

STOCKTON-ON-TEES BOROUGH COUNCIL

CABINET RECOMMENDATIONS

PROFORMA

Cabinet Meeting4th September 2014

1. Title of Item/Report

Children and Families Act (Part 3) 2014 - Children and Young People with Special Educational Needs and Disabilities

2. Record of the Decision

Consideration was given to a report on the Children and Families Act (Part 3) 2014 - Children and Young People with special educational needs and disabilities.

The Children and Families Act received Royal Assent in March 2014. Part 3 of the Act introduced significant changes to the system for children and young people with special educational needs and disabilities. The changes would be introduced from 1st September 2014 and were generally referred to as 'SEN reform'.

The implementation of the legislation would require both cultural and organisational change. There was a clear emphasis on children, young people, and parents / carers participating as fully as possible in decisions about individual care and in decisions about local provision.

The key points of the legislation were:-

- Education, Health and Care Plans (EHC plans) will replace statements of special educational needs and Learning Difficulty Assessments (LDAs) for children and young people aged 0-25
- There will be an option of a personal budget for children and young people with an EHC Plan
- There will be one category of special educational need for children and young people in education settings who do not have an EHC plan – this will be known as SEN Support
- The Local Authority will have to publish a Local Offer setting out information about services available for children and young people with special educational needs and disabilities
- Local Authorities and Clinical Commissioning Groups (CCGs) must make joint commissioning arrangements for education, health and care provision for children and young people with special educational needs or disabilities (SEND)

The report provided an overview of the requirements of the reform, work towards implementation of the legislation and the next steps.

With regard to the next steps the implementation of the legislation would be from September 2014. Guidance issued in July 2014 included a useful table about the phasing in of the reform and a copy of this was attached to the report.

From September 2014 the LA would implement the new process for EHC assessment and the writing of plans. This would run alongside the existing system of statements and LDAs until the transition process set out in paragraphs 24 to 28 was completed. The LA would also begin to deliver the transition plan for the transfer of statements and LDAs to EHC plans. This plan would be monitored as part of performance management arrangements.

From September 2014 the LA would also:-

- Establish an implementation group to oversee the implementation of the legislation, reporting to SGMT.
- Secure dispute resolution and mediation services
- Publish the initial version of the Local Offer however work will be ongoing to develop and review this.
- Undertake further work to develop personal budgets and what may be included in these in Stockton.
- Deliver further training for LA officers, partners and education providers.
- Deliver further communication with a further 3 newsletters planned for the next academic year.
- Continue to work with health partners on the development of joint commissioning.

RESOLVED that:-

1. The work carried out in preparation for the implementation of the SEN reform legislation be noted.
2. The planned next steps for work on the reform be noted.

3. Reasons for the Decision

SEN reform will introduce significant cultural and organisational change to the system for children and young people with special educational needs and disabilities which include statutory duties for the council and

their partners.

4. Alternative Options Considered and Rejected

None

5. Declared (Cabinet Member) Conflicts of Interest

None

6. Details of any Dispensations

N/A

7. Date and Time by which Call In must be executed

Midnight on Friday, 12th September 2014

Proper Officer
08 September 2014