

**Open Report on behalf of Peter Duxbury, Executive Director Adults and Children's**

Report to:	<b>Children and Young People Scrutiny Committee</b>
Date:	<b>13 May 2011</b>
Subject:	<b>Support and Aspiration: A new approach to Special Educational Needs and Disability (SEND) - A Consultation</b>

**Summary:**

This report highlights the core issues contained in the Government's Green Paper proposals relating to the above named document. It is a national consultation. The government request consultation responses from all interested parties.

**Actions Required:**

The Children and Young People Scrutiny Committee is requested to:

- 1) Note and comment on the contents of the report and the SEND Green Paper
- 2) Agree that an informal working group is established consisting of a small group of 2 - 3 Councillors from the committee and officers to consider and agree the responses to the 59 questions posed.
- 3) Receive the responses to the 59 consultation questions at the 24 June meeting.

**1. Background**

The Green Paper is a national consultation document about all children and young people in this country who are disabled, or identified as having a special educational need. It is about their aspiration and their hopes. Their desire to become, like every child and young person, independent and successful in their chosen future, and, to the greatest extent possible, the author of their own life story. It is about their families – who the government report have consistently called for better support for their children and themselves.

The Green Paper focuses on families of the most disabled children who are providing 24- hour care from birth, and the families of children struggling at school who don't know where to turn for help. It is also about their teachers, their college lecturers, and the many skilled staff from the health, education and social care

professions who do their best, day in and day out, to provide the right support and encourage the highest aspirations.

The government report that there is much that is excellent in the support for these children, young people and families from experienced managers in health services and local authorities who listen to what families are asking for and work out how the system can respond.

It is however, the government's view that at a national level that this is not happening nearly enough and that successive national reports highlight a system where some parents feel they have to battle for the support they need, where they are passed from pillar to post, and where bureaucracy and frustration face them at every step.

The Council for Disabled Children have reported to the government that on average a disabled child experiences 32 assessments as they grow up. The government are of the view that this is unacceptable and that resources could be better deployed.

The government also are of the view that children and young people do not achieve as they could and are twice as likely to be out of education, training and employment.

As such the government believe the case for change is clear and it is the governmental aspiration that by extending early education and child care, and bringing together the services they need into a single assessment and a single plan covering education, health and care.

Moreover, the government want to make the system less stressful for parents and less costly to run by promoting mediation prior to judicial appeals and by ensuring information about service provision is readily available.

The proposals also include giving the right of appeal to children and young people if they feel they are not getting the support they need. Further control will be given to parents by offering every family with a single plan the right to a personal budget by 2014 and making short breaks available in all areas, and by ensuring more choice by allowing all parents to name in their child's plan a preference for any state funded school.

The government recognise that the proposals in this green paper are wide ranging.

## **2. Conclusion**

These proposals are subject to national debate. The consultation period ends on 30<sup>th</sup> June 2011. The policy lead has indicated that if legislative change is required the earliest this process can begin will be May 2012. In the meantime, however the government are minded to reduce the current statutory statementing time scale from 26 weeks to 20.

Thus the government propose to:

- Implement a new approach to the identification and assessment of special educational needs and disabilities
- Abandon the current school action and school action plus procedures
- Introduce a single Education, Health and Care plan 0 – 25yrs to replace the current statement of special educational needs – but with the same statutory protection that applies to a statement
- Ensure greater independence to the assessment of children’s needs
- Ensure parents have a real choice of any state funded school
- Parents will be provided with the option of having a personalised budget by 2014

Whilst

- Delivering structural change in terms of educational institutions
- Exploring a national framework for funding specialist provision
- Setting out a strong role for local authorities as champions of families and vulnerable children
- Piloting the new approach with a consortia of local authorities and in parallel with a control group of the voluntary sector and or charities

All proposals will have implications for the local authority. It is therefore important that the local authority contribute effectively to this consultation.

### 3. Consultation

#### a) Policy Proofing Actions Required

N/A

### 4. Appendices

These are listed below and attached at the back of the report	
Appendix A	Support and Aspiration: A new approach to Special Educational Needs and Disability - A consultation (circulated to the Committee by email and available on request)
Appendix B	Executive summary - Support and Aspiration
Appendix C	Green Paper consultation questions

### 5. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Gary Nixon, who can be contacted on 01522 553215 or Gary.Nixon@lincolnshire.gov.uk.