

BIRMINGHAM CITY COUNCIL

PUBLIC

Report to:	CABINET
Report of:	Strategic Director of Children, Young People and Families
Date of Decision:	20 May 2013
SUBJECT:	GREEN PAPER FOR SPECIAL EDUCATIONAL NEEDS AND DISABILITY(SEND)
Key Decision: No	Relevant Forward Plan Ref: 466868
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Member(s):	Cllr Brigid Jones Children and Family Services Cllr Steve Bedser Health and Wellbeing
Relevant O&S Chairman:	Cllr Anita Ward Education and Vulnerable Children
Wards affected:	All

1. Purpose of report:
<p>1.1 To inform Cabinet of the proposals in the Green Paper for Special Educational Needs and Disability (SEND) attached at Appendix 1.</p> <p>1.2 To seek approval for a consultation on the development of the Strategy for Special Educational Needs and Disability.</p>

2. Decision(s) recommended:
<p>Cabinet is recommended to:-</p> <p>2.1 Note the proposals in the Green Paper for Special Educational Needs and Disability attached at Appendix 1.</p> <p>2.2 Approve a three month consultation period on the development of the Strategy for Special Educational Needs and Disability.</p>

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3. Consultation

3.1 Internal

Cabinet members and Strategic Directors have been involved in the discussions as the document has been developed. Relevant officers have also been involved.

3.2 External

There has been an extensive preliminary consultation with a range of external partners including parents/carers, young people, health, Headteachers of Special schools, resource bases, fully accessible mainstream schools and mainstream schools as outlined in the independent report at Appendix 2.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

The document supports the Council's key priorities as identified in the Leaders Policy Statement of June 2012 on tackling inequality and promoting social cohesion.

4.2 Financial Implications (Will decisions be carried out within existing finances and Resources?)

The capital costs of implementation will be met by using existing resources in a more targeted way, linked to the Capital Strategy for Education and Infrastructure/ Development and Culture Directorate. The School Funding Reforms including the introduction of high needs funding and pupil led top up funding for those with the most significant and complex needs was introduced in April 2013. The revenue cost of providing appropriate education for children and young people with SEND will largely be met from schools' delegated budgets. The legislative reforms via the Children and Families Bill including single education, health and care plans, alongside personal budgets, are expected to be in place by September 2014.

4.3 Legal Implications

Section 315 of the Education Act 1996 requires local authorities to keep under review the arrangements made by them for special educational provision. The Special Educational Needs and Disability White paper will support the delivery of the proposed Children and Families Act.

4.4 Public Sector Equality Duty (see separate guidance note)

A full equalities impact assessment has been undertaken and is attached at Appendix 5.

5. Relevant background/chronology of key events:

5.1 The existing strategy was developed in 2008. Since then, there have been a number of national and local policy developments.

- 5.2 The need to develop a Strategy for Special Educational Needs and Disabilities (SEND) that reflects the needs and aspirations of all stakeholders was deemed to be a priority by the previous directorate and administration. As a consequence an independent review of the present arrangements was commissioned by BCC from the Stamford Forum, this review was published in February 2012 which outlined a number of priorities.
- 5.3 During April 2012, two serving special school Headteachers were commissioned to conduct consultation with all stakeholders around the development of a new SEND strategy. The report was submitted in December 2012. This is referred to as the independent report attached at Appendix 2. The list of those consulted is attached at Appendix 3.
- 5.4 In January 2013 the independent report was discussed at Education and Vulnerable Children Overview and Scrutiny Committee followed by the White Paper in May.
- 5.5 Further work has been undertaken since January 2013 using the independent report as the basis for developing the Green Paper for SEND commissioned by BCC and completed by the special school heads, and reported to the children's strategic partnership; Strategic Directors and to Cabinet Members (through EMT) have culminated into this Green Paper, drawing together views from all of those developments over the last 12 months. This Green Paper will begin to align the recommendations from the independent report with the values and principles of the Children and Families Bill: The (0-25) Special Educational Needs Code of Practice is taken into account in the white paper and all services to our SEN population (our maintained services including short breaks) will be included in drawing up the local offer, following guidelines in the developing Code of Practice.
- 5.6 It is recommended that there will be a further 3 month consultation period from May 2013 before a revised strategy returns to cabinet for consideration and decision in Autumn 2013.

6. Evaluation of alternative option(s):

There is no alternative option because it is a requirement that a Local Authority in its education responsibilities keeps arrangements for special educational needs provision under review.

7. Reasons for Decision(s):

To keep special educational needs provision under review by informing Members of the proposals in the Green Paper and seeking approval for a consultation.

Signatures

Date

Brigid Jones Cabinet Member Children and Family Services
Steve Bedser Cabinet Member Health and Wellbeing
Peter Duxbury Strategic Director Children Young People and Families

List of Background Documents used to compile this Report:

Current strategy for special educational provision

Education Act 1996

Children and Families Bill 2012-2013

Part 3 of the Children and Families Bill and the indicative Special Educational Needs Code of Practice.

Green Paper – Support and Aspiration: A new approach to special educational needs and disability

DFE School Funding Reform 2013

Planning and Developing Special Educational Provision – A Guide for Local Authorities – Department for Education.

Stamford Forum Review report.

List of Appendices accompanying this Report (if any):

1. Green paper for Special Educational Needs and Disability.
2. The Independent Report by P.Roberts and K.Lewis.
3. Consultation list.
4. Special Schools and resource bases.
5. Equality Impact Assessment.

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