

APPENDIX 1

DRAFT

Wirral Response to Consultation on the Green Paper on Special Educational Needs and Disability

The following points contributed to the joint response by the Merseyside LTP.

1. We welcome the opportunity to contribute to the consultation. Many of the problems and issues identified within it are from a policy mix with opaque concepts about SEN and funding, with an operational framework this is now perceived as too bureaucratic.

We draw your attention to comments that were collated for Andre Imlich (DfE Advisor) following a regional consultation at Halton on 18th March 2011, and note that the variety of responses reflects the complex mix of substantive concepts, procedural tools and implementation methodologies in the paper.

However, stakeholders will need to be given greater clarity around the strategic planning role it envisages for the LA. It will be difficult for the LA to have a strategic planning role and manage the expectations of all parents and all partners.

2. We welcome the shifts in thinking that the paper signals about a framework that needs to be about greater choice and transparency for children and families, that has a model of networked relationships where participation and consultation are at its heart, and the focus is on outcomes.
3. We particularly like the proposals to:
 - revise the SEN Code of Practice with potential changes
 - to distinguish between additional needs (high incidence and low need/cost), underachievement, and special Needs (low incidence and high need/cost)
 - to simplify the graduated response
 - to provide a clearer steer about inclusion;
 - produce methodologies that align funding with these concepts, rather than to diagnostic types of need, from within a national framework with some local flexibility. These methodologies must be in conjunction with those used by others partners in health and social care;

- streamline the burgeoning assessments protocols (CAF/TAC/SEN/CORE/139a/LFWL, etc) to promote early interventions that build where necessary rather than add on other bits from separate assessments. It will require alignment of concepts behind the assessments i.e. the relationship between concepts of SEN and those in health and social care;

4. As officers of a local authority we focused on:

Question 40 *We have identified three core features of the role of local authorities in supporting children and young people with SEN or who are disabled and their families: strategic planning for services, securing a range of high quality provision, and enabling families to make informed choices and exercise greater control over services. Do you agree that these are the three core features of the role of local authorities in supporting children and young people with SEN or who are disabled and their families, or are there others?*

We acknowledge the core features of the authority role and comment on the challenges each presents.

'Strategic planning for services' Developing closer working relationships with local partners to gather intelligence to plan will depend, in part, on health service re-organisation, and the promised clarity about the concept of SEN and inclusion, and its relationship to other partners funding models to produce unity in methods to commission and fund services. The lexicon of SEN across health, social care and education needs some conformity as at present terms and definitions require translation across professional boundaries.

'Securing a range of high quality provision' This is not just challenging but arguably policy contradictory as strategic oversight of provision and its quality is at odds with provision having autonomy and freedom. The challenge role around commissioning and decommissioning involve wholesale change from the functions and activities traditionally undertaken by local authorities and local politicians to provide services and problem solve for them.

'Enabling families to make informed choices and exercise greater control over services' Developing greater clarity around the local offer is the most straightforward of the roles. At its simplest level clear information is needed; actual enabling could fall to other groups and organisations to provide.

5. Other responses.

Question 58 *How do you think a national banded funding framework for children and young people with SEN or who are disabled could improve the transparency of funding decisions to parents while continuing to allow for local flexibility?*

A simplified banding method of cost/provision is easier to work and understand than to align with diagnostic need types costs. It also fits with post 16 funding. The proposals detailed by Policy Exchange (2010) have merit about two broad bands, one to meet additional needs and given directly to schools/settings by a flat rate per pupils, a pupil premium approach and local adjustment, and one composed of grant elements to meet high cost needs of low incidence SEN.

Question 47 *How do you think SEN support services might be funded so that schools, Academies, Free Schools and other education providers have access to high quality SEN support services?*

Banding that gives money directly to schools/settings for additional needs could be used by them to make minimum provision, for instance, SENCOs, and for them to purchase any additional services. Banded/grant money given to authorities to meet high cost needs must ring fence a cost element for statutory assessment/monitoring work and peripatetic services to be commissioned from within whatever arrangements are decided.

Question 59 *How can different funding arrangements for specialist provision for young people pre-16 and post-16 be aligned more effectively to provide a more consistent approach to support children and young people with SEN or who are disabled from birth to 25?*

We agree that they should be re-modelled to be made continuous and flow from the principles behind the new arrangements to commission and fund the new, single plans and future specialist provision. Until the principles are clear the question of how is secondary.

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