


<p align="center">London Borough of Hammersmith & Fulham</p> <p align="center">CABINET DECISION</p> <p align="center">7 NOVEMBER 2016</p>	
<p>SMARTER BUDGETING: OUTCOME 2 BEST START IN LIFE</p> <p>TRANSFORMING SERVICES FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES BUSINESS CASE</p>	
<p>Report of the Cabinet Member for Children and Education: Councillor Sue Macmillan</p>	
<p>Open Report</p>	
<p>Classification - For Decision</p> <p>Key Decision: Yes</p>	
<p>Wards Affected: All</p>	
<p>Accountable Director: Ian Heggs / Dave McNamara</p>	
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1. EXECUTIVE SUMMARY

- 1.1 The Smarter Budgeting Member Challenge Panel on 27th June 2016 agreed for a number outline business cases in Outcome 2 "Best Start in Life" to be taken forward and developed. This report seeks agreement to fund the full Business Case 4: Transforming Services for Children and Young People with Special Educational Needs and Disabilities and give Cabinet approval/authority to proceed.
- 1.2 The mechanism for delivery of the business case is the Children and Families Act Implementation Programme. The programme includes four key elements of work: the integration of the SEN and Disabled Children's Services to improve performance and the delivery of savings; joint commissioning; preparation for adulthood and quality assurance in preparation for the SEND inspection regime.
- 1.3 The business case format has been designed as part of the Smarter Budgeting process, within it there is a detailed examination and explanation of the current situation, consequences of inaction and the benefits, costs and risks. The business case is appended to this report and provides the core evidence and rationale to assist Members with decision making.

2. RECOMMENDATIONS

- 2.1. To approve Outcome Two Business Case 4: Transforming Services for Children and Young People with Special Educational Needs and Disabilities.
- 2.2. To approve the Smarter Budgeting investment. The investment requirement of £687,500 will be funded from the Efficiency Projects Reserve.

The investments required are outlined below:

- i) Investment to fund a Transfer Review Team to improve the delivery of Education, Health and Care Plans to meet statutory timescales including the transfer of existing SEN statements.
- ii) Resources to fund programme and project management costs for the Children and Families Act Implementation Programme and to support the delivery of the proposed savings from the SEN Service and the Disabled Children's Team for 2017/18.

3. REASONS FOR DECISION

- 3.1 The Children and Families Act 2014 defined a local authority's statutory obligations for delivering services with Special Educational Needs and Disabilities (SEND) services, as detailed in the revised SEN and Disability Code of Practice: 0-25 (January 2015).

Subsequently, Ofsted and The Quality Care Commission have developed a new SEN inspection framework to assess how authorities are delivering against these new expectations. The Government has also recently announced proposals to change the way funding for schools is calculated and administered. The high level impact for councils is clear: SEND services must be developed with their users at the heart and be joined up with health and care services; local authorities must be able to evidence how they identify needs and improve outcomes for all children and young people with SEND; schools will have greater control over how funding is used and an increased role in commissioning services.

Critically, meeting the requirements of the change will require system wide change working across all agencies and at all levels of need to design a local offer which is focused on achieving outcomes.

- 3.2 The Business Case has been through extensive internal, Member and Smarter Budgeting challenge sessions, which have helped develop and improve the proposals and plans.

The projects within this business case have been worked up following extensive engagement and idea generation activity. They represent the best opportunities for achieving savings in this area of Children's Services.

The savings associated with this business case amount to £224,000 for 2017/18, contributing to the Medium Term Financial Strategy savings for the council.

4. PROPOSAL AND ISSUES

4.1 Smarter Budgeting is the corporate outcomes-based budgeting transformation initiative which seeks to better allocate budgets and activities/services to achieve improved outcomes for residents. Social inclusion, value for money and responsiveness to residents is at the heart of the programme and headline themes for deliverables are as follows:

- Economic growth
- The Best Start in Life for Children
- Safer & Healthier place
- Supporting Vulnerable Adults
- Reducing Homelessness and Overcrowding
- Decent Homes
- Resident Involvement
- Cleaner, Greener, Sustainable borough

4.2 Smarter Budgeting seeks to replace the percentage cuts approach to budgeting with an innovation-led approach to the design and delivery of potentially new activities and services which best deliver strategic outcomes. In this way substantial savings across the council can be achieved by rooting out duplication, and ceasing activities that are no longer resident/customer-responsive or present good value for money. Each outcome has a cross-functional team, supported by a corporate Smarter Budgeting programme team, Finance and Innovation & Change Management. The Smarter Budgeting programme is led by the Director of Delivery & Value and the Chief Executive and Strategic Finance Director are active on the governing Programme Board.

4.3 The Smarter Budgeting programme has enabled Children's Services to examine its activity and spending across all service lines. This analysis has led to the strengthening of the existing Children and Families Act Implementation Programme to maximise the improvements to the local offer and the savings that can be achieved.

4.4 There are four key areas of work:

SEND Transformation – including integration of the SEN Service and The Disabled Children's Team to support increasing demand, the delivery of savings and improved performance particularly in the delivery of Education, Health and Care (EHC) Plans.

The business case requests a one-off time limited investment in the Service. This is an "invest to save" and the costs of the investment will be apportioned across the three boroughs. The investment will fund both a transfer review team, who will focus on the transfer of Statements of SEN to EHC Plans and

core SEN staffing to enable more Education Health and Care Needs Assessments to be completed within 20 weeks.

As of August 2016 there are 677 existing Statements of SEN in LBHF awaiting re-assessment and transfer to an EHC Plan. The process of transferring an individual child from a Statement to an EHC Plan must be completed with 18 weeks to meet statutory targets. There are milestone targets for 271 of these to have been completed by April 2017 and the remaining 406 to have been completed by April 2018.

The most recently published national data set was in December 2015, when the borough had completed 2.3% of transfer reviews, compared with a national average of 18.2%; this is due to the local authority focusing on quality and co-production wherever possible, combined with the significant pressures the new legislation has put on partner services who are now actively involved with the assessment and re-assessment processes.

Although local performance may be explained to some extent by differences in approach across Authorities nationally, with regard to how comprehensively needs are re-assessed at the point of transfer, it represents a significant reputational issue and leaves the local area potentially vulnerable to an earlier Ofsted/CQC inspection and limits management capacity to focus on the wider strategic re-organisation of the SEN Service.

Joint Commissioning – developing an active partnership between SEN, Disabled Children’s Services, Adult Social Care and Public Health and Health Services, working closely with parents, young people, schools, colleges and other stakeholders to maximise efficiency, manage demand and deliver value for money.

Preparation for Adulthood – ensuring effective transition for young people and their families from Children’s Services to Adult Services and preparation for adulthood, supporting young people to develop the necessary skills for independent living, employment, good health and becoming an active member of the local community.

Quality Assurance – the SEND inspection regime has just begun. Led by Ofsted and the CQC the inspection will focus on how well local partners are meeting the need to improve outcomes for children and young people with SEND. Work has begun to self-evaluate against the criteria and to develop a picture of current gaps and areas for development.

- 4.5 The business case requests investment from LBHF to cover the costs of additional change support (beyond what has been deployed to date). This consists of programme and project capacity for a period of 18 months. The costs of the resource will be apportioned across the three boroughs.

5. OPTIONS AND ANALYSIS OF OPTIONS

The Smarter Budgeting programme is the key delivery vehicle for savings

This Children and Families Act Implementation Programme is based on the need to comply with the requirements of the SEN and Disability Code of Practice 0 – 25 (January 2015) and the risks associated with non-compliance. This would bring the Council into disrepute and risk litigation from parents of children with SEND and others.

An associated driver is the risk of not being able to achieve a successful Ofsted / CQC inspection.

As part of and in addition to the need to comply with the Code of Practice there are many benefits to customers and staff.

These include a holistic and joined up approach for children, young people and their families; clear and transparent pathways and processes; good and outstanding local provision, including post 19 provision; a whole life, whole family approach, supported by personal budgets; early intervention, prevention and forecasting of demand.

5.1. **Option One:** manage as business as usual with no additional capacity

As demand led services, there is a significant financial risk associated with changing population needs and the evidence suggests that there is likely to be an increase nationally and locally in the demand for services with regard to special educational needs and disabilities.

Without additional capacity to manage the programme of change in a planned and holistic way with additional support for the delivery of Education, Health and Care Plans there is a high risk that demand cannot be planned for and managed.

In addition, as outlined above, there are risks of non-compliance with the SEND Code of Practice (2015).

5.2. **Option Two:** resource the Transfer Review Team and the programme and project support as outlined above. This will enable the delivery of both the financial and non-financial benefits to both the Council and to the children and young people with special educational needs and disabilities in a holistic manner, complying with the Children and Families Act 2014 both in fact and in spirit, delivering the required savings as proposed.

5.3. **Option Three:** add further capacity over and above that requested.

It is considered that the resource requested is adequate to support the delivery of the changes and the urgent need to improve delivery timescales for Education, Health and Care Plans.

The preferred option is Option Two.

6. CONSULTATION

- 6.1. The Children and Families Act 2014 legislates for close partnership between children, young people and their families and education, health and care services. Parents' and young people's representatives are, and will continue to be, full partners in the design, delivery and evaluation of change.
- 6.2. For staffing reviews we anticipate significant consultation and participation with staff groups and trade unions.

7. EQUALITY IMPLICATIONS

- 7.1. This paper seeks authorisation to develop a series of projects within the Children and Families Act Implementation Programme, many of which will have equality implications as services change or are redesigned. Individual projects will need impact assessments as part of the change process. The Programme Board will ensure that a combined view of equality dimension and impact is considered.

8. LEGAL IMPLICATIONS

- 8.1. The Council's duties and powers in relation to services for children and young people with special educational needs and disabilities are found in the Children and Families Act 2014 and the SEND Code of Practice (January 2015).

Implications verified/completed by: Andre Jaskowiak, Senior Solicitor, Shared Legal Services.

9. FINANCIAL IMPLICATIONS

- 9.1. The investment required for both business cases is set out in the table below. A full breakdown can be found in the attached business case and invest to save pro forma – Appendices One and Two. The investment will be funded from the Efficiency Projects Reserve. Monthly monitoring will be required on use of the up-front funding and delivery of the saving.

Invest to Save Funding Required			
16/17 £000s	17/18 £000s	18/19 £000s	Total £000s
187.5	375	125	687.5

- 9.2. Savings for BC 4: Transforming Services to Children and Young People with SEN and Disabilities.

MTFS Savings to be Delivered			
17/18 £000s	18/19 £000s	19/20 £000s	20/21 £000s
224	224	224	224

	£'000s
Total savings year 1 to 5	1120
Total savings year 1 to 10	2240

Payback Period (years before investment recovered)	3.1 years
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Implications verified/completed by: (Andrew Lord, Head of Strategic Planning and Monitoring, Corporate Finance, Extension 2531).

10. IMPLICATIONS FOR BUSINESS

10.1 There are no immediate implications for Business

11. OTHER IMPLICATION PARAGRAPHS

11.1. There are no other immediate implications for Procurement, IT strategy, risk management, property, business intelligence, health and wellbeing, Section 106 and PREVENT, although these will be reviewed regularly as the projects in the programme develop.

12. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

None

LIST OF APPENDICES:

Appendix One: Full Business Case - Transforming Services for Children and Young People with Special Educational Needs and Disabilities

Appendix Two: Invest to Save Bid



Full Business Case for Smarter Budgeting Programme – Transforming Services for Children and Young People with Special Educational Needs and Disabilities

By signing this document the signatories below are confirming their acceptance of the detail contained within this document.

Programme / Project Sponsor	Clare Chamberlain: Executive Director Children's Services	Signature and Date:
Service Director (Accountable Person)	Ian Heggs:	Signature and Date:
Accountable Member (Sponsor)	Cllr Macmillan: Cabinet Member for Children and Education	Signature and Date:

Contact Details	Name	Job Title / Role	Contact Details
Sponsor			
Business Contact			
Document Author			
Accountable Member			
Document Details			
Version Number	0.7		
Issue Date	5 September 2016		

CHANGE HISTORY

Version Number	Date	Details of changes made to the business case	Author(s)

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Management Summary

The Children and Families Act 2014 defined a local authority's statutory obligations for delivering services with Special Educational Needs and Disabilities (SEND) services, as detailed in the revised SEN and Disability Code of Practice: 0-25 (January 2015).

Subsequently, Ofsted and The Care Quality Commission have developed a new SEN inspection framework to assess how authorities are delivering against these new expectations. The Government has also recently announced proposals to change the way funding for schools is calculated and administered.

The high level impact for councils is clear: SEND services must be developed with their users at the heart and be joined up with health and care services; local authorities must be able to evidence how they identify needs and improve outcomes for all children and young people with SEN; schools will have greater control over how funding is used and an increased role in commissioning services.

Critically, meeting the requirements of the change will require system wide change working across all agencies and at all levels of need to design a local offer which is focused on achieving outcomes.

The business case below outlines the proposed programme to deliver the changes required whilst managing demand and cost pressures.

There are four key areas of work:

- SEND Transformation – including integration of the SEN Service and The Disabled Children's Team to support increasing demand, the delivery of savings and improved performance particularly in the delivery of Education, Health and Care (EHC) Plans.
- Joint Commissioning – developing an active partnership between SEN, Disabled Children's Services, Adult Social Care and Public Health and Health Services, working closely with parents, young people, schools, colleges and other stakeholders to maximise efficiency, manage demand and deliver value for money.
- Preparation for Adulthood – ensuring effective transition for young people and their families from Children's Services to Adult Services and preparation for adulthood, supporting young people to develop the necessary skills for independent living, employment, good health and becoming an active member of the local community.
- Quality Assurance – the SEND inspection regime has just begun. Led by Ofsted and the CQC the inspection will focus on how well local partners are meeting the need to improve outcomes for children and young people with SEND. Work has begun to self-evaluate against the criteria and to develop a picture of current gaps and areas for development.

The business case requests a one-off investment time limited investment in the SEN Service. This is an "invest to save" and the investment will be shared across the

three boroughs. The investment will fund both a transfer review team, who will focus on the transfer of Statements to EHC Plans and core SEN staffing to enable more Education Health and Care Needs Assessments to be completed within 20 weeks. The total investment requested from LBHF is £500,000 – profiled as Sept 16 – March 17 £125,000; April 17 – March 18 £250,000; April 18 – Sept 18 £125,000.

Full details of the Transfer Team Business Case can be found in Appendix One.

The business case also requests investment from LBHF to cover the costs of additional change support (beyond what has been deployed to date) of £187,500 LBHF. This consists of project capacity for a period of 18 months. The costs of the programme resource will be apportioned across the three boroughs.

Stakeholders

Stakeholders include:

Children and young people with special educational needs and disabilities and their families, as well as parents' support groups, in particular Parentsactive.

The Cabinet Member for Children and Education, Members and senior officers within LBHF and across Shared Services

Schools, colleges and other external agencies supporting children and young people as part of the local offer.

Partners within SEN and Disabled Children's Services; Adult Social Care and Public Health and Health Services.

Corporate partners and local communities, particularly in relation to the development of local provision.

Need for change

Current Situation

The local authority has a statutory duty to assist children with special educational needs or disabilities in a number of areas.

These include: ensuring families are provided with advice and guidance from the point of identification of the child's special educational needs or disability; provision, if appropriate, of an education, health and care plan (which replaces the Statement of Educational Need); provision of a 'local offer' to ensure support services are in place at a universal and universal plus level; support to schools in the education of children with special needs; social work support for families with complex needs; assistance in helping young people with special needs or disabilities and their families to make a successful transition to adulthood.

Key drivers include:

- Meeting the statutory duties of the Children and Families Act 2014; The Children's Act 1989 and 2004; The Care Act 2014.
- To provide good or outstanding local provision, local employment and housing

- A desire to improve communication and responsiveness and build further collaborative working with young people, parents, schools, colleges and other key stakeholders and partners.
- Early intervention and prevention, where appropriate utilising a predictive modelling approach.

The diagram below shows the legislative drivers and compliance required.

Children and Families Act 2014	Ofsted & CQC SEND inspections	Expected future changes:
<p>Expanded age range - The local Authority may now have a statutory obligation to provide support up to the age of 25.</p> <p>Joint working - EHCPs must be undertaken jointly by Education, Health and Social Care. There is an expectation of joint planning and commissioning of services to ensure close co-operation.</p> <p>Engaging children, families and carers - placing children, young people, parents and carers at the heart of processes of developing and delivering SEN provision</p> <p>Inclusive learning - Focus on inclusive education and the removal of barriers to learning and participation in mainstream education.</p> <p>Personal budgets- Young people and parents of children who have EHC plans have the right to request a Personal Budget.</p> <p>Preparation for adulthood - support children and young people to prepare for adult life, and achieve the best outcomes in employment, independent living, health and community participation</p>	<p>Following the implementation of the Children and Families Act (2014) the Department for Education (DfE) requested that Ofsted and CQC inspect local areas on their effectiveness in fulfilling their new duties.</p> <p>All levels of SEN</p> <p>The new inspection framework will encompass the entire Local Offer for young people with SEN, not just those with an EHCP.</p> <p>The new Inspection framework will focus on two key areas:</p> <p>Identification</p> <ul style="list-style-type: none"> • How effectively the local area identifies disabled children and young people and those who have special educational needs. <p>Outcomes</p> <ul style="list-style-type: none"> • How effectively the local area meets the needs and improves the outcomes of disabled children and young people and those who have special educational needs. 	<p>National Funding Formula and The Schools White Paper</p> <p>The Department for Education is currently consulting on proposals for a new funding formula for schools to:</p> <ul style="list-style-type: none"> • introduce a funding formula where the funding each pupil attracts to their school is determined nationally • implement the formula from 2017-18, allocating funding to local authorities to distribute for the first 2 years, and then to schools directly from 2019-20 <p>There is a simultaneous consultation on how High Needs funding is allocated. This proposes to continue to allocate funding to local authorities for high needs, but on a formula basis.</p> <p>The schools' white paper sets out the Government's intention to convert all schools an academy status by 2020 further increasing the independence of schools from Local Authorities.</p>
<p>Impact</p> <ul style="list-style-type: none"> • Increased numbers of young people eligible for support and a focus on services to transition • A clear, statutory obligation to carry out duties in an inclusive way and to work across education, health and care services. 	<p>Impact</p> <ul style="list-style-type: none"> • Must have robust provision to identify the needs deliver improved outcomes for children and young people with SEND. • This must be based on solid evidence and be joined up with CCGs and NHS. 	<p>Impact</p> <ul style="list-style-type: none"> • Schools' funding will no longer be available for the LA to provide services (e.g. school standards). Funding will go directly to schools. LAs will need to make decision about how to fund services and how to engage with schools as a market.

Current cost pressures and savings targets identified for the service are outlined at 4.5.

The impact of changes to the High Needs funding formula from 2017/18 may introduce additional pressures.

The SEND inspection regime has just begun which will assess local areas progress towards meeting the requirements of the Children and Families Act 2014. The inspection will be led by Ofsted and CQC and will focus on how well local partners are meeting need to improve the outcomes of children and young people with SEND. In particular, this new regime applies not just to children with an EHCP but also those at SEN support level (previously school action/ school action plus).

The inspection will not result in a score but will identify areas strengths and areas for development against the following criteria: Identification, assessing and meeting needs and improving outcomes.

The first two inspections have now been completed and the results have been published. Some emerging themes include:

- The role of health in early identification. In particular: the delivery of the healthy child programme and the role of health visitors and school nurses in meeting need (including the integrated two-and-a-half-year review) and processes for diagnosis (particularly ASD and CAHMS pathway).
- Co-production and young people/ parent experiences in the development of EHC plans and the speed of completing assessments

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- The quality of the local offer website alongside the offer to children below EHCP threshold.
 - Outcomes both based on qualitative data and the views of partnerships and parents. This includes the way in which data is collected. Particular groups are pinpointed where development is weaker in the areas inspected (i.e. 19-25 and white British pupils with social, emotional or mental health).

2.2 Proposed programme

There are four areas of work within the proposed programme, evolving from the existing programme that has implemented the initial aims of the Children and Families Act:

- A need to improve the performance of the SEN Service. One strand of this work is the development of a dedicated Education, Health and Care (EHC) Transfer Review Team. Requiring a time limited investment the team would take responsibility for delivering the re-assessment and transfer of SEN Statements to EHC Plans, completing in April 2018. A further strand is the recognition of the need to integrate the SEN Service and the Disabled Children's Team, which would support managing increasing demand, with potential savings in 3 years' time.
- The second area is the need to establish a joint commissioning approach. Supporting an active partnership between SEN, Disabled Children's Services, Adult Social Care and Public Health and Health Services, in collaboration with the K&C and WCC, joint commissioning will avoid duplication and maximise efficiency and value for money. A key tenet is close working with parents, young people, schools, colleges and other key stakeholders in the co-design of services.
- Effective transition from Children's to Adult Services underpins the ethos of the Act. Transition starts at the age of 14+ (Year 9) or earlier and helps a young person prepare for adulthood, developing the necessary skills for independent living, employment, good health and becoming an active member of the local community. Key principles include: ensuring meaningful engagement between affected young people and their parents and other key stakeholders; developing personal budgets and effective in-borough resources; working effectively in partnership with all key stakeholders and maximising our community assets.
- The fourth area will focus on quality assurance with the particular remit of preparation for the Ofsted and CQC inspection.

2.3 Consequences of Inaction

As demand led services, there is a significant financial risk associated with changing population needs and the evidence suggests that there is likely to be an increase nationally and locally in the demand for services.

An initial scoping review across Shared Services identified that:

- Without intervention or different ways of working there will be an increase of around 155 EHCPs in LBHF and WCC by 2020.
- The proportion of the SEN cohort at secondary age will increase over five years. The number of 11-15 year olds will grow by 18%.
- Non-maintained and independent school provision outside of the local area costs 3.5 times more than state funded local provision. The increasing number of EHCPs is likely to lead to an increase in the use of this costlier provision if needs cannot be met through developments in maintained provision locally.
- There is likely to be an increased demand for educational provision for young people up to the age of 25, under the new provisions of the CFA Act.
- Speech, Language & Communications Needs in the three boroughs is double the national proportion of statements / EHCPs
- Autistic Spectrum Disorder is the primary need for 29% of all current statements / EHCP and demand for this support will remain high.

Vision

We will:

- ensure high quality provision to meet the needs of children and young people with SEN through collaboration between education, health and social care
- maintain a focus on successful preparation for adulthood including independent living, employment and health
- make joint commissioning arrangements to cover services for 0-25yrs to enable parties to make best use of all the resources in an area and improve outcomes for young people through the most efficient, effective, equitable and sustainable services to provide support
- ensure co-ownership of the Local Offer. Children, their parents, and any young people with SEN or disabilities should be involved in the planning, publishing and review of Local Offer content. This should include facility for children, their parents and young people to comment and feedback on it

Outcomes

The programme will deliver the following outcomes:

- Appropriate good and outstanding local provision, both specialist and mainstream, at the right cost
- Whole life whole family approach supported by personal budgets

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- Clear pathways particularly through transition to adulthood
 - A successful joined up approach (including joint commissioning) between partner agencies, parents, children and young people – delivering the ethos of the Children and Families Act
 - Early intervention, prevention and forecasting demand to reduce spend and prevent high cost transfers to adults' services.
 - Improved pathways and processes to ensure appropriate use of provision and services
 - Efficiencies in numbers of staff required to run these services

Future Operating Model (Where applicable)

The future operating model will include an integrated SEND Service with a Shared Service Assistant Director for SEN, Disabled and Vulnerable Children.

Clear pathways and transitions to adulthood will be in place with improved provision and supported employment.

The disabled children's residential strategy will be implemented.

A joint commissioning strategy and associated infrastructure will be embedded which will include mechanisms to forecast demand to reduce spend and prevent high cost transfers to adults' services.

A time limited Transfer Team will be in place.

Change Impact

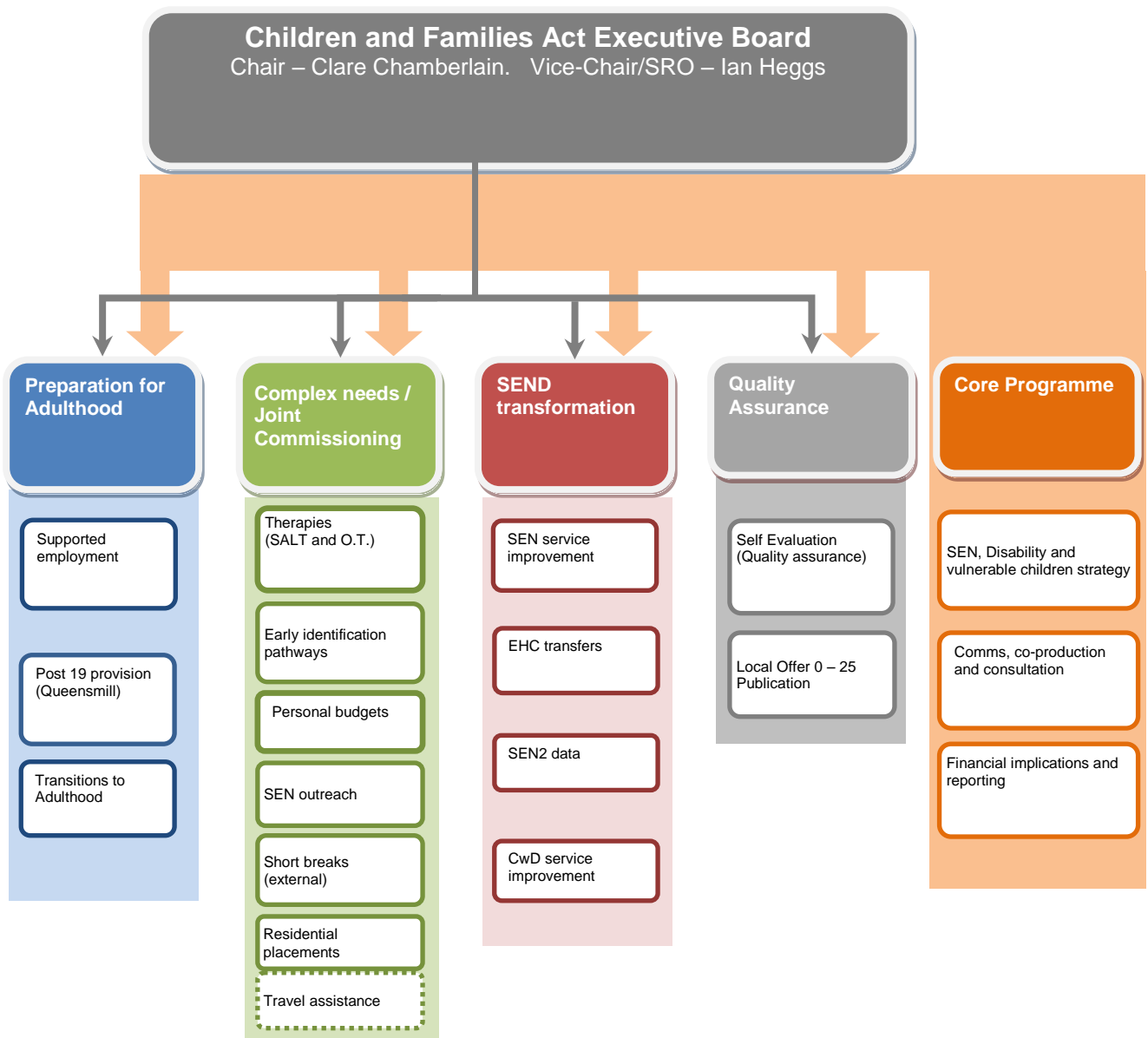
Children, young people and their families will see a positive change with improved holistic and joined up services, better access to information and advice and a greater focus on putting the child and family at the centre of assessment.

Staff will benefit from improved processes and pathways and a more holistic and joined up approach.

Project/Programme Structure

Details of the Project/Programme and Options

Proposed programme structure to March 2018



4.1.2 Project Delivery Stages

Some of the projects and initiatives are at delivery stage, others are at planning stage:

	Delivery Stage	Planning Stage
Preparation for Adulthood	Supported Employment	Transitions to Adulthood (pt 2)
	Post 19 Provision	
	Transitions to Adulthood	
Complex Needs / Joint Commissioning	Joint Commissioning Strategy	Early Identification Pathways
	Re-Commissioning of Speech and Language Therapy	Development and Commissioning of SEN Outreach Services
	Personal Budgets	Re-commissioning of Occupational Therapy
		CWD Short Breaks (External)
		SEN Residential Placements
		CWD Residential Strategy
		Resource Allocation System
SEND Transformation	SEN Service Improvement	Possible Integration of SEN and CWD teams
	EHC Transfers	
	SEN 2 Data	
	CWD Service Improvement	
	Transfer Team Recruitment	
	Resource Centre for Disabled Children	
Quality Assurance	Self-Evaluation	
	Local Offer 0 – 25 Publication	Further development of the Local Offer website
Core Programme	Comms, co-production and consultation	SEN, Disability and Vulnerable Children Strategy
	Financial implications.	

4.2 SEN Transfer Review Team

Under the terms of The Children and Families Act 2014, Local Authorities are responsible for ensuring that all children who currently have a Statement of SEN are re-assessed under the new EHCP framework, and, if appropriate, transferred to an EHC Plan by April 2018. Making this transition presents challenges both in terms of developing the necessary workforce and skills to support new ways of working, and the extra capacity needed to deliver a more comprehensive and better coordinated assessment of needs. Locally there has been the additional challenge of making these changes at a time when management priority has been on establishing and embedding a 3 Borough SEN Service.

As of August 2016 there are 677 existing Statements of SEN in LBHF awaiting re-assessment and transfer to an EHC Plan. The process of transferring an individual child from a Statement to an EHC Plan must be completed with 18 weeks to meet statutory targets.

The recent publication of the first full-year performance data for Local Authorities shows all three Shared Services boroughs as amongst the poorest performers nationally in terms of the total number of current Statements that have been transferred to EHC Plans.

Although local performance may be explained to some extent by differences in approach across Authorities nationally, with regard to how comprehensively needs are re-assessed at the point of transfer, it represents a significant reputational issue for all 3 authorities, leaves the local area potentially vulnerable to an earlier Ofsted/CQC inspection and limits management capacity to focus on the wider strategic re-organisation of the SEN Service.

A key part of this business case is the proposal for a time-limited investment in the SEN Service, to support improved delivery of Education, Health and care Needs Assessments and to create an interim Education, Health and Care (EHC) Plan Transfer Review Team.

The requested investment will be used to fund the management and staffing of the team to work alongside the current SEN Service for a fixed period of time as well as core SEN staffing to enable more EHC Needs Assessments to be completed within 20 weeks. The Transfer Review Team will take on sole and dedicated responsibility for the re-assessment and transfer of existing SEN Statements to EHC Plans.

4.3 Resourcing

Transfer Team Resourcing

The business case requests a one-off investment to establish a time limited Transfer Review Team. This is an “invest to save” and the investment will be shared across the three boroughs. The investment will fund both a small team of transfer review Keyworkers, plus a manager and Business Support Officer, who will focus on the transfer of statements to EHC Plans and core SEN staffing to enable more Educations Health and Care Needs Assessments to be completed within 20 weeks. The total investment requested from LBHF is £500,000 – profiled as Sept 16 – March 17 £125k; April 17 – March 18 £250k; April 18 – Sept 18 £125k.

4.4.2 Programme and Project Resourcing

Across the three boroughs there is a single programme which is overseeing the work to implement the changes required by the CFA. The programme is overseen by the Children’s Portfolio team with a dedicated programme manager. The projects within the programme have been resourced through a mix of business as usual commissioning and operational resource.

The business case also requests investment from LBHF to cover the costs of additional change support (beyond what has been deployed to date) of £187,500 from LBHF. This consists of programme and project capacity for a period of 18 months and includes support to deliver the savings proposed. The costs of the programme resource will be apportioned across the three boroughs.

Cost and Timescales

4.5.1 Timescales

The core programme is already in place. All elements within the programme will complete by April 2018.

Costs:

Type of Savings/MTFS Savings to be Delivered Cumulative	2016/17 £'000	2017/18 £'000	2018/19 £'000	2019/20 £'000	2020/21 £'000	Comments
DCT savings		122	122	122	122,000	
Special Education Needs (SEN) and Educational Psychology Services -		13	13	13	13	Increase contribution from DSG and buyback charges to support SEN functions
Special Education Needs Service – Increase the use of Independent Travel Training with escorts as appropriate, for 14-25 year olds		50	50	50	50	
Renegotiation of contract for education input to EHC plans at 16.		39	39	39	39	
Total Savings		224	224	224	224	
Investment Costs	2016/17 £'000	2017/18 £'000	2018/19 £'000	2019/20 £'000	2020/21 £'000	Comments
Ongoing costs						
One-Off Costs – Transfer review team	125	250	125			
One-off costs – Change Support	62	125				
Total Investment Costs	187	325				
Return on Investment /Payback Period (years before investment recovered)						Investment paid back in 3 years

Benefits (savings, income and non-tangible benefits)

This programme is based on the need to comply with the requirements of the SEN and Disability Code of Practice 0 – 25 (January 2015) and the risks associated with

non-compliance. This would bring the Council into disrepute and risk litigation from parents of children with SEND and others.

An associated driver is the risk of not being able to achieve a successful Ofsted / CQC inspection.

Significant elements within this compliance include:

- The requirement to deliver EHC Plans within the allotted time scales
- The requirement to transfer all existing Statements to EHC Plans by April 2018
- The requirement to have a robust published local offer
- The requirement to demonstrate a joined up approach across all partner agencies
- The requirement to extend the remit of SEND provision from 0 – 25
- The requirement for co-production and the child and family to be at the heart of that co-production

As demand led services, there is a significant financial risk associated with changing population needs and the evidence suggests that there is likely to be an increase nationally and locally in the demand for services.

As part of and in addition to the need to comply with the Code of Practice there are many benefits to customers and staff.

These include a holistic and joined up approach for children, young people and their families; clear and transparent pathways and processes; good and outstanding local provision, including post 19 provision; a whole life, whole family approach, supported by personal budgets; early intervention, prevention and forecasting of demand.

Risks

The current programme is already established and risk reporting is in place. The programme has a RAG of Amber/Green and the top risks are listed below.

Key risks and issues:	Mitigating Action for Risks and Issues:
1. Capacity and capability in SEN	1. Re-organisation of SEN team
2. Budget overspend.	2. Work underway to realign Burden and Reform Grants.
3. Lack of robust data will make reporting to Ofsted difficult.	3. Work to understand areas of risk. Use system reporting tools when in place. Increased rigour in reporting
4. Service review may add further	

<p>uncertainty and change for staff.</p> <p>5. Resource impact of QA board action plans.</p> <p>6. Post 19 – challenging stakeholder relationships</p>	<p>panel decisions</p> <p>4. Ensure action plans match to existing work and understand impact of any change of direction. Ensure communication is cascaded via team meetings.</p> <p>5. QA board and SROs to determine how to resource actions plans with SROs.</p> <p>6. Careful stakeholder management between LA, school and parents.</p>
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Links with Other Initiatives and dependencies

There are links and potential dependencies with Adult Social Care, Public Health and Health Services. There are also links to Smarter budgeting business cases around “improved the public realm for residents with special needs” and “Supporting employment and training for vulnerable groups”. A key purpose of the programme is to ensure that these links and dependencies are managed.

Business Case – summary of the proposal / justification of the investment – what is being requested

This is a compliance programme which must deliver the statutory obligations of the Children and Families Act 2014 and meet the Ofsted and CQC inspection requirements.

The core elements of the programme are structured to deliver the following:

- The appropriate provision at right cost to meet known and predicted need and achieve outcomes. This is to both meet existing commitments and reduce future pressures helping to stabilise demand.
- Appropriate pathways, processes and organisational structures
 - o Early intervention, prevention and forecasting demand to reduce spend and prevent high cost transfers to adults’ services.
 - o Moving to a “whole life, whole family” approach, using pathways such as age or special educational need, potentially supported by personal budgets.
 - o Improved pathways and processes to ensure appropriate use of provision and services
 - o Clear pathways to and through transition, with shared responsibilities and transparent decision making.

o Over time the delivery of efficiencies in the numbers of staff required to deliver these processes

Funding is being requested for programme resourcing and a one-off time limited investment to support the improved delivery of Education, Health and Care Needs Assessments and also to create an interim EHC Transfer Review Team to undertake transfer reviews for all remaining SEN Statements by April 2018.

Appendix Two

2017/18 Invest to Save Bid

Business Case:	Business Case 4 – Special Educational Needs and Disabilities
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Outcome:	Best Start in Life	Dept:	Children's
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Invest to Save Funding Required			
16/17 £000s	17/18 £000s	18/19 £000s	Total £000s
187.5	375	125	687.5

Why is Invest to Save Funding Required?

Detailed explanation of what costs the funding will cover (*note Invest to saving funding is one-off funding, any growth associated with a business case should be netted of the gross savings and the net saving reported in the MTFS.*)

MTFS Savings to be Delivered			
17/18 £000s	18/19 £000s	19/20 £000s	20/21 £000s
224	224	224	224

This is a compliance programme which must deliver the statutory obligations of the Children and Families Act 2014 and meet the Ofsted and CQC inspection requirements.

Across the three boroughs there is a single programme which is overseeing the work to implement the changes required by the CFA.

	£'000s
Total savings year 1 to 5	1120
Total savings year 1 to 10	2240

The business case requests a one-off investment to support the delivery of Education, Health and Care Needs Assessments within 20 weeks and establish a time limited Transfer Review Team. This is an "invest to save" and the investment will be shared across the three boroughs. The investment will fund both transfer review Keyworkers, who will focus on the transfer of statements to EHC Plans and core SEN staffing to enable more Educations Health and Care Needs Assessments to be completed within 20 weeks. The total investment requested from LBHF is £500,000 – profiled as Sept 16 – March 17 £125k; April 17 – March 18 £250k; April 18 – Sept 18 £125k.

Payback Period (years before investment recovered)	3.1 years
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The business case also requests investment from LBHF to cover programme and change support costs for a period of 18 months to April 2018. The costs of the programme resource will be apportioned across the three boroughs. The investment requested from LBHF is £187,500.

Supporting Data (<i>savings to be delivered, risks, Etc.</i>)
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A business case has been developed as part of smarter budgeting process.

Total investment requested is £687,500.