


Non-Executive Report of the:  <b>Overview and Scrutiny Committee</b>  9 <sup>th</sup> May 2016	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Debbie Jones, Interim Corporate Director, Children's Services	<b>Classification:</b> [Unrestricted or Exempt]
Review of Special Educational Need (SEN) and associated services in the London Borough of Tower Hamlets	

<b>Originating Officer(s)</b>	Terry Parkin/David Carroll/Keith Makin
<b>Wards affected</b>	All

## Summary

This report outlines a review into the Special Educational Needs (SEN) services in the Borough, detailing the consultation process which will underpin the review and inviting the Scrutiny Panel to comment on and add to this process

## Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Comment on the plans for the review
2. Make further suggestions for the list of those to be consulted

## 1. REASONS FOR THE DECISIONS

- 1.1 A review of the SEN services in the Borough (along with relevant associated services, such as children with disabilities social care services) has been commissioned by the Director of Children's Services. The reasons for conducting this review at this time are:
- 1.2 Part 3 of the Children and Families Act 2014 came into force in September 2014 and introduced new ways of assessing children with special educational needs. The review will help to assess the impact of and the compliance with this important new legislation.
- 1.3 Increasing levels of demand for SEN services in the Borough. There has been a significant increase in the numbers of children and young people assessed as having special educational needs in the Borough.
- 1.4 Changes in the demographic make-up of the Borough which are leading to changes in both the size of the demand, as well as the nature of that demand.
- 1.5 The impact that this additional demand is having on budgets, both in absolute terms and also in terms of the challenges which are projected in the immediate future, including the reassessment of schools funding by the

Department for Education (DfE) and the reductions in Local Government and other public sector central Government grant funding.

- 1.6 The fact that there has not been a comprehensive review of the SEN services within the Borough in the last 15 years.

## **2. ALTERNATIVE OPTIONS**

- 2.1 N/A

## **3. DETAILS OF REPORT**

### **3.1 What the Review will cover**

- 3.2 The review will:

- a. Consult with all interested parties on the hopes, ambitions and fears for the future of SEN services.
- b. Examine and analyse demand patterns and make informed projections as to the level and nature of the services which will be required to be commissioned, with a timescale of 5 – 7 years for those projections
- c. Examine and analyse the assessment for SEN services
- d. Compare the services and demand patterns in the Borough with other London Boroughs and areas with similar demographics in the rest of the UK
- e. Conduct a comparative analysis of spending in the Borough on these services by all commissioners of those services, not just those commissioned or provided by the Council
- f. Study data provided by the Council and partners on all aspects of the SEN services
- g. Check for compliance with the relevant legislations and guidances governing SEN planning, commissioning and provision
- h. Background and main details of the report. Limit this section to six sides or less

### **3.3 How the review will be conducted:**

An independent reviewer has been commissioned to undertake the review – Keith Makin. Keith has a background in social care, having been a Director of Social Services, Chief Executive of an independent child care organisation and Director of a Government improvement agency. Keith has conducted several reviews of SEN services, including the London Boroughs of Lambeth and Newham.

- 3.5 The timescale for the review is intended to fit in with Council and partner planning cycles, with the initial draft report with initial findings planned for the end of June and a final report with costed recommendations by the beginning of September 2016.

- 3.6 The approach to the review will be in two phases:

- a. Phase1: Interviews with all relevant partners – commissioners, providers and users of the services, along with studies into those analyses detailed at 6.2
  - b. Phase 2: Further interviews based on the first round of interviews, in order to test assumptions, put forward suggestions for the direction of SEN services and to draw up both the interim and final reports.
- 3.7 The reviewer will directly report to Terry Parkin, Service Head, Learning and Achievement. The lead person for the review is Debbie Jones (Director of Children’s Services). The reviewer will refer to and work closely with David Carroll, Principal Educational Psychologist.

#### **4. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 4.1 The review outlined at 3.2 of this report will allow the Council to assess the value for money provided by SEN services within the borough. The outcome of the review and any resulting financial implications for SEN provision in the borough will be factored into the Council’s medium term financial plan.
- 4.2 The budgets directly related to SEN service provision in 2016/17 total £39.680m. This is made up of £35.384m funded from Dedicated Schools Grant and £4.296m within the general fund. The cost of the review will be circa £24k and will be funded from the existing budgets.

#### **5. LEGAL COMMENTS**

- 5.1. The Council has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. This is referred to as the Council's best value duty.
- 5.2. The provision of Special Educational Needs (SEN) services are now delivered within the legal framework set out in the Children and Families Act 2014. The Act introduces a new single system from birth to 25 for all children and young people with SEN and their families. The new arrangements combine the current separate arrangements for children in schools and young people in post-16 institutions and training up to the age of 25 and provides for an integrated Education, Health and Care (EHC) Plan to replace the statement of Special Educational Needs (SEN)
- 5.3. Section 27 of the Act requires local authorities to keep the education, training and social care provision made for disabled children or young people and those with SEN under review. The views of children, their parents, and young people should be central to the way local authorities review their services and they must be consulted about services currently available. Local authorities must also consider whether the provision is sufficient to meet children and young people’s needs (Section 27(2)).

## **6. ONE TOWER HAMLETS CONSIDERATIONS**

- 6.1 A key guiding principle for this review is that the views, experiences and expectations of families, children and young people of and for SEN services is paramount and the reviewer will be constructing a programme of interviews and meetings with service users in order to put them at the centre of the review.
- 6.2 The commissioners and service providers to be interviewed and consulted include (this is not an exhaustive list as it will be added to as the review unfolds):
- a. Families, children and young people using the SEN services
  - b. All Special School Head teachers, along with some Governors and teaching/support staff
  - c. A representative sample of mainstream Heads
  - d. Educational Psychologists
  - e. SENCOs
  - f. Children's Centre staff
  - g. Other early years managers and staff
  - h. Senior managers from: the Council, the CCG, Health providers
  - i. Independent and voluntary sector organisations in the Borough
  - j. Finance and budget staff
  - k. Elected members in the Council as advised by the DCS

## **7. BEST VALUE (BV) IMPLICATIONS**

- 7.1 The review will consider all aspects of the commissioning and the delivery of SEN services in the Borough and will embrace all partners, including the Health economy, independent sector providers, Council services, school services (both in and out Borough) and, very importantly, families, children and young people involved with these services.
- 7.2 The review is intended as a broad scoping exercise which is timed to help influence planning for the 2017/18 financial year and beyond.
- 7.3 Recommendations will be made for any further work which may need to be conducted in order to reach decisions about future services and to implement changes. This may include the outline plan for a further commissioned period of study/review/implementation/coordination.

## **8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

- 8.1 There are no direct environmental implications arising from the report or recommendations.

## **9. RISK MANAGEMENT IMPLICATIONS**

- 9.1 There are no direct risk management implications arising from the report or recommendations.

## **10. CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 10.1 There are no direct crime and disorder implications arising from the report or recommendations.
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### **Linked Reports, Appendices and Background Documents**

#### **Linked Report**

- None

#### **Appendices**

- None.

#### **Local Government Act, 1972 Section 100D (As amended)**

#### **List of “Background Papers” used in the preparation of this report**

List any background documents not already in the public domain including officer contact information.

- None.

#### **Officer contact details for documents:**

- N/A