

# BRIGHTON & HOVE CITY COUNCIL

## JOINT CHILDREN & YOUNG PEOPLE AND HEALTH & WELLBEING BOARD

4.00pm 3 FEBRUARY 2015

### COUNCIL CHAMBER, HOVE TOWN HALL

#### MINUTES

**Present: Health and Wellbeing Board:** Councillor J Kitcat (Chair), Councillors K Norman, Jarrett, Morgan and G Theobald, Dr Christa Beesley, Dr Jonny Coxon, Geraldine Hoban, Dr George Mack, Mia Brown, Denise D'Souza, Pinaki Ghoshal, Frances McCabe, and Tom Scanlon.

**Present: Children & Young People Committee:** Councillor Shanks, Councillor Littman, Councillors Wealls, Brown, Gilbey, A Kitcat, Robins, Powell and Simson, Ann Holt, Martin Jones, Amanda Mortensen, Marie Ryan, Eleanor Davies, Ben Glazebrook, Amy-Louise Tilley and Riziki Millanzi.

#### PART ONE

##### **1 APPOINTMENT OF A CHAIR**

1.1 **RESOLVED** – that Councillor Jason Kitcat be appointed as Chair of the Joint meeting.

##### **2 DECLARATIONS OF SUBSTITUTES AND INTERESTS AND EXCLUSIONS**

2.1 Councillor Robins declared that he was substituting for Councillor Pissaridou. Mia Brown declared that she was substituting for Graham Bartlett. There were no declarations of interest.

2.2 In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

2.3 **Resolved** - That the press and public be not excluded from the meeting.

**3 CHAIR'S COMMUNICATIONS**

- 3.1 The Chair reported that the meeting was being webcast. All Health and Wellbeing Board meetings would be webcast in future.
- 3.2 The Chair was pleased to report that Tudor House, a residential home for young people with severe learning disabilities had received an outstanding Ofsted report.
- 3.3 The legal adviser to the meeting explained the voting arrangements for the Joint Children & Young People Committee & Health and Wellbeing Board. When the joint meeting was ready to make a decision, the vote for the Children & Young People Committee would be chaired by Councillor Shanks as lead member of that Committee. The Voting members of the Committee could vote on all the recommendations except Recommendation 2.1.3 which was for the Council members only. This was about early years provision. The decision for the Health and Wellbeing Board would be chaired by Councillor J Kitcat, as Chair of the Board.

**4 PUBLIC INVOLVEMENT**

- 4.1 There was none.

**5 REVIEW OF SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND)  
INCLUDING BEHAVIOURAL EMOTIONAL AND SOCIAL DIFFICULTIES (BESD)**

- 5.1 The Joint meeting considered a report of the Executive Director, Children's Services which sought approval for the recommendations arising from the review of special educational needs and disability in the Children's Services Directorate of the council. The report included recommendations from the concurrent review of behaviour, emotional and social difficulties (BESD). The report was presented by the Assistant Director of Children's Services.
- 5.2 The Assistant Director of Children's Services set out the principles of the review (paragraph 3.8 of the report). The aim was to have an outcome focused provision centred on children and their families. Children should have access to inclusive activities and there should be better transition into adulthood. There had been wide ranging consultation and the conclusions had tried to reach a broad consensus.
- 5.3 Pinaki Ghoshal stressed that there had been a very thorough and important review. There were recommendations proposing more integration and a more personal offer to young people. The report related to the report on the Health and Wellbeing Board meeting agenda (immediately following this meeting) titled 'A Good, Happy & Healthy Life' A Strategy for Adults with Learning Disabilities in Brighton & Hove. This was not the end of the process and following decisions taken at this meeting, both the Health & Wellbeing Board and the Children and Young People Committee would receive future reports with specific items for decision. This was an important first phase.

- 5.4 Councillor Shanks thanked the Assistant Director of Children's Services and other people involved in the review. She felt the review was a heartfelt cry for the integration of services and a very good start.
- 5.5 Councillor Wealls thanked the Assistant Director and her colleagues for the huge amount of good work. He stressed that it was important to keep the political parties on board with regard to difficult and controversial decisions. Councillor Wealls made the following comments and raised the following questions. A) It was not always clear what was meant by commissioning throughout the report. The need to re-commission in-house services was not mentioned in the report. B) There was little mention of ICT in the report. C) With regard to the funding formula for schools for SEN – funding for non-statemented SEN pupils did not necessarily flow properly. There was a need to look at this funding pressure. D) The recommendations section of Section 5 – Learning and Achievement - (page 70 of the agenda) spoke about outcomes. GSCE was not an appropriate measure for SEN. How would SEN pupils be measured? E) With regard to short breaks and direct payments – What was the transition time period? What happened to families who did not have that resource? F) Page 57 of the agenda spoke about 'Further investment from schools in this area (On site BESD provision) is needed to ensure all young people can access in-school support.....' Councillor Wealls expressed concern about school budgets. G) Cuckmere House had an outstanding Ofsted. The report did not explain why. What did the data reveal? H) There was a need to consider the lack of provision for children with High Functioning Autistic Spectrum Disorders. I) With regard to transition into further education, Sussex University was working on a summer school for year 12 & 13 children with Autistic Spectrum Disorders. The Committee/Board might wish to support this.
- 5.6 The Assistant Director of Children's Services replied as follows. With regard to SEN and the pressures of funding – The funding formula had been altered to take account of schools with high levels of children with SEN. Schools would be receiving more funding. However it was hard to do this for non statemented children. Officers were willing to talk informally to schools about support. In terms of direct payments, there was a strong desire to give parents more power. Most of the provision offered was of a very high quality but often high cost and poorly co-ordinated. Direct payments should help parents moderate some of these costs. Parents did not have time to 'best market' and would need support. There needed to be a gradual transition in a phased programme.
- 5.7 Councillor Gilbey referred to the table on page 7 of the agenda. A) She asked why more money was spent on short breaks (respite) for 'looked after' disabled children than for disabled children? B) The transition age had now been raised to 25. What happened to young adults who were now in their early 20s and reached transition age at 18/19? Would they receive retrospective support? C) Why did the conclusions refer to parents but not to carers? D) Councillor Gilbey suggested talking to Brighton University. They had an SEN department and would be interested in talking about similar support.

- 5.8 The Assistant Director of Children's Services replied as follows. A) With regard to short breaks, 'looked after' included children who received a lot of respite not just children in care. B) Over 19s who felt the need for a plan would receive support. C) She agreed that carers should be specifically mentioned. The reference to parents had meant carers as well.
- 5.9 Amy-Louise Tilley, Youth Council thanked Councillor Shanks for explaining the data in the report. She supported the recommendations.
- 5.10 Riziki Millanzi, Youth Council referred to the problem of bullying. The Assistant Director of Children's Services replied that officers were aware that SEN young people were more subject to bullying. This problem would be dealt with.
- 5.11 Ben Glazebrook referred to paragraph 4.1.4 in the report (page 9) with regard to CVS commissioning. He asked about the time period for the re-commissioning of contracts and whether new services would be offered to the whole market. The Assistant Director of Children's Services explained that contracts were being reviewed along with what commissioning would be required in the future. There would be new opportunities in the future, with all kinds of different models.
- 5.12 Frances McCabe asked how the proposals related to cost, and what services would end up looking like in terms of change and provision. The Assistant Director of Children's Services explained that there were substantial ways to make savings, especially in terms of management costs. Officers were looking to pool budgets.
- 5.13 Ms McCabe referred to the pace of change and asked for assurances that the new way of providing services was fully in place. The Assistant Director of Children's Services explained that it was difficult to give exact timescales. She was conscience of a potential impact on families and would consult very closely.
- 5.14 Councillor Brown questioned if moving from a high cost service was achievable given the failure to implement previous report recommendations. Meanwhile, the problems of transition had not been resolved and had been known about for a number of years.
- 5.15 Rizaki Millanzi, Youth Council asked how disabled members of the Youth Council would be kept informed. The Assistant Director replied that there would be an easy read version of the report.
- 5.16 Councillor Littman considered the report to be excellent. He stressed that services needed to be designed around the needs of young people and their families. Procedures should be put in place to ensure that once service provision was changed there was no slipping back. The Assistant Director agreed that there should be no slipping back. Joint commissioning processes would be put into place.
- 5.17 Martin Jones commented that a huge amount of work had gone into the report. It was good to see some parents' needs worked out in greater services. It was not just about education but about what was being undertaken across the city. It was

important to see an integrated whole service, for example, how a child has respite, if a child has transport to school etc. These matters would impact on outcomes. Throughout the report there had been reference to the 'realities of the budget'. Mr Jones stressed that this was talking about capacity rather than finances. The idea was that management costs would be reduced leading to savings. Looking after children up to the age of 25 would increase the need for capacity. The percentage of children with SEND was likely to increase. That meant higher capacity. Unless these matters were addressed by efficiency savings there would be a need for more money. Meanwhile, this was an equality issue for the city. There was very little in the report about the Equality Act or the need for the Council to increase equality. Mr Jones referred to page 65 of the report which stated '...parents want to be confident that all parents get the support they need, not just the most articulate, those who shout loudest or those who are 'in the know'. Mr Jones felt that there was no evidence of this. Many parents believed that their children needed intervention and Mr Jones felt that the statement should not remain in the report. It spoke of a fight for intervention and therefore a lack of capacity rather than parents taking from the system when they shouldn't. The Assistant Director of Children's Services explained that the quotation was a frequent comment. An open and transparent set of criteria had been published. Everything in the report was about equalities and an equalities impact assessment would be published.

- 5.18 Councillor Jarrett stressed the need to make use of resources. Support staff had a wide range of abilities and experience. Meanwhile more help and support was needed in the home for parents and carers. Councillor Jarrett thought the increase in the transition age to 25 was an excellent idea. The few extra years could help an SEN Child achieve similar attainments to other children. Councillor Jarrett stressed the importance of vocational achievements, not just educational achievements such as GCSEs. The Assistant Director of Children's Services agreed with the comment about support staff. Support received in the home was central to the review.
- 5.19 Councillor Powell quoted paragraph 4.1.17. 'The range of identification of SEN across the city's schools is from 4.5% to 75%, raising some issues for further exploration at individual school and school cluster levels.' It was important to identify SEN to ensure transition was effective across the city. The offer of foundation courses was a big piece of work. She asked how this would be tackled. The Assistant Director of Children's Services concurred with the comment about transition. It was very important to get courses right. Currently young people had to repeat courses as there was no vocational pathway. There was a commitment to ensure better opportunities for young people in the future.
- 5.20 Amanda Mortensen stressed the importance of communicating with parents. What would reduced services look like for parents with regard to communication and support services? The Assistant Director of Children's Services agreed that communicating to parents was a high priority. Schools and families were equal and all training should be offered to parents as well as professionals with immediate implementation.

5.21 Councillor Norman commented that council resources were declining as demand was growing. It was not possible to continue without change. There was a need to ensure that outcomes were achieved in the future within the limits of resources.

5.22 Councillor Shanks asked the voting members of the Children and Young People Committee to vote on each of the recommendations detailed in paragraphs 2.1 to 2.1.10 on pages 2 and 3 of the agenda. (Recommendation 2.1.3 was for council members only).

**5.23 RESOLVED:**

**The Children and Young People Committee agreed the following:**

- (1) That the review of the services for children with special educational needs and disabilities (SEND) and behavioural, emotional and social difficulties (BESD) is noted;
- (2) That the recommendations to be considered by the Health and Wellbeing Board (the Board) in relation to the review are noted;
- (3) That in the future development of services for children with special educational needs and disabilities, and behavioural, emotional and social difficulties there shall be a commitment to integrated and inclusive service delivery across education, health and care/ disability services, with families at the heart of the service offer;
- (4) That proposals to integrate provision for children with disabilities in the Early Years by creating inclusive specialist nursery provision within one or more existing mainstream nurseries, with relevant health and care services be developed for further consideration by the Board and the Committee;
- (5) That proposals to integrate provision for children with disabilities and complex, severe and profound special educational needs of school or college age, by extending the remit of specialist and mainstream provision to include greater opportunities for inclusion, extended day/respite and potentially residential facilities with relevant health and care services co-located on site, be developed for further consideration by the Board and the Committee;
- (6) That proposals to integrate existing educational, health (including mental health) and care provision, for children and young people with behavioural, emotional and social difficulties, so as to provide extended day and potentially residential facilities, with a strong focus on further education and vocational routes, be developed for further consideration by the Board and the Committee;
- (7) That schools and colleges with lower than expected outcomes for children with SEND and wider achievement gaps receive challenge and support visits from expert advisers commissioned by the LA, with a view to raising standards and promoting vocational and further education opportunities for young people with SEND and

BESD and especially in secondary and post 16 provision;

- (8) That the SEN education and learning support services in the city (Educational Psychology Service, Pre-school SEN Service, Behaviour and Inclusive Learning Team, Literacy Support Service, Speech and Language Service, Autistic Spectrum Condition Support Service, Sensory Needs Service) are co-located and combine to form one 'communication and support service' with unified professional leadership and management;
- (9) That there is agreement to the co-location of relevant health professionals and particularly speech therapists and occupational therapists with the combined communication and support service, to enrich the integrated support on offer;
- (10) That the combined new communication and support service shall promote partnership working between families and schools by offering support to both as routine, enabling planning across home and school, and involving parents as well as school staff in training, support, advice and guidance; and
- (11) That a refreshed cohesive and well-publicised workforce development offer for mainstream and special schools and associated professionals across all relevant services is developed by the new communication and support service, and that this programme is open to parents as well as professional staff, and where appropriate is co-produced with parents and young people.

5.24 The Chair asked members of the Health & Wellbeing Board if they agreed to the recommendations set out in paragraphs 2.2 to 2.2.11 on pages 3 and 4 of the agenda.

**5.25 RESOLVED:**

**The Health and Wellbeing Board agreed the following:**

- (1) That the Board notes the review of the services for children with special educational needs and disabilities (SEND) and behavioural, emotional and social difficulties (BESD), and agrees the response to the autism report contained therein.
- (2) That the Board notes the recommendations to be considered by the Children and Young People Committee (the Committee) in relation to the review.
- (3) That the joint strategy for children's health and wellbeing services currently being developed by the LA and the CCG for consideration by the Board in 2015 will incorporate the provision of services for children with SEND and BESD, and transition services through to 25 years, informed by the review.
- (4) That in the future development of services for children with special educational needs and disabilities and behavioural, emotional and social difficulties there shall

be a commitment to integrated and inclusive service delivery across education, health and care/ disability services, with families at the heart of the service offer.

- (5) That proposals to integrate provision for children with disabilities and complex, severe and profound special educational needs of school or college age, by extending the remit of specialist and mainstream provision to include greater opportunities for inclusion, extended day/respice and potentially residential facilities, with relevant health and care services co-located on site, be developed for further consideration by the Board and the Committee.
- (6) That proposals to integrate existing educational, health (including mental health) and care provision, for children and young people with behavioural, emotional and social difficulties, so as to provide extended day and potentially residential facilities with a strong focus on further education and vocational routes, be developed for further consideration by the Board and the Committee.
- (7) That an extended specialist family support service be developed from within existing services so that professionals will work alongside families to tackle in situ the challenges linked to significant special needs and associated challenging behaviour.
- (8) That the Director of Children's Services is delegated to publish a clear and transparent set of criteria for determining the basis on which families of disabled children receive respice and short break services, and other disability and care support, and that these criteria are fairly and consistently applied by means of a representative panel.
- (9) That the direct payment budget for families of children with disabilities is increased to include the budget for most respice and short break services provided by the council and the community and voluntary sector, such that real choice is extended and services can market themselves directly to eligible families.
- (10) That a joint agency policy on direct payments to families across education, disability, care and health services in both Children's and Adult Services is published, so that families and young adults can make more holistic choices about provision in all areas of their lives.
- (11) That the Children's Services Directorate of the City Council will work in partnership with the CCG to support the forthcoming Joint Strategic Needs Assessment in the area of emotional and mental health, and the forthcoming review by the CCG of emotional and mental health services for children and young people, including young adults, across the city.
- (12) That the Children's Services Directorate of the City Council will seek to address the serious concerns being raised by schools and families about resources for promoting

emotional and mental health by strengthening the support via the Early Help Hub and from the council's community CAMHS team to further develop skills and expertise amongst school staff via training, support and guidance.

The meeting concluded at 5.12pm

Signed

Chair

Dated this

day of