

## WIRRAL COUNCIL

WIRRAL SCHOOLS FORUM 30<sup>th</sup> April 2014

### REPORT OF THE DIRECTOR OF CHILDREN'S SERVICES

#### HIGH NEEDS UPDATE AND WORKPLAN

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#### 1. EXECUTIVE SUMMARY

The purpose of this report is to highlight those areas where the Forum should continue its work in the coming year with officers across the department in developing and implementing the funding streams which arise from the implementation of Part 3 of the Children and Families Act 2014. This relates to children and young people with special educational needs (SEN) and disabled children and young people.

#### 2. BACKGROUND

The Act was enacted on the 13<sup>th</sup> March 2014. The accompanying *draft special educational needs and disability code of practice: 0 to 25* has been published in draft form as the DfE are still consulting on a few elements of the code. The final code will be published in the summer. The act introduces the new Education and Health Care Plans (EHCP) from September 2014 which will replace statements of special educational needs over a number of years. There are twelve different elements in the new EHCPs covering education, social care and health. One of these elements is called *Personal Budgets (including arrangements for direct payments)*.

#### 3. Personal Budgets

Personal Budgets can be provided directly to families to secure provision in the EHCP. These budgets can include funding from education, social care and health. The budgets are optional for parents and young people but we are under a duty to prepare a budget when requested. We must provide information about organisations that may be able to provide advice and assistance to help parents and young people to make informed decisions about Personal Budgets. Parents and young people have a right to request a Personal Budget, when the local authority has completed an EHC needs assessment and has confirmed that it will prepare an EHC plan. They may also request a Personal Budget during a statutory review of an existing EHC plan.

Personal budgets may include areas such as a Teaching Assistant brought in by a parent or the direct provision of other specialist support.

There are four different ways parents and or young people can be involved in securing provision:

- Direct payments – where individuals receive the cash to contract, purchase and manage services themselves
- An arrangement – whereby the local authority, school or college holds the funds and commissions the support specified in the plan (these are sometimes called notional arrangements)
- Third party arrangements – where funds (direct payments) are paid to and managed by an individual or organisation on behalf of the parent or young person
- A combination of the above

#### **4 Setting and Agreeing Personal Budgets**

The child's parent or the young person will be given an indication of the level of funding available to make the provision specified, or proposed to be specified in the EHC plan. An indicative figure can be identified through a resource allocation or banded funding system which we need to develop. Final allocation of funding budget must be sufficient to secure the agreed provision specified in the EHC plan and must be set out in the plan as part of that provision.

As part the development of personal budgets over the coming year discussions may need to take place with schools about the potential for organised arrangements for increasing the participation of children and young people locally and the potential of our special schools in promoting and providing specialism through contracted agreements with the local authority and families. Initially these discussions will be considered through the Schools Forum High Needs Working Group.

The scope of personal budgets will increase over time as we develop our joint commissioning arrangements.

#### **5 High Needs Working Group**

The proposed terms of reference for this sub group of the Forum are to consider:

- The arrangements for Personal Budgets as described above
- The use of Inclusion Funding in Special Schools
- To document and approve the High Needs Funding System
- Consider changes in funding bands proposed by schools and bases.
- Review and develop the banding system, including as it may apply to Post 16
- To develop Service Level Agreements for Resourced Base Provision and outreach services
- Consider changes to High Needs Places
- Respond to national changes outlined or consultations on High Needs

A work plan for the group will be agreed at the first meeting in May.

#### **RECOMMENDATIONS**

1. That the Forum notes the report.

**Julia Hassall**  
**Director of Children's Services**