

## Who are we?

The Children, Young People & Skills Committee is responsible for education, early years and youth provision for children and young people and exercises the education functions of the Council.

The Health & Wellbeing Board is a joint committee of the Council and CCG members, with representatives of health and social care users, which provides the strategic leadership for health and social care in the City.

## Where and when is the Joint meeting?

The meeting will be held in the East Syndicate Wing of the Brighton Centre on Tuesday November 10<sup>th</sup> 2015, starting at 4pm.

**The Joint Meeting is open to the public.**

## What is being discussed?

The joint meeting has been called specifically to consider a report on the **Special Educational Needs & Learning Disability (SEND-LD) Strategy – Next Stage Proposals**

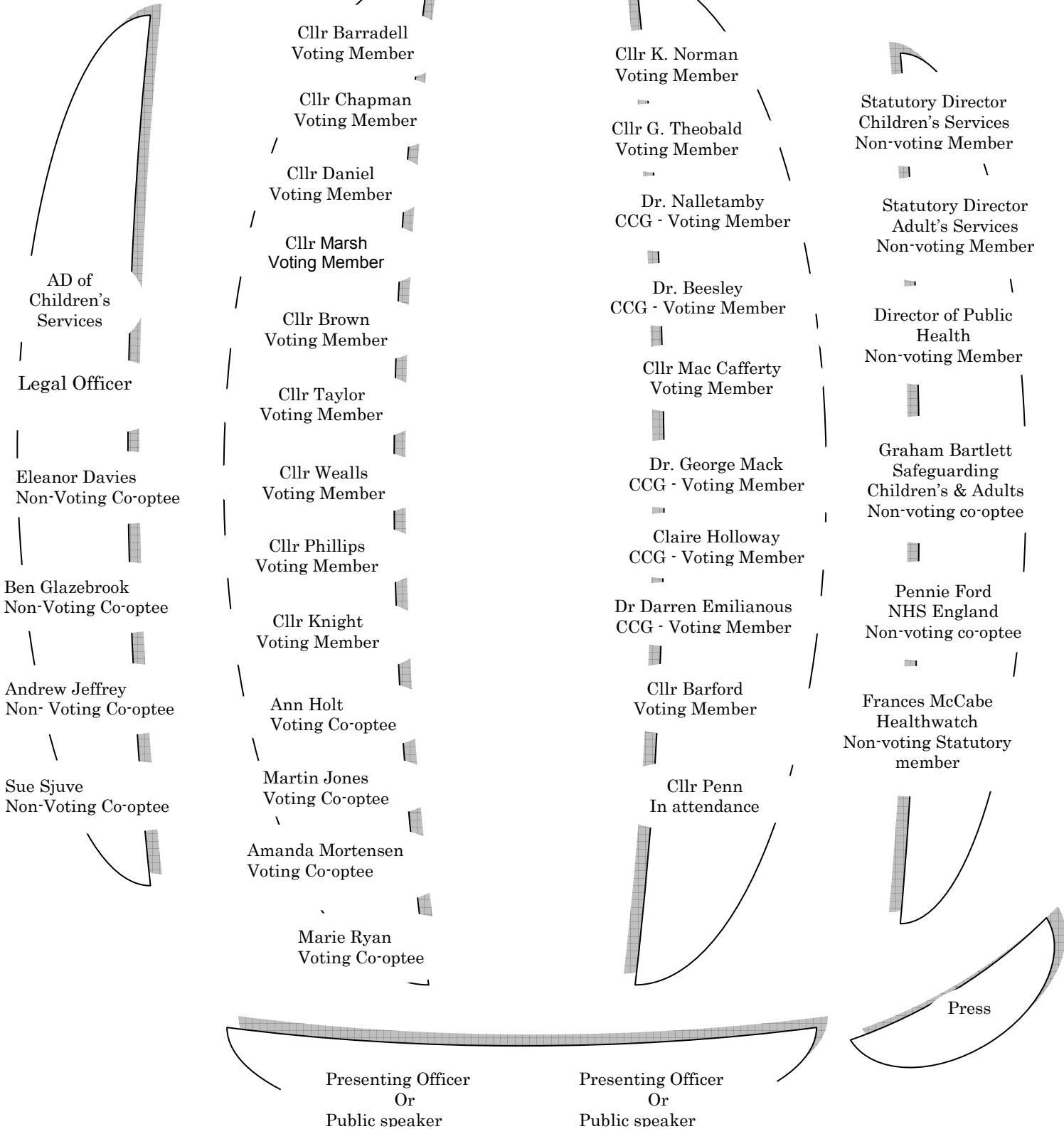
## What decisions are being made?

The joint meeting of the Children, Young People & Skills Committee and the Health & Wellbeing Board will consider the outcome of a review of Special Educational Needs and Disabilities in Children's Services and the review of Learning Disability in Adult Services. The recommendations will be set out in the public report referred to in the agenda, which will be made available as soon as practicable:

- The Children, Young People & Skills Committee will be asked to decide on recommendations relating to the merged Special Educational Needs and Disabilities Review (SEND) and the Learning Disability Review (LD), and the Children's Services SEND Strategy;
- The Health & Wellbeing Board will be asked to decide on recommendations relating to the merged Special Educational Needs and Disabilities Review (SEND) and Learning Disability Review (LD).

Chief Executive      Councillor Bewick  
Voting Member      Councillor Yates  
Voting Member      Natasha Watson  
Legal Officer

Democratic  
Services Officer



**Joint Children, Young People & Skills  
Committee and the Health & Wellbeing Board  
10<sup>th</sup> November 2015  
4.00pm  
East Syndicate Wing  
The Brighton Centre**

Who is invited:

Councillors Barford, Barradell, Bewick, Brown, Chapman, Daniel, Knight, Marsh, Phillips, Taylor, Wealls, Mac Cafferty, K Norman, G Theobald and Yates.

Ann Holt (Diocese of Chichester), Martin Jones, Amanda Mortensen (Parent Governor Representative), Marie Ryan (Catholic Diocese Representative), Dr Christa Beesley (Clinical Commissioning Group), Dr Darren Emilianous (CCG), Claire Holloway (Clinical Commissioning Group), Dr George Mack (NHS Brighton and Hove) and Dr Xavier Nalletamby (Brighton and Hove Clinical Commissioning Group)

Eleanor Davies (Parent Forum), Ben Glazebrook (Community Voluntary Sector), Andrew Jeffrey (Parent Forum), Sue Sjuve (Sussex Community NHS Trust), Youth Council (Youth Council), Graham Bartlett (Brighton & Hove Local Safeguarding Children's Board), Denise D'Souza (Statutory Director of Adult Services), Pinaki Ghoshal (Statutory Director of Children's Services), Fiona Harris (NHS England), Frances McCabe (Healthwatch) and Dr Tom Scanlon (Director of Public Health)

Contact: **Mark Wall**  
Head of Democratic Services  
01273 291006  
mark.wall@brighton-hove.gov.uk

*This Agenda and all accompanying reports are printed on recycled paper*

Date of Publication Tuesday 3 November 2015

# AGENDA

Formal matters of procedure

Page

## 1 APPOINTMENT OF CHAIR

To appoint a Chair for the joint meeting.

## 2 DECLARATIONS OF SUBSTITUTES AND INTERESTS AND EXCLUSIONS

The Chair of the Board will formally ask if anyone is attending to represent another member, and if anyone has a personal and/or financial interest in anything being discussed at the meeting. The Board will then consider whether any of the discussions to be held need to be in private.

## 3 CHAIR'S COMMUNICATIONS

The Chair will make any announcements in relation to the joint meeting.

## 4 FORMAL PUBLIC INVOLVEMENT

This is the part of the meeting when members of the public can formally ask questions of the members of the Children & Young People or the Health & Wellbeing Board or present a petition. These need to relate to the item on the agenda and be notified to the Secretary for the Joint Committee and Board in advance of the meeting.

Ring the Secretary, Mark Wall on 01273 291006 or send an email to [mark.wall@brighton-hove.gov.uk](mailto:mark.wall@brighton-hove.gov.uk)

## 5 SPECIAL EDUCATIONAL NEEDS AND LEARNING DISABILITY (SEND-LD) STRATEGY - NEXT STAGE PROPOSALS

1 - 28

Report of the Statutory Director for Children's Services (copy to follow).

*Contact:*                      *Regan Delf,*                                      *Tel: 01273 293504,*  
   *Mark Hourston*                                      *Tel: 01273 295030*

*Ward Affected:*      *All Wards*

## **Public Involvement**

The City Council and the Health & Wellbeing Board actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.

If you wish to attend and have a mobility impairment or medical condition or medical condition that may require you to receive assisted escape in the event of a fire or other emergency, please contact the Democratic Services Team (Tel: 01273 291066) in advance of the meeting. Measures may then be put into place to enable your attendance and to ensure your safe evacuation from the building.



The Brighton Centre has facilities for people with mobility impairments including a lift and wheelchair accessible WCs. However in the event of an emergency use of the lift is restricted for health and safety reasons please refer to the Access Notice in the agenda below.



An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter and infra-red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.

## **Fire / Emergency Evacuation Procedure**

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:

- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and

Do not re-enter the building until told that it is safe to do so.

**1. Procedural Business**

**(a) Declaration of Substitutes:** Where Members of the Committee or the Board are unable to attend a meeting, a designated substitute for that Member may attend, speak and vote in their place for that meeting.

**(b) Declarations of Interest:**

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members of the Committee and/or the Board should seek advice from the Lawyer or Secretary preferably before the meeting.

**(c) Exclusion of Press and Public:** The Joint Meeting will consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, that the press and public should be excluded from the meeting when any of the items are under consideration.

**NOTE:** Any item appearing in Part Two of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the exempt categories is available from the Secretary to the Joint Meeting.



### **1 Special Educational Needs and Learning Disability (SEND-LD) Strategy – Next Stage Proposals**

- 1.1 This report is open to the general public.
- 1.2 This paper is for a joint meeting of the Health and Wellbeing Board and the Children, Young People and Skills Committee. The report spans both children with Special Educational Needs and Disabilities (SEND) and adults with Learning Disabilities (LD).
- 1.3 Joint Children, Young People and Skills Committee and the Health & Wellbeing Board meeting on the 10<sup>th</sup> November 2015
- 1.4 Regan Delf, Interim Assistant Director (Children's and Adult Services for SEND/LD), Telephone number: 01273 293504  
[regan.delf@brighton-hove.gov.uk](mailto:regan.delf@brighton-hove.gov.uk)

### **2 Summary**

- 2.1 This report sets out proposals aimed at improving services for children and adults with special educational needs and learning disabilities within a very challenging financial context for the Local Authority.
- 2.2 Key themes in proposals are:
  - 2.2.1 **Personalisation**  
*Every young person in specialist provision and every adult service user will have a personalised pathway and they and their families will have more control of spend to meet their needs via the option of a 'personal budget'*
  - 2.2.2 **Integration**  
*Children and Families will be able to access all education, health and care services in the new proposed integrated provision as part of a 'one-stop shop'*
  - 2.2.3 **Consolidation**  
*The aim is to bring together and consolidate specialist provision to provide an efficient and sustainable service into the future*

- 2.3 This report sets out the rationale for two sets of recommendations relating to:
- 2.3.1 Proposed merger of related functions and services across Children's Services and Adult Social Care with an improved pathway from 0-25 years
  - 2.3.2 Proposals to work up and consult on a re-organisation of special provision for children and young people with the most complex SEND
- 2.4 In relation to the proposals for children and young people, current specialist provision in the City is highly valued with Ofsted judgements that are at least 'good' and sometimes 'outstanding' in terms of quality but our vision is for further improvements in key areas, notably:
- 2.4.1 Further improved outcomes for young people in terms of health and wellbeing as well as academic achievement
  - 2.4.2 Reduction in the very high percentages of young people with SEND who are 'not in education, employment and training' (NEET) as young adults by improving vocational pathways
  - 2.4.3 Reduction in the number of costly out of City independent specialist placements through the creation of high quality local integrated provision
  - 2.4.4 Reduction in the disruption and anxiety that families experience over the transition to adulthood by creating a better pathway across provision and services in education, health and care from 0-25 years
  - 2.4.5 Provision of better and more coordinated support for our most vulnerable young people and particularly socially disadvantaged children in need or in care and those with complex and chronic medical and physical needs
  - 2.4.6 All settings stronger and more financially sustainable into the future
- 2.5 Proposals stem from the review of Special Educational Needs and Disabilities (SEND) in Children's Services and the review of Learning Disabilities (LD) in Adult Social Care
- 2.6 The term 'SEN-LD Strategy' is used to describe the implementation phase of the two reviews, which were joined under the leadership of an interim Assistant Director in May 2015.
- 2.7 Both reviews/strategies with recommendations were presented to the Committee and Board on 3.2.15 with a further update report on the progress of the joint strategies presented to both Board and Committee meetings in July 2015.
- 2.8 **Rationale: Proposed merger of related functions and services across Children's Services and Adult Social Care**
- 2.9 New legislation has impacted on the work of Children's Services ([Children and Families Act 2014](#)) and Adult Social Care ([Care Act 2014](#)). Both Acts have introduced sweeping reforms and a need for cultural change with



considerable areas of synergy and overlap and potential for consolidation and consequent efficiencies. Specifically the Children and Families Act places responsibilities on Children's Services for the 0 - 25 years age range where young people are eligible for Education, Health and Care Plans. Young people from 18-25 are covered by both of the above Acts.

- 2.10 Key elements of both Acts overlap, notably:
- 2.10.1 A increased focus on ensuring that families and service users are at the core of all we do
  - 2.10.2 An increased focus on transition and preparation for adulthood, with an extension of responsibility in Children's Services for young people with SEND up to 25 years of age if they meet eligibility criteria
  - 2.10.3 A new focus on identifying and meeting the needs of carers
  - 2.10.4 A requirement for joint commissioning approaches and closer partnerships with health in particular
  - 2.10.5 Personalisation of approaches
  - 2.10.6 Empowerment of parents and service users through extended personal budgets and direct payments
  - 2.10.7 Requirement for much improved independent information, advice and guidance
- 2.11 The bringing together of the SEND and LD strategies has clarified that the two Directorates have many responsibilities and functions that could usefully be integrated in an efficient and cost effective manner. Managers of services working across the age-range have identified some key areas where there is currently synergy and overlap as areas for immediate consolidation and shared practice. These are set out in the recommendations below.
- 2.12 **Rationale: proposals to work up and consult on a re-organisation of special provision for children and young people with the most complex SEND**
- 2.13 **Vision:** the central vision is that our children and young people of all ages with the most complex needs will have special provision that is integrated across education, health and care
- 2.14 Although the city has some well integrated provision already, during the major consultation exercise that led to the publication of the SEND review report in February 2015, a central message from parents and carers was that provision and services across education, health and care can still seem fragmented and difficult to access.

2.15 The vision is that by 2020, parents, carers and children will be able to say the following:

**Vision: by 2020 parents and carers will be able to say:**

Every professional working with my child is working on the same goals and the same plan

We don't have to dash around the city to go to take our child to all the different appointments and clinics as everything is in one place – feels like a `one-stop shop` now

Professionals are working and planning together on a daily basis so we can just tell our story once – no need to start from the beginning with every new professional we meet

Staff visiting us at home has meant they have a greater understanding of some of the challenges we face as a family

Our child was up and down half the night and then wouldn't get up for school in the mornings – we were worn out but with the help of school and care staff supporting us in the home setting early morning and in the evening, that is all behind us now

Because we are eligible for a personal budget, we have been able to make some decisions about activities and respite which really support us as a family, including some beyond the school day, at the weekends and in school holidays

The new resource allocation system (RAS) makes us feel confident that resources are being shared fairly across those who need them

We are pleased that our child will have the opportunity to make friends in mainstream schools too and take part in mainstream classes and activities as this will improve his confidence and he will have more fun

**Vision: by 2020 children and young people will be able to say:**

I can spend some time in my local mainstream school and still get the special help I need in my other school – that means I can have friends in two places and some of them live near me

I am able to go to lots of different clubs and other activities after school and some nights I stay with a really nice foster family to give my parents a break

My teacher came home to talk to my parents about how to help me stop losing my temper when things go wrong and upsetting Mum – she showed Mum how she helps me to stay calm at school and that really helped - now I get special stickers at home too

Dad has learned Makaton at school with the teachers and now he is much better at talking to me about things

My teachers and my physiotherapist work together in the classroom every week to help me sit up so I can see what is happening and what I have to do in lessons

Everyone knows what to do now if I am ill and how best to take care of me and that has made Mum, Dad and me feel much safer

My school helped me get work experience in a local hotel and my boss is saying now I might get an apprenticeship with them – I know I will need support to manage everything but people there know I'm good at a lot of things too

I do get stressed by life and sometimes I can't face everyone but I've had really good support to manage my anxiety and I feel everyone understands now and is looking out for me

2.16 **Principles:** the proposals are predicated on the following principles:

### **Principles**

- 2.16.1 The number of specialist places for children with Special Educational Needs and Disabilities (SEND)/Social, Emotional and Mental Health (SEMH) will not reduce but will show an overall small increase as a consequence of implementation
- 2.16.2 Provision will be integrated across education, health and care to provide a more holistic response to children's needs
- 2.16.3 The proposals will be phased in over four academic years from September 2016 to ensure minimum disruption for children in their current provision
- 2.16.4 Every child and family will have a personalised plan that will ensure their progress and wellbeing are paramount considerations if there are changes that affect them
- 2.16.5 Savings will be made from consolidation of provision and consequent reduced management and infrastructure costs

### **2.17 Current specialist provision and budget pressures**

2.17.1 The city makes overall very good and valued provision for children with complex SEND in:

- 2.17.1.1 Six special schools
- 2.17.1.2 Two Pupil Referral Units
- 2.17.1.3 Six Special Facilities within mainstream schools
- 2.17.1.4 Two specialist part-time nurseries
- 2.17.1.5 The independent and non-maintained sector where local provision deemed insufficient to meet all needs

2.18 Overall costs are listed in appendix two, table two.

2.19 Research into the limited comparative national data suggests the city has more than the average number of special schools in similar LAs and our special schools are on average smaller.

2.20 As a consequence of a higher than average number of special schools, there are inevitable additional cost associated with infrastructure and leadership and management, which could be managed more efficiently by consolidation of provision.

- 2.21 While some special schools are consistently over-subscribed, others have struggled to admit enough pupils to be financially viable without LA additional support.
- 2.22 As a consequence of falling rolls for some special schools (appendix 2, table 3), the LA has had to find **£900K in 'transitional protection'** over the past five years to purchase empty places in these schools and enable them to balance their books. While we need our special provision to be financially viable, 'transitional protection' is in reality much needed money that could have been used to meet the needs of children with SEN elsewhere.
- 2.23 Under the most recent national funding formula for special schools, funding follows individual pupils in 'real time' and thus it is difficult for schools to be financially viable unless they can fill all their commissioned places and are of a sufficient size to withstand inevitable movements of pupils in and out of the school across the year.

### **Additional budget pressures**

- 2.24 There are multiple demands and pressures on the budget for children and young people with SEND which mean we need to find more efficient ways of working if we are to meet the needs of all children and young people with SEND going forward
- 2.25 Additionally new legislation has extended the age range for the maintenance of Education, Health and Care Plans (formerly Statements of SEN) for our most complex young people from 2-16 years to 0-25 years. There is also a new requirement to create personal budgets for families and to improve the information, advice and guidance given to them.
- 2.26 The new duties above are welcomed by the LA. However there has been no corresponding uplift in SEN national funding to LAs and this is creating an increasing year on year pressure on SEN budgets here and across the country.
- 2.27 Additionally a national rise in emotional and mental health problems for young people, with associated problematic behaviours, is leading to increased pressure on the provision we run for 'social, emotional and mental health' (SEMH) needs (formerly known as BESD – behavioural, emotional and social difficulties)

### **Proposals**

2.28 The recommendations are therefore to work up and consult on a means to:

- integrate special provision across education, health and care for all children with complex SEND

- include children and young people in the naming the new integrated provisions
- offer an improved and innovative curriculum
- make the system more efficient and financial viable into the future, by consolidation of the current six special schools and two PRUs to form three integrated special provisions across the city.

## Relevant Background Reports

2.29 This report should also be considered in conjunction with the following papers:

2.29.1 Adult Social Care Direction of Travel 2016-2020 going to the Health and Wellbeing Board on 20.10.15



Direction of Travel  
ASC.pdf

2.29.2 Interim report: Progress on the Merging Special Educational Needs and Disabilities (SEND) Review in Children’s Services and the Learning Disability (LD) Review in Adult Services – 21.07.15

2.29.3 Review of Provision and Services for: Special Educational Needs and Disabilities (SEND) including Behavioural, Emotional and Social Difficulties (BESD) – 03.02.15

2.29.4 The Outcome of the Learning Disability Review & “A Good, Happy & Healthy Life”: A strategy for Adults with Learning Disabilities in Brighton & Hove – 03.02.15

## 3 Recommendations

In accordance with the governance arrangements relating to the report and recommendations below:

**3.1 The Children, Young People and Skills Committee is asked to agree the following recommendations relating to the Children’s Services SEND Strategy:**

**In relation to educational provision** (*councillors and voting co-optees to vote*)

3.1.1 Upon the basis:-

- (i) that there will be no overall reduction in the number of school places available to pupils in the city requiring specialist provision, and
- (ii) the Board noting that before any final decisions can be taken regarding the proposed reorganisation of specialist provision it will be necessary to follow the statutory processes set out in the school organisation legislation, in particular the Education and Inspections Act 2006 and associated Regulations, these processes requiring periods of formal consultation with all interested parties, (which will include parents, governors and staff at the respective schools), and the publication of statutory notices,

It is agreed:

3.1.2 That approval be given to draw up detailed proposals in relation to each element of the restructuring of current specialist education provision described below, so as to offer integrated education, extended day activities, respite care and short breaks and integrated health and care teams within each new provision. The proposals being as follows:

- (a) That the existing six special schools (Patcham House, Homewood College, Hillside Special School, Downs Park Special School, Downs View Special School and the Cedar Centre School) and two Pupil Referral Units (Brighton & Hove Pupil Referral Unit and the Connected Hub) be re-organised to form three extended and integrated specialist provisions with clear vocational pathways and strong support for preparation for adulthood.
- (b) That two specialist provisions be created for children with learning difficulties as set out below:
  - (i) That Hillside Special School and Downs Park Special School amalgamate to form one **Integrated Provision West** for the full range of cognition and learning needs. The provision will cater for pupils aged 5 - 16 years i.e. Key Stages 1 – 4, and will operate from both of the current school sites but under one leadership team and governing body.
  - (ii) That Downs View Special School expand to create **Integrated Provision East** for the full range of cognition and learning needs. The provision will cater for pupils aged 5 - 19 years, i.e. Key Stages 1 – 5, and will be based on the current site of Downs View School which will be expanded as necessary.
- (c) That Cedar Centre School, Patcham House School and Homewood College be re-organised as the city's school provision for children with social, emotional and mental health needs to form the **Integrated Specialist Provision Central (SEMH)** catering for pupils aged from 5-16 years ie from Key Stages 1 – 4. The provision will be based on the current Cedar Centre School site.

- (d) That further provision for pupils with complex needs/moderate learning difficulties be made at the Integrated Special Provisions East and West (Cognition and Learning) so that no capacity is lost for these needs following the re-designation of Integrated Specialist Provision Central to cater for SEMH.
- (e) That B&H Pupil Referral Unit (currently situated at Lynchet Close and Dyke Road) and The Connected Hub (situated at Tilbury House) merge to form a single B&H **Integrated Provision Central Pupil Referral Unit** for pupils with Social, Emotional and Mental Health needs. The Unit will cater for pupils aged 11 – 16 years i.e. Key stages 3 and 4 and will be based on the Lynchet Close and Tilbury House sites.
- (f) That children who are currently attending full time at the primary Pupil Referral Unit (based at Lynchet Close) with statements of special educational needs or EHC Plans naming this provision, move onto the roll of the Integrated Provision Central (SEMH). Any part-time PRU places will convert to extensive additionally funded support in mainstream school.

3.1.3 That for each integrated specialist provision, a lead partner mainstream secondary and mainstream primary school be identified to champion the needs of young people with SEND/SEMH and facilitate shared and inclusive opportunities across mainstream and specialist provision.

**3.2 In relation to other provision for young people (councillors only to vote):**

3.2.1 That the Clinical Commissioning Group (CCG) and Children’s Services shall jointly commission support from health providers to form an integrated team within each integrated special provision as required.

3.2.2 That it is noted that the current Jeanne Saunders nursery is sited in unsuitable premises at Penny Gobby House which does not provide disabled access for children with disabilities, which has necessitated the creation of the satellite site at Easthill Park for six of the children with the greatest mobility needs.

3.2.3 That an inclusive integrated nursery with specialist health and care facilities on a mainstream nursery site shall replace the current part-time specialist nursery provision at the Jeanne Saunders/Easthill Park nursery.

**3.3 Recommendations relating to merged SEND/LD Strategy across the Children’s Services and Adult Social Care Directorates (councillors only to vote)**

3.3.1 That the Adult and Children’s directorates of the city council shall support the Clinical Commissioning Group (CCG) to commission an all-age ‘Wellbeing’ Service that will respond to the emotional and mental health needs of



parents, children and families rather than the individuals within families.

- 3.3.2 That approval be given to identify, consider, and review social work structures and functions supporting children and adults with learning disabilities that are likely to be delivered more efficiently and create a better pathway for service users by one combined Children's Service and Adult Social Care response rather than via two Directorates
- 3.3.3 That specifically the following options be reviewed relating to a single approach to adult and children's provision:
- (i) The adoption of the same Resource Allocation System (RAS) in Children's Services as well as in Adult Social Care for an equitable and fair allocation of resources and direct payments.
  - (ii) The combining the Autism strategies and plans across Children's and Adult Services to have one approach for autism across the age range.
  - (iii) Consolidating as far as possible transport arrangements across the full age range.
  - (iv) Consolidating the services relating to adults and young people involving deprivation of liberty
  - (v) A single service for emotional and mental health support.
- 3.3.4 That any service redesign should:
- (i) facilitate the transition from Children's to Adult Services (0 - 25 years) by better preparation for adulthood and pathways to supported internships, apprenticeships and longer term employment.
  - (ii) encourage inclusive practice through universal and community services such that people with SEND and LD do not have to rely on scarce 'specialist' provision and can live and thrive within the wider community.
  - (iii) aim to prevent the need for high cost placements where children and adults have very complex needs and challenging behaviour by improving local services including mental health and behavioural support services.
- 3.3.5 That options for re-providing services at better value for money and to a good standard in the community and voluntary sector or the private sector be identified and explored.
- 3.3.6 That upon noting the recommendations of the Policy and Resources Committee of 4 November 2015 in respect of a review of the in house learning disability accommodation services, there shall be consideration given to whether joint work between the Housing Department and Learning Disability Services in both Children's and Adults' Services should take place to review the need for supported living arrangements within the city and develop proposals for supported living arrangements accordingly.

**3.4 The Health and Wellbeing Board is asked to agree the following recommendations:**

**Recommendations relating to the Children's Services SEND Strategy**

**Item 1**

- 3.4.1 That the Board notes the recommendations to be considered by the Children, Young People and Skills Committee (the Committee) in relation to specialist educational provision for children.
- 3.4.2 That an inclusive integrated nursery with specialist health and care facilities on a mainstream nursery site shall replace the current part-time specialist nursery provision at the Jeanne Saunders/Easthill Park nursery.
- 3.4.3 That the Board supports the joint commissioning by the Clinical Commissioning Group (CCG) and Children's Services of support from health providers to form an integrated team within each integrated special provision as required.

**3.5 Recommendations relating to merged SEND/LD Strategy across the Children's Services and Adult Social Care Directorates**

**Item 2**

- 3.5.1 That the Board supports the proposal by the Clinical Commissioning Group (CCG) to commission an all-age 'Wellbeing' Service that will respond to the emotional and mental health needs of parents, children and families rather than the individuals within families.
- 3.5.2 That approval be given to identify, consider, and review social work structures and functions supporting children and adults with learning disabilities that are likely to be delivered more efficiently and create a better pathway for service users by one combined Children's Service and Adult Social Care response rather than via two Directorates
- 3.5.3 That specifically the following options be reviewed relating to a single approach to adult and children's provision:
  - (i) The adoption of the Resource Allocation System (RAS) in Children's Services that is currently established in Adult Social Care for an equitable and fair allocation of resources and direct payments.
  - (ii) The combining the Autism strategies and plans across Children's and Adult Services to have one approach for autism across the age range.
  - (iii) Consolidating as far as possible transport arrangements across the full age range.
  - (iv) Consolidating the services relating to adults and young people involving deprivation of liberty.

(v) A single service for emotional and mental health support.

3.5.4 That any service redesign should:

- (i) facilitate the transition from Children's to Adult Services (0 - 25 years) by better preparation for adulthood and pathways to supported internships, apprenticeships and longer term employment.
- (ii) encourage inclusive practice through universal and community services such that people with SEND and LD do not have to rely on scarce 'specialist' provision and can live and thrive within the wider community.
- (iii) aim to prevent the need for high cost placements where children and adults have very complex needs and challenging behaviour by improving local services including mental health and behavioural support services.

3.5.5 That options for re-providing services at better value for money and to a good standard in the community and voluntary sector or the private sector be identified and explored.

3.5.6 That upon noting the recommendations of the Policy and Resources Committee of 4 November 2015 in respect of a review of the in house learning disability accommodation services, there shall be joint work between the Housing Department and Learning Disability Services in both Children's and Adults' Services to review the need for supported living arrangements within the city and develop proposals for supported living arrangements accordingly.

## **4 Relevant background information**

### **4.1 Other Options explored**

4.2. **All Services and Provision** - One option is to leave current services across Adult Social Care and Children's Services unchanged. Many of the services and provision are of good quality and valued by professionals and service users alike. However current services need to adapt to meet the new legal framework with a drive to more integration of services, the empowerment of service users and their families and the promotion of personal budgets. The council is facing substantial budget pressures in the context of most services for vulnerable service users, including schools, costing more than the national average. There is an urgent need to ensure services are of good quality, are offered within the modern context based on feedback from service users and their families about improvements and are affordable within the available budget envelope.

4.3 **Merging functions across services for children and adults** - An alternative option to proposals to merge functions across Adult Social Care Learning Disabilities (LD) and Children's Services SEND provision is to leave them separate as now but improve partnership, co-operation and joint working. However parents and young people have given extensive feedback about the problems of transition to adulthood and multiple complications

associated with different age ranges and thresholds for adult and children's services. Additionally the number of young people with LD not in employment, education or training at age 19+ is over 40% and improvements are clearly needed in terms of preparation for adulthood. In this context, leaving the situation as it is would not address well-known problems around transition. Equally leaving things as they are would not enable efficiency savings that could be made from merging management and function.

- 4.4 **Special School and PRU provision** - Alternative proposals that would leave unchanged the current matrix of specialist provision, including special schools, PRUs and nurseries would not represent good value for money, with some provisions too small to offer a full curriculum and requiring annual financial protection from the council to sustain them while others are over-full with waiting lists. The council has spent 900K on 'transitional protection' over the past 5 years to support special provision with too few pupils to be financially viable.
- 4.5 **Inclusive nursery provision** – An option to creating an inclusive nursery would be to offer pre-school provision at the new integrated provisions for children with learning difficulties. This would be of high quality but would be a less inclusive option.
- 4.6 **Merging special schools catering for different levels of learning difficulty** - It would be possible to leave unchanged the current divisions between 'complex needs' schools (formerly schools for children with 'moderate learning difficulties') and schools for children with severe, profound and multiple learning difficulties, especially as all special provision in the city is either judged 'good' overall or 'outstanding' by Ofsted. However having five small schools for children with different levels of learning difficulty means that some struggle financially with fluctuations in pupil numbers while others are in high demand. Current arrangements also diminish opportunities for teachers to work and learn together to improve curriculum delivery and outcomes. The merging of schools to create a complete response to all children with complex learning needs has been an increasing trend nationally with both East and West Sussex having successfully reorganised their provision on this basis.

## **5 Adult Social Care Learning Difficulty Strategy**

- 5.1 Brighton and Hove has seen an increase in demand for all services and it is estimated that there would be a 12% increase in the numbers of people with a severe or moderate learning disability by 2030. This should also be seen in the context of the continued year on year savings for Adult Social Care in Brighton and Hove and the acceptance that unit costs for people using Learning Disability services are more expensive than comparator councils (see CIPFA data).
- 5.2 Following an LD Review a strategic vision was developed and agreed at the Health and Wellbeing Board on 23rd February 2015. This strategy, "A Good, Happy & Healthy Life" is now the driving force to ensure good outcomes and personalised services for adults with learning disabilities in Brighton & Hove.

- 5.3 An Operational Group has been set up to develop and implement a delivery plan to deliver on the recommendations contained in the new strategy “A Good, Happy & Healthy Life” and achieve the necessary savings identified from the ASC budget. This group report into an LD Board, which meets fortnightly to review progress.
- 5.4 The programme is divided into 4 workstreams:
- 5.4.1 Personalisation and Independence
  - 5.4.2 Community & Day Activities
  - 5.4.3 Good Health
  - 5.4.4 Respite & Short Breaks
- 5.5 Planning under the four workstreams is taking place within the context of a wider ‘Direction of Travel’ report for Adult Social Care being taken to the Health and Wellbeing Board in October 2015 which sets out how change and modernisation of quality services to meet need will take place within an affordable budget envelope.
- 5.6 Proposals for adults with LD are intended to empower service users through extended use of personal budgets and providing a menu of lower cost options to meet needs and promote best outcomes for people with learning disabilities.
- 5.7 In order to ensure stability and maintain the confidence of service users and their families, great care will be taken to review every situation and provide a personalised plan to ensure smooth and sustainable transition with ongoing support and guidance.
- 5.8 Extended use of personal budgets and greater choice in the system will reduce the need for council run services provided in static buildings and thus these provision for day activities, community care and supported living currently provided by the council will be outsourced over the next four years.

## **Children’s Services Special Educational Needs and Disability Strategy**

- 5.9 The Children and Families Act 2014 and the associated SEN Code of Practice 2014 place a duty of council and health services to commission services for children jointly in consultation with young people and families and also where appropriate to integrate provision across education, health and care.

*‘3.13 Local authorities **must** work to integrate educational provision and training provision with health and social care provision where they think that this would promote the wellbeing of children and young people with SEN or disabilities, or improve the quality of special educational provision. Local partners **must** co-operate with the local authority in this. The NHS Mandate, NHS Act 2006 and Health and Social Care Act 2012 make clear that NHS*

*England, CCGs and Health and Wellbeing Boards must promote the integration of services.'*  
*SEN Code of Practice 2014*

- 5.10 As a consequence the SEND review proposed a number of wide-ranging recommendations to a joint meeting of the Health and Wellbeing Board and the Children, Young People and Skills Committee in February 2015, all of which were accepted.
- 5.11 Central themes in recommendations were:
- 5.11.1 integration of services and provision across education, health and care across the 0-25 years age range;
  - 5.11.2 reducing dependents on expensive out of city/independent specialist placements by providing integrated "wrap-around" provision in the city;
  - 5.11.3 greater personalisation for families and extended use of personal budgets;
  - 5.11.4 improved support to families where children have complex and challenging needs and behaviours;
  - 5.11.5 more systematic identification of SEN and improved outcomes for identified young people;
  - 5.11.6 A re-organisation of special schooling and specialist nursery provision, children's health and therapy provision, children's residential and respite provision and outreach/extended day activities in the areas of both learning difficulties and of behavioural, emotional and social difficulties;
- 5.12 These recommendations above will not reduce the number of specialist places available but by consolidating and integrating provision will enable a substantial reduction in costs.

### **5.13 How will the savings be made?**

Savings will come from:

- 5.13.1 consolidation of buildings and infrastructure in the new model with part of capital receipts being used to fund adaptations and improvements to the new provisions (subject to a successful business case and approval from Policy and Resources Committee and any resultant capital receipts being considered in relation to the council's Medium Term Financial Strategy and capital investment programme);

- 5.13.2 streamlined leadership and management costs across the reorganised provision;
- 5.13.3 more effective pooling of budgets across the council general fund, the DSG High Needs Block and joint-commissioning arrangement with partners in health;
- 5.13.4 no longer needing to pay 'transitional protection' to smaller schools which have empty places and are not otherwise financially viable

#### **5.14 Integrated Provision for Learning Difficulties and Disabilities**

- 5.14.1 The proposal here is that special school provision for children with learning difficulties will be merged so that special schools cater for the entire range of learning difficulties within one establishment (not as currently divided to 'moderate learning difficulties/complex needs' and 'severe learning difficulties').
- 5.14.2 There will be two specialist provisions catering for children with learning difficulties:
  - 5.14.2.1 in the East, based on the site of an extended Downs View School
  - 5.14.2.2 in the West, based on a merger of the current Hillside and Downs Park Schools under one leadership but retaining both current buildings
- 5.14.3 An integrated health/therapy team comprising medical, nursing, mental health/Child and Adolescent Mental Health Service (CAMHS), Occupational Therapy (OT), Physiotherapy and Speech and Language Therapy will be jointly commissioned by the Clinical Commissioning Group (CCG) and the council to be based at each provision and provide support as part of an integrated team with school staff.
- 5.14.4 Each provision will provide direct support to families, including if needed support to parents/carers at home in managing complex physical/medical needs and challenging behaviours.
- 5.14.5 Social work, key working and disability care, including extended day activities, respite and outreach, will be also provided as part of the integrated learning difficulty provisions with relevant staff and activities forming part of an integrated team with school and health staff.
- 5.14.6 Each provision will work with a lead partner secondary and primary school to champion inclusive and shared opportunities.
- 5.14.7 Further choice at better value will be provided to families of 19+ young people with complex special needs by developing 19+ provision with students on the roll of further education (FE)/sixth form college, commissioning provision from

Downs View Link College of high quality and better value than independent sector alternatives.

### **5.15 Social, Emotional and Mental Health Needs**

- 5.15.1 The current school and Pupil Referral Unit provision for Social, Emotional and Mental Health Needs (SEMH) would be reconfigured as follows:
- 5.15.2 The two Pupil Referral Units (Brighton and Hove PRU and The Connected Hub) merge to form one PRU catering for Key Stages 3 and 4 based at the current sites (Lynchet Close and Tilbury House).
- 5.15.3 A special school for SEMH taking pupils in Key Stages 2, 3 and 4 with the site of the current Cedar Centre School as the main hub.
- 5.15.4 Additional places will be provided at the Integrated Specialist Provisions East and West for children with complex needs/moderate learning difficulties.
- 5.15.5 There will be resourced provision for mainstream schools in the form of 28 'virtual places' attached to the PRU, where the PRU will offer much enhanced support to mainstream schools to commission support and alternative provision.
- 5.15.6 Integrated leadership for the SEMH school and PRU will come from an Executive Headteacher overseeing the full matrix of provision, including alternative provision and vocational pathways.
- 5.15.7 Integrated health, mental health, Youth Offending and social care provision will work as part of an integrated team with school staff to support eligible young people as needed and create a full service for adolescents with SEMH and challenging family circumstances.

### **5.16 Early Years Provision for Young Children with disabilities and complex special needs**

- 5.16.1 A new full time integrated inclusive nursery will be created for young children with disabilities and complex special needs in a mainstream nursery setting.
- 5.16.2 This to provide one inclusive setting with specialist health and care facilities available on-site that will provide new premises for the Jeanne Saunders/Easthill Park nursery.
- 5.16.3 The current part-time Jeanne Saunders nursery based at Penny Goby House is sited in unsuitable premises which do not provide disabled access for children with disabilities, hence a satellite site being needed at Easthill Park taking six of the children with the greatest mobility needs.



- 5.16.4 The recommendation is therefore that this building is not used for a nursery for children with disabilities. It is in Trust and negotiations are taking place with the charity and Trustees as to usage going forward.

## **6 Important considerations and implications**

### Legal implications:

- 6.1 The presentation of this report to a joint Health and Wellbeing Board and Children, Young People and Skills Committee reflects the specific functions of each to oversee and make decisions concerning either Adult Social Care or Children's Services.
- 6.2 The Children and Families Act 2014 which came into force in September 2014 introduced a new single system from birth to 25 for all children and young people with special educational needs and their families. The Act requires Local Authorities to place children, young people, their parents and carers at the heart of the process in a more person centred manner. It also introduced a new requirement on local authorities and health services to jointly commission education, health and social care services for young people and families. The proposed re-structure and reorganisation of specialist educational provision in the city aims to enable the Council to further achieve this integration. The proposed arrangements for co-operation inter-departmentally and between the Local Authority and health partners in commissioning and delivering services reflect the requirements of the Care Act 2014.
- 6.3 In order to achieve the proposed education reorganisation it will be necessary to follow the statutory processes set out in the school organisation legislation, in particular the Education and Inspections Act 2006 and associated Regulations. These processes require periods of formal consultation with all interested parties, (which will include parents, governors and staff at the respective schools), the publication of statutory notices and further periods for the submission of representations before any final decisions can be taken.
- 6.4 At this stage the Committee are not being asked to approve the school reorganisation proposed to in the body of the report. As and when the proposals are developed in more detail they will return to CYP committee for consideration as to whether or not to proceed to consultation, the first stage in the statutory process for reorganisation.
- 6.5 Any future provision, arrangements and commissioning in respect of adults with care and support needs must ensure compliance with the requirements of the Care Act in addition to the wider duties including wellbeing, prevention, provision of information and advice and market shaping.
- 6.6 Any detailed proposals which may emerge as a result of the recommendations in this report must include full consideration of any need to

consult interested and potentially affected persons and implications arising under Equalities legislation and Human Rights Act 1998.

Lawyer Consulted: Natasha Watson

Date: 02/11/15

Financial implications:

**Children's Services**

- 6.7 The recommendations included in this report have implications to both revenue and capital funding.
- 6.8 The proposals state that the intention is to retain at least the same number of specialist placements for children with SEN and disabilities but to re-structure and re-organise provision. This approach will safeguard Dedicated Schools Grant (DSG) high needs block funding levels whilst, at the same time, delivering greater economies of scale resulting in reduced unit costs.
- 6.9 In particular, the plan to integrate provision will facilitate savings in revenue budgets relating to management and administration, and premises. Analysis of special school budget plans for 2015/16 has identified approximately £2.9m is currently spent in these areas and the proposals in the report seek to save £900,000 over a 3 year period from 2017/18. The reduction in costs will mean that the unit values for top-up funding in special schools will be recalibrated. It is likely that the Local Authority will need to seek approval of Department for Education (DfE) to dis-apply the minimum funding guarantee that exists within the Schools and Early Years Finance Regulations.
- 6.10 The savings identified in 2016/17 associated with the SEND review relate to the cessation of transitional protection funding to special schools and other identified savings in the high needs block of the DSG, such as the re-organisation of the Learning Support Services.
- 6.11 The proposal to integrate provision for children and young people with an Education Health and Care plan will allow more effective use of resource across the Council's general fund, the DSG and joint-commissioning with partners in health. It will be necessary to ensure that the proposals are compliant with the relevant funding regulations, particularly where DSG funding is being extended to support provision currently being delivered through core council funding.
- 6.12 The disposal of any surplus assets identified under this review may potentially generate capital receipts. Those receipts, less any disposal costs, will be ring-fenced to support capital investment through the Council's Capital Investment programme to enable the adaptations and improvements to the new provisions. The balance of receipts after the initial ring-fencing will be used to support the Council's future corporate capital strategy.

*Finance Officer Consulted: Steve Williams*

*Date: 08/10/15*

## **Adults Services**

- 6.13 The proposals arising from the LD Review will be reflected in the four year integrated service and financial plans which will be considered by Policy and Resources Committee on 3 December 2015. The extended use of personal budgets and a review of how care and support needs are met is expected to result in a more cost effective model which will reduce unit costs. Unit costs for Learning Disability services are currently high compared with comparator authorities and there is significant pressure on the 2015/16 budget. There is a savings target of approximately £8m against Adult Learning Disability services over the next four years against which plans are being developed.
- 6.14 Detailed financial implications for the proposals when implementation plans are referred back to Committee.

*Finance Officer Consulted: Anne Silley*

*Date: 13/10/15*

### Equalities implications:

- 6.15 An Equality Impact Assessment will be drawn up in relation to all proposals for service redesign to be considered prior to the consideration of any recommendations relating to implementation.

### Health, social care, children's services and public health:

- 6.16 Partners in Adult Social Care, Children's Services, Public Health, the Clinical Commissioning Group, Sussex Community Trust and Sussex Partnership Foundation Trust welcome the strengthening of the requirement for joint commissioning and integrated delivery of services in both the Children and Families Act 2014 and the Care Act 2014. Colleagues in health services and the council have worked together to draft Joint Health and Wellbeing Strategy and a Joint Children's Health and Wellbeing Commissioning Strategy to be presented to the Health and Wellbeing Board in December 2015. Specifically in the context of the new legislative framework, there is a commitment to joint commissioning of a smooth pathway for children and young adults from 0-25 years who are eligible for Education, Health and Care Plans and joint delivery of services for them where needed.
- 6.17 In this context, there has been close liaison and co-operation between the council and health partners throughout the period of the developing SEND and LD strategies in Adult Social Care and in Children's Services. Specifically in relation to the proposals for children and young people, all partners are committed to the principles of integrated education, health and care provision for children and young people with the most complex needs and to formulating specific proposals for joint commissioning of integrated services for the proposed new special provisions.

## **Appendix 1:**

### **Summary of acronyms used in the report**

<b>ASC</b>	Adult Social Care
<b>BESD</b>	Behaviour, Emotional and Social Difficulties
<b>BHPRU</b>	Brighton and Hove Pupil Referral Unit
<b>CAMHS</b>	Child and Adolescent Mental Health Service
<b>CCG</b>	Clinical Commissioning Group
<b>DSG</b>	Dedicated Schools Grant (DfE grant to provide funding for schools)
<b>DOLS</b>	Deprivation of Liberty assessment
<b>DVLC</b>	Downs View Link College
<b>EIA</b>	Equality Impact Assessment
<b>HNB</b>	High Needs Block (LA funding for pupils with 'high needs')
<b>LA</b>	Local Authority
<b>LD</b>	Learning Disabilities
<b>MLD</b>	Moderate Learning Difficulties
<b>OT</b>	Occupational Therapy
<b>PRU</b>	Pupil Referral Unit
<b>RAS</b>	Resource Allocation System
<b>SEMH</b>	Social Emotional and Mental health
<b>SEND</b>	Special Educational Needs and Disabilities

**Appendix 2 – Table One:  
Current provision in the City**

<b>Establishment</b>	<b>Caters for pupils with</b>	<b>Commissioned Numbers 2015/16</b>
Hillside Special School (Portslade)	Severe and profound multiple learning difficulties	72
Downs Park School CDP Federation (Portslade)	Moderate learning difficulties and complex needs	90
Downs View Special School (Woodingdean) and Downs View Link College (Fiveways)	Severe and profound multiple learning difficulties	120
Cedar Centre CDP Federation (Hollingdean)	Moderate learning difficulties and complex needs	72
Patcham House School CDP Federation (Patcham)	Academically more able pupils with a range of additional complex needs	31
Homewood College (Moulsecoomb)	Social, Emotional and Mental health needs	45
The Connected Hub - Alternative Provision (Fiveways)	Social, Emotional and Mental health needs	34
B&H Pupil Referral Unit (Hollingdean and Dyke Road)	Social, Emotional and Mental health needs	54
<b>Establishment – Post 19 Provision</b>		<b>Commissioned Numbers</b>
Post 19 Provision in Independent Sector	Severe learning difficulties	26
<b>Establishment – Early Years</b>		<b>Commissioned Numbers</b>
Jeanne Saunders/Easthill Park (Hove and Portslade)	Complex needs, severe learning difficulties and disabilities	18

**Table Two:  
Current Costs and expected Savings**

<b>Current SEND Expenditure 2015/2016</b>	<b>Commissioned Numbers</b>	<b>£ cost</b>
Special Schools (six)	430	£9.53m
The Connected Hub/PRU	88	£1.45m
Post 19 Provision	26	£1.04m
Early Years	18	£0.75m
Total	562	£12.77m

Please note the cost shown against Early Years represents both the on-site and off site (outreach) provision delivered by PRESENS, whereas the place numbers are attributable to the on-site service only. Further work is being undertaken to split the total service cost accurately between on and off site provision.  
(Paragraph added 10.11.15 and republished)

Overall savings from the proposed reorganisation are £1,595,000 million over four years to 2019/20

## Appendix 2 - Table Three

### Special School Commissioned Numbers and Pupil Numbers 2011/12 to 2015/16

School	Year 2011/12		Year 2012/13		Year 2013/14		Year 2014/15		Year 2015/16	
	Place	Pupil	Place	Pupil	Place	Pupil	Place	Pupil	Place	*Pupil
	Nos	Nos	Nos	Nos	Nos	Nos	Nos	Nos	Nos	Nos
Homewood	60	47	60	43	45	42	45	40	45	38
Cedar Centre	85	78	80	78	80	78	76	75	72	72
Downs Park	73	76	77	82	84	85	86	89	90	93
Downs View	114	109	114	115	117	119	117	119	120	119
Hillside	66	60	66	58	60	66	70	70	72	73
Patcham House	50	46	48	36	40	40	36	38	31	32
	448	416	445	412	426	430	430	431	430	427
<b>Alternative Provision</b>										
Pupil Referral Unit					54	34	54	42	54	36
Connected Hub					32	34	34	36	34	36
					86	68	88	78	88	72

The Pupil Referral Unit and Connected Hub were established as stand alone establishments in 2013/14

\*Pupil numbers are as at January census with the exception of 2015/16 where the provisional October 2015 census data is shown. For all provisions, there is a turnover of pupils throughout the year so these figures are a snapshot.

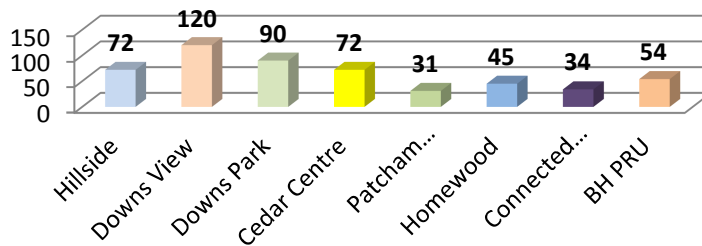
Analysis of special school data in the table shows that 4 special schools (Cedar Centre, Downs Park, Downs View and Hillside) have had very similar or increased pupil numbers over the 5-year period. This in contrast to Homewood College and Patcham House where pupil numbers have consistently reduced over the same timeframe, and this has been from a very low starting baseline in 2011/12. As a consequence of the low pupil numbers at Homewood and Patcham House, to ensure the schools have remained viable, the Local Authority has paid transitional protection funding in 4 of the last 5 years, and this has totalled almost £900k. This is not sustainable and does not represent value for money. Furthermore, guidance from the Department for Education now states that special schools should be funded on a place and pupil top-up funding basis and that the option to apply transitional protection is no longer included within funding regulations.

### Appendix 3:

### Projected figures for the implementation of integrated provision 2016-2020

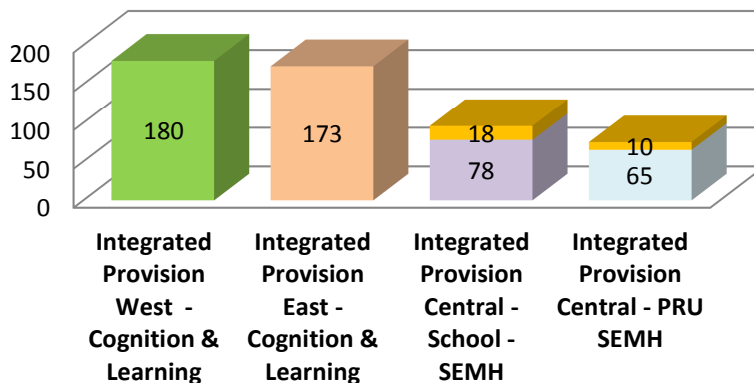
Hillside Special School	INTEGRATED PROVISION WEST (C&L)
Downs Park Special School	
Downs View Special School	INTEGRATED PROVISION EAST (C&L)
Cedar Centre Special School	INTEGRATED PROVISION CENTRAL (SEMH) SCHOOL
Patcham House Special School	
Homewood College	
B&H PRU	INTEGRATED PROVISION CENTRAL (SEMH) PRU
The Connected Hub	

#### Current SEN Provision 2015/2016



**Total Number of Commissioned Places = 518**

#### Vision for Integrated Provision

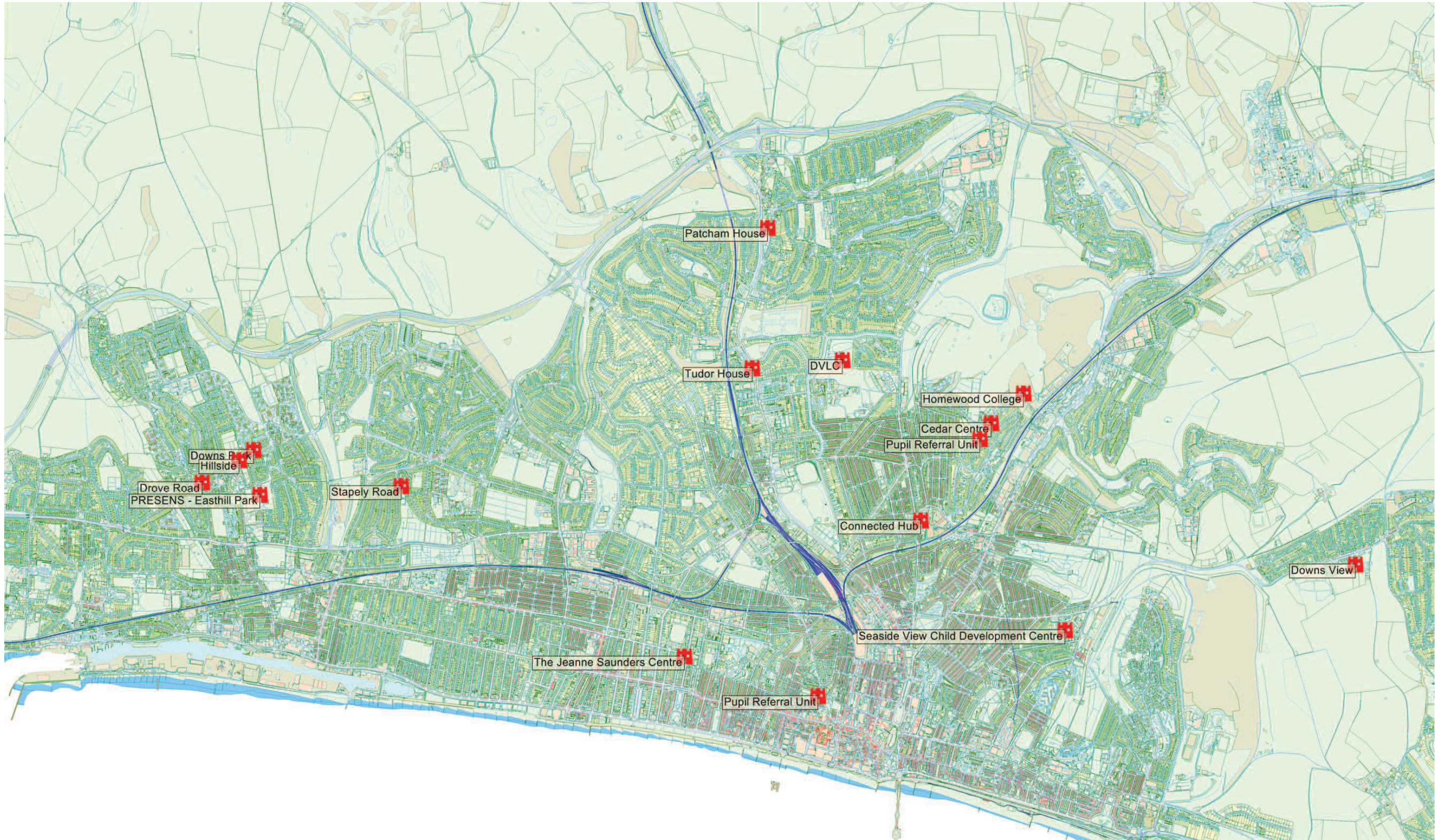


**Total Number of Commissioned Places = 521**





**Appendix 4:  
Map of current provision in the city**



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