



## SCHOOLS FORUM

### Special Education Needs and Disability (SEND)

Thursday 26<sup>th</sup> November 2013

Content Applicable to;		School Phase;	
Maintained Primary and Secondary Schools	x	Pre School	x
Academies	x	Foundation Stage	x
PVI Settings	x	Primary	x
Special Schools / Academies	x	Secondary	x
Local Authority	x	Post 16	x
		High Needs	x

### Purpose of Report

Content Requires;		By;	
Noting	<u>x</u>	Maintained Primary School Members	<u>x</u>
Decision		Maintained Secondary School Members	<u>x</u>
		Maintained Special School Members	<u>x</u>
		Academy Members	<u>x</u>
		All Schools Forum	<u>x</u>

This report presents information that updates Schools Forum regarding the Children and Families bill and in particular Support and Aspiration: a new approach for SEN and Disabilities.

### Recommendation

That Schools Forum is recommended to note the report and consider the implications for future funding.

### Introduction

#### National direction of travel- Children and Families Bill

Through the Green Paper and subsequently the Children and Families Bill, the government communicated its vision and set out proposals that would radically reform current systems for identifying, assessing and supporting children and young people who have disabilities or have a special educational need, and their families.

## **Background**

In February 2013 the Department for Education published a Children and Families Bill 2013 which responded to evidence from pre-legislative scrutiny.

Part 3 of the Bill introduces a new single system from birth to 25 years for all children with SEN, (previously the system covered children aged 3 to 19). It will:

- Place a requirement for Local Authorities, health and care services to commission services jointly to meet the needs of children and young people with SEN & disabilities;
- Require Local Authorities to offer of a personal budget for families and young people with a Plan, extending choice and control over their support;
- Require Local Authorities to publish a clear, transparent 'local offer' of services for all children and young people with additional needs, this includes health and education provision, so parents can understand what is available;
- Offer a streamlined assessment process for those eligible, which integrates education, health and social care, and involves children and young people and their families;
- Require better co-operation between the Local Authority and partners and require Local Authorities to involve parents and young people in reviewing and developing provision;
- Ensure that children, young people and their families are at the heart of the legislation;
- Replace statements and Learning Difficulty assessments with a new 0-25yr Education, Health and Care Plan, which reflects the child or young person's aspirations for the future, as well as current needs from September 2014.

From Autumn 2014, new laws are set to come into force that will see SEN statements replaced by a new package of coordinated support for children and young people across agencies and local areas. The minister has written to the Council for Disabled Children (CDC) outlining his plans for moving to the new legal system, and explaining that the September 2014 date will mark the "beginning of a gradual and orderly transition to full implementation" rather than a clean break between the old to new systems.

Support and aspiration promotes amore joined up approach to supporting children, young people and their families; an approach which delivers a more personalised and holistic response. While personal budgets are becoming well established in social care services, the government changed the Direct Payment law in 2013 so that the NHS can give direct payments for personal health budgets. Within the education field personal budgets are still very new and until recently it has been a challenge to offer a clear definition. It has been particularly challenging as at the same time, as introducing an aspiration for personal SEN budgets, a new approach to school funding has been launched.

## **Resource Implications**

It is unclear at the moment what the resource implications and the impact of these changes will be within Leicestershire.

Work to align SEN budgets and school funding has been taken forward by a number of SEND pathfinders.

"Support and Aspiration Introducing Personal Budgets (October 2013)

SQW In Control (supported by the DfE)” is a document that sets out a clear framework upon which to build local plans to implement personal budgets which is attached for your information as Appendix 1.<sup>1</sup>

### **Equal Opportunity Issues**

A key purpose of the SEND legislation is to ensure that the single assessment process is transparent and fair. Plans are in train locality to commence work to design the new EHC plans.

### **Background Papers**

The Health and Well Being Board considered a report in December 2012 in respect of the impact of SEND which is attached for your information at Appendix 2.

### **Officer to Contact**

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19<sup>th</sup> November 2013

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<sup>1</sup> This information is provided for reference purposes, it is not necessary to print this for the meeting.

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