes live in May 2016. We will need to be able to demonstrate that children's outcomes as identified in their EHCP are being met, as well as the effectiveness of our communications with parents, children and young people.

Detailed costings are included in the financial implications.

2. RECOMMENDATIONS

That approval is given for the full allocation of £228,691 from the non-ring fenced SEND Implementation Grant 2015 – 2016 as set out within this report in order to fund the additional implementation costs of the reforms until September 2016.

3. BACKGROUND

There is a significant amount of work required to prepare and equip the Local Authority and its partners to deliver the SEND reforms from September 2014, when they become statutory. It is therefore proposed that the SEND Grant is used to build capacity and facilitate learning until the new systems and processes are embedded.

The main changes include:

- **Replacing Statements of Special Educational Need with the new statutory Education, Health & Care Plans (EHCP) from September 2014**

An EHCP is written in partnership with parents and children and describes the additional specialist support that a child requires to do well at school, to stay healthy and safe, to enjoy themselves with friends and to develop independent skills leading to longer term opportunities including higher education and employment. Plans will be reviewed at least annually. The new reforms mean that plans may continue up until the age of 25 for those who go on to Further Education or Sixth Form Colleges.

All those with an existing Statement will need to be transferred to an EHCP. Local Authorities have been given a 2 to 3 years transition period to complete this work.

- **A new SEN Code of Practice**

The Code provides advice, information and guidance on how to carry out statutory duties to identify, assess and make provision for children and young people with special educational needs (SEN).

- **Personal Budgets**

Parents and young people will have the right to ask for a personal budget. This option will be discussed with families as part of the EHCP planning process but there is no automatic right to "be given " a personal budget.

- **The Local Offer**

Local Authorities have a duty to publish a "Local Offer". The Local Offer brings together in one place all the generic and specialist support available to disabled/SEN children and young people and their families. It includes Education, Health, Social Care and Voluntary Sector services available to support families. It will be available on-line and in printed format.

- **Mediation for Disputes**

Mediation for disputes will be introduced. Prior to this, there will be an opportunity to meet and discuss concerns in order to avoid conflict and resolve disagreements more quickly and effectively.

- **Expressing a Preference**

There will be a new legal right for children and young people with an EHCP to express a preference for state academies, free schools and further education (FE) colleges. This is currently limited to maintained mainstream and special schools.

4. ALTERNATIVE OPTIONS CONSIDERED

No alternative options have been considered given the imperative to the challenging conversion programme over the next 2 – 3 years.

5. REASONS FOR RECOMMENDATIONS

To allow Children's Services to fulfil its statutory duties imposed by the new legal and judicial framework. This will include:

- Increased capacity in the SEN Service to ensure that the Service can continue to deliver the new co-ordinated assessment process and EHCPs introduced in September 2014.
- Increased capacity in the SEN Services to facilitate the transfer of Enfield's existing 1,400 Statements of SEN to EHCPs over the next 2 years.
- Increased capacity in Educational Psychology Service to support the transition timetable.
- Increased capacity in the School Improvement Service through the employment of "Champion SENCos" who will work closely with schools to support them during the transition period.
- Increased capacity in the Health Service to continue to provide support to the transition timetable through the employment of a "health champion". This role will include communication and training of health colleagues.
- Better integration with Health.
- Employment of these additional staff will help to ensure that:
 - We can continue to meet the tight timescale, that must be adhered to for the conversation process;
 - Parents, children and young people continue to have a positive experience of the transition from a Statement to an EHCP
 - We are ready to rise to the challenge of the new Ofsted Framework to be introduced from May 2016.
- We can continue to provide training and support for parents, children, young people and other professionals on the transition of Statements to EHCPs to ensure they understand fully the reforms, and what is required of them.

6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

a) Financial Implications

This grant is a non-ring fenced grant from the Department for Education, which totals £228,691 in 2015/16. The grant will be used to extend the existing staffing resources which are being used to implement the special education needs and reforms that are being introduced in Enfield.

The posts will be fixed term contracts in order to ensure that potential redundancy cost implications are minimised if the posts are not extended. However should any redundancy costs arise they will need to be funded by the service revenue budget.

The table below shows how the additional funding will be allocated along with a contribution from the 2014/15 grant.

Staff to be funded	Extension of current contract to Mar 16 or Sept 16	Additional Funding required to Project End - Mar/Sept 16
SEN SERVICES		
Assistant Advisory Officer	Sept	£23,469
Assistant Advisory Officer	Sept	£23,469
Assistant Advisory Officer	Mar	£5,867
Assistant Advisory Officer (Forecast)	Mar	£0
Business Support Officer	Mar	£12,998
EPS		
Educational Psychologist	Sept	£59,583
CAREERS SERVICE		
1 LDD Careers Adviser	Sept	£18,662
HEALTH		
Health Champion	Sept	£75,833
SCHOOL IMPROVEMENT SERVICE		
2 Primary and 1 Secondary SENCo	Mar	£12,000
VOLUNTARY SECTOR		
1 Case Worker for Enfield SENDIASS	Mar	£13,500
CHILDREN'S SERVICES		
Priorities & Pressures	-	28,691
TOTAL EXPENDITURE		
		£245,383
FUNDED BY:		
GRANT 2015/16		£228,691
BALANCE FROM 14/15 GRANT		£45,383

b) Legal Implications

The Council has the general power of competence under section 1(1) of the Localism Act 2011 to do anything that individuals generally may generally do provided it is not prohibited by legislation. There is no express prohibition, restriction or limitation contained in a statute against use of the power in this way.

The Council must comply with its contract procedure rules (CPR) in respect of the grant funding agreement.

6.2.2 The Council must comply with its obligations with regards to obtaining best value under the Local Government (Best Value Principles) Act 1999.

6.2.5 As the value of the funding exceeds £250K the Council must comply with Key Decision procedure.

The legal agreements arising from the matters described in this report must be approved by the Assistant Director of Legal Services.

7. KEY RISKS

There would be significant operational and reputational risks in not allocating the SEND Reform Grant as set out within this report.

- SEN Services would not be able to meet its statutory requirements to transition its existing 1,400 plus Statements of SEN to EHCPs in line the SEND Reforms.
- Other services such as Educational Psychology, Health, Voluntary Sector and School Improvement would not be able to continue provide support to professionals, parents, children and young people around transitions.
- Training would not be available to facilitate understanding of the new Reforms which would hinder the transition process and potentially the reputation of the Council as they would be unable to meet the statutory requirements.
- Parents, children and young people would not have a positive experience of the transition or the new EHCP pathway and process. This could ultimately affect the outcome of any future Ofsted/CQC Inspection.

IMPACT ON COUNCIL PRIORITIES

a. Fairness for All

Allocation of the grant, as per the recommendations, will allow the Local Authority to fairly, and transparently deliver on its conversion plan.

b. Growth and Sustainability

EHCPs help children, young people and their families to focus on immediate and lifelong outcomes. Transition to adult services is supported through more effective person-centred planning with young people and their families. EHC Plans encourage aspiration about further education, training and employment opportunities for children and young people with SEND.

The system focusses on ensuring improved life outcomes for children and young people in terms of their immediate and long term futures. It fosters a sense of shared accountability across all professionals. Training professionals and families is central to this cultural change and supports collective learning and collaboration.

c. Strong Communities

The reform agenda provides a system which will strengthen and sustain families, promoting an inclusive agenda within early years' settings, schools and colleges, whilst ensuring improved outcomes for children and young people with SEND.

8. EQUALITIES IMPACT IMPLICATIONS

The SEND reforms will give children and young people with SEND and their parents/carers greater choice and control about the things that affect their lives. It will improve the provision of information, advice and guidance to families so they are fully informed about their options and choices. An outcomes focussed system will allow professionals, schools and parents to consider the needs of children and young people with SEND more holistically. A child or young person with SEND must be supported to have the same aspirations as any other child or young person.

9. PERFORMANCE MANAGEMENT IMPLICATIONS

As set out in the body of this report, the recommendations have been developed to improve performance in a range of areas associated with SEN and disability.

10. HR IMPLICATIONS

In accordance with internal Council recruitment procedures, once the Authority is granted permission for the creation of the additional posts, role profiles should be submitted to HR to enable the creation of the posts. The opportunities should then be advertised internally. In the event

that the posts remain vacant following attempts to recruit internally, authority can be granted for the positions to be filled via Matrix on the basis that they are time-limited special projects.

Whilst the great majority of staffing appointments that will be required in deploying this funding will be recruited to via normal processes, there may be exceptional cases and authority is being sought to go straight to Matrix to make the appointments in these cases on the basis that they would be highly specialist roles and we do not presently have the internal capacity to recruit to these posts.

11. PUBLIC HEALTH IMPLICATIONS

The proposals will improve the health and well-being of children, young people and their families ensuring that they are able to experience the benefit of family and community life in an inclusive way. There is a clear mandate to ensure that social care, education and health work collaboratively to ensure that services are jointly commissioned to address the identified needs of the local SEND population.

MUNICIPAL YEAR 2015/2016 REPORT NO.

**ACTION TO BE TAKEN UNDER
DELEGATED AUTHORITY**

PORTFOLIO DECISION OF:
Cabinet Member for Environment

REPORT OF:
Director – Regeneration &
Environment

Agenda – Part: 1	KD Num: N/A
Subject: Amendment to Vehicle Crossover construction fees	
Wards: All	

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1. EXECUTIVE SUMMARY

Following a recent tendering exercise, a review of fees and charges for the construction of vehicle crossovers has been undertaken. Following an assessment of the rates provided, a reduction in the rate per square metre is recommended.

2. RECOMMENDATIONS

To reduce the existing charge of £230 per square metre to £195 per square metre for the construction of vehicle crossovers.

3. BACKGROUND

- 3.1 The Council provides the service for the construction of vehicle crossovers to residents of Enfield through its Highway Maintenance term contractors and previously it's' in house teams. On 1 November 2014, the Council changed its highway and civil engineering term contractor and now uses a call-off contract as part of the London Highway Alliance Contract (LoHAC) framework. Although this new contract has been evaluated to provide savings across the overall highway works programme, the rate per square metre for constructing vehicle crossovers is significantly more expensive than the previous term contractor's rate. Use of LoHAC therefore has a direct effect on the unit rate that residents have to pay.
- 3.2 Following a review of the contract service provision and in order to provide a best valued delivery mechanism for residents of Enfield, a decision was taken to undertake a compliant tender exercise for vehicle crossover works.
- 3.3 This tender exercise was undertaken and the successful tenderer has been appointed.

4. ALTERNATIVE OPTIONS CONSIDERED

No other options have been considered.

5. REASONS FOR RECOMMENDATIONS

On the basis that the tendering exercise has provided a reduced rate per square metre for the construction of vehicle crossovers and that this service is provided for the sole benefit of the residents and businesses of Enfield it is recommended that these reduced costs are passed on to ensure a best valued solution.

6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES, AND OTHER DEPARTMENTS

6.1 Financial Implications

- 6.1.1 The report proposes that the rate per square metre for the construction of vehicle crossovers is reduced from that in the approved and published Highway Services fees and charges.
- 6.1.2 The cost associated with provision of vehicle crossings are met completely from residents who apply and meet the Council's criteria; therefore the tender exercise has demonstrated best value for Enfield residents.

6.2 Legal Implications

- 6.2.1 Section 184 of the Highways Act 1980 contains provisions for persons to make an application to the highway authority requesting the construction of a vehicle crossing over a footway or verge

6.3 Property Implications

None.

7. KEY RISKS

None.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

The construction service for vehicle crossings to all residents across the borough through competitively tendered rates ensures that a best valued solution is provided to all

8.2 Growth and Sustainability

None.

8.3 Strong Communities

None.

9. EQUALITY IMPACT IMPLICATIONS

Corporate advice has been sought in regard to equalities and an agreement has been reached that an equalities impact assessment/analysis is neither relevant nor proportionate for the approval of this report.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

None identified

11. HEALTH AND SAFETY IMPLICATIONS

None identified

12. PUBLIC HEALTH IMPLICATIONS

None identified

Background Papers

None