

CHILDREN'S AND COMMUNITY SERVICES PORTFOLIO DECISION SCHEDULE



5th March 2013

at 10.00am

in Committee Room C, Civic Centre, Hartlepool

Councillor Cath Hill, Cabinet Member responsible for Children's and Community Services will consider the following items.

1. KEY DECISIONS

- 1.1 Provision for Pupils with Moderate Learning Difficulties (MLD) at Key Stage 2 (Outcome of Consultation) – *Assistant Director, Child and Adult Services*

2. OTHER ITEMS REQUIRING DECISION

- 2.1 Appointment of Local Authority Representatives to Serve on School Governing Bodies – *Assistant Director, Child and Adult Services*
- 2.2 Short Breaks Services Statement – *Assistant Director, Child and Adult Services*

3. ITEMS FOR INFORMATION

- 3.1 Exmoor Grove Regulation 33/34 Reports – *Assistant Director, Child and Adult Services*
- 3.2 Fulfilling Lives: A Better Start – *Assistant Director, Child and Adult Services*
- 3.3 Funding of Qualifications at Level 3 and Above – *Assistant Director of Child and Adult Services (Community Services)*
- 3.4 Special Educational Needs (SEN) Pathfinder Programme – *Assistant Director, Child and Adult Services*
- 3.5 Statutory Duties and Powers Concerning the use of Alternative Provision – *Assistant Director, Child and Adult Services*

4. REPORTS FROM OVERVIEW OF SCRUTINY FORUMS

No items



CHILDREN'S AND COMMUNITY SERVICES REPORT

5 March 2013



Report of: Assistant Director, Child and Adult Services

Subject: PROVISION FOR PUPILS WITH MODERATE
LEARNING DIFFICULTIES (MLD) AT KEY STAGE 2
(OUTCOME OF CONSULTATION)

1. TYPE OF DECISION/APPLICABLE CATEGORY

Key Decision (test (ii)) Forward Plan Reference No. CAS139/12.

2. PURPOSE OF REPORT

The purpose of this report is to inform the Portfolio Holder of the outcome of consultation in relation to the proposal to discontinue the additionally resourced facility for pupils with Special Educational Needs relating to moderate learning difficulties at Grange Primary School.

3. BACKGROUND

3.1 This report follows one presented to the Portfolio Holder in November 2012 which outlined the rationale for the proposed closure of the Additionally Resourced Base for pupils with Moderate Learning Difficulties (MLD) at Grange Primary School. The Portfolio Holder agreed that these proposals should go out to consultation.

On 6th November 2012 the Portfolio Holder authorised formal consultation on the closure of the additionally resourced facility for pupils with Special Educational Needs relating to moderate learning difficulties at Grange Primary School.

The aims of this consultation were to share information on the proposals to discontinue the facilities outlined above with as wide an audience as possible and to collect any views and comments raised.

The consultation offered 2 options for future provision as detailed below:

Option 1

Option 1 was to continue with the present arrangement. This would mean that technically a support base, for pupils with moderate learning difficulties within the age range 7 years to 11 years will remain within the structure of Grange Primary School.

Option 2

This was to formally close the Key Stage 2 support base for pupils with moderate learning difficulties at Grange Primary School. This would allow the funding to be reallocated to the Local Authority's individual pupil support budget, managed by the Local Authority Special Educational Needs Team. The money is then allocated on the basis of individual pupil need to mainstream primary schools across the town following approval by a panel.

Consultation began on 7th January 2013 and closed on 1st February 2013. Meetings were held at Grange Primary School involving;

- Teaching and support staff
- Governing Body
- Parents and public

4. ANALYSIS OF CONSULTATION RESPONSES

A summary of individual responses can be found in **Appendix 1**. **Appendix 1** identifies that of the 9 responses received all are in favour of Option 2.

Grange Primary School

All staff and governors who attended the meeting held on 17th January 2013 at the school indicated that they are in favour of Option 2. It was noted that the number of places requested within the support base has declined steadily over the last few years. The six members of the public who attended the meeting on 17th January 2013 all indicated they were also in favour of Option 2. Notes of the meetings can be found in **Appendix 2**.

5. FINANCIAL CONSIDERATIONS

Option 1 means that funding for the support base can only been withdrawn from the budget of Grange Primary School by consent to be reused to support individual pupils elsewhere. The formal structure and thus the formal redirection of the funding will not changed.

Option 2 provides much better security in terms of financial planning and would ensure that the funding would be released to support individual pupils with special educational needs in the most inclusive way appropriate.

There are no additional financial implications for the Local Authority as the funding is all from the dedicated school grant.

7. EQUALITY AND DIVERSITY CONSIDERATIONS

Formal closure of the support base supports the inclusion of pupils with moderate learning difficulties in their local schools. By diverting the funding to the Local Authority individual pupil budget for Special Educational Needs the money will be retained to support vulnerable pupils.

8. CONCLUSION

Having considered the options and following the formal consultation process it is clear that the proposal to discontinue the additionally resourced facility at Key Stage 2 for pupils with moderate learning difficulties at Grange Primary School should be progressed and the publication of statutory notices be actioned.

Where a Local Authority changes Special Educational Provision the Department for Education expects that an "Improvement Test" should be met. In the case of discontinuing this provision it can be shown that:

- There is no longer any demand for the provision, there are no pupils in the support base nor is there a waiting list;
- Support is available within mainstream schools to promote the inclusion of pupils with moderate learning difficulties successfully;
- Funding will be retained for pupils with Special Educational Needs but can be released to support tailored packages rather than supporting the resource bases.

It is proposed that the statutory notices be published on 18th March 2013 and the outcome of the process be reported to Portfolio Holder on 11th June 2013.

9. RECOMMENDATIONS

- 9.1 It is recommended that the Portfolio Holder accept the proposal to discontinue the additionally resource support base at Grange Primary School for children in the age range 7-11 years with moderate learning difficulties and authorise the Director of Child and Adult Services to publish the necessary statutory notices to carry out this decision.

10. CONTACT OFFICER

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**Grange MLD Base Closure
Analysis of Responses**

Total Number of Responses: 9

Preference to Option 1: 0

Preference to Option 2: 9

Comments:

- Concerns that this decision will lead to the demise of bases in other schools due to cost cutting.
- Funding should be re-allocated the to individual pupil support budget.
- More inclusive provision in mainstream schools should be developed.

PRIMARY MODERATE LEARNING DIFFICULTIES BASE CLOSURE CONSULTATION MEETINGS

Notes of meeting held on 17 January 2013 at Grange Primary School

Following a presentation by Zoe Westley, the following issues were raised, followed by responses where appropriate.

<p>All staff and Governors</p> <ul style="list-style-type: none"> • If a child was identified as needing extra support for SEN what would happen to them after the base is closed? • Are all the staff at this school happy with the idea of closure? • How has the closure worked at Golden Flatts and Owton Manor? • What happens next? 	<p>Number of attendees: 6</p> <p>The child's requirements would be met in their main stream primary school with appropriate external support. If the needs of the child were more severe the child would be assessed and a place in more appropriate provision would be considered, this might be a special school.</p> <p>There has been no indication to the contrary.</p> <p>There had been no pupils accessing the bases for the final year they were open. Arrangements for closure at all three schools had started 5 years ago therefore Grange have had a further year to plan.</p> <p>Once the consultation has finished statutory notices will be raised. If the closure goes ahead the school will be re-registered as a school with an additional unit for medical needs only.</p> <p>If no objections are raised the base will close on 31 August 2013.</p>
<p>Parents & Public</p> <ul style="list-style-type: none"> • Are you planning to close all special help/units at the school? 	<p>Number of attendees: 5</p> <p>No only the unit for Moderate Learning Difficulties.</p> <p>All attendees agreed that pupils should be taught in mainstream education with appropriate extra support wherever possible.</p> <p>It was noted that all parents agreed with the Authority's preferred option.</p>

CHILDREN'S AND COMMUNITY SERVICES REPORT

5th March 2013



Report of: Assistant Director, Child and Adult Services

Subject: APPOINTMENT OF LOCAL AUTHORITY
REPRESENTATIVES TO SERVE ON SCHOOL
GOVERNING BODIES

1. TYPE OF DECISION

Non Key Decision.

2. PURPOSE OF REPORT

To request the Portfolio Holder for Children's and Community Services consideration and approval of the recommendations of the General Purposes Committee in respect of the appointment of Local Authority representative governors to serve on school governing bodies where, interest has been expressed in the vacancies.

3. BACKGROUND

Applications are invited from members of the general public, elected members and those governors whose term of office is about to expire or have expired who are interested in serving or wish to continue serving as a Local Authority representative governor on school governing bodies

The following criteria were agreed by the Borough Council for the recruitment of Local Education Authority representative governors in 2000. Local Authority governors should be able to show:

- demonstrable interest in and commitment to education;
- a desire to support the school concerned;
- a commitment to attend regular meetings of the governing body (and committees as appropriate) and school functions generally;
- good communication/interpersonal skills;
- ability to work as part of a team;

- a clearly expressed willingness to participate in the governor training programme.

A schedule setting out details of vacancies together with applications received in respect of the vacancies was considered by members of the General Purposes Committee at their meeting held on 28th January 2013 (**Appendix 1**).

4. RECOMMENDATIONS

The Portfolio Holder for Children's and Community Services approve recommendations of the General Purposes Committee in respect of the appointment of Local Authority representative governors to serve on school Governing Bodies. A schedule outlining recommendations of the General Purposes Committee is attached at **Appendix 1**.

5. APPENDICES AVAILABLE ON REQUEST, IN MEMBERS LIBRARY AND ON-LINE

Appendix with report.

6. BACKGROUND PAPERS

Recommendations from General Purpose Committee 28th January 2013

7. CONTACT OFFICER

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**VACANCIES FOR
LOCAL AUTHORITY REPRESENTATIVES
ON GOVERNING BODIES

JANUARY, 2013**

**Contact Officer: Ann Turner
01429 523766**

LA POSITIONS AND VACANCIES - SCHOOL GOVERNING BODIES

SCHOOL Including details of current LA Governors	Vacancies	Expressions of Interest	Recommended for Appointment
Brougham Primary School Mrs. S. Marshall (term of office expires 4 th March 2013) Mr S Thomas	2 Vacancies (including Mrs Marshall)	Mrs S Marshall	Mrs S Marshall
Catcote School Mr S Wallace	2 vacancies	Mr J W Robson	Mr J W Robson
Fens Primary School Mrs. P. Heward Mr. A. Preece	1 Vacancy	No interest expressed	No recommendation
Federated Governing Body Hart Community and St Peter's Elwick CE Aided Primary School Mr G Newbury	1 vacancy	Councillor K Fisher	Councillor K Fisher
Golden Flatts Primary School Councillor C. Hill	2 Vacancies	No interest expressed	No recommendation

SCHOOL Including details of current LA Governors	Vacancies	Expressions of Interest	Recommended for Appointment
Grange Primary School	2 vacancies	Councillor G Lilley	Councillor G Lilley
Jesmond Gardens Primary School Mrs. Sandra Saint Councillor Linda Sheilds	2 vacancies	No interest expressed	No recommendation
Lynnfield Primary School Councillor C Richardson Councillor C Simmons	2 vacancies	No interest expressed	No recommendation
Rossmere Primary School Mrs. M. Smith	1 Vacancy	No interest expressed	No recommendation
Springwell School Mrs. L. Barraclough	1 Vacancy	No interest expressed	No recommendation

CHILDREN'S AND COMMUNITY SERVICES REPORT

5 March 2013



Report of: Assistant Director, Child and Adult Services

Subject: SHORT BREAKS SERVICES STATEMENT

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non Key Decision.

2. PURPOSE OF REPORT

- 2.1 The purpose of this report is to present the reviewed Short Breaks Services Statement and seek approval for the 2013 Statement to be published in accordance with the regulations.

3. BACKGROUND

- 3.1 Paragraph 6 of schedule 2 to the Children Act 1989 requires Local Authorities to provide a short break service designed to assist individuals who provide care for disabled children. This duty and the Breaks for Carers of Disabled Children Regulations 2010 came into force on 1st April 2011. The regulations require each local authority to produce a Short Breaks Services Statement so that families in the local areas know what services are available, the eligibility criteria for those services, and how the range of short breaks is designed to meet local needs of families with disabled children. It is a requirement that the Statement be reviewed on an annual basis.
- 3.2 Short Breaks provide disabled children and young people with the opportunity to spend time away from their parents, relaxing and having fun with their friends. They provide families with a break from their caring responsibilities.

4. THE PREPARATION OF THE STATEMENT

- 4.1 In Hartlepool, the review of the Statement was undertaken in collaboration with Parent Led Forum 1 Hart 1 Mind 1 Future and officers within the Local Authorities Child & Adult Services Department. The lead officers responsible for preparing the statement were Jane Young, Tracy Liveras and Mark Gwilt.

The reviewed Statement was subject to wider consultation during September and October 2012. The draft of the reviewed statement was circulated to the members of the Parent Led forum, Specialist Provider of services to share with their members, officers of the local authority, Health and the Voluntary and Community Sector. All comments received have been incorporated into the final version.

- 4.2 The reviewed Short Breaks Services Statement (**Appendix 1**) and the Regulations of Short Break Care are attached at **Appendix A** of the report, providing more in depth detail of the short break offer and requirements.

5. THE PURPOSE OF THE STATEMENT

- 5.1 The statement forms the foundation of short breaks services for disabled children and their families and the commissioning delivery plan for 2013/14. It will continue to be reviewed on an annual basis ensuring that any provision is reflective of local need. Parents, Disabled Children and Young People will continue to be involved in the process and the Parent Led Forum (1 Hart 1 Mind 1 Future) will continue to be the driving force behind the shaping of short break services.

6. PUBLICATION AND REVIEW

- 6.1 The Short Breaks Services Statement has to be published and made available to the general public. Once approved, the Statement will be published on the Local Authority's website, the parent's website 1 Hart 1 Mind 1 Future and will also be made available in paper copy. A summary of the statement will also be disseminated to families of Disabled Children by means of Care Coordination, Disability Network and the parent led newsletter.
- 6.2 The statement will continue to be reviewed annually in consultation with parents and monitored through the Parent Led Forum (1 Hart 1 Mind 1 Future) and subsequent strategic groups.

7. FINANCIAL IMPLICATIONS

- 7.1 The priorities identified in the Statement will be delivered through the Early Intervention Grant for 2013/14.

8. RECOMMENDATIONS

- 8.1 Children's Services Portfolio Holder is requested to approve the Short Breaks Services Statement 2013

8. CONTACT OFFICERS:

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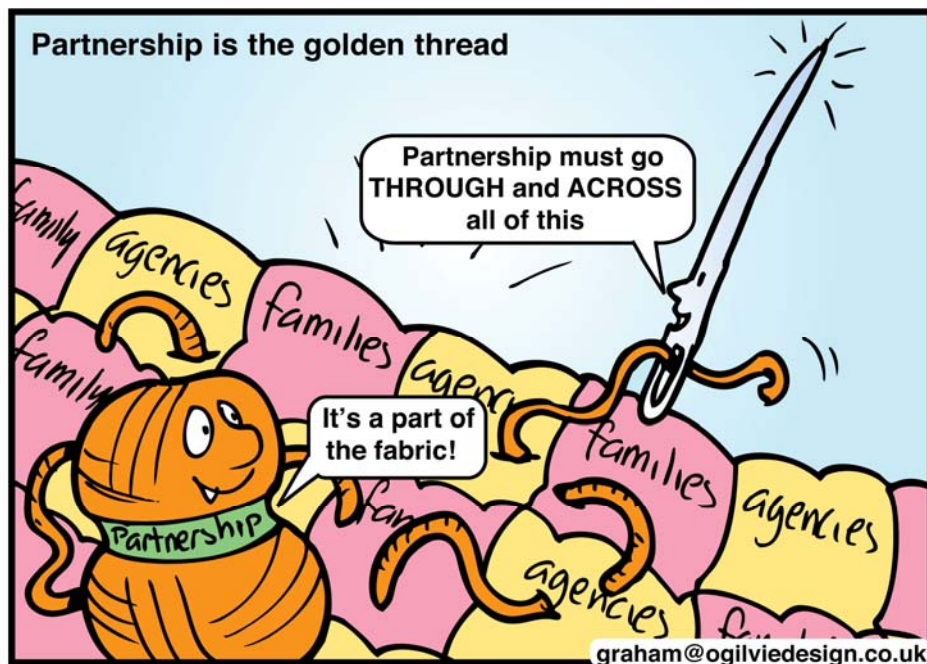
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9. BACKGROUND PAPERS

Breaks for Carers of Disabled Children Regulations 2010

HARTLEPOOL BOROUGH COUNCIL

SHORT BREAK SERVICES STATEMENT



1 Hart

1 Mind

1 Future

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Foreword

The information in this statement has been gathered by consulting parents and carers directly; asking them what services they would like and what would make a difference. This has been done mainly through Short Breaks for Families of Disabled Children and through the Sixth Parent Led Conferences that were held by parents, carers and involving professionals to work closely together to help change and shape the future of Short Breaks.

Julie Carter - Chair of **1 Hart 1 Mind 1 Future**

Hartlepool's Vision

'Our vision is that we are committed to ensuring that all disabled children and young people and their families in Hartlepool should have equal access to a range of flexible services that support their ambition to live ordinary lives, enjoy a happy and fulfilling childhood and grow up to achieve their full potential.'

1 Hart 1 Mind 1 Future

What are Short Breaks?

Short Breaks provide disabled children and young people with the opportunity to spend time away either with or without their parents to be able to relax and have fun, positive experiences with their friends and peers. They also provide families with a break from their caring responsibilities; giving parents a chance to unwind rest and spend time with their other children.

Our aim is to ensure that families of disabled children have the support they need to live 'ordinary lives' as a matter of course. Disabled children and their families have the same human rights as others, including the right to the same quality of life as those who do not have a disability. However we recognise that all families are different, so they need different levels of support and different types of short breaks depending on the age of the child; families may need more support because of their family circumstances, this may be a short period of time or it may be for longer.

How does the council know what type of short breaks are needed and how much?

The council does not presume to know what short break support parents and carers of disabled children require, our role is to facilitate what parents tell us they want so that children, their parents/carers and their families get the breaks they need.

Hartlepool began its consultation process in September 2008 as part of the Aiming High for Disabled Children Transformation Programme launched by the government to transform services for disabled children and their families. An integral part of the transformation programme was to work in partnership with families to understand their needs and design services to meet those needs. Engagement and participation continues to drive the development and shaping of services for the future through its short breaks programme.

Feedback is sought through a number of ways, including: Parent led Conferences, focus groups, feedback and evaluation of services. The council identified priorities and designed service specifications to deliver a short break offer. The offer currently includes:

- Holiday Play schemes
- After School Clubs & Holiday Clubs
- Extended Activities Provision
- Swimming Sessions
- Access to training for both parents and practitioners
- Overnight Stays, including local residential or foster care provision
- Weekend Clubs
- Social groups
- Formal childcare placements
- Specialist Toy Loan Service (including Stay & Play)
- Family based short break activities

We continue to work with our families and providers collating feedback to ensure that the short breaks offer is still relevant to their needs.

There is a variety of data available to us about children and young people with disabilities and additional needs. This ranges from the number of children whose family is in receipt of Disability Living Allowance, Direct Payments, and Disability Prevalence Rates and numbers of children with a Statement of Special Educational Needs. However this data can only tell us how many children and young people may have a disability in Hartlepool. We understand that every family is different and it is therefore quite difficult to predict exactly how many short breaks will be needed year on year.

We know how many families currently access short breaks, how often and the type of short breaks they use. We use this information and anticipate how many more children are likely to use short breaks within each year and how many young people will move on to adult services, no longer requiring short breaks within children's services. This gives a figure that helps us to commission sufficient short breaks throughout the year. These figures are reviewed quarterly which enables us to assess the demand for services and plan accordingly.

This is what parents said about the services accessed via funding through the Early Intervention Grant Short Break Funding

Summer Play scheme

'My children have really enjoyed the summer scheme, the organisation; staff and range of activities have been excellent'

'It is an invaluable service during the summer holidays as six weeks is a long time to find things to occupy my child. It gives my son a voice as he has poor communication'

'Without the summer scheme and outings my summer would be unbearable. I am so grateful for the support it provides, professional, caring staff, well

organised, offers flexibility and the knowledge that as a parent you are listened to and your child's needs are being met.'

Extended Activities

'Our son thoroughly enjoys his time at the activity and he has made new friends. It really is an invaluable resource.'

'My child really looks forward to coming to the group and enjoys the activities.'

'The staff are great and have a good understanding of my child's needs.'

'Couldn't be better!'

'Excellent place for all children and will continue to use the service. The staff are very helpful and very approachable and will go out of their way to make it a positive experience for the child.'

Toy Loan Service

'Kids have a brilliant time and I get to relax and chat with friends.'

'Meeting other parents and carers sharing experiences, information and passing on tips.'

'The toy library is a lovely place for children. My child loses interest very quickly with a toy, so it is great that I can loan them for a short period of time. It is fantastic that the staff deliver, show me how to use the toys then collect them as I have no transport.'

'Special needs toys are so expensive to buy. The toy loan service gives you the opportunity to try them first. The play and stay sessions are an ideal way to meet other parents and discuss other ideas with parents.'



Supported Childcare Provision

'My child uses British Sign Language OR Makaton to communicate. The club my child access's is ideal as it is part of the school he attends and he knows all of the staff. They all understand his needs and can communicate with him.'

'Access for my child has enabled me to continue work and provided the opportunity for my child to make new friends and have fun.'

Family Based Overnight Activities

'Carlton Camp is such an iconic place, all the kids should experience it. Should never be shut down due to cuts. Carlton Camp is so important in building family, friends and teamwork together. Long live Carlton Camp!!!!'

'Brilliant time with friends and family'

'Brilliant time, staff great and would do again. Water sports next time please.'

'When/how will we know when/where next short break will be..... can't wait loved Carlton Camp would love to do it again (mobile number provided)'

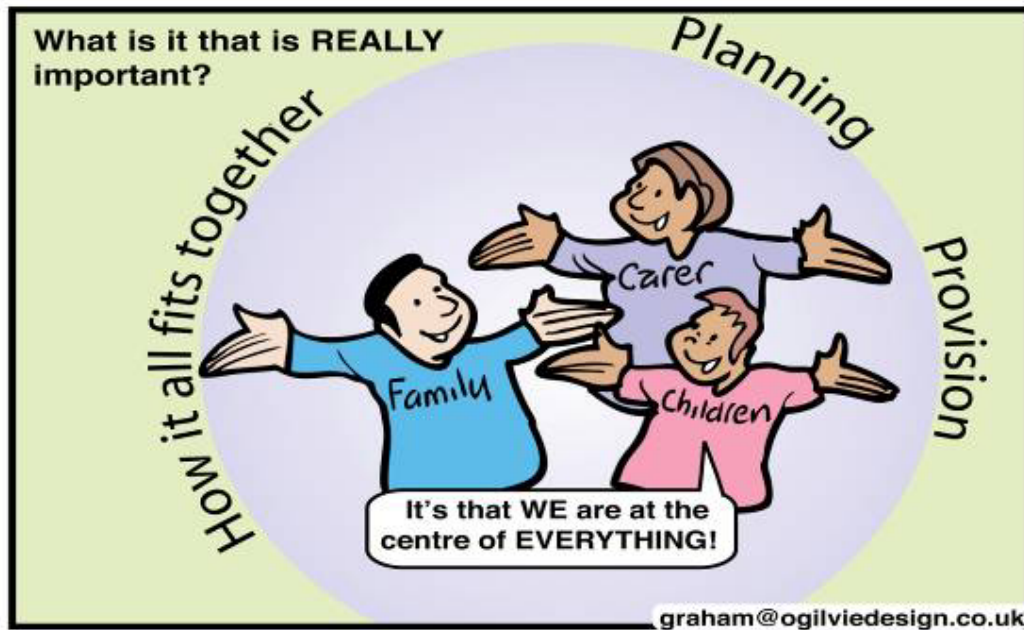


How have families of disabled children participated in the development of short break services?

In Hartlepool we have a very proactive Parent Led Forum that works in partnership with the Local Authority Short Breaks Lead Officer and other relevant agencies and groups to ensure that service delivery meets the need of families of disabled children.

There is also parent representation on a number of other strategic and operational groups, including the Special Educational Needs and Disability Pathfinder Programme (SEND), which provide a platform for parents to contribute and influence change.

Previously parent's hosted a number of focus groups to support and shape service delivery. Parents made a conscious decision to direct their focus on hosting one Parent led meeting bi monthly to increase representation from both parents and practitioners and to also reduce the time spent at and preparing for meetings. This way forward came from a parents person centred thinking day, and included a plan of action that parents have taken forward.



Children and young people are actively engaged in having their say about the things they like to do. This has been and is still carried out in a number of ways, including: questionnaires, face to face discussion, and group work within short break sessions. This information is collated to plan for future delivery.

This is what some of the children and young people have said about some of the activities they have accessed:

'This week the best thing I like was swimming, I really enjoyed it when the animal bus came but was scared when the chicken sat on my lap!'

Neil

'I enjoyed playing with the play dough and making men out of them'

Ben

'Leah has enjoyed going on the bouncy castle and having her hair and makeup done by the girls'

'Paige liked the swimming and face painting and drew a picture of herself'

All of our commissioned services are required as part of their terms and conditions of grant to engage service users in evaluating services on a regular basis, so that services are designed to meet needs at an individual level.

What do the council offer to families that need a Short Break?

Hartlepool Borough Council offer a range of short breaks for all families who care for a disabled child. Families maybe eligible for more specialist short breaks if their child has a substantial and/or permanent impairment, which may have a substantial and long-term effect on their ability to carry out day-to-day activities.

The range of short breaks available is meant to meet the needs of a broad range of need and family circumstances.

Universal Short Breaks

All families can access a number of short breaks for their child. These breaks are short, regular sessions that provide the carer with the opportunity after school, at weekends, school-holidays, to relax have time to themselves or spend time with other family members. These take the form of clubs that offer a wide range of activities for children such as art and crafts, sport and physical activity, or simply a place to meet with friends and chat.

Targeted Short Breaks

Carers may need support and services individually tailored to their child's needs. This level of support is available to families following an initial assessment of the child by a social worker. Any family that feels their disabled child's needs cannot be met using universal services can ask for this assessment. Following the assessment the social worker will work with the family to identify support which may include short breaks. If the child requires support that cannot be met by universal services, the family and the social worker discuss which services are available and which of those services work best for the family. The options are considered through the relevant

Appendix 1

personnel/panels who will respond to the request and its suitability, ensuring that the family get a package of support that works for them and meets the assessed need. This might include a Family Resource Worker, Day Care or a Direct Payment for the family to arrange support of their own. The support package is reviewed regularly by a social worker to ensure that services continue to meet the changing needs of the child as he or she grows and matures and those of his/her family.

Specialist Short Breaks

Sometimes a child or a family have more significant or complex needs due to their child's disability and/or family circumstances, and need additional support and interventions. The specialist short break package may include universal provision and targeted short breaks, and could include overnight stays within a residential or foster placement or breaks commissioned specifically for the child's needs. The authority is currently exploring the use of individual budgets which will enable families to arrange services themselves. They may also receive help from a short break unit with nursing care. These arrangements are discussed by the Hartlepool multi agency Commissioning Panel. Health-commissioned breaks are paid for by the Primary Care Trust and will follow a specialist health assessment which is not arranged by the Council but can be discussed with the health professional and social worker involved with the family. Complex and high need cases such as this may require the continued support of a social worker to ensure that the child and carer's needs continue to be met.

Where can families get more information about Short Breaks?

Currently information on short break activities can be accessed by contacting the Families Information Support Hub in Hartlepool (FISH), a practitioner working with the family, or a family can simply contact the provider and refer themselves. FISH is a universal service providing advice and signposting to **all** families in Hartlepool looking for services for their children. Parents can subscribe to a free texting service that informs them of the opportunities to access various short breaks, meetings and events. As well as this service,

FISH maintains a website of activities/events available to families across the borough called Family Service Directory, where there is also a link to the Parents website www.onefuture.org.uk. The council has developed a Guide to Services to support both parents and providers which can be accessed via the council's internet and is also available in hard copy. A Parent Led Newsletter is produced at least twice a year and is made available to all families of disabled children both in a booklet format and or via both websites.

How is the council developing the workforce?

The vision in Hartlepool is for all children and young people to be supported to develop their speech, language, communication and social skills in order to ensure that they can access learning develop social networks and attend activities and local groups, including childcare provision to make positive contribution to the wider community.

The short break training requirements have been agreed and developed alongside parents and are incorporated in the wider Hartlepool Children's Workforce Plan and can be accessed by any provider working with children and young people with additional needs and/or disabilities.

Training delivered specifically through Short Breaks and to be delivered in the coming year:

- Introduction to Communication Passports/Pocket Profiles
- Attitudinal Fear (2 sides of the coin)
- Sleep Management
- Portage Training
- Early Support Key Working
- Moving & Handling (children), including use of hoists
- Detailed Communication Passport Training
- Autism Awareness
- Safeguarding Children with Disabilities
- Helping Children to Develop their Social Skills and Understanding

- Practical and Effective Ways of Using Multi Sensory Equipment

The council will continue to offer development opportunities to maintain the quality and capacity of short break workers in the future and this will feature within the authority's children's workforce plan.

This is what parents have told us:

Key Working

'The course gave me a wider perspective on issues, helped me not to be so emotionally attached to some issues and being given the chance to work with professionals. It made me feel that I was listened to and that my opinion was valued. It made me feel that the Key Worker role was something that could be achieved and that I did have the skills that would help me fill that role.'

Portage

'Very enjoyable, I will use the techniques that I have learned and take them to my work place.'

'Hannah Mortimer made the training very interesting and made the group feel relaxed.'

'The trainer was very helpful, passionate, encouraging and supportive'

Use of Multi Sensory Equipment

'One of the best courses I could ever have been on, everything explained in a very good way.'

'Enjoyed the day and will take away lots of ideas.'

'Pleasant and friendly and I wasn't afraid to ask questions'

Pocket Profiles

'As a parent of a child with communication difficulties finding a way to tell us his needs to others are very important to me. The pocket profile is a quick and simple way for children and parents to share information about how their child

expresses their needs, and other information a carer would need to know about a child. The course helped to develop knowledge, skills and experience and we all had the opportunity to go through the process to a finished product.'

How does the council support transitions to adult services?

In Hartlepool we want to support all young people with a disability into adulthood successfully. Becoming an adult is about developing independence, enjoying a social life and getting a job. This means that a young person with a disability may need support to access further education, training and employment, social opportunities and housing advice. The young person's family may continue to need short breaks, so, young people approaching adulthood and their families should be involved in planning their adult lives in order to ensure that support and services are genuinely responsive to their needs.

A Transitions Working Group identifies all young people who may require the continued provision of support and services into adulthood. Each young person has an identified transitions lead person who will support the young person and their family through the critical transition period.

In July 2012 Child & Adult Services Department in Hartlepool established the Disability Team (0 – 25). It was felt that it was important to reduce transitions for young people and their families and this prevents the need for a young person to have to develop new relationships with a Social Worker at 16+ who will guide them into adulthood.

For those disabled children, young people, adults and their families who require it this will be a consistent throughout the important transitions in their lives.

The local Authority will ensure it meets the needs of the new approaches to Special Educational Needs and Disability (SEND) and any changes to policy or legislation arising from the Legislation on Reform of Provision for Children and Young People with Special Educational Needs.

How accessible are universal Council services?

Across the Council, there is a strategy to ensure that our public buildings and services are accessible to all. A programme of development has been taking place to ensure that buildings can be accessed by wheelchairs, induction loops are installed and that there are accessible toilets. In addition, every reasonable effort is made to ensure there is access to all areas in public buildings, and where this is not possible, alternative arrangements are put in place to ensure that people with disabilities are not prevented from accessing services and support. Other developments include: additional disabled parking bays, drop off zones and kerbs being installed at bus stops to make public transport more accessible.

Fully equipped accessible changing places have been installed in 3 venues in the Borough, located at: Millhouse Leisure Centre, Hartlepool Maritime Experience and Coronation Drive, Seaton Carew. In addition to the above accessible changing places are also located within a number of settings, for example: The One Life Centre and Central Library.



What is the council doing to help families with transport?

The council is working with short break providers to improve accessibility to services, so now more short breaks are offered in different areas across the Borough.

Some short break providers as part of their service provide transport services to and from home to enable children and young people to access services for a nominal charge and this service also offers the carer with additional hours of a short break.

As part of our roll-out of the Independent Travel Training Programme (Safe on the Move in Hartlepool), we have encouraged any person who feels they may require support during their journey to sign up to the scheme to assist in their safe travel around the town.

From time-to-time those accessing the programme may require some additional support while undertaking their journey. The best way to offer support would be through staff at the facilities accessed by users on the

programme. This support could range from assisting the person to read a bus time table, directing them to the appropriate bus stop or help in making a call to a parent or carer. Special signage is displayed in various outlets that have signed up to the scheme and received training.

What are the council's priorities to develop services for disabled children, and how are they being tackled?

During the development of this Statement and through a number of delivered short break services, parents and young people told us what their priorities are for the development of short break provision. The next steps identified at the Sixth parent conference and during a parent/ provider workshop delivered in March 2012 highlighted a number of areas as issues that need development or improvement. The table below shows these issues and the actions being taken to improve or develop them:

Priority	Action
Holiday Play schemes	Increase holiday playscheme provision for 2013/14, to include 11 weeks of holiday playscheme provision
Extended Activities out of school hours (Term Time)	Continue to support the delivery of extended activity provision cover term time out of school hours provision across 50 weeks of the year
Family Based short breaks	Continue to support over night family based activity provision across the year to engage with new families accessing short break services
Specialist Toy Loan Service	Continue to support the service, to include stay and play sessions, available to both parents and providers
Sport/Physical Activities	Continue to provide a range of sport

	and physical activity to meet the needs of families to enable and encourage access to club based activity
Increase access to information	<p>Free texting service facility to continue. Support parents to update and make their own website accessible and informative to reach a wider audience of parents and carers. Work with Family Information Support Hub to support the development of the local offer for parents, children and young people with additional as part of the SEND Pathfinder Programme.</p> <p>Provide an electronic version of the Guide to Services</p> <p>Produce easy to read format literature on services and products available through the local authority</p> <p>Continue to support the production of the Parent Led Newsletter</p>
Continue to support Parent Participation to influence the development of services	Support the parent led forum to become constituted to enable them to apply for funding and become sustainable in the future. Continue to raise awareness and increase the membership base of the group to ensure a broader range of parents are involved in the development of services, in turn increasing their skills and knowledge base and ensuring continued effective partnership

	working
Increasing the capacity of the workforce to support children and young people in a broader range of settings regardless of their disability	Continue to offer training for staff working across all sectors, including parents to ensure they have the right skills and knowledge for working with children with disabilities.
Special Educational Needs and Disability (SEND 0 - 25 transitions)	<p>Continue to support the SEND Pathfinder Programme</p> <p>Support the development of the local offer of services working with parents, Health, Schools and other agencies to ensure that information is accessible in a format that is understandable and all related information can be found in one place.</p> <p>Support parents with new Education Health and Care Plans (EHC Plans)</p> <p>Support the delivery of Early Support key working approaches</p>

Better Outcomes for Families of Disabled Children

The delivery of the above short break priorities are designed to improve the outcomes for disabled children and their families. As part of our service delivery the outcomes detailed below are designed to make a difference to families of disabled children.

- Short Breaks aim to support parents and carers in their caring role and reduce levels of stress and anxiety due to the demands of caring
- They will aim to support disabled children and young people to access activities whereby they can make friends, have fun and support the development of their social, communication and independence skills

Appendix 1

- When disabled young people are leaving school and making the transition to adulthood that they will be supported and are able to express their wishes and make appropriate choices
- Short Breaks will provide opportunities to enable families to spend time, relax together and for parents and their children to get to know other families to build up a network of support and develop friendships

Draft Regulations laid before Parliament under section 104(3A) of the Children Act 1989, for approval by resolution of each House of Parliament.

The Breaks for Carers of Disabled Children Regulations 2010

Made 2010

Coming into force 1st April 2011

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by paragraph 6(2) of schedule 2 to the Children Act 1989 (1).

In accordance with section 104(3A) of that Act, a draft of these regulations was laid before Parliament and approved by resolution of each House of Parliament.

Citation and commencement

1. These Regulations may be cited as the Breaks for Carers of Disabled Children Regulations 2010 and come into force on 1st April 2011.

Interpretation

2. In these Regulations-

“the 1989 Act” means the Children Act 1989;

“carer” means a person who provides care for a disabled child and who is-

(a)

The child's parent, or

(b)

A person who is not the child's parent but who has parental responsibility for that child; and

“disabled” has the meaning given in section 17(11) of the 1989 Act (2).

Duty to make provision

3. In performing their duty under paragraph 6 (1)(c) of schedule 2 to the 1989 Act (3), a local authority must-
 - (a) have regard to the needs of those carers who would be unable to continue to provide care unless breaks from caring were given to them; and
 - (b) have regard to the needs of those carers who would be able to provide care for their disabled child more effectively if breaks from caring were given to them to allow them to-
 - (i) Undertake education, training or any regular leisure activity,
 - (ii) Meet the needs of other children in the family more effectively, or
 - (iii) Carry out day to day tasks which they must perform in order to run their household.

Types of services which must be provided

- 4.- (1) In performing their duty under paragraph 6(1)(c) of schedule 2 to the 1989 Act, a local authority must provide, so far is reasonably practicable, a range of services which is sufficient to assist carers to continue to provide care or to do so more effectively.
- (2) In particular, the local authority must provide, as appropriate, a range of –
 - (a) day-time care in homes of disabled children or elsewhere,
 - (b) overnight care in the homes of disabled children or elsewhere,
 - (c) educational or leisure activities for disabled children outside their homes, and
- (c) services available to assist carers in the evenings, at weekends and during the school holidays.

Short breaks services statement

5. - (1) A local authority must by 1st October 2011, prepare a statement for carers in their area (a “short breaks services statement”) setting out details of –
 - (a) the range of services provided in accordance with regulation 4,
 - (b) any criteria by which eligibility for those services will be assessed, and

Appendix 1

(c) how the range of services is designed to meet the needs of carers in their area.

(2) The local authority must publish their short breaks services statement, including by placing a copy of their statement on their website.

(3) The local authority must keep their short breaks services statement under review and, where appropriate revise the statement.

(4) In preparing and revising their statement, the local authority must have regard to the views of carers in their area.

CHILDREN'S AND COMMUNITY SERVICES REPORT

5 March 2013



Report of: Assistant Director, Child and Adult Services

Subject: EXMOOR GROVE REGULATION 33/34 REPORTS

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non Key.

2. PURPOSE OF REPORT

- 2.1 To present the regulation 33/34 reports of visits to Exmoor Grove, Children's Home covering the months of October, November and December 2012, which are attached as **Appendix 1; *This item contains exempt information under Schedule 12A of the Local Government Act 1972, (as amended by the Local Government (Access to Information)(Variation) Order 2006) namely, information relating to any individual (para 1) and Information which is likely to reveal the identity of an individual (para 2)***

3. BACKGROUND

- 3.1 The Children's Home Regulation 2011 requires that the Members receive regular reports on the conduct of Children's Homes. The regulation provides minimum standards for the oversight of the function and running of the Children's Home by the registered provider and a schedule of issues to be monitored regularly. The aim of regulation is to ensure the quality of care provided to children is improved.
- 3.2 Regulation 33 visits and reports are completed by an officer within Child and Adult Services but are independent of the line management responsibility.
- 3.3 These visits are undertaken monthly.

4. PROPOSALS

- 4.1 Regulation 33 reports are an essential safeguarding practice which provides independent scrutiny of the care provided to children and young people. The report provides Members and management with an oversight of the care provided both from the reporters independent view, but also that of parents, carers and children and young people.
- 4.2 The report will be presented to Portfolio Member on a quarterly basis.

5. RECOMMENDATIONS

- 5.1 For the Portfolio member to receive and note the report.

6. REASON FOR RECOMMENDATION

- 6.1 As detailed in Regulation 34 of the Children Home Regulation 2011 it is a statutory duty upon Children's Home providers to supply a report in respect of a review of Regulation 33 reporting.

7. APPENDICES AVAILABLE ON REQUEST, IN THE MEMBERS LIBRARY AND ON-LINE

Regulation 33 Reports of Exmoor Grove for the months October, November and December 2012.

8. BACKGROUND PAPERS

Children's Home Regulation 2011.

9. CONTACT OFFICER

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CHILDREN'S AND COMMUNITY SERVICES REPORT

5th March 2013



Report of: Assistant Director, Child and Adult Services

Subject: FULFILLING LIVES: A BETTER START

1. TYPE OF DECISION

Non Key Decision.

2. PURPOSE OF REPORT

- 2.1 To inform the Portfolio Holder of the submission of an Expression of Interest to the Big Lottery Fund to deliver preventative approaches in pregnancy and the first three years of life to improve life chances of babies and young children. If short listed and ultimately successful, it would bring a significant investment over an 8 to 10 year period.
- 2.2 The invitation to submit an Expression of Interest was received on the 18th January 2013. As is often case with this type of funding, there was a very tight deadline for the submission of response return by the 22nd February 2013. In these circumstances, the Corporate Management Team agreed to proceed with the submission of an Expression of Interest and a retrospective report to be submitted to the Portfolio Holder.

3. BACKGROUND

- 3.1 The Big Lottery Fulfilling Lives: A Better Start initiative aims to deliver a step change in preventative approaches in pregnancy and the first three years of life to improve life chances of babies and young children.
- 3.2 The key features of the programme are:
 - An investment £30-£50 million in 3-5 areas, each with a population of approximately 50,000 for 8 to 10 years.
 - Each area runs a variety of programmes and initiatives to improve outcomes for children in three key areas of development: social and

emotional development; communication and language development; and nutrition.

- There will be a 'systems change' in the way that local health, public services and the voluntary sector work together to put prevention in early life at the heart of service delivery and practice.

3.3 Each area is expected to have a total population of between 30,000 and 70,000 people and be an area where a range of health, education and social indicators provide evidence of deprivation and high levels of need amongst children. The selected area can be made up of adjacent wards or may comprise two or more separate clusters of wards.

3.4 Following the submission of Expressions of Interest the Big Lottery Fund will identify a long list of 30 – 50 areas, from which they will produce a shortlist of around 10 – 15 areas by Summer 2013. These short listed areas will be invited to submit a stage two application and offered development grants and support to help them prepare their final proposal. Final applications will be submitted by a lead voluntary and community sector (VCS) organisation in each of the short listed areas, with 3-5 awards announced by March 2014.

3.5 As local health agencies will be key partners, the local Director of Public Health must also support the application made by the local authority and approve the expression of interest. The Expression of Interest has been discussed with the Director of Public Health who has confirmed her full support and her team has been involved in developing the submission.

3.6 The expression of interest form was submitted to meet the deadline of noon on 22nd February 2013.

4. RECOMMENDATIONS

4.1 The Portfolio Holder is requested to note the submission of an Expression of Interest to the Big Lottery Fund.

5. REASONS FOR RECOMMENDATIONS

5.1 The Portfolio Holder is responsible for all matters relating to Children's Services. The bid, if ultimately successful will bring significant investment to the local areas to improve life chances and outcomes for children and young people.

6. APPENDICES AVAILABLE ON REQUEST, IN THE MEMBERS LIBRARY AND ON-LINE

None

7. BACKGROUND PAPERS

Fulfilling Lives: A Better Start. Expression of Interest.

8. CONTACT OFFICER

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CHILDREN'S AND COMMUNITY SERVICES REPORT

5th March 2013



Report of: Assistant Director of Child and Adult Services
(Community Services)

Subject: FUNDING OF QUALIFICATIONS AT LEVEL 3 AND
ABOVE

1. TYPE OF DECISION/APPLICABLE CATEGORY

This report is for information.

2. PURPOSE OF REPORT

- 2.1 To inform the portfolio holder of the proposed changes to the funding of qualifications at level 3 and above.

3. BACKGROUND

- 3.1 At present the Skills Funding Agency (SFA) provides the Adult Education service with funding to provide courses which lead to a qualification at level 3 or above. The Adult Education service then uses this income to deliver programmes of learning for students on an annual basis. Without this funding the service would not be able to deliver the required learning and assessment
- 3.2 The amount of funding which the SFA provides depends on a number of factors such as the age of the learner and whether they are employed or unemployed.
- 3.3 In the present academic year anyone who is unemployed of any age and on active benefits is fully funded by the SFA. This means the service does not need to charge any tuition fees for this group of learners. Similarly anyone who is aged 19-24 and who does not have a level 3 qualification is also fully funded and will not be charged for tuition fees.
- 3.4 In contrast anyone who is employed, 25 + or is under 25 but who already has a level 3 qualification is classed as co-funded. This means that the SFA

will only provide part of the costs of delivering the course and the learners are expected to pay for the remaining costs. These learners are charged tuition fees at enrolment. The level of these tuition fees is at present approx £350 depending on the qualification.

- 3.5 The range of courses provided at present includes NVQs in Business Administration, Support Teaching and Learning in Schools and Youth Work.
- 3.6 In the last academic year a total of 169 learners participated in these courses. Of these **15** were eligible for full funding from the SFA of which **all of these** were unemployed
- 3.7 As from the 1st August 2013 the funding of level 3 or higher qualifications by the SFA is changing. From the new academic year the only learners who are eligible for full funding from the SFA are those aged 19-23 who do not already have a level 3 qualification. All other learners including those who are unemployed or are under 23 but already have a level 3 will not be entitled to any funding from the SFA.
- 3.8 All these learners are expected to pay for the tuition fees themselves or obtain sponsorship from their employer. In order to help learners to participate in learning the SFA has introduced the 24+Advanced Learning Loans
- 3.9 Any learner who is on a level 3 or higher programme can apply to the Student Loan Company to obtain a loan to pay for the tuition fees. The Student Loan Company will then reimburse the Adult Education service for the cost of the tuition fees.
- 3.10 This will have an important effect on learners. In particular, at present we have **14** learners on level 3 programmes who are unemployed who would not be eligible for any funding from next year. In particular these learners often wish to study a level 3 qualification in order for them to achieve employment. If the learners wished to study level 3 or higher from next year then they would have to pay for the course themselves or take out a loan to cover the costs.
- 3.11 As the service will not receive SFA funding for the level 3 or higher courses then the tuition fees will need to increase substantially to cover the learning costs. The maximum fee that can be charged by a provider to a learner equates to the published national figure. This will be the maximum of the loan that the learner can obtain. For example for a learner on a Level 3 Diploma for the Children's workforce qualification the maximum figure for a loan is £2,882 At present our fees to the learners are £437 as we receive part funding from the SFA. The service is at present carrying out an exercise to determine the actual costs to deliver each qualification without SFA income. This will allow us to determine the figure which would need to be charged to the learners next year.

4. FINANCIAL IMPLICATIONS

- 4.1. There will be great financial implications for those learners who wish to study a level 3 or higher qualification. If students are under 24 with no level 3 qualifications then they will still be able to access the course at the reduced rate owing to continued funding from the SFA. Those learners that are 24+ will in future have to pay for the tuition fees either by a loan or by sponsorship of their employer or by their own means
- 4.2 There will also be great implications for the service. The SFA has calculated the amount of income that the service generated in Level 3 provision in the academic year 2011-2012. This amount has been removed from the service income for the academic year 2013-2014. Currently this figure stands at approx £42,000 but may be subject to change. This is the figure that has been awarded to the Student Loans Company and will be available to our learners to take out as a loan. Should learners not take out these loans, then that will mean a loss in income to the service of approx £42,000 which equates to 9% of the skills budget.

5. CONCLUSIONS

- 5.1 The removal of funding for the level 3 or higher qualifications will have an impact on potential learners. It is estimated that approx **118** learners who would have been funded this year will now not be funded next year and will have to pay for the course themselves.
- 5.2 If the learners do not take up the offer of the loans or do not obtain sponsorship from elsewhere to pay the tuition fees, then there will be a shortfall in income for the service which as yet is difficult to determine.
- 5.3 This change in funding will primarily affect those over 24 and those on unemployed benefits. It will not affect those who are under 24.
- 5.4 The service will need to put in place new processes and procedures to deal with the requirements of the Student Loan Company. This will entail closer tracking of learners to make sure they do not withdraw from the course.
- 5.5. The service will also need to develop clear guidance documents in order to provide learners with clear and concise information about the loan system and the repayment terms.
- 5.6 The service is currently working on the possible level of fees which will need to be charged to learners and this will be the subject of a future report.

6. RECOMMENDATIONS

- 6.1 The portfolio holder is asked to note the report

7. BACKGROUND PAPERS

None.

8. CONTACT OFFICER

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CHILDREN'S AND COMMUNITY SERVICES REPORT

5 March 2013



Report of: Assistant Director, Child and Adult Services

Subject: SPECIAL EDUCATIONAL NEEDS (SEN)
PATHFINDER PROGRAMME

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non key.

2. PURPOSE OF REPORT

To update the Portfolio Holder on the progress of the SEN Pathfinder in Hartlepool.

3. BACKGROUND INFORMATION

3.1 The Government is pushing ahead with the proposal's it made in the green paper, Support and Aspiration: A new approach to special educational needs. It aims to:

- Better support life outcomes for children and young people;
- Give parents confidence by giving them more control;
- Transfer power to professionals on the front line and to local communities.

3.2 The aim of the Pathfinder programme is to:

- Help design a better, more transparent, less adversarial, system in which all agencies are fully engaged in the assessment and development of the child or young person's single plan and are committed to delivering the plan, including through the use of personal budgets.
- Develop an approach built on what is already working, which is robust and can be applied to different local arrangements.
- Test the extent to which arrangements work for disabled children and young people as well as those with SEN, who require support, across a wide range of circumstances.

- To give parents and carers better choice and more control.
- 3.3 At a meeting held on 7th November 2011, Cabinet agreed to participate in the Pathfinder Programme and requested to be kept informed of progress through the Portfolio Holder for Children's Services.
- 3.4 The portfolio holder received a formal update in November 2012 when there was uncertainty as to whether the programme would be extended. The DfE have now informed the LA that they would like us to continue the programme until September 2014.
- 3.5 Hartlepool was successful in its joint bid to the DfE and became a SEN Pathfinder in September 2012. A project Plan was developed and agreed with the DfE based on the following four areas:
1. A co-ordinated assessment and a single education, health and care plan.
 2. A personal budget.
 3. Support for children and their families
 4. Looked After children with a statement for SEN
- 3.6 Progress against all four areas has been monitored by the pathfinder Steering group and Mott MacDonald, on behalf of the DfE, feedback has been very positive and has helped to inform the draft legislation which was published in September 2012. In November 2012 the Minister announced an extension to the Pathfinders in some areas. Hartlepool and Darlington have therefore been extended until September 2014.
- 3.7 The DfE have identified specific grant conditions which they are in the process of agreeing with each LA area and will be confirmed in writing by early March. In brief we will be expected to:
- Move rapidly towards a delivery structure that will be needed to deliver the reforms and to scale up LA wide delivery of the reforms.
 - From the end of June 2013, offer a personal (notional) budget to all those with a new single plan.
 - From 1st September 2013, offer all new cases the option of following the new integrated assessment pathway and plan, rather than the existing Statement of SEN or LDA process.
 - From September 2013 work towards converting existing statements and LDAs to the new process where appropriate and agreed with families and young people.
 - During 2013-14, develop and refine their initial local offer due to be published by the end of March 2013, so that by December 2013 it covers as many services as feasibly possible.
- 3.8 In addition to core grant funding, the DfE are offering further funding to around 9-15 pathfinder LAs to act as Pathfinder Champions. These areas will be selected on the basis that they have already made strong progress in developing their programme and have the experience and capacity to advise

and support non-pathfinder LAs on how to implement the green paper reforms. The additional funding will enable key staff to be backfilled and released for this work and to fund regional meetings.

- 3.9 Hartlepool has submitted an application to become a national champion and will hear from the DfE by early March if we are successful.

4. RELEVANCE TO PORTFOLIO MEMBER

The Pathfinder programme has implications for children and young people with a disability and/or SEN, and their families as well as those services who work with them.

5. RISK IMPLICATIONS

- 5.1 As a part of the Pathfinder Hartlepool and Darlington will continue to:
- Participate in a national evaluated pathfinder which will contribute to changes in the SEN framework;
 - Test the use of personal budgets in children's services so that parents can choose which services best suit the needs of their children;
 - Test the impact of NHS changes on commissioning for children's services.
 - Develop strong partnership working between all local services and agencies to help disabled children and those with SEN.
- 5.2 The main risk is the possibility of not meeting the terms of the grant conditions (to be available from March 2013) which may result in the grant being stopped.

6. LEGAL AND FINANCIAL CONSIDERATIONS

- 6.1 All Pathfinders must act within the current legislative framework for SEN, however an amendment has been made to the Education Bill which allows Pathfinders to test direct payments for education. Advice and support for this is available through Mott Mac Donald who have been appointed by the DfE to support all the Pathfinders.
- 6.2 The Pathfinder attracts an income of up to £150,000 annually (pro rata) for 18 months starting part way through 2011-12, with an extension for a further 18 months.

7. RECOMMENDATIONS

- 7.1 It is recommended that Portfolio Holder notes the success of the programme to date, the implications of the extension to the programme to September 2014 and the possibility of Hartlepool becoming a national Champion for the programme.

8. REASONS FOR RECOMMENDATIONS

Participation in the Pathfinder programme will ensure Hartlepool is well placed to meet the new statutory requirements in relation to SEN which will be introduced through the Children and Families bill 2013.

9. BACKGROUND PAPERS

In May 2012 the government published its response to the public consultation entitled Support & Aspiration for Children & Young People: Progress and next steps which gave an even greater focus to the involvement of parents and children in decision making at all levels and made clear the government's intention to make changes to the law in 2014. In addition to this the Pathfinder areas are being evaluated by SQW who have now published 2 quarterly reports on the progress of all 20 Pathfinder areas.

10. CONTACT OFFICER

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CHILDREN'S AND COMMUNITY SERVICES REPORT

5th March 2013



Report of: Assistant Director, Child and Adult Services

Subject: STATUTORY DUTIES AND POWERS
CONCERNING THE USE OF ALTERNATIVE
PROVISION

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Non key decision.

2. PURPOSE OF REPORT

2.1 The purpose of the report is to highlight the implications for the local authority of the new statutory guidance on Alternative Provision which was published in January 2013.

3. BACKGROUND

3.1 The new statutory guidance had effect from 1 January 2013 and replaces the following guidance documents:

- Commissioning Alternative Education – Guidance for Local Authorities and Schools;
- The Constitution, Roles and Responsibilities of Management Committees;
- The Operation of Management Committees; and
- Guidance for Local Authorities and Schools: Pupil Referral Units (PRU) and Alternative Provision.

The definition of alternative provision in this instance is as follows:

education arranged by the local authority for pupils who, because of exclusion, illness or other reasons, would not otherwise receive suitable education; education arranged by schools for pupils on a fixed period exclusion; and pupils being directed by schools to off-site provision to improve behaviour.

3.2 The key points are as follows:

- Local Authorities are responsible for arranging suitable education for permanently excluded pupils, and for those pupils who – because of illness or other reasons – would not receive suitable education without such arrangements being made. This applies to all children of compulsory school age resident in the local authority area, whether or not they are on roll of a school, and whatever type of school they attend.
- Governing bodies of schools are responsible for arranging suitable full time education from the sixth day of a fixed period exclusion.
- Schools may also direct pupils off-site for education, to help improve their behaviour.
- The statutory guidance sets out the government's expectations of local authorities and maintained schools who commission alternative provision and pupil referral units (PRU). The government expects those who are not legally required to have regard to the statutory guidance use it as a good practice guide.

3.3 In Hartlepool, all of the above areas are coordinated by the Secondary Behaviour & Attendance Partnership which includes all secondary schools including Catcote and the PRU as well as the LA.

3.4 The new guidance outlines some key changes in relation to the delivery of PRU's and the role of local authorities as follows:

- Where a local authority maintains at least one pupil referral unit it must be represented on the Schools Forum;
- If a local authority thinks a new pupil referral unit needs to be established, it must seek proposals from potential providers through the establishment of an Academy (Alternative Provision Academy or Alternative Provision Free School);
- The Secretary of State has the power to direct a local authority to close a PRU which requires special measures or significant improvement, in these circumstances the Secretary of State can also make an Alternative Provision Academy Order;
- Changes to legislation require local authorities to delegate budgets to the Management Committee of the PRU from 1 April 2013. The Management Committee will have full responsibility for setting the budget and all other financial decisions necessary to manage and spend budgets effectively;
- Funding arrangements for PRU's will also change from April 2013 in line with the changes to 2013/14 school finance;
- Local authorities must establish a Management Committee to run the PRU as well as making provision for the constitution and procedures of the Management Committee;
- From 1 April 2013, responsibility for all decisions about the recruitment and management of staff will sit with the Management Committee, rather than the local authority;

- The composition of Management Committees has been changed; it must contain at least 7, but no more than 20 members who meet the new requirements. Any current community members who are employees of the local authority can remain in place until 1st September 2013, at this time, they will have to be replaced by a new community member who must be appointed in accordance with the new requirements and cannot be a local authority employee.

4. PROPOSALS

- 4.1 The Statutory Guidance must be implemented and plans are already in place to ensure the new requirements are met. The main changes required in Hartlepool are as follows:
- Ensure a PRU representative is appointed to the School Forum; this has been acted upon;
 - A revised budget for the PRU has been agreed which will be delegated to the Management Committee from 1st April 2013;
 - The current Management Committee will continue to operate to prepare for the changes of constitution and responsibility and plans are in place to change its composition to meet the new requirements from September 2013.

5. RISK IMPLICATIONS

- 5.1 In brief, the statutory changes will mean that the PRU is no longer under the control of the local authority and responsibility will be transferred to the Management Committee so that in effect, it will become a local authority maintained school. The support from the authority which is currently in place will need to be continued to ensure the needs of the pupils are met.

6. FINANCIAL CONSIDERATIONS

- 6.1 The PRU will no longer receive a devolved budget from the authority. Instead it will have a delegated budget and the Management Committee will take on all the associated responsibilities of this.

7. LEGAL CONSIDERATIONS

- 7.1 The proposed changes are in response to statutory guidance and must therefore be implemented. However, the legal responsibilities of the local authority in relation to Alternative Provision have not changed. The local authority must still fulfill its responsibility to arrange suitable education for permanently excluded pupils, and for those pupils who – because of illness or other reasons – would not receive suitable education without such arrangements being made.

8. STAFF CONSIDERATIONS

- 8.1 As from 1 April 2013, responsibility for all decisions about the recruitment and management of staff will sit with the management committee, rather than the local authority.

9. RECOMMENDATIONS

- 9.1 It is recommended that the Portfolio Holder notes the changes to be made as a result of the new statutory guidance in relation to Alternative Provision and supports their implementation.

10. REASONS FOR RECOMMENDATIONS

- 10.1 The recommendations are made to ensure the local authority continues to meet its statutory responsibility as well as meeting the needs of vulnerable pupils.

11. BACKGROUND PAPERS

A copy of the Alternative Provision, Statutory guidance for local authorities, January 2013 is available from the DfE website at:
<http://www.education.gov.uk/aboutdfe/statutory/g00211923/alternative-provision>

12. CONTACT OFFICER

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