

Decision Maker: EXECUTIVE

Date: 24th May 2017

Decision Type: Non-Urgent Executive Non-Key

Title: **DRAWDOWN & CARRY FORWARD OF CONTINGENCY GOVERNMENT (NEW BURDENS) GRANT FUNDING TO SUPPORT THE LOCAL AUTHORITY IN IMPLEMENTING THE SPECIAL EDUCATIONAL NEEDS REFORMS & THE CONTINUED ROLE OF BROMLEY (IN PARTNERSHIP WITH ENFIELD) AS SEND REGIONAL LEAD FOR LONDON**

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Chief Officer: Executive Director of Education, Care & Health Services

Ward: All Wards

1. Reason for report

This report is seeking approval for the following:-

- (a) **SEND Implementation (New Burdens) Grant 2017/18** – draw down of final year of CSEC104/2016 grant of £224,975.
- (b) **SEND Implementation (New Burdens) Grant 2016/17** – draw down the remainder of the 2016/17 grant of £20,508 which was kept in contingency
- (c) **London SEND Regional Lead Grant 2017/18** – draw down of final year of S31 Grant funds of £27,522 (shared with partner Enfield)

2. **RECOMMENDATION(S)**

The Executive are asked to:-

- (i) **Approve the drawdown of the final year of the SEN New Burdens Grant 2017/18 of £224,975.**
- (ii) **Approve the drawdown of the remainder of the 2016/17 SEND Implementation grant of £20,508 kept in contingency**
- (iii) **Approve the drawdown of the final year of the London SEND Regional Lead Grant 2017/18 of £27,522**

Corporate Policy

1. Policy Status : Education and Care Services Plan for 2017/18 and Government Directed.
 2. BBB Priority: Children and Young People: Supporting Independence, listening to the views of children and young people , encouraging excellent educational opportunities , working with health
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Financial

1. Cost of proposal: New Burdens new grant £224,975 plus carry forward £20,508 (Total £245,483.00); Regional Lead new (shared/Enfield) grant £27,521.93
 2. Ongoing costs: One-off grant payment
 3. Budget head/performance centre: SEN Reform Implementation (136034) & Regional Lead (136355)
 4. Total current budget for this head: Reforms Grant 2016/17 n/a
 5. Source of funding: DfE grants;- SEND Implementation (New Burdens), Regional Lead Grant (3rd&4th Year grants)
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Staff

1. Number of staff (current and additional):8 fte Additional Staff (short term contract) Implementation of Reforms
 2. If from existing staff resources, number of staff hours:
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Legal

1. Legal Requirement: Statutory Requirement: The Children and Families Act became law from September 2014. There is a phased approach to delivering the transitions from Statutory Statements to EHC Plans.
 2. Call-in: Applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Estimated number of users/beneficiaries (current and projected): 1,908 children with a Statement of SEN/EHC Plan.
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

3. COMMENTARY

3.1 SEND New Burdens Grant

3.2 This Government Grant is to support local authorities in delivering the Special Educational Needs & Disability reforms over a statutory four year period. Bromley SEND Services together with partner agencies have developed new systems alongside the old system which continues to function for the four year period. A Bromley Local Offer at universal, targeted and specialist levels (across all disciplines - Education, Care and Health) is published and is constantly under review; statutory compliant systems are in place delivering services for students with complex and enduring SEND from 0-25 years; coordinated assessment and administration of the education, health and care plans; robust policy and practice for personal budgets across education and care (and co-ordinating with health); working in partnership with local providers to deliver local services for young people; methodology for increasing participation of families and children; organisational change and workforce development and early stage planning for joint commissioning of services.

3.3 The New Burdens Grant is provided to ensure that local authorities deliver these changes within a specified period of time. This is the fourth year of grant funding available to deliver the reforms and ensure a robust system is in place to identify and meet the needs of children and young people with complex and enduring special educational needs and disability.

3.4 Essential statutory targeted work is in progress in Bromley to **transition Statements of Special Educational Needs and Learning Difficulty Assessments into Education Health and Care Plans (EHCP)**, where appropriate. Conversion **must** take place during this four year period. The DfE has specified the cohorts of young people whose statements must be converted during this timeframe. This is in addition to the work carried out in everyday SEND processes. Work continues with a range of partner agencies including Social Care, Health, Clinical Commissioning Groups and education settings (including Further Education colleges and other post-16 providers to ensure quality local provision where it is appropriate that a young person remains in education.) Temporary staff continues to be required to deliver these changes, to ensure Post 16 and Post 18 interventions are developed and extended and to ensure the 20 week timeframe is delivered for the majority of assessments and transition of statutory documents. As at the SEN2 Census 03/02/17 of the 1,908 statutory documents, 1,023 are EHC Plans and 885 statements. These statements will require formal review and transition to a EHC Plan by 30th April 2018. A large percentage of the grant will be used to carry out these processes.

3.5 Further development work includes robust systems for the extension of age range within the system (19-25 years). This is a relatively new area and requires ongoing work to deliver systems, interventions and support 19+ provisions to develop quality and relevant courses for young people with a range of needs.

Transition in Bromley - Scope of the Exercise & Prioritising the Phased Transfers

As at the SEN2 Census (03/02/17) there were 885 children and young people with a Statement of SEN maintained by LB Bromley. These will need to be transitioned to EHC Plans where appropriate. At that time there were 1,023 Education Health and Care Plans completed

Under Government direction further planned phased transfer is as follows:-

Year Four Target Groups for Transfer to EHC Plans September 2017- August 2018

Pupil/Student Groups	Numbers
Year 5 (end KS2)	92
Year 9	137
Other year groups not yet converted	300
Total	529

The tables provide approximate numbers, given the fact that some young people will leave school once choices are made after examination results and some statements may cease if objectives are met. Also Pupil Resource Agreements (PRAs) are promoted, where appropriate, to support more responsive, more flexible and more cost effective intervention. It is estimated that approximately 80-100 statements will cease through pupils moving on to higher education, and pupils moving out of the area each year. The transition plan is constantly under review, taking account of DfE requirements and local needs.

3.6 London Regional Lead Grant

- 3.7 In partnership with the DfE, Council for Disabled Children, London Councils and LB Enfield Bromley leads and delivers the London Regional programme. Funding for the programme ensures statutory compliance of the SEND aspects of the Children & Families Act 2014, consistent accountability, OFSTED & CQC readiness through information and training.
- 3.8 This has benefited the local authority in accessing high quality workforce training to deliver the reforms in an efficient and statutory compliant manner ensuring OFSTED and CQC readiness. During the 2016/17 Programme 11 London-wide events were held for the 33 London boroughs these continued to support Bromley colleagues across Education, Care and Health and our Parent Carer Forums. These events have supported workforce development in Bromley including cross-borough moderation and development in key SEND areas such as the Local Offer. All have been funded through the London Regional Grant Programme. Approval of this resource will enable continuation of the transition process to ensure statutory compliance and prevent further delay in progressing the transitions.

4. FINANCIAL IMPLICATIONS

- 4.1 There are three grants currently in the Council's central contingency, the new grant of £224,975 SEN Reform, £27,522 SEND Regional Lead, and the remainder of the 2016/17 un-ring-fenced SEND Implementation Grant (New Burdens) totalling £20,508.
- 4.2 This funding will be used to continue the extra capacity to primarily deliver the **statutory transitions of statements to EHC plans** or pupil resource agreements; review current SEND services and provisions; embed the new policies and practices; develop robust systems for recording and monitoring the EHC process and ensure the workforce has a clear understanding of policy and practice.

4.3 **Table A** below provides a summary of the planned expenditure of the **SEND Reforms Grant (£224,975 plus £20,508 totalling £245,483)**, with a more detailed spending plan in **Table B**.

4.4 **Table C** provides an outline of the **SEND Regional Lead Activity spend of £27,522**.

Table A Planned Expenditure SEND New Burdens Grant

	2017/18
Temporary staff	£212,483
Third parties	£33,000
Total	£245,483

Table B SEND New Burdens Grant Detailed Expenditure

Funded Element	Detail	2017/18
1. Implementation Manager	Manager time to implement changes, co-ordinate activity	£10,000
2. Additional temporary Inclusion professionals across 0-25 age range	Skilled staff to target year groups requiring conversion (see transition table)	£45,000
3. Additional temporary Assessment & Placement Officers	Transfer of statements to EHC/PRA	£110,000
4. Preparing for Adulthood (PfA) Officer for Mainstream Schools	PfA Officers working in specialist provision to provide guidance on adulthood planning for young people with an EHCP	£47,483
5. LBB Partners	Voluntary agencies – delivery of elements of the statutory requirements/co-production/involving young people/delivery of services	£33,000
Total		£245,483

4.5 Table C SEND Regional Lead Planned Expenditure

The funding allocation from the Department for Education for the London Region for 2017/18 is £27,522. This amount is intended to be shared with our partner borough, Enfield. The activities to be funded from the grant are set out below

	ACTIVITY	COST £
1	SEN Support Events x 2 – 2017 <i>Including venues, refreshments, Enfield and Bromley regional time and administrative support</i>	5,000
2	Accountability and addressing the requirements of the Local Area Inspection process including education, health and care, and Self Evaluation <i>Including venue, refreshments, Enfield and Bromley regional time and administrative support</i>	2,500
3	Developing an Early Years Network across London <i>Including venue, refreshments, Enfield and Bromley regional time, speaker / facilitator and administrative support</i>	2,500
4	Improving the quality, accessibility and effectiveness of an integrated Local Offer – Peer moderation across London boroughs <i>Including venue, refreshments, Enfield and Bromley regional time and administrative support</i>	2,500
5	Further targeted support for EHC Plan writers – in conjunction with Preparing for Adulthood <i>Including venues, refreshments, Enfield and Bromley regional time and administrative support</i>	2,000
6	Joint Commissioning and Social Care (1 or 2 events) <i>Including venues, refreshments, Enfield and Bromley regional time and administrative support</i>	1,000
7	A practical approach to developing and agreeing statutory compliant, person centred and outcome focused plans across education, health and care <i>Including venues, refreshments, Enfield and Bromley regional time and administrative support</i>	2,500
8	SEND Update Briefing to the Association of London Directors of Children's Services (ALDCS) (in partnership with London Councils) <i>Including refreshments, Enfield and Bromley regional time and administrative support</i>	500
9	Termly meetings for Principal Educational Psychologists – 3 x one day meetings / Support to the London Strategic Manager's Network and aligned delivery partner activity	2,000
10	Regional co-ordination / administration / evaluation and preparation of events The main administration for the SEND London Regional Lead Programme sits with Bromley	3,500
11	Contingency of c.15% of regional funding to be agreed for the development of key SEND themes following evaluation and development of new SEND policy initiatives	3,522
	TOTAL	£27,522*
	*£6k will reflect Enfield's share of the organisation, presentations, leading and delivery of events.	

5. POLICY IMPLICATIONS

5.1 Existing policy to deliver high quality cost effective services. Education Services Plan 2016/17.

BBB Priority: Supporting Independence, listening to the views of children and young people, encouraging excellent educational opportunities, working with health.

6. LEGAL IMPLICATIONS

6.1 Legal Requirement: new statutory regulations (Children & Families Act September 2014) ensuring statutory compliance across Bromley and London. A new SEN Code of Practice recently published again ensuring compliance.

7. PERSONNEL IMPLICATIONS

7.1 Number of staff; currently the equivalent of 6 full time equivalent members of staff to be employed on temporary contracts for a period of one year only.

Non-Applicable Sections:	None.
Background Documents: (Access via Contact Officer)	DfE Documentation: SEN & Disability Code of Practice 0-25, 2014, Children & Families Act 2014