

## APPENDIX TO THE MINUTES OF THE CHILDREN'S SERVICES SELECT COMMITTEE MEETING HELD ON 22 JULY 2010

### Questions from members of the public with respect to Item No. 11 – Review of SEN Provision Post Consultation Report

Some of the questions below were summarised when asked verbally at the meeting, but the versions submitted in writing are included here.

#### Questions from Mrs Ruth Greening

##### Question 1:

Could the officers please give a legal position for banding by explaining where I missed it in the SEN CoP? Or the Education Act?

##### Answer:

Banding of pupils, as a result of a moderation process, is a widely used way of funding special schools and resourced provision in mainstream schools. It enables schools to receive resources according to the level of needs of the pupils on the school roll so that the school's budget share can reflect that. As this banding is not directly related to the provision for an individual child but the determination of the school's budget it would not be referred to in the SEN Code of Practice or an Education Act.

##### Question 2

Could the officers please explain why the reports that are written as advice are of such a poor quality, and do not conform to the College of Speech and Language guidelines for children with SEN? Since we have just contracted the same providers to provide these reports, when there was an issue of quality, why it is more of the same?

##### Answer:

The Speech and Language Therapy Service writes initial assessment reports, annual review reports and statutory advice reports. Reports conform to the comprehensive guidelines of the Royal College of Speech and Language Therapists - Communicating Quality 3. The template for reports which is based on the guidelines has been peer reviewed by Speech and Language Therapy managers from beyond Wiltshire.

##### Question 3

Could the officers explain why we need more people 'pretending to help', when what is needed is help at the source, not in an ivory tower? Will these professionals actually help, or just give more advice that is not funded and then leave the school to sink, as schools have already tried Behaviour Support Team, SOCIT, and PASSIS, and the child still needs an actual professional to identify the problem, specify the provision and make the resources available to improve outcomes?

(The SEN Inclusion Service appears to be a job creation scheme, whereby the children who need the help are not able to access the higher level of support they need, as we have wasted the money on lower level nurses instead of paying for doctors, to explain it in a medical way.)

Answer:

A SEN Inclusion Service will enable the support for capacity building in primary schools to be improved and more advice on supporting individual pupils with specific SEN needs such as Autism, or Speech, Language and Communication Needs to be available to schools. This will build upon the enhanced level of expertise available to SENCOs following the new national training for newly appointed SENCOs. The aim is to ensure that primary schools will in the future feel confident that they will be able to call on advice and support above the level generally available in schools. This service can be created from the existing central staffing establishment through restructuring and new job descriptions.

The service will enable provision for pupils with SEN to be made in the best possible way using the resources available to the school. In many cases it is not about providing more resources but making sure they are used to best effect. The role of the service will be to do just that.

**Questions from Mrs Annette Griffin, representing Wiltshire Parent Carers' Council**

Question 1:

One issue raised was about the combination of the Behaviour, Emotional and Social Difficulties (BESD) and the Autistic Spectrum Disorders designations. Some respondents were concerned about the potential effects of the joint designation on some pupils with ASD, however the Headteacher and Governors of the schools were supportive of change. What is important is to ensure that only pupils that can benefit from the provision are admitted. This will be managed through the Central SEN Panel that makes admissions decisions. The descriptions, age ranges and capacities of special schools should be amended as set out in the preceding table, Wiltshire Special School Ages Ranges, Designations and Capacity. (source: Review of Special Educational Needs Post Consultation Report page 13)

The 'Review of Special Educational Needs Post Consultation Report' quote above states "issues were raised, but only the Headteacher and Governors were supportive of any change", therefore in whose interest will this action benefit? Is this a fair outcome?

Answer:

The individual responses to the consultation questionnaire were: 18% agreed, 8% disagreed and 75% offered no opinion regarding the re-designation of the special schools. Consequently this is a fair outcome to the consultation especially as the proposal is only to recognize formally what is already happening.

Question 2:

How will the Central SEN Panel ensure **only** pupils that will benefit from the provision are admitted?

Answer:

The Central SEN Panel will ensure that the most appropriate pupils are admitted to Springfield and other special schools by making decisions on the basis of up to date assessment and review reports.

Question 3:

Is this a cost saving option and an alternative placement to offer parents whose children have been unable to access mainstream secondary education? An option that will enable the County to put forward as having in county provision at such times when parents seek justice for their ASD children and apply to 'Special Educational Needs and Disability Discrimination Tribunal Service'.

Answer:

Springfields is an outstanding school. The provision at Springfield is one alternative that can be considered by the Council as part of a continuum of provision available to pupils in Wiltshire. This ranges from mainstream school provision to provision in non-Wiltshire schools. Springfields is an important part of that range of provision.

Question 4:

Why can we not now seek to provide 'in county' specialist provision for Higher functioning ASD pupils that meets their specific needs?

Answer

There will be another look at special school provision in Wiltshire through the work of the Children's Services Select Committee's Task Group that will be set up in the Autumn. This Group will be able to look at in detail provision for a variety of groups including those pupils with Autistic Spectrum Disorders.

**2. The changes with regard to the allocation of Enhanced Learning Provision.**

Question 5:

*"16. All pupils moderated at Level 2 of Enhanced Learning Provision (ELP) in Secondary Schools to have a Statutory Assessment initiated as a matter of course. The current arrangement where pupils without statements can be funded through ELP be retained pending discussions on the further developments of ELP provision (source: Review of Special Educational Needs Post Consultation Report Proposal section page 3)"*

Would this ELP continue for pupils at 'School Action Plus'?

Answer:

Enhanced Learning Provision (ELP) at Secondary Schools will continue to be available for pupils without a Statement of Special Educational Needs but should a pupil be at the higher level of ELP then a Statutory Assessment would be initiated so that a Statement could be issued.

Question 6:

*"44. The proposal to ensure that all pupils admitted to Enhanced Learning Provision (ELP) in Secondary Schools would have statements of SEN was supported by parent respondees. However as this provision is in all non-selective secondary schools in*

*Wiltshire and the resources are for pupils from that school only it is proposed to only proceed at present with a requirement for Statements of SEN to be issued for pupils who have been assessed as being at ELP2, i.e. the higher level of need. All pupils moderated at Level 2 of Enhanced Learning Provision (ELP) in Secondary Schools should have a Statutory Assessment initiated as a matter of course. The current arrangement where pupils without statements can be funded through ELP1 should be retained pending discussions on the further developments of ELP provision.” (source: Review of Special Educational Needs Post Consultation Report page 14)*

A pupil with a statement that is written, quantified and specified with provision to meet all of their educational, social emotional and communication needs and is then funded to fulfill the statement requirements, whether it include specialist additional support from for example Speech and language Therapy Service benefits further in what way from Enhanced Learning Provision?

A pupil that is statemented should in reality be receiving all the provision they require to meet their individual needs as the law requires the local authority to fulfill a duty. An additional package of ELP for a statemented child is that best use?

Would ELP better serve a pupil with SEN at SA+?

Answer:

Enhanced Learning Provision is a mechanism for funding secondary school SEN provision that is similar to the moderation processes for special schools. It has been used both for Statemented pupils and those without a Statement who are at a similar level of need. Some children in mainstream schools have statements with individual allocation of support.

### **3. The quality of SEN provision across the range of educational settings being of equal delivery.**

Question 7:

Are teachers and school staff confident they can provide quality SEN provision across the range of educational settings and ensure the education provided is of equal delivery?

Can a pupil within a mainstream setting with support for example experience an equal school day's learning as another child in a SLC with similar SEN? Pupils in mainstream are often asked to be removed for parts of the school day, or to have additional time off at such events as 'sports day' or 'school trips'.

How can pupils be equally included and not excluded?

Answer:

If teachers and other school staff are not confident that they can provide quality SEN provision there is a range of training and advice that they can access. The pupils with SEN in mainstream school would not have the same needs as pupils in special schools or specialist learning centres. There has been insufficient clarity of provision in the past. This Review will help clarify which pupils would be most appropriately educated in a particular type of provision. Pupils have an entitlement to be included in the activities of the school whenever reasonable adjustments to the activity concerned

can be made. If there is an issue in an individual case then parents will need to take the matter up initially with the school. If there are issues that the parent may need support with they can contact the Parent Partnership Service.