



Rutland County Council

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Meeting: CHILDREN AND YOUNG PEOPLE SCRUTINY PANEL

Date and Time: Thursday, 14 March 2019 at 7.00 pm

Venue: COUNCIL CHAMBER, CATMOSE

Clerk to the Panel: Joanna Morley 01572 758271
email: governance@rutland.gov.uk

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A G E N D A

1) APOLOGIES FOR ABSENCE

2) RECORD OF MEETING

To confirm the record of the meeting of the Children and Young People Scrutiny Panel held on 31 January 2019 (previously circulated) and the record of the Joint Scrutiny of the Budget meeting held on 23 January 2019 (previously circulated).

3) DECLARATIONS OF INTEREST

In accordance with the Regulations, Members are invited to declare any personal or prejudicial interests they may have and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

4) PETITIONS, DEPUTATIONS AND QUESTIONS

To receive any petitions, deputations and questions received from Members of the Public in accordance with the provisions of Procedure Rule 217.

The total time allowed for this item shall be 30 minutes. Petitions, declarations and questions shall be dealt with in the order in which they are received. Questions may also be submitted at short notice by giving a written copy to the Committee Administrator 15 minutes before the start of the meeting.

The total time allowed for questions at short notice is 15 minutes out of the total time of 30 minutes. Any petitions, deputations and questions that have been submitted with prior formal notice will take precedence over questions submitted at short notice. Any questions that are not considered within the time limit shall receive a written response after the meeting and be the subject of a report to the next meeting.

5) QUESTIONS WITH NOTICE FROM MEMBERS

To consider any questions with notice from Members received in accordance with the provisions of Procedure Rules No 219 and No. 219A.

6) NOTICES OF MOTION FROM MEMBERS

To consider any Notices of Motion from Members submitted in accordance with the provisions of Procedure Rule No 220.

7) CONSIDERATION OF ANY MATTER REFERRED TO THE PANEL FOR A DECISION IN RELATION TO CALL IN OF A DECISION

To consider any matter referred to the Panel for a decision in relation to call in of a decision in accordance with Procedure Rule 206.

SCRUTINY

Scrutiny provides the appropriate mechanism and forum for members to ask any questions which relate to this Scrutiny Panel's remit and items on this Agenda.

8) YOUTH SERVICE PROVISION

To receive Report No.54/2019 from the Strategic Director for People.
(Pages 5 - 14)

9) SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) HIGH NEEDS FUNDING

To receive Report No.55/2019 from the Strategic Director for People.
(Pages 15 - 30)

10) UPDATE ON TRANSITION TO MULTISPECIALIST SAFEGUARDING ARRANGEMENTS FOR CHILDREN

To receive a presentation from Mr M Andrews, Strategic Director for People.

FOR INFORMATION ONLY

11) QUARTER 3 FINANCE MANAGEMENT REPORT

To receive report No.10/2019 from the Strategic Director for Resources (previously circulated).

12) REVIEW OF FORWARD PLAN AND ANNUAL WORKPLAN

To consider the Forward Plan and identify any relevant items for inclusion in the Children and Young People Scrutiny Panel annual work plan, or to request further information.

Copies of the annual work plan and the latest Forward Plan will be available at the meeting. The Forward Plan can be found on the website using the following link.

<https://rutlandcounty.moderngov.co.uk/mgListPlanItems.aspx?PlanId=202&RP=133>

13) ANY OTHER URGENT BUSINESS

To receive any other items of urgent business which have been previously notified to the person presiding.

14) DATE AND PREVIEW OF NEXT MEETING

To be confirmed.

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TO: ELECTED MEMBERS OF THE CHILDREN AND YOUNG PEOPLE SCRUTINY PANEL

Ms R Burkitt (Chairman)

Mr I Arnold
Mr E Baines
Mr K Bool
Mr A Lowe
Mr M Oxley

CO-OPTED MEMBERS

Mr A Menzies

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CHILDREN AND YOUNG PEOPLE SCRUTINY PANEL

14 March 2019

SERVICES FOR YOUNG PEOPLE

Report of the Strategic Director for People

Strategic Aim:	Reaching our Full Potential	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr R Foster, Portfolio Holder for Safeguarding – Children & Young People, Armed Forces Champion	
Contact Officer(s):	Bernadette Caffrey, Head of Service Early Intervention, SEND & Inclusion	01572 720943 bcaffrey@rutland.gov.uk
	Kevin Quinn, Service Manager Early Intervention, SEND & Inclusion	01572 758292 kquinn@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS

That the Panel:

1. Notes the contents of the report and the provisions available to support young people in Rutland.

1 PURPOSE OF THE REPORT

- 1.1 To update the Children and Young People Scrutiny Panel on the current provisions delivered through the Young People Services and the wider links to other community services.

2 BACKGROUND AND MAIN CONSIDERATIONS

2.1 Youth Service - Aims

- 2.1.1 Services for young people are an integral part of Rutland's Early Help Strategy, and underpin the aims within our Children, Young People and Families Plan 2016-2019. The key aims of the service are to;

- Ensure young people are supported to function as responsible citizens in their community, to achieve their full potential in education and to utilise positive

activities and individual support that improves their well-being and personal and social development.

- Provide young people with opportunities to participate and to engage in local decision making through effective 'youth voice' mechanisms.
- Respond to emerging local and national issues that are evidencing impact on young people's health and personal safety, for example emotional health and well-being, and child exploitation.

2.2 The Council's legal duties in respect of provision for young people

2.2.1 Services for young people are shaped by Section 507B of the Education Act 1996 which requires Local Authorities to secure 'so far as reasonably practical' sufficient educational and recreational leisure-time activities for young people aged 13-19, and up to 25 years for those with a special educational need and/or disability.

2.2.2 The service supports the delivery of key statutory functions required of the Local Authority under the Education Act 1996 and Education and Skills Act 2008 relating to securing sufficient suitable education and training provision for all young people aged 16 to 19 years and for those up to 25 years with Education, Health and Care Plan (EHCP).

2.2.3 The service also delivers functions required in law under section 26A of Children Act 1989 and the requirement to deliver Independent Advocacy services for children in care and care leavers.

2.2.4 The Youth Service in itself is not a statutory function and the law did not intend Local Authorities to be the sole provider of such services. Therefore the levels and the breadth of youth provision across the country vary. Rutland County Council has succeeded in embedding services for young people within its Early Help offer so it reflects young people's stated intention to receive targeted support in non-stigmatised environments.

2.3 Rutland's Youth Service Delivery Model

The delivery model for youth services has been designed to maintain a universal and accessible offer for young people whilst increasing targeted provision to our most vulnerable children and young people, within the demands and constraints on the Council's budget in future years. The service is structured around 5 key themes as follows (see Appendix A for full service examples);

2.3.1 **Targeted Intervention:** The service is providing a range of targeted interventions to young people and families with the highest level of needs. This includes;

- *Advocacy Services:* for children requiring protection, children looked after and care leavers fulfilling statutory functions of the Local Authority under 26A of the Children Act 1989. This is fulfilled by 9 staff in our early intervention service who are trained as accredited advocates.
- *Mentoring:* delivering 6-8 week targeted one to one sessions with young people who require a range of advice, support and guidance covering key themes such as emotional health and wellbeing.

- *Targeted Intervention*: delivering a ‘whole family’ approach supporting young people and addressing whole family issues.
- *Support Groups*: this includes delivery of parenting support groups, conflict resolution, and activities for young carers and children in care.

2.3.2 **Participation and Engagement**: ‘Youth Voice’ remains central to the Council’s early help offer and its intention to deliver the Participation Strategy across the Council. The service support a range of groups including Youth Council, Children in Care Council, Young Carers and Young Inspectors which are key mechanisms to promoting youth voice and young people’s involvement in decision making and in influencing front line practice.

2.3.3 **Universal Provision**: The service maintains a universal offer which includes delivery of a schools programme offering a programme of sessions across all of our primary and secondary schools focussing on key themes that matter to young people, such as self-esteem, healthy relationships and personal safety. The service also offers weekly youth group, 6 week theme sessions such as healthy living, Youth Café during half terms and weekly drop in sessions. The team will work with local partnerships to support provision in areas of neighbourhood concern. Additionally the service focusses on helping to build capacity and confidence within the community to deliver universal youth provisions supporting the voluntary sector to identify and train volunteers, to set up provisions and to identify funding to sustain local groups and communities.

2.3.4 **Health and Well-Being**: Ensuring a robust and co-ordinated health offer for young people. This includes co-ordination of sexual health services and wider mental health and well-being support services for young people. Key to this includes developing collaborative partnerships and co working with health and educational partners and key work has included delivering the children and young people’s IAPT programme by assessing and providing therapeutic intervention for young people experiencing mild to moderate mental health issues, also collaboration with Rutland First on the Resilient Rutland project, and providers of the Future in Mind projects.

2.3.5 **Education and Careers**: Providing dedicated careers advice and guidance to targeted groups including children in care and SEND. The service undertakes the statutory requirement to track young people in their education and ensure suitable offers are provided, reporting on the destinations and the attrition and retention rates for young people accessing education, training and employment.

2.4 Staffing Structure

2.4.1 Below provides an overview of the existing staff structure. To provide resilience and added capacity across children’s services the practitioners and some volunteers have been trained to provide advocacy and mentoring to our children and young people.

Roles	No.	FTE	Delivery overview
Early Help Co-ordinator Youth & Community Development	1	1.0	Team manager for the service providing overall team and facilities management. Co-ordination and delivery of key statutory functions including Advocacy,

			Children in Care and participation services and single front door.
Targeted Intervention Practitioners	2	1.5	Delivery of targeted rolling parenting support programmes, delivery of targeted one to one case work and whole family support.
Locality Youth Development Worker	1	1.0	Development of universal youth offer, schools engagement work, volunteer development and sessional youth work.
Youth Engagement Workers	3	1.5	Undertake direct universal sessional work, clubs and activities etc. Deliver advocacy and mentoring case work providing one to one support for vulnerable children and young people.
Youth Education & Careers Development Officers	2	1.5	Undertakes statutory tracking of young people in education and monitoring to DfE. Providing direct careers advice and guidance to target groups and across schools.
Health & Wellbeing Officer	1	1.0	Delivery of health and well-being services, co-ordination of local offer embedding effective practice. Co-ordination of key participation services including youth council, young inspectors.
Staffing Total	10	7.0	

3 WHATS WORKING WELL

3.1 Engagement of young people:

- 3.1.1 The service has been successful in maintaining an accessible offer for young people with new memberships in the service increasing 11% year to date. The table below outlines the numbers of sessions which have been delivered and the overall number of young people accessing a provision over the last 2 years;

Service	2017-2018		2018-2019 YTD	
	No. of Sessions	Attendees	No. of Sessions	Attendees
Advocacy Cases Supported	-	10	-	32
Mentoring Cases	-	20	-	14
Targeted Intervention Cases	-	26	-	31
School Sessions Delivered	45	1076	23	1311
Targeted Group Work	13	128	30	128
Careers Workshops	-	27	-	105
Parenting Programmes	2	14	2	12
Club provisions including Children in Care Council, Youth Council, Time out for You	91	752	72	689
Totals	151	2053	127	2322

**Note overall number of sessions are not recorded for one to one services such as advocacy, careers and mentoring. The volumes of sessions can vary with individuals receiving up to 8 individual sessions.*

3.2 Impact:

- 3.2.1 A range of indicators are in place to monitor the impact the service has for young people. Performance is measured and evidenced using qualitative and quantitative evidence.

3.2.2 For example we measure the difference we make to Children Looked After and Care Leavers, through an annual pledge survey which records the views of children over a number of key themes; these are reported to the Corporate Parent Board through the Pledge Scorecard. Example indicators include the following;

Performance Indicator	17/18	18/19
DfE National Reporting Indicator: Children aged 16-18 not in education, employment or training (NEET):	0.9%	0.4%
DfE National Reporting Indicator: Children Unknown i.e. their education destination or if in education:	0.9%	1.2%
Satisfaction with Advocacy Services:	N/A	89%
Targeted Intervention: Closures with needs met:	77%	81%
Pledge Survey Example: % of children looked after who feel their views are listened to:	80%	N/A

*N/A where not recorded or not yet taken place.

3.2.3 Key headlines to note;

3.2.4 Our universal schools offer is proving popular and successful with young people reporting the awareness sessions make a difference. The schools offer enables the service to deliver key messages to young people who do not wish to attend a youth groups, and enables the service to capture a wide audience at low cost. This year 73 sessions are planned during the whole academic year to be delivered across some primary and all secondary schools.

3.2.5 The voice of children looked after, care leavers and young carers are actively sought and are making a difference to how we work. This year a range of activities have been supported and young people have been involved in, for example, the recruitment of foster carers, regional participation work and the design of children in care pledge, work experience within early help and social care, annual big conversation with Members and Senior Officers, review of Life Story Work, redesign of the coming into care booklet, development of the young carers discount card etc.

3.2.6 We provide a robust careers advice service, supporting the most vulnerable and helping schools in their delivery of the Gatsby Benchmark. Our NEET and unknown levels for young people are consistently the lowest in the region and some of the lowest nationally.

3.2.7 More young people and families are receiving targeted support and this is making a difference to them. 32 children have accessed the advocacy support service this year and have been supported to help share their views about their support, for example within child protection conferences, reporting a high degree of satisfaction.

3.2.8 The service has been able to respond to emerging needs and deliver targeted programmes of support which has included Protective Behaviours, Living with Teenagers and Grounded Parenting Programmes. The service also supports onsite delivery of a weekly counselling service for young people and are training staff in order to deliver Improving Access to Psychological Therapies (IAPT) and targeted sessions in support of young people's mental health.

4 CHALLENGES

- 4.1 The service provides a wide and responsive offer and delivers a number of statutory functions which can create capacity pressures on the service to maintain all these functions successfully. To mitigate this risk staff have been trained to deliver a number of services, such as Advocacy and Mentoring, which allows the team to deliver targeted work whilst maintaining a universal offer supported by volunteers.

5 CONSULTATION

- 5.1 The service undertakes a range of consultation with children, young people and families and has a number of mechanisms which place children and families at the heart of decision making.

6 ALTERNATIVE OPTIONS

- 6.1 The current youth service delivery model followed a redesign which was agreed by Cabinet in 2016. The remodelling of the service was done so in order to make better use of resources and secure an offer which met the needs of the most vulnerable children and young people. The main drivers for the review were;

- The previous model delivered a diverse range of services across the whole week, including evenings, which resulted in staff capacity and provision being stretched too thinly and often underutilised. Consequently the service was unable to be dynamic and responsive to new and emerging priorities.
- The resource available to deploy to the most vulnerable children and young people was limited and increased the risk of young people escalating into higher cost services.
- The holistic nature of the universal offer made it hard to define and measure impact and thus value for money.

7 FINANCIAL IMPLICATIONS

- 7.1 There are no financial implications. The current model was approved by Cabinet in 2016 and has been designed to achieve an efficient staffing model whilst maintaining a balanced offer of universal access and targeted support.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 As outlined in section two, the service supports a number of statutory requirements of the Local Authority, namely those under the Education Act 1996, in the suitable provision of services for young people in the County and the requirements to ensure an offer of education is in place.

9 DATA PROTECTION IMPLICATIONS

9.1 None.

10 EQUALITY IMPACT ASSESSMENT

10.1 There are no changes in provision planned that would require an Equality Impact Assessment.

11 COMMUNITY SAFETY IMPLICATIONS

11.1 Services for Young People play a supportive role in helping keep children safe, prevent harm and contribute to positive life outcomes. The service facilitates this by providing a targeted model which supports the most vulnerable children and young people who may be at risk.

11.2 The service forms part of a wider early intervention model aimed at providing support and positive opportunities and the service works closely with the Community Safety team to deliver joint initiatives aimed at promoting community cohesion and preventing anti-social behaviour.

11.3 This year this has included joint delivery of sessions in schools on Internet Safety, and Child Sexual Exploitation Awareness events for parents. The service has jointly delivered assemblies in secondary schools and targeted programmes including the Positive Pursuits programme, engaging small cohorts of individual children at risk into positive activities.

11.4 The service is currently working intensively with the community safety team to focus on concerns in Uppingham town. The youth service and the community safety team have devised a programme to support and divert young people from antisocial behaviour that has been experienced by the community during school holidays. The programme has been tested during February half term 2019. It included activities every day and some evenings in Jules House Café, and at a range of community venues in Uppingham including the Scouts Hut, the Fire Station, the Church Rooms, and Uppingham School Sports Centre. Young people can take up circuit training, football, fire skills and drills, cooking sessions and a pop up cinema, as well as drop in for coffee and a chat at other times. The team will meet with Uppingham councillors and members of community groups to review the impact of the programme and plan for future activities.

11.5 The above work compliments the existing services within the Community Safety team and the contracted services available through the Youth Offending Service such as Impact Outreach support.

12 HEALTH AND WELLBEING IMPLICATIONS

12.1 The service supports the health and well-being of young people through direct delivery and co-ordination of services. This includes, for example, health awareness sessions in schools, targeted sessions for young people at risk including child sexual exploitation, weekly counselling services and the co-ordination of sexual health

services such as C-Card scheme. The C-Card Scheme gives free condoms to young people which they can access through C-Card Registration Points, which enables them to meet a qualified sexual health advisor who will discuss sexual health topics and provide safe relationship advice.

- 12.2 The service receives £20k per annum from public health funding to achieve the above and support positive outcomes for children.

13 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

13.1 The revised youth service offer has been operating for over 2 years and the service is well used and continues to reach a large number of young people. In this period the service has successfully focussed on ensuring support is available to those young people who need it the most, achieving positive outcomes and making a difference.

13.2 The balance between the delivery of universal open access services for young people and targeted support is operating well and the service has maintained a responsive approach delivering a range of open access provisions, targeted group work and the roll out of a successful schools support programme.

13.3 Members are asked to note the content of the report.

14 BACKGROUND PAPERS

14.1 There are no additional background papers to the report.

15 APPENDICES

15.1 Appendix A: Jules House - Youth Service Directory March 2019.

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

APPENDIX A Jules House - Youth Service Directory March 2019

Targeted Support Services	
1. Independent Advocacy Support Service.	One to One Support is available to any child aged 10+ who is subject to an initial child protection plan or living in foster care.
2. Mentoring Support Service.	One to One Support for young people to focus on young person centered issues which may include some work with the whole family.
3. Targeted Intervention Support Service.	Whole family support for vulnerable families with additional and complex support needs.
4. Living with Teens Parenting Support Group.	To support parents struggling with teenage behaviours 7 week programmes, 3 Per year.
5. Grounded Programme.	Support for young people, learning how their behavior impacts on family relationships. 7 week programmes, 3 Per year.
6. Young Carers Support Group: Time Out For You (TOFU)	Monthly support group for young carers, providing short breaks and positive activities.
7. Young Carers Support Group: Young Stars	Monthly support group for young carers, providing short breaks and positive activities.
8. Monthly Film Club	Monthly support group for children with Special Educational Needs and Disabilities.
9. Contact meetings	Jules House support meetings for children in care to spend time with their birth families, providing a safe and supportive space.
10. Youth Offending Service (YOS)	Venue for one to one meetings with young people at risk or involved in anti-social behaviour and receiving YOS support.
Health & Well-Being Services	
1. Sexual Health Advice and Support including C-Card	Drop in facility providing confidential sexual health advice and support including access to C-Card condom distribution.
2. Emotional Wellbeing Support Service	Weekly one to one support sessions for young people - provided by NHS specialist school nurse.
3. Counselling Support Service	Weekly one to one support sessions for young people requiring emotional support and advice.
4. Turning Point	Advice and support for young people with alcohol and drugs issues.
Participation & Engagement	
1. Children in Care Council (Speak Up Speak Out)	Bi Monthly group delivered for children in care and care leavers, providing opportunity to engage in fun activities and participate in local service decision making.

2. The Rutland Youth Council	Held once a month and hold in-between meetings at Jules House to support young people's participation in local service design and decision making.
3. Young Inspectors Programme	Young people led inspection group undertaking reviews of local services for young people, helping to shape and design services on offer locally.
Universal Programmes	
1. Thursday Youth Club	Open access weekly youth group providing activities and space for young people aged 12-16.
2. Rolling Schools Support Programme	Delivery of a wide range of weekly education programmes including internet safety, protect your image etc. delivered in primary and secondary schools, weekly delivery.
3. Youth Café	Drop in session facility at Jules House delivered during half terms.
4. 16-18 Years Monthly drop in – July onwards	New programme providing opportunities for older young people to drop in
5. Pop up cinema club –	Film experience for young people with screenings being planned in Jules garden in the summer.
6. NCS Summer Programme	Annual Project for young people at Jules in partnership with National Citizenship Service, includes activities such as Garden design.
Youth Education & Careers Service	
1. Careers Guidance Sessions	One to one careers advice and guidance sessions to young people who are not in education, employment or training (NEET), delivering the 5 steps programme to help them make career choices.
2. Careers Support Sessions	One to one advice and support sessions for children in care and children with special educational needs and or disabilities.
3. Education Destination Tracking:	Statutory tracking of young people in their education from school years 11 – 13, ensuring young people have a suitable offer and are in education, employment and training until age 18.
New Planned Sessions	
Independent Living Skills Workshops	Independent living sessions i.e. cooking; cleaning; washing; budgeting; bedmaking etc preparing young people for adulthood, focused on children with SEND and children in care.
Assess and develop independent living skills	Space to assess young adults with SEND and any support needed to develop independent living skills.
Weekly Cooking Group	Support for vulnerable young people to ensure they receive one healthy meal a week.

CHILDREN AND YOUNG PEOPLE SCRUTINY PANEL

14 March 2019

**SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND)
HIGH NEEDS FUNDING**

Report of the Strategic Director for People

Strategic Aim:	Reaching our Full Potential	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr D Wilby, Portfolio Holder for Lifelong Learning, Early Years, SEND, Inclusion	
Contact Officer(s):	Bernadette Caffrey, Head of Service Early Intervention, SEND and Inclusion	01572 720943 bcaffrey@rutland.gov.uk
	Kevin Quinn, Service Manager, Early Intervention, SEND and Inclusion	01572 758292 kquinn@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS

That the Panel:

1. Notes the challenges within the Special Educational Needs and Disabilities (SEND) system and the subsequent pressure placed on the Designated Schools Grant High Needs Block.
2. Notes and provides direction on the future action outlined to address the High Needs funding pressures.

1 PURPOSE OF THE REPORT

- 1.1 To update the Children and Young People Scrutiny Panel on the challenges within the Special Educational Needs and Disabilities (SEND) Service and the subsequent pressure on the Designated Schools Grant High Needs budget.
- 1.2 This report provides Panel with detail on the current system challenges as a result of growing demand and the new legal burdens placed on Local Authorities and outlines the steps in place to address these and reduce the pressure on the High Needs budget.

2 BACKGROUND AND MAIN CONSIDERATIONS

2.1 The Children and Families Act 2014 aims to improve outcomes for children and young people with SEND by transforming how support is delivered through joined up multi-agency response and resource. The national reforms introduced a number of changes and resultant additional statutory functions for the local authority to support children and young people with SEND up to age 25. These new duties include;

- To identify all children with SEND in the local area and to process and undertake Education Health and Care Needs assessments (EHCNA) for children who may have SEND. This requires the management of applications and decisions to assess within a statutory 6 week timescale.
- To undertake assessments and issue Education, Health and Care Plans (EHCPs) within 20 weeks from first application, this includes coordinating and compiling multi-agency assessment information and formulating draft EHC plans. This includes statutory duties to ensure parent and child involvement and the co-production of content within set timescales.
- To secure the appropriate education, health and social care provision associated with EHCPs for children with SEND, ensuring provision is named and specific within EHCPs.
- To undertake annual reviews of all children with an EHCP and ensure their plan remains relevant, appropriate and provides a clear pathway to adulthood and independence.
- To produce and maintain an up to date 'Local Offer' which sets out the local areas health, education and social care provision for children with SEND.
- To keep local services for children and young people with SEND and their families under review to ensure that they meet the needs of the local community, this includes a duty to have in place co-commissioning arrangements for the local area between the local authority, health and education.
- To provide a range of statutory services including mediation services, independent advice and support services and educational psychology services for the purpose of education, health and care needs assessments.

3 CURRENT LANDSCAPE AND CHALLENGES

3.1 Demand

3.1.1 Since the SEND reforms there has been an increase in demand within the SEND service with requests for Education, Health and Care Needs Assessments increasing significantly since introduction in 2014.

3.1.2 Whilst the overall number of new EHCPs issued each year has increased from 2014, the overall volume of EHCPs for children in Rutland has remained relatively static. This is in part a result of a number of EHCPs ending following their statutory transfer from Statements, as they were no longer required or children had moved out of area.

This means that, whilst the overall number of EHCPs has not increased significantly, the cohort is now more representative of the children who require them;

Year	2014	2015	2016	2017	2018
EHCNA Requests	19	22	35	44	44
New EHCPs	01	14	22	28	27
*Overall No. EHCP	168	186	188	201	197

*Reported SEN 2 is submitted in the month of January as a snapshot, hence for 2015 year the data is based on at the year end and reported in January 2016

3.1.3 The volume of EHCPs in Rutland is in line with national averages however it is likely, due to the increased responsibility to support children with an EHCP up to the age of 25, more plans will be maintained for a longer duration and therefore it is anticipated that overall numbers will steadily increase if demand continues at current levels.

3.1.4 The new responsibilities require the Local Authority to now support children post 16 in their education where prior to this, Statements of Education, and the responsibilities on Local Authorities, ended at age 16. Currently there are 35 children receiving support at post 16.

3.2 Types of Provision Provided

3.2.1 A high proportion of children with EHCPs in Rutland are educated in specialist provision due to local mainstream schools being unable to meet need. This level has increased year on year since 2014:

	2014 - Jan 15	2015 - Jan 16	2016 - Jan 17	2017 - Jan 18	2018 - Jan 19
No. EHCP	168	186	188	201	197
% in Special School	14.3% (24)	17.2% (32)	29.3% (55)	28.4% (57)	28.4% (56)
% in mainstream Designated Special Provision (DSP)	9.5% (16)	17.7% (33)	12.8% (24)	17.4% (35)	20.3% (40)
Total % in Special Provision	23.8%	34.9%	42%	45.8%	48.7%

*Year data relates to end of year position as reported in SEN2 return in the January.

3.2.2 The costs of providing support within a special school are, in the main, higher than the cost of support for children with EHCPs who are educated in mainstream schools. Costs for special schools are increasing across the board and most special provisions have increased their fees this year. The cost of fees is dependent on needs with some placements costing a substantial amount of money with costs varying from 12k to 250k per annum.

3.2.3 In addition there has also been an increase in the costs associated with supporting children with EHCPs in mainstream education with schools requiring increasing levels of funding in order to support children in their education. Data shows that currently 41% of all children with an EHCP receive the highest funding band available, up from 34% in 2018, with only 19% of children receiving the lower banding rate. In addition children supported in mainstream DSP are also receiving higher rates of support with 31 % of children receiving the higher level of 'top up' funding up from 24% in 2017, with 24% on the lower bands.

3.2.4 The Local Authority is also providing support to schools for children who are at risk of exclusion and therefore not receiving their education entitlement. Such children do not necessarily have an EHCP but have needs which require an 'alternative provision' in order to support their education. Often this is due to a child being at risk of exclusion as a result of behaviours which challenge, with more children being identified as having Social, Emotional and Mental Health needs which schools are unable to meet. Demand for the service is increasing and 32 children this academic year to date have received alternative education support with 15 currently remaining in alternative provision. 13 children have received alternative provision as a result of medical needs and currently no health funding is accessed for them. The annual budget for this service has been overspent each of the last 3 financial years but remains on budget this year at the time of reporting, subject to any further demand, see table below;

	15/16	*16/17	17/18	18/19
Budget	£113,000	£90,000	£110,000	£110,000
Expenditure	£136,400	£131,000	£128,400	£100,500
Overspend	-£23,400	- £41,000	-£18,400	+9,500

* Budget adjusted for financial year to reflect end of a high cost alternative provision.

3.2.5 The overall higher levels of Education Health and Care Needs assessment number (EHCNA) requests; whilst at a stable level for the last 2 years they are higher than in previous years, the increase in children at risk of exclusion and the increasing funding requirements of schools, highlights the pressure schools are under in helping to meet the needs of children with SEND. This has ultimately contributed to the volume of children which are in specialist provisions which, with the right support, may have been able to maintain their education within a mainstream environment.

3.3 Parent/Carer Choice and Expectation

3.3.1 The SEND reforms place a greater emphasis on parental choice and involvement in shaping provisions for their children. Consequently the service is experiencing more challenge to the provisions put in place for children through the EHCP process. This is supported by a tribunal process and the service is seeing a steady increase in the number of tribunal requests and challenge to the types of support provided, including challenge to school placements:

Tribunals	2015	2016	2017	2018
Number Conceded		5	5	2
Number ruled in favour			2	
Number ruled in parent/carers favour	1	1	2	
Total	1	6	9	4 (2 outcome TBC)

4 **IMPACT - WHAT ARE WE WORRIED ABOUT**

4.1 Our aim is to ensure children and young people are, where appropriate, educated locally in mainstream provision and to be part of their local community. Whilst a large

proportion of children are appropriately placed, there are some children in special school who could have their needs met in mainstream schools with high quality inclusive practice. National research shows that once in the special school system children are less likely to leave. In addition the cost of such placements is significant and increasing.

4.1.1 The SEND trends outlined in Rutland mirror that nationally. Research into Local Authority SEND expenditure commissioned by the Local Government Association in 2018 highlights that nationally there are increases in the overall volume of children receiving EHCPs, the proportion of children with EHCPs who are placed in special provisions and an increase in the costs to support children with SEND in mainstream education. Consequently this is having an impact on the DSG High Needs block;

4.2 Budget shortfall:

4.2.1 The new national funding formula for allocating funding to local authorities was introduced in the 2018/19 financial year. Under the new formula funding is allocated based on historic spend and various factors such as deprivation, health, disability and attainment.

4.2.2 Due to the low numbers of pupils within Rutland that attract funding for deprivation health and disability, the Local Authority would have seen a significant reduction (approx. £0.6m) in funding received without the introduction of the 'floor'. The 'floor' ensured that no authority faced a reduction in funding compared to current spend through the new funding formula. However, due to this, any increase nationally in funding is unlikely to increase funds available for Rutland and therefore in real terms, funding is decreasing.

4.2.3 As outlined in more detail in section 8, the Designated Schools Grant (DSG) High Needs Funding Block for children with SEND is projected to be overspent by £178k by the end of 2018/19 financial year. Note this overspend has been reduced recently due to an additional £84k of funding received from the Department for Education in year and an adjustment to the initial allocation of £34k.

4.2.4 The High Needs forecast for 2019/20 financial year currently projects a further overspend of 140k. Added to the existing overspend on the total DSG, this creates overspend of £247.6k equating to approximately 0.8% of the total DSG allocation, all of which is a result of High Needs overspend.

4.3 DSG Recovery Plan Requirements

4.3.1 The DfE and Education and Skills Funding Agency (ESFA) have noted over the last two years that more authorities are reporting a cumulative DSG deficit. As announced in July 2018, through conditions of grant, the DFE will require a report from all Local Authorities that have an overall cumulative DSG deficit of 1% or more at the end of the 2018 to 2019 financial year, outlining their recovery plans for how they intend to reduce expenditure. The 1% calculation will be based on the latest published DSG allocations for 2018 to 2019, gross of recoupment, as at the end of the 2018 to 2019 financial year.

4.3.2 Recovery plans, as outlined in **Appendix A**, are required to provide an explanation for the pressures, evidence outlining the issues and the steps being taken to mitigate such concerns. Plans also need to include the extent to which the actions are

supported by schools and other stakeholders. At this stage the expectations of the DfE and ESFA are unclear as to what will happen should the overspend not be brought back in line i.e. are Local Authorities expected to meet the shortfall in budgets and until further guidance is received the financial risk to the Local Authority is unconfirmed.

- 4.3.3 As it stands Rutland will not require a recover plan this financial year, however it is clear the increasing pressure on the system will require a plan that aims to mitigate the risk posed to school budgets and the potential impact on support for young people in Rutland.

5 WHAT WE ARE DOING – OUR RECOVERY PLAN

- 5.1 The SEND service has had in place a development plan since 2017 which has been created to drive service improvements against a revised partnership SEND and Inclusion Strategy which aims to promote inclusive practice and ensure, where appropriate, children with SEND are educated locally and effectively within mainstream education.

- 5.2 This continuous service improvement is overseen by a multi-agency Steering Group and a SEND Strategic Group, comprising education providers, CCG commissioners, parents, Portfolio Holders and senior officers from RCC who are working on improvement actions aimed at reducing the number of children in specialist provision and ensuring, where possible and appropriate, children with SEND are educated in local mainstream schools.

- 5.3 The pressure on the high needs block forms a key consideration in this improvement work and, following discussion at the SEND Strategic Group and Schools Forum, a Rutland Inclusion Summit took place in November 2018 with a view to engaging education providers across the sector in developing a plan of action, designed to increase inclusion of children in mainstream education.

- 5.4 The implementation of the SEND reforms is monitored by a joint Ofsted and CQC inspection framework, which took place in Rutland in July 2017. The outcome of this exercise highlighted a range of good practice and also identified areas for development and improvement and a number of key improvements have been made as outlined in **Appendix B**.

5.5 Development Plan

- 5.5.1 Following the Inclusion Summit in November 2018 a draft action plan is now in place which will also form part of any future recovery plan required by the DfE which is aimed at mitigating the High Needs overspend. The actions include, for example, the following
- Enhancing local mainstream specialist provision through the SEND Capital Programme designed to increase the number of mainstream special provision places locally.
 - Reviewing current Designated Special Provisions and their role and specifications, looking at what needs they cater for and their overall cost effectiveness.

- Development of early intervention approaches, including the potential development of Nurture based provisions:
- Review of school 'top ups' and levels of funding for schools to meet the needs of children with an EHCP.
- Introduction of early intervention funds to prevent the escalation of needs at the earliest stages.
- Proposal for the development of behaviour partnerships and commissioned specialist services such as specialist therapeutic support, supporting children across schools.

6 CONSULTATION

- 6.1 The Council has a legal duty to consult with children, young people and their parents/carers to assess, plan and put in place support through a CiN plan or an EHCP.
- 6.2 Good practice dictates that changes in provision to support children with SEND should involve the consultation of children, young people and their parents and carers.
- 6.3 The service has consulted children and parents on the development of the SEND Capital programme.

7 ALTERNATIVE OPTIONS

- 7.1 As outlined a development plan is in place to support our Inclusion Strategy aims and objectives and to help mitigate the impact on the high needs budget. Each action within essentially present part of a package of responses designed to improve the SEND system in Rutland, many of which will require their own business case and agreement of wider partners to progress and successfully implement.

8 FINANCIAL IMPLICATIONS

- 8.1 The Designated Schools Grant (DSG) High Needs Funding Block is forecast to be overspent this financial year by £178k. Note this overspend has been reduced due to an additional £84k of funding received from the Department for Education (for this financial year and next financial year only) in year and an adjustment to the initial allocation of £34k.
- 8.2 This overspend will be added to the overspend brought forward from 2017/18 of £59.6k, making a total projected overspend on the DSG reserve for high needs of £237.6k, provided there are no additional spending requirements between now and the end of the financial year.
- 8.3 The overall deficit balance on the DSG at the end of the financial year is projected to be £107.6k, accounting for positive adjustments to the Early Years Block (+112k) and Central Schools Block (+18k).

- 8.4 The High Needs forecast for 2019/20 financial year currently projects a further overspend of £140k. Added to the existing overspend on the DSG reserve this totals £247.6k equating to approximately 0.8% of the total DSG allocation all as a result of High Needs overspend.
- 8.5 Based on the above position, the Council may not have to submit a formal Recovery Plan to the DfE but will need to do a local Recovery Plan to address this position.
- 8.6 In addition to the pressure on the DSG the SEND reforms has increased pressure on the Local Authority budget for the SEND service. Requirement for the Local Authority to provide a range of services including Mediation Services, Independent Advice and Support, Educational Psychology services, Local Offer provision have all come at a significant cost. Whilst some one-off SEND reform monies have been received to implement the reforms there is a need to build these costs in to base budgets. Furthermore any health provision which educates, such as Speech and Language therapy, is now the responsibility of the local authority to source and provide. There is no funding for such provisions and is an additional financial burden on the Local Authority.

9 LEGAL AND GOVERNANCE CONSIDERATIONS

- 9.1 The Council has specific legal duties, processes and timescales to follow to identify, assess and support children with SEND and their families. This includes ensuring the appropriate provision of support.
- 9.2 Legal support in relation to this area of work is not provided through Peterborough City Council as their legal team is not resourced with the necessary expertise to carry out this work. As a consequence of this the Council source support in this area from the Private Sector through the EM Lawshare Framework.
- 9.3 The Council has included an additional £50,000 within the overall legal budget to provide support in this area and compliance with the statutory framework.

10 DATA PROTECTION IMPLICATIONS

- 10.1 None.

11 EQUALITY IMPACT ASSESSMENT

- 11.1 The Children and Families Act 2014 and the SEND Code of Practice, (2014) sets out the Council's responsibilities to meet the needs of children with special educational needs and disability.
- 11.2 Any proposed changes to provisions as a result of implementation of the recovery plans may necessitate an Equality Impact Assessment (EIA).

12 COMMUNITY SAFETY IMPLICATIONS

- 12.1 None.

13 HEALTH AND WELLBEING IMPLICATIONS

- 13.1 Rutland's SEND and Inclusion Strategy, (2017) clearly set out our intention to meet the education, health and social and care needs of children and young people with special education needs and disabilities.

14 ORGANISATIONAL IMPLICATIONS

- 14.1 The Early Intervention and SEND service has implemented a number of positive developments and projects which was evidenced by the Ofsted and CQC inspection outcome in 2017. However the consequence of the SEND reforms and our local response is presenting challenges and the demand for services has resulted in additional financial pressures both on the DSG but also the Local Authority SEND budget in order to ensure there is enough capacity to respond effectively to the needs of children.

15 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 15.1 As outlined, since the implementation of the SEND reforms there has been an increase in demand for support for children with additional needs. This, and the limited capacity of mainstream providers, means a high proportion of children with SEND are educated in high cost special schools. Subsequently the DSG High Needs block is overspent and poses a financial risk to both the Local Authority and Schools in Rutland.
- 15.2 A development plan has been in place since 2017 and is overseen by a multi-agency SEND Steering Group and there are a number of work streams underway to bring about whole SEND system change to mitigate these risks.
- 15.3 Further development work has begun with schools through the recent Inclusion Summit and this engagement work needs to continue apace in order to ensure schools own and support the implementation of the development plan and the actions identified.
- 15.4 Panel is asked to note the challenges and proposed actions as outlined.

16 BACKGROUND PAPERS

- 16.1 There are no additional background papers to the report.

17 APPENDICES

- 17.1 Appendix A: DfE DSG Consultation
- 17.2 Appendix B: Ofsted & CQC Improvement Action Update

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

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Appendix A: Consultation on the implementation of new arrangements for reporting deficits of the dedicated schools grant

Since the Department for Education introduced the dedicated schools grant (DSG) in 2006, a small number of local authorities have overspent their DSG allocations and found themselves in a cumulative DSG deficit. In these situations, regulations have required that local authorities seek the approval of their schools forum in allowing them to carry over the overspend and offset it against the following year's DSG. Previously, when a local authority found itself to have a DSG deficit of over 2%, we've asked for an explanation, and an account of what its plan is for bringing its budget back into balance.

In the last two years the number of authorities reporting a cumulative DSG deficit has substantially increased. Because of this, we've decided that there is a need to tighten up the reporting arrangements. As announced in July 2018, we will through conditions of grant require a report from all local authorities that have an overall cumulative DSG deficit of 1% or more at the end of the 2018 to 2019 financial year, outlining their recovery plans. The 1% calculation will be based on the latest published DSG allocations for 2018 to 2019, gross of recoupment, as at the end of the 2018 to 2019 financial year.

1.1 DSG Deficit Recovery Plans

DSG is a ring-fenced specific grant, provided outside the local government finance settlement. It must be used in support of the schools budget for the purposes defined in the School and Early Years Finance (England) Regulations. As funding is ring-fenced, there is no requirement for local authorities to top-up the grant from general funding or from non-ring-fenced revenue reserves.

For this reason, DfE intends to require all local authorities with a cumulative overspend on DSG provision to produce recovery plans detailing the steps they plan to take to provide statutory services within the annual funding envelope. These recovery plans should be discussed with, and if possible, agreed with, the local schools forum.

Even though there is no requirement to subsidise DSG from general funding, local authorities cannot continue to build up cumulative deficits on DSG provision. In this scenario, local authorities may come under pressure to address the cumulative deficit on DSG provision through drawing on other resources.

Where a local authority has a cumulative overspend, producing a deficit on its DSG reserve, its recovery plan should look to bring the overall DSG account into balance within a maximum of three years. We recognise that this may prove difficult for some local authorities. Where this is the case, we would be open to receipt of evidence explaining the problem, and may accept a recovery plan that leaves some or all of the deficit accumulated to date outstanding. This means that the local authority would carry forward the amount agreed as a deficit, but we would not require this to be recovered within the three-year period. In all cases, we will expect local authorities' recovery plans to demonstrate how they will bring in-year spending in line with in-year resources within three years at most.

Any authorities that propose to leave part or all of their accumulated DSG deficit outstanding will need to provide a clear explanation as to why their deficits could not be recovered in the short term and provide thorough evidence to support their proposals. They will also need agreement from their Chief Finance Officer (CFO).

We expect a range of evidence to support local authority recovery plans. We would expect this to have already been presented to schools forums. We are aware that DSG deficits are usually caused by high needs pressures, and in these cases the evidence required in the recovery plans will typically include what we already look for in block movement disapplication requests. Authorities will, however, need to address whatever the main causes of overspending on the DSG have been. The evidence should include:

- A full breakdown of specific budget pressures locally that have led to the local authority incurring a cumulative DSG deficit of over 1%. Where this has resulted from high needs pressures, information should include the changes in demand for special provision over the last three years, how the local authority has met that demand by commissioning places in different sectors (mainstream and special schools, further education and sixth form colleges, independent specialist provision and alternative provision), and if there have been any reductions in the provision for mainstream school pupils with high needs
- Where the deficit has resulted from high needs pressures, an assessment and understanding of the specific local factors that have caused an increase in high needs costs to a level that has exceeded the local authority's high needs funding allocations; and a plan to change the pattern of provision where this is necessary, as well as to achieve greater efficiency and better value for money in other ways; together with evidence of the extent to which the plan is supported by schools and other stakeholders
- A detailed recovery plan showing how the authority intends to bring its DSG reserve back into balance within three years, showing clearly how expenditure will be contained within future funding levels
- If the authority judges that it cannot recover the whole of its cumulative DSG deficit within three years, it must explain the reasons for this. If the authority wishes to defer recovery of some of the cumulative deficit, it must show in its recovery plan that it is able to at least contain its expected in year expenditure within its expected in year DSG income by the end of the three-year period
- Details of any previous movements between blocks, what pressures those movements covered, and why those transfers have not been adequate to counter the new cost pressures
- Assumptions on assumed future transfers between blocks of the DSG, if permitted in future years, and evidence of support from the schools forum and wider school community for these

1.1.1 Reporting DSG Deficits

Following discussion with MHCLG, we believe that there are currently inconsistencies in the way local authorities report their DSG reserves or deficits in the statistical returns that are submitted to MHCLG. We have agreed that DSG reserves or deficits should in future be reported as a separate ring-fenced reserve in RO returns, and MHCLG will be changing guidance to reflect this. What this means for local authorities is that DSG deficits will not need to be covered by an equivalent amount in local authorities' general reserves. Consequently, new lines will be added to the 2018/19 RO returns and local authorities will be expected to state what their cumulative DSG deficit is every year. This should reconcile to the s.251 returns that local authorities submit to DfE every year. These changes will ensure that the full extent of DSG deficits is reported consistently across the sector on an annual basis.

Next Steps

The consultation period regarding the DSG deficits will end on 7 December, after which we will finalise what needs to be included in recovery plans, setting a submission deadline for June 2019 in respect of deficits at the end of 2018 to 2019. We will be meeting local authority representatives this autumn to discuss the implementation plans and ensure that these changes are introduced as smoothly as possible. Please see the table below to understand how the addition of the DSG deficit recovery plans will fit into the current funding year's assurance schedule:

Action	Deadline
Launch of DSG deficit consultation	Early November
School block movement disapplication deadline	30 November
End of DSG deficit consultation	7 December
Section 251 2019 to 2020 Budget statements submitted	4 March - 30 April
Section 251 budget statement 2019 to 2020 checks to be completed	1 May - 26 June
Deadline for submission of DSG recovery plans	30 June
Review of recovery plans	July-September
Deadline for submission of CFO assurance statement on use of DSG in 2018 to 2019	Mid-September

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Appendix B: Ofsted Improvement Actions Progress

Development Area	Progress
<p>Improve the use of information about the profile and number of children and young people who have SEND to inform the planning of school places.</p>	<p>RCC now routinely gathering data to highlight needs, this includes developing SEN support data, ASQ information. This information is collated in tableau and being shared with schools and partners to drive decision making and more recently the needs assessment to inform the SEND Capital programme.</p>
<p>The communication of the local offer is not effective and requires further improvement.</p>	<p>Local Offer website has been redesigned and partnership system changes made to improve its accessibility. Additional staff capacity has been secured to help with the on-going improvement works.</p>
<p>Too many children are waiting to see an educational psychologist to identify their additional needs.</p>	<p>Additional funding secured to enhance EP services and clear the backlog of 'traded' non statutory referrals which was completed by January 2018. A new 5 year contract has been secured and a new service level agreement model has been rolled out to schools to ensure non statutory services are accessed readily to avoid delay.</p>
<p>The range of services available to support the emotional well-being and mental health of children and young people are not widely known or fully understood and promoted.</p>	<p>Information on all services available for children and families is now collated in one document and promoted on the Local offer. The local offer is enhanced by the FIM projects offering training and support to school and a targeted early help support for children below the specialist CAMHS threshold.</p>
<p>Health Assessments for Children Looked After placed out of County not always in timescale.</p>	<p>Continuing to ensure CLA nurse undertakes assessments. Performance monitored through Corporate Parenting Board.</p>
<p>Ensure the plans for improvement of local CAMHS service continue to be implemented.</p>	<p>LLR specialist CAMHS improvement board in place looking at whole system change to improve accessibility, information sharing and step down to Early Help services.</p>
<p>The use of personal budgets to support young people to meet their needs is low. The local area has not communicated the difference between direct payments and personal budgets well enough to encourage more families to apply.</p>	<p>Internal audit of personal budgets process has been completed. A personal budget brief explaining options for parents and carers has been developed and promoted on the Local Offer. A new direct payment card is being rolled out and work continues to define in detail which services across education, health and social care are available for direct payments as part of a personal budget.</p>

<p>The independent information and advice services (IAS) for parents or carers of children and young people who have special educational needs are highly valued by the parents who use them. However, the services are not used widely by parents and many parents do not know that they exist.</p>	<p>A new Information, Advice and Support Service (SENDIASS Rutland) has been commissioned and is provided through one provider making the landscape less confusing. This is being widely promoted and a local SEND Hub has been created to provide a drop in facility for parents.</p>
<p>Creation of an SEND Capital Programme Plan and Programme Board to progress the Capital Programme (September 2017)</p>	<p>SEND Capital project identified and progressing, overseen by the Capital Programme Board.</p>