

## London Borough of Bromley

### PART 1 - PUBLIC

#### Briefing for Education Policy Development and Scrutiny Committee Thursday 30 January 2014

## UPDATE FROM THE SEN EXECUTIVE WORKING PARTY

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### 1. Summary

1.1 This report provides Members with an update following the meeting of the Executive Member Officer Working Party for Special Educational Needs held on 19<sup>th</sup> November 2013.

### 2. THE BRIEFING

2.1 A number of areas were considered as part of the meeting:

#### Special Education Needs Transport

2.2 Members considered a report outlining aspects of Special Educational Needs Transport which influenced commissioning activity or with which the Corporate Commissioning Programme was engaged. This included the Local Authority's legal duty to provide transport, training students to travel independently, use of muster points, direct payments and parental mileage, and the Corporate Commissioning Programme, including work to amalgamate transport services for children and adults.

2.3 Following a competitive tender exercise, the SEN Transport Team had secured a voluntary sector partner to deliver a travel training programme commencing in June 2013 for a period of one year. The team would work with Bexley Accessible Transport to deliver travel training to young people with special educational needs to support them to become independent travellers, with a target of enabling 28 students to travel independently by the end of the programme. Travel training had now commenced with pupils at the Glebe School and pupils at other schools who had been identified as being able to benefit from programme. As of 9<sup>th</sup> January 2014, seven students had been trained to travel independently, with a further eight currently in training. Four students had been found to be unsuitable during training. The travel training programme was on track to deliver the £23,000 of savings identified for 2013/14.

#### Appeals to Special Educational Needs and Disability Tribunal (SENDIST)

2.4 Members considered a report providing an update on the incidence of SEN Tribunal appeals in 2011/12. The Special Educational Needs and Disability Tribunal (SENDIST) was an independent tribunal set up by an Act of Parliament in 1993 to consider appeals by parents and carers against decisions made by the Local Authority around a child's special educational

needs. Parents and carers could appeal to SENDIST across a range of prescribed circumstances, including where the Local Authority refused to carry out a statutory assessment of a child's special educational needs, had assessed a child but refused to issue a statement of special educational needs, or where a statement had been issued but the parents or carers disagreed with certain aspects. In 2011/12 there had been 52 SENDIST appeals registered by Bromley parents and carers. Of these, 60% were agreed through negotiation without the need for a hearing. Of those appeals that progressed to Tribunal, 12% had been dismissed, 4% had been struck out and 24% had been upheld in favour of the appellant. In over half of the appeals, agreement had been reached locally which reflected a more proactive approach to both formal and informal mediation.

- 2.5 With regard to the future number of appeals, it was proposed that under the Children and Families Bill, Education Health and Care Plans would replace statements of special educational needs for those children with the most complex and enduring special educational needs. The needs of children with high incidence lower level needs could be supported through the use of the Local Offer including Pupil Resource Agreements, which are a means of supporting schools and parents to work together flexibly to meet the needs of pupils in mainstream schools. Pupil Resource Agreements had proved successful in reducing the incidence of appeals, and allowed children's needs to be met more efficiently from both school resources and "top up" funding from the Local Authority high needs funding block. The expansion of high quality specialist provision within the Borough was also expected to reduce the number of parents and carers seeking out of borough provision which would similarly reduce the number of appeals.

#### Special Educational Needs Report

- 2.6 Members considered a report reviewing the placement arrangements of children attending independent out of Borough provision. The number of pupils placed in out of Borough independent boarding placements on educational grounds had decreased significantly over the past four years. This had been achieved through a number of measures including robust officer action, auditing of independent specialist schools, strong representation at tribunals and increased accessibility of short breaks within the Borough. The number of independent day placements had also decreased, and this trend was expected to continue as high quality specialist provision within the Borough continued to expand. Officer work to negotiate existing high cost placements continued and the placement costs of the most prevalent needs to Bromley were now lower than the average unit cost across 26 local authorities at £977 for Behaviour and £921 for Autism against, respectively, an average unit cost of £1145 and £1159 across the 26 local authorities.
- 2.7 Progress continued in the implementation of the changes to statutory processes for special educational needs. The SEN Pathfinder was now at the implementation stage of the reforms to special educational needs processes. 70 Education, Health and Care plans were in process, and most children identified at pre-school with complex and enduring needs were progressing through the pilot Education, Health and Care plan process from September 2013.

#### Report from Head Teacher Representative

- 2.8 Members considered a report by the Head Teacher Representative on her experience on inclusion of children with special educational needs and the use of the 'Fair Access' policy in Bromley schools. Princes Plain Primary School had three Unit (Additionally Resourced) classes for children with severe or complex SEN needs. They also welcomed a significant number of pupils with special educational needs who were placed in nurture classes with a high level of staffing financed by their Matrix and Action Plus funding.