

**Executive Response to the Final Report of the Review of SEN Provision
Rapid Scrutiny Exercise**

Purpose of the Report

1. To present the Executive's response to the final report of the Review of SEN Provision Rapid Scrutiny Exercise (July 2010). The full report is attached at Appendix 1.

Action Required of the Committee

2. To note the Executive's responses and to delegate to the Chairman and Vice-chairman responsibility for devising how to monitor the implementation of the Rapid Scrutiny Exercise's recommendations.

Background

3. On 28 January 2010, Children's Services Select Committee considered proposals for SEN service development with respect to mainstream primary schools, specialist learning centres, special schools and SEN Support services. A full public consultation on the proposals was then undertaken (closing on 24 May), with opportunities for written responses and attendance at public meetings.
4. On 8 June, the Children's Services Select Committee resolved to undertake a rapid scrutiny exercise looking at the Review of Special Educational Needs (SEN) provision, as follows:
 - (a) Rapid scrutiny of the Review of Special Educational Needs (SEN) Provision consultation process
 - (b) Rapid scrutiny of the Review of Special Educational Needs (SEN) Provision consultation results
5. The Rapid Scrutiny Exercise was held on 15 July 2010. Its final report was then considered by the Select Committee on 22 July 2010, alongside the report to Cabinet presenting the outcomes of the Review and proposals for service development. The Select Committee endorsed all of the Rapid Scrutiny Exercise's recommendations without amendment or addition.
6. Outcomes from the consultation were presented to Cabinet on 27 July 2010 and the following was agreed:

- a. A SEN Inclusion Service be made available to provide a wider range of SEN advice to schools.
- b. An SEN Support Network be set up to co-ordinate SEN support services and outreach advice from schools.
- c. The formulae for funding SEN in Resource Bases and mainstream schools be reviewed to help improve SEN provision.
- d. A statutory notice be published regarding the closure of the Specialist Learning Centre for Autism at Holy Trinity Primary School, Calne.
- e. A statutory notice be issued regarding the closure of the Specialist Learning Centre for Complex Needs at the Manor Primary School, Melksham, which should cease to admit pupils and the provision used to increase capacity at the school's Autism Centre to 21 places.
- f. The capacities of the Centres for Hearing Impairment (HI), Physical Impairment, (PI), Speech, Language and Communication, and ASD be adjusted as set out in the tables at paragraphs 25 and 27 in the report.
- g. The capacity of the Specialist Learning Centres for Complex Needs at the following primary schools be adjusted to 20: The Avenue School, St Dunstan Church of England Primary, Frogwell Primary, King's Park Primary, Salisbury Manor Fields Primary, Studley Green Primary, Wansdyke Community School, and be funded according to the number of full time places commissioned by the Council on an annual basis, under the new service level agreement and formula funding arrangements. For 2011/12 the number of places, commissioned would be the same as the capacity.
- h. The Specialist Learning Centres for complex needs at St Peter's Junior School and St Mary's Infant School Marlborough to develop arrangements to work together as a joint provision with a nominal capacity of 10 for each school. The Centres to be funded according to the number of full time places commissioned by the Council on an annual basis, under the new service level agreement and formula funding arrangements. For 2011/12 the number of places commissioned would be the same as the capacity.
- i. A statutory notice be issued for the closure of the Early Years Provision at St Mary's Marlborough so that it can become part of the Early Years SEN Network, subject to a contractor being engaged to take over the running of the provision.
- j. The Specialist Learning Centres for complex needs at Westbury Junior School and Westbury Infants School to develop arrangements to work together as a joint provision with a nominal capacity of 10 each for each school. The Centres will be funded according to the number of full time places commissioned by the

Council on an annual basis, under the new service level agreement and formula funding arrangements. For 2011/12 the number of places commissioned would be the same as the capacity.

- k. Studley Green Primary School to retain Specialist Learning Centres for Complex Needs and Speech Language and Communication Needs, and will be funded according to the number of full time places commissioned by the Council on an annual basis, under the new service level agreement and formula funding arrangements.
- l. Statutory notices be published regarding the closure of:
 - a. The Specialist Learning Centre for Complex Needs at Durrington Junior School.
 - b. The Specialist Learning Centre for Complex Needs at Harnham Junior School
 - c. The Specialist Learning Centre for Complex Needs at Mere School.
 - d. The Specialist Learning Centre for Complex Needs at Zouch School in Tidworth.
- m. The Specialist Learning Centre for Complex Needs at Longleaze Primary School should be retained under the new service level agreement and formula funding arrangements pending a review, starting in 2012, of all SEN provision in the North East of Wiltshire, including special school provision in the area adjacent to Swindon. The centre to have a nominal capacity of 10 places and be funded according to the number of full-time places commissioned by the Council on an annual basis. For 2011/12 the number of places commissioned would be the same as the capacity.
- n. The Specialist Learning Centre for Complex Needs at Malmesbury Primary School be retained under the new service level agreement and formula funding arrangements pending a review, starting in 2012, of all SEN provision in the North East of Wiltshire, including special school provision in the area adjacent to Swindon. The Centre to have a nominal capacity of 10 places and be funded according to the number of full-time places commissioned by the Council on an annual basis. For 2011/12 the number of places commissioned would be the same as the capacity.
- o. The descriptions, age ranges and capacities of special schools be amended as set out in the table at paragraph 41 in the report.
- p. 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.

Rapid Scrutiny Exercise Recommendations and Executive Responses

Recommendation 1

That the customers' experience of the SEN Review consultation process is evaluated and used to improve future consultations, and that the outcome of this exercise is reported to the Children's Services Select Committee.

Executive Response

The customer's experience of the Review consultation process has been considered and in future consultations where changes are proposed:

- (a) Meetings will be held at or near schools affected by changes to ensure the maximum opportunity for parents to attend.
- (b) Consultation papers will be accompanied by a simplified summary.

Recommendation 2

To ensure there is a process for evaluating the customer experience of all service review consultations undertaken by the Council.

Executive Response

All service review heads should be encouraged to do this. Corporate Research undertake trials of questions where possible and look at responses to see where questions could have been improved, as well as encouraging general feedback on consultations.

Recommendation 3

That for future consultations, the appropriate Council department is always enlisted to check the wording, presentation and structure of consultation documents to ensure their accessibility and neutrality.

Executive Response

A new consultation strategy has been adopted by the Council which has a number of recommendations to improve both the quality and programming of consultations. In future, all consultations will be channelled through the "Corporate Research Team" part of the Department of Health and Well Being who will offer free advice and guidance on consultation methods and techniques, ensure that the consultation abides by the Market Research Society's code of conduct on research and register the consultation on a new consultation calendar.

Recommendation 4

That in future consultations, public meetings and presentations are used more effectively to clarify technical concepts and terms for those without detailed knowledge of the issue.

Executive Response

We are always open to people seeking clarification of a particular concept but the purpose of consultation is to seek views. There is a balance between making a topic too complex to be accessible to the public in a document or presentation and giving enough information to make sure it meets legal requirements. When advice on consultation documents is sought in future it will be possible to explore that balance. The range of meetings set up during the Review was to enable people who wished for clarification to be given the opportunity to seek it and give their views at the same time.

Recommendation 5

That for future service reviews where the objective is not to reduce costs, this fact is clearly communicated to consultees at all stages of the process. This should include a bullet point list of the reviews' rationale on the front page of consultation documents.

Executive Response

That the Review was not to reduce costs was clearly communicated in the "Frequently asked questions" part of the consultation document. This message was clearly repeated in all public meetings and in responses to e-mails and letters. Advice will be taken from the Research Section on the content of consultation documents in the future in line with the newly emerging Council's consultation strategy.

Recommendation 6

That all Councillors and Area Boards are consulted in advance of any future service reviews so that local knowledge of the relevant relationships and circumstances can be used to enhance the process.

Executive Response

A preliminary report was taken to the Select Committee for comment to enable Children's Services Councillors to be consulted in advance of the statutory consultation. The report for Select Committee then formed the basis of the consultation document. In future, the consultations will be sent to the Manager of each Area Board for comment before the statutory stage of consultation commences.

Recommendation 7

That the Council provides Wiltshire schools with explicit guidance on what information they are required to provide to parents regarding SEN provision, and that the Council supports them in doing this.

Executive Response

The LA already provides explicit guidance to schools on the information they are required to provide to parents regarding SEN provision. This is through Schedule 1 of The Education (Special Educational Needs) (Information)

(England) Regulations 1999. It is the responsibility of the Governing Body of the school to ensure this happens. The Local Authority has no powers to enforce this or the resources to monitor the information made available to parents. The regulations will continue to be brought to the attention of schools through routine work. These regulations are helpfully included in the national SEN Code of Practice so school staff are aware of them. The schedule is attached at Appendix 2 to this report.

Recommendation 8

The Rapid Scrutiny Group recognises that a number of young people in Wiltshire currently without statements will need to be statemented in the future. However, the Group also has concerns that some young people with a level of need not requiring a statement also require SEN support, which has not necessarily been provided in the past.

The Group therefore urges that instances of best practice from schools across the county are identified and that other schools are encouraged to learn from them, therefore encouraging equality of provision for all young people in Wiltshire.

Executive Response

Included in the Review of SEN Provision is the intention to delegate more SEN resources to mainstream primary schools to meet the needs of pupils with SEN but without Statements.

Processes for identifying best practice from schools across the County and encouraging other schools to learn from them are in place. The development of an SEN Inclusion Support Service will further enhance our capacity to support schools to build their SEN capacity.

Recommendation 9

That there should be an on-going, vigorous process for provision of SEN in mainstream schools in Wiltshire, and an identified method for schools to report back to the local authority on how this is being delivered.

Executive Response

Schools have to meet the requirements of the national SEN Code of Practice and they have to include their SEN work in the analysis for the School Evaluation Form. This forms the basis for discussion with the School Improvement Partner who is able to feed identified concerns about the school back to the School Improvement Team. The Learning Support Service works with schools on provision mapping and planning.

There are regular meetings with school Special Educational Needs Coordinators and an annual conference. The current moderation process for Special Schools will be extended to Specialist Learning Centres this year. Whilst this will support new formula funding arrangements it will also give an opportunity to discuss the delivery of SEN provision in the school.

Recommendation 10

The Rapid Scrutiny Group has concerns regarding the transition of some young people from Specialist Learning Centres to mainstream schools as a result of the report's proposals. It therefore requests that the Children's Services Select Committee receives an update in November 2010 on how the individual transition plans for those young people affected are being progressed.

Executive Response

An update report will be available for the November 2010 Select Committee meeting.

Recommendation 11

The Rapid Scrutiny Group applauds the difficult work that has gone into this complex and sensitive review.

Executive Response

The Select Committee is encouraged to work through its proposed Task Group to get an in depth understanding of the issues around the provision of Special School and 16+ places for Wiltshire children and young people with SEN.

Conclusion

6. Members are asked to:
 1. **Note the above Executive's response to the final report of the Review of SEN Provision Rapid Scrutiny Exercise; and**
 2. **Agree how to monitor the implementation of these recommendations. Progress regarding this implementation will be reported to the Committee as appropriate.**

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Appendices

Appendix 1 – Final Report of the Review of SEN Provision Rapid Scrutiny Exercise

Appendix 2 – Schedule 1 of The Education (Special Educational Needs) (Information) (England) Regulations 1999

Background documents

Review of SEN Provision – Post-Consultation report to Cabinet, 27 July 2010:
<http://cms.wiltshire.gov.uk/ieListDocuments.aspx?CId=141&MIId=415&Ver=4>