

**ROTHERHAM BOROUGH COUNCIL –
REPORT TO IMPROVING LIVES SELECT COMMISSION**

1.	Meeting	Improving Lives Select Commission
2.	Date:	24th October 2012
3.	Title	Proposal for a strategic approach in response to the DfE SEN Green Paper, ‘Support and Aspirations; a New Approach to Special Educational Needs and Disability’.
4.	Programme Area:	Resources Directorate

5. Summary

A Children and Families Bill is expected to be introduced early in 2013. This Bill follows the biggest SEN reforms for 30 years as set out in the DfE SEN Green Paper, *‘Support and Aspirations; a New Approach to Special Educational Needs and Disability’*

These are significant requirements and a change management programme and project management approach is proposed in this report to take forward a strategic partnership response that will include Education, Health and Care Plans (EHCP), Personal Budgets, Joint and integrated commissioning, Market facilitation and parental participation.

6. Recommendations

That Improving Lives Select Commission:

- 6.1 Notes the change management programme and project management approach that is being established to enable Rotherham to respond to the reforms outlined in the Children and Families Bill**
- 6.2 Receive further papers that report on the progress and outcomes of the change management project**

7. Proposals and Details

7.1 Green Paper for Disabled Children

As announced in the Queens speech in May 2012 there is to be a Children and Families Bill which is expected to be introduced early in 2013. This Bill follows the biggest SEN reforms for 30 years as set out in the DfE SEN Green Paper, *‘Support and Aspirations; a New Approach to Special Educational Needs and*

Disability published for consultation in March 2011. The interim evaluation will be published in autumn 2012 and final evaluation in 2013. The government is piloting the reforms in 20 pathfinders, covering 31 local authorities; the work of the pathfinders will continue to inform the changes made to legislation through the Bill.

This report sets out our proposed approach to responding to these significant reforms as detailed below.

The DfE website states;

“Every child deserves a fair start in life, with the best opportunity to succeed. Currently, life changes for the approximately two million children and young people in England who are identified as having a special educational need (SEN), or who are disabled, are disproportionately poor.

‘Support and Aspirations: a New Approach to Special Educational Needs and Disability’ makes wide-ranging proposals to the frustrations of children and young people, their families and the professionals who work with them.

The vision for reform set out in this green paper includes wide ranging proposals to improve outcomes for children and young people who are disabled or have SEN, minimise the adversarial nature of the system for families and maximise value for money. The Green Paper states:

“By 2014, our intention is that all families with the proposed ‘Education, Health and Care Plan (EHCP)’ will be entitled to a personal budget. Subjecting to piloting, this would include funding for education and health support as well as social care.”

The Green paper for Disabled Children will give us the opportunity to work with children, young people, their families and adults with disabilities. Within the Green Paper there are significant proposals for change to:

- better support life outcomes
- give parents confidence by giving them more control
- transfer power to professionals on the front line and to local Communities

The 5 main areas of proposed changes are under the following headings:

- Early Identification and Support
- Giving Parents Control
- Learning and Achieving
- Preparing for Adulthood

- Services working together for families

The main points in relation to strategic commissioning from the Green Paper include:

- Supporting 0-25yr olds with disability or special educational needs
- Personal budgets option to families by 2014
- Early (and earlier) intervention and prevention
- Joint working – health, social care, education
- Partnerships – in and across agencies, communities and the Voluntary and Community Sector
- Parental participation – individual and strategic level through consultation
- Structural and cultural change necessary
- Focus on outcomes

7.2 Pathfinders and Pilots

There are a number of pathfinder pilots announced by the Minister for Children and Families services to take forward the proposed changes and test the core elements of reform, including:

- A single education, health and care plan from birth to 25 years old, focusing on whether outcomes for disabled children and their parents have been improved.
- Personal budgets for parents of disabled children and those with SEN so they can choose which services best suit the needs of their children.
- Strong partnership between all local services and agencies working together to help disabled children and those with SEN.
- Improved commissioning, particularly through links to health reforms.
- The role of voluntary and community sector organisations and parents in a new system.
- The cost of reform.

Currently a number of local authorities are acting as pilots in two identified areas as follows:

- Developing a health, education, care plan from birth to 25 years
- Personal budgets

Learning from the pilot authorities has been published, 'The Final Evaluation Report – the IB process: Individual Budgets for families with disabled children. It is clear that the pilot Local authorities have faced a number of challenges particularly in delivery of Personal Budgets.

7.3 Proposal

The Green Paper DfE SEN Green Paper, 'Support and Aspirations; a New Approach to Special Educational Needs and Disability' offers an early opportunity to develop a strategic, coordinated approach with our key partners that meets the requirements of the Green Paper and subsequent Children and Families Bill.

These are significant requirements and a change management programme and project management approach is proposed. The details of this are that a project group be set up as the overarching body to take forward this work. Issues that require a strategic approach include the Education, Health and Care Plan (EHCP), Personal Budgets, Joint and integrated Commissioning, market facilitation and market management. The group will also need to consider the HR workforce implications for training and cultural shift in moving to increased choice and control through Personal Budgets and the opportunity for families to choose alternatives to in-house provision. These changes are a significant cultural challenge for our staff in shifting their thinking and practise around Personal Budgets and choice and control.

There will be a number of task and finish groups, for example, Finance and the Resource Allocation System (RAS), Personal Budgets, Consultation, Commissioning, HR and Education. These groups will all report into the overarching Project Group to ensure a coordinated coherent approach across all partners, agencies and functions. There has been a significant amount of work already undertaken in the SEN Assessment service on the new EHCP. In addition to this work the outcomes from the current scrutiny review of Autistic Spectrum Disorder will be integrated into the work programme.

Membership of the group will be drawn from Strategic Commissioning for CYPS, Disabled Children's service, Health – Clinical Commissioning Group (CCG), Education, finance, HR, Improving Lives Select Commission and the voluntary sector. There will be robust and comprehensive engagement of parents and carers in developing the way forward.

The governance for this work will be via the Children, Young People and Families Partnership to the Health and Well Being Board, Cabinet Member Children, Young People and Families and Cabinet as appropriate.

8. Finance

The intention is that any service redesign to meet the requirements of the Green Paper and subsequent Children and Families Bill will be within existing resources.

There are no further financial implications arising from this report at this time

9. Risks and Uncertainties

The key risks to the council are:

- That the requirements of the Green Paper and subsequent Children and Families Bill will not be delivered unless a robust change management programme and project management approach is adopted
- That unless the key issues of capacity, financial implications, workforce training and cultural shift, market stimulation and joint commissioning are included in a change management approach there is a risk that Rotherham's disabled children and families will not receive the highest quality of service along with improved outcomes
- That the introduction of Personal budgets for disabled children and their families may mean that service users choose not to use in-house provision and long term commissioned services resulting in reduced sustainability

10. Policy and Performance Agenda Implications

This approach will enable an integrated response to the emerging agenda for Disabled Children and their families

12. Background Papers and Consultation

Green Paper 'Support and Aspiration: A new approach to special educational needs and Disability'

Aiming High for Disabled Children

Statutory Duty to produce a Short Breaks statement

TLAP (Think Local Act Personal) (2011) – Making it Real

DH (2010) Equality and Excellence – Liberating the NHS

HMG (2007) 'Putting People First':

DH (2008) Independent Living Strategy

DH (2008) Commissioning for Personalisation: A Framework for Local Authority Commissioners

In Control (2008) Smart Commissioning: exploring the impact of personalisation on commissioning

Contact Name: Chrissy Wright, Strategic Commissioning Manager, 01709 822308, chrissy.wright@rotherham.gov.uk