

GWYNEDD COUNCIL CABINET

REPORT TO THE CABINET

19 January, 2016

Cabinet Member: Cllr. Gareth Thomas, Cabinet Member for Education
Subject: Changes in the Additional Learning Needs and Inclusion Service
Contact Officer: Iwan T. Jones, Corporate Director

The decision sought

1. Continue discussions with Anglesey County Council to investigate the opportunity to draw up a Common Additional Learning Needs Strategy which will address the needs of pupils and young people in an effective and efficient manner.
2. Cabinet approval of Gwynedd Council's Strategy for Additional Learning Needs and Inclusion; whilst having regard to the proposal in 1.
3. Approval of the Business Case – a one off investment for £1,380,131 to show a permanent annual saving of at least £808,461.

Local Members' Views

Not a local matter.

1. INTRODUCTION

- 1.1. Transforming services that are provided for children and young people, particularly the vulnerable ones, is one of the main priorities of the Council's Strategic Plan. The aim is to ensure improved outcomes for children and young people, by organizing more preventative activities in the field, by ensuring that more complete and more integrated services are available for them. In this context, the strategy has been prepared to transform the provision of Additional Learning Needs in Gwynedd

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- 1.2. It is important to note that this Strategy is prepared in the context of significant change in the field, including:
- the legislative proposals for reforming the framework for additional learning needs;
 - the evidence which suggests that there is a need to focus on early intervention and prevention;
 - the programme to develop the new Special School for children and young people with additional learning needs in the County;
 - the financial context
- 1.3. The need for such a strategy became apparent following an analysis of the experiences of children and young people with additional learning needs. Some basic weaknesses were highlighted, including:
- **Inconsistency within the system:**
 - In terms of parents' expectations; the standard and location of the provision and the culture of schools.
 - **Traditional and complicated system**
 - Criteria's need to be reviewed; the action is reactive (authority and schools); provision is commissioned externally without being sufficiently controlled.
 - **Quality of performance**
 - Inconsistency within schools and specialist teams; lack of access to current data (the information being kept separately and in different formats); and difficult to prove progress.
 - **Relationship with other services**
 - The structure does not support collaboration.
 - **Growth in specific needs**
 - The provision does not reflect the correct emphasis on the main needs.
 - **Lack of communication**
 - Lack of awareness for receiving information; the current system is too complicated and there is a lack of communication between all stakeholders.
- 1.4. The outcomes we seek to achieve through the Strategy include:
- a provision which places much greater emphasis on early intervention especially in the early years and which seeks to identify conditions very early on in the children's lives so that this can have an impact on their education and their lives in general;
 - increasing the expertise of our schools with the use of training programmes to develop more expertise;

- robust multi-agency collaboration arrangements that will lead to sharing information and ensuring effective joint-planning for the education and development of children and young people who need additional support;
- offering a service that ensures high quality educational experiences;
- children and young people receiving the additional support sooner; making educational progress at an appropriate rate and contributing to promoting their independence;
- a learning environment of the highest possible quality for children who have the most severe needs;
- ensuring an effective and efficient system.

1.5. There has been some delay; however several changes have already been made to the provision:

- **Not offering the 3* support from anew** from 1 September 2015. In the schools where their budget is devolved (secondary schools and the 14 largest primary schools) the budget has already been frozen for around five years. Schools are required to be more flexible in terms of using their ALN budget in the interim;
- **Hold training** for the Additional Learning Needs Coordinators of every school on the use of person-centred planning methods, in addition to creating a comprehensive e-learning package to support this training;
- **Review the use of the access & exit criteria** by the Cognition and Learning Service (literacy and numeracy) meaning that we are better at targeting the right children. Develop the use of Forums to discuss specific cases;
- **Pilot the use of outreach teaching assistants** to offer support to children leaving the language disorder centres rather than having individual teaching assistants for a set number of hours per week;
- Begin to implement the **new Behaviour Support Service**, in response to the lack of provision. Begin holding forums to discuss specific cases.

1.6. In November 2014 the Cabinet Member for Education supported the motion to go out and consult on the draft strategy, and the consultation period was held during January - February 2015. A period of further engagement was held between September - November 2015.

2. THE RESPONSE TO THE STRATEGY FOLLOWING THE CONSULTATION

2.1. During September – October 2015, 22 engagement sessions were held with different groups and discussions were held with over 390 stakeholders.

2.2. Various methods were used to raise awareness of the discussion sessions including “Newyddion Gwynedd”, a press release, e-mailing the schools and the use of social media.

2.3. Here are some of the key messages arising from the engagement period:

- The numbers who have attended the sessions has been **very positive**. Although the number of parents seems low (only 8 parents completed the feedback form), a number of all the stakeholders whom we engaged with were also parents of ALN children;
- It is completely apparent that everybody whom we contacted have **taken ownership of the problems** that the service currently has, and support the Case for Change;
- Strong support has been received from the Headteachers for the Core Integrated Team, and there is a clear understanding that **schools need to do more BUT** guidance, training and support is required to achieve that;
- In response to the discussion and the comments received we pay further attention to the following issues:
 - **the role of Additional Learning Needs Coordinators** in schools;
 - the **Distribution of teaching assistants**;
 - **raise awareness** of the changes with the school's whole workforce;
 - set up **sub-teams to focus on the provision for the Early Years, Post 16 years old, Health and the relationship with Derwen**.

2.4. A report was submitted to the Services Scrutiny Committee on the 26 November 2015 providing information from the Draft Strategy for Additional Learning Needs in Gwynedd.

See below the Scrutiny Committee's comments:

"Convey to the Cabinet the Scrutiny Committee's approval to the draft strategy subject to attempting to address the following issues:

- Offer the same level of certainty to pupils and parents as is available under the current system;
- The need to address less severe needs and to do so at an early stage;
- The danger that schools would fail to adequately cope with additional pressure due to the strategy's emphasis on the schools doing more;
- The risk that the comparably lower attainment lever of some pupils with additional learning needs would lead to reluctance from schools to include them;
- Financial concerns due to the likely costs of extending the provision to young people up to the age of 25."

3. THE ADDITIONAL LEARNING NEEDS AND INCLUSION STRATEGY IN GWYNEDD

3.1. A final version of the Additional Learning Needs Strategy is presented in **Appendix 1**.

3.2. The principles of the Strategy include the aim to pay greater attention to the following:

- Early Years and early intervention;

- Establish a central, integrated team possessing specific specialties to facilitate joint-working and joint-planning;
 - Training Programme to up-grade the workforce's skills;
 - Introduce the use of Person Centred Planning methods.
- 3.3. The principal purpose of the Strategy is to ensure that there is a package of 16 projects in place so as to improve the service for children and young people with additional learning needs. Every effort has been made, when preparing the strategy, to move towards a new system that focusses on the child/young person and their needs/aspirations.
- 3.4. In order to convey the difference between the current system and the new way of working, we have included a case study '*Sion's Story*' in **Appendix 2**.
- 3.5. As noted above, the Strategy has been prepared in the context of legislative proposals for reforming the framework for additional learning needs. The Welsh Government published the Draft Bill for Additional Learning Needs on 6 July 2015 and the consultation on the draft Bill closed on 18 December 2015. The Bill is expected to be introduced to the Assembly following the May elections, which means that it may be 2017/18 (academic year) before any proposed changes come into force.
- 3.6. Following full consideration of the draft Bill's proposals, we are confident that the Strategy addresses the proposed legislative changes. The situation will need to be reviewed once the final bill is adopted, to ensure that the Strategy conforms with the changes to the legislation. An early implementation of our Strategy will put us in a strong position to respond to the new legislative requirements when they come into force.
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Reasons for recommending the decision

4. THE BUSINESS CASE

4.1. The Savings

4.1.1. The business case has focussed on three elements of the budget, namely:

- The current ALN workforce;
- The Integrated Budget (3* and Statements);
- The ALN Budget (distributed by formula).

4.1.2. The current budget 2015/16 in these three fields are distributed as follows:

Budget		Amount	Details
1	Workforce	£2,169,077	Central budget to include SENJC and other Specialist Teachers
2	ALN and Deprivation Budget	£1,583,108	Delegated entirely to the schools on a 1:3:3:3 formula basis
3	Statements Integration Budget	£3,823,551	Delegated to schools to appoint statement teaching assistants
4	Other Integrated Budget (3*)	£1,930,390	Delegated to schools to appoint 3* teaching assistants
Total		£9,506,126	

4.1.3. Following further consultation on the Strategy and the Review's main principles, detailed modelling work has taken place based on information about pupils who receive support, the current criteria and a Review of the current workforce.

4.1.4. This includes a complete re-structuring of the current workforce, and offering a much more integrated and simpler structure. A core aspect of this is bringing the current 3* Integration provision to an end - this impacts a large number of teaching assistants posts. The further modelling work involving the ALN budget delegation/centralization indicates different budget delegation percentages for the schools **but the savings figure remains the same for all options.**

4.1.5. The new budget for the new model will be as follows:

Budget		Amount	Details
1	Workforce	£3,291,006	Central budget to employ the Integrated Team's workforce
2	ALN and Deprivation Budget	£1,583,108	This amount is delegated based on (new) formula
3	Integration Budget statements	£3,823,551	Delegated to every school to appoint statement teaching assistants
4	Other Integration Budget (3*)	£ -	This budget is centralized to establish the Integrated Team
Total		£8,697,665	

4.1.6. Savings – This would indicate a **permanent annual saving of £808,461** in the first (academic) year of the Full Integrated Team being operational.

4.1.7. It is predicted that the sum of £808,461 would be achieved in financial year terms, as follows-

- 2017/18 - £471,602
- 2018/19 - £336,859

4.1.8. Information on the savings profile is provided in **Appendix 3** and in table 1 below:

Table 1- the savings profile

Permanent Savings Profile - per academic year

Heading	Plan	Prospective Permanent Savings							Total	Details	
		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22			
Budget for employing the Workforce and the 3* and Statement Integration Budget											
1	Workforce Budget and Integration Budget										This sum may be higher - but need to invest to increase the size of the specialist workforce. The budget in its entirety is £3.9m 2015/16
	Start introducing IDPs to replace statement in the early years and year 5 (reduce the hours for some statements by revising the thresholds)	£0	£23,550	£32,570	£43,840	£35,870	£17,540	£25,050	£178,420		
2	Review the service - re-model the workforce. Integration budget (3*) to be held back centrally.	£0	£0	£808,461	£0	£0	£0	£0	£0	£808,461	Re-model the entire current specialist workforce provision and include the 3* budget in its entirety.
3	Total Savings	£0	£23,550	£841,031	£43,840	£35,870	£17,540	£25,050	£986,881		

4.2. One off Investment:

4.2.1. To achieve these savings, a request will have to be submitted to the Cabinet for a one off investment for up to £1,380,131, as follows in financial year terms -

- 2015/16 - £123,333
- 2016/17 - £490,832
- 2017/18 - £765,966

4.2.2. It should be pointed out that very high redundancy cost implications have been identified so that permanent savings can be made. We will, however, work with the Human Resources service to direct the workforce to alternative post opportunities.

4.2.3. Information is provided on the one off investment profile in **table 2** below:

Table 2 – One off Investment Profile

One-off Investment Profile - per **academic year**

Heading	Plan	One-off Investments							Total	Details
		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22		
"Change Management"										
1 Training Programme	Comprehensive programme for the current workforce, new workforce and parents.	£40,000	£80,000	£80,000	£0	£0	£0	£0	£200,000	Needs more detailed work. Particular attention to IDPs at first
2 Change Management	Comprehensive engagement programme	£50,000	£50,000	£0	£0	£0	£0	£0	£100,000	
3 Interim support before introducing the new workforce	Provision to prepare for transforming the provision - offer interim speech and language provision until August 2016.	£100,000	£0	£0	£0	£0	£0	£0	£100,000	Jobs operational 1 by September 2016
4 Interim support before introducing the Core Team in its entirety.	Interim provision before changing the core team in its entirety	£0	£391,560	£0	£0	£0	£0	£0	£391,560	New jobs operational by September 2017
Estimated Re-structuring Costs									£791,560	
5 Possible redundancy costs	Significant reduction in the workforce from re-structuring	£90,755	£497,816	£0	£0	£0	£0	£0	£588,571	needs further checks
6 Total		£280,755	£1,019,376	£80,000	£0	£0	£0	£0	£1,380,131	

In addition, a specific sum of £206,843 has already been approved for Project Management costs.

5. THE OUTCOMES

5.1. The outcomes for children and young people with Additional Learning Needs are as follows:

- Plans that are more personal and focuses on the individual;
- Earlier and more specific access to ALN services that will be regularly reviewed;
- A more specialized service;
- Accountability per area in the ALN Area Forums.

5.2. Here are the outcomes for Gwynedd Council:

- A permanent financial saving;
- Better control of the ALN budget;
- Regular Review and Monitoring.

Relevant Considerations

6. Equality Impact Assessment

- 6.1. In accordance with the duty under the **Equality Act 2010** an Equality Impact Assessment was conducted on the proposal (see **Appendix 4**). The assessment highlights the possible impacts and the arrangements in place to respond to those impacts. It may be noted that the possible impacts identified by the assessment are positive on the whole, as the proposals would lead to an improvement in terms of equality for the users. However, there are potential negative impacts, for example the proposed decrease in the number of teaching assistants resulting from plans to re-structure the ALN workforce.
- 6.2. Following full consideration, we have concluded that the Strategy and the action plan address the possible impacts.
- 6.3. In addition, arrangements have been put in place to ensure that the situation is monitored and reviewed regularly. As a result, we are confident that the assessments findings are current and relevant to the decision sought.

7. RISKS

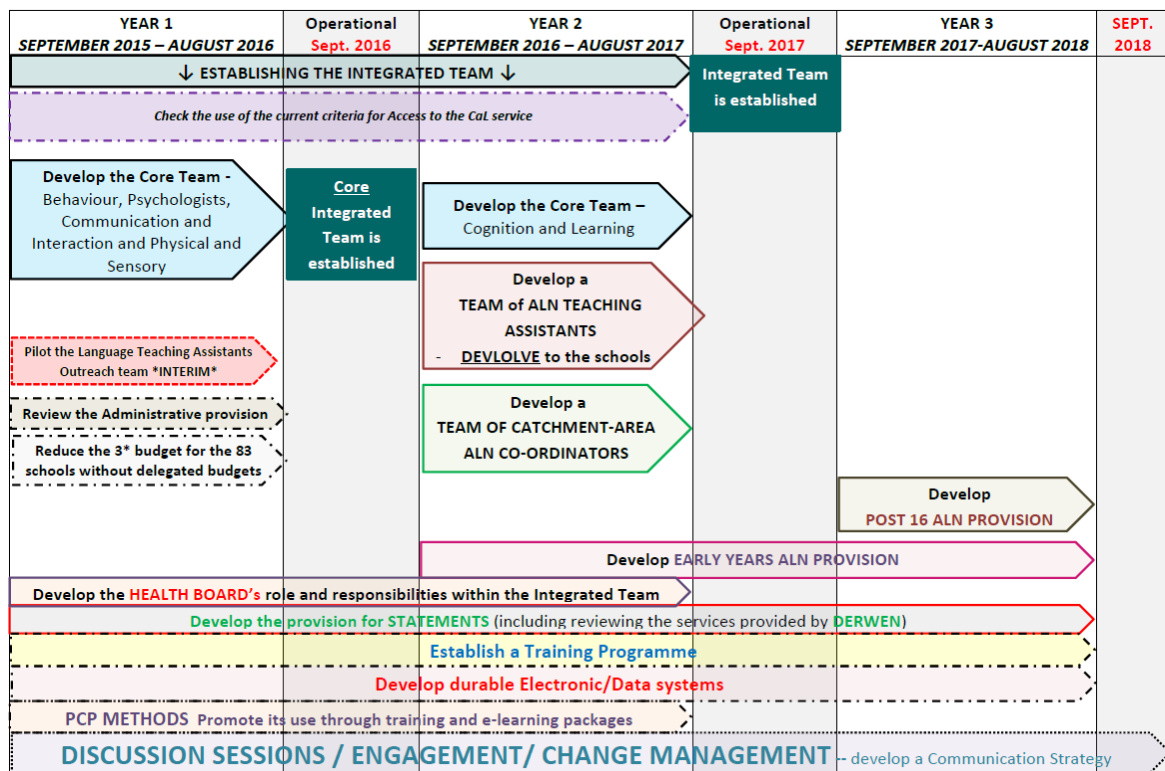
- 7.1. One of the main risks for this Transformation Project is the impact on the workforce; the posts of over 150 teaching assistants are impacted.
- 7.2. However, the new provision models can offer a 'Career Structure' for a specific number of teaching assistants with the opportunity to be offered - a permanent contract, guaranteed hours, opportunity for career development, training and develop a specific specialism.
- 7.3. It is also crucial that children, young people and their parents are aware of the changes, and understand the new arrangements. One of the measures taken to reduce these risks was to discuss the new provision model with all the stakeholders during September/October. A clear Communication Strategy will be developed so as to facilitate the change.
- 7.4. There has been a tradition of good collaboration between Gwynedd and Anglesey through the Special Educational Needs Joint Committee (SENJC) since its formation in 1996. Discussions with Anglesey have taken place, and we must recognise that they aren't content with the intention to bring the SENJC to an end; although we don't refer to this in the Strategy. However, further discussions with Anglesey continue, with the intention to investigate the opportunity to draw up a Common Additional Learning Needs Strategy; along with a staffing structure, criteria and joint governance arrangements. We will give a verbal update at the Cabinet meeting.
- 7.5. The aim is to collaborate with Anglesey, and agree on joint arrangements. However, if these negotiations do not bear fruit and Gwynedd proceeds alone in implementing the Strategy, we will need to identify the legal and contractual risks which may arise as a result of disconnecting from Anglesey, and respond to them. This may cause a delay in terms of the timetable for implementing the new structure, particularly the intention to establish the Integrated Team, but the Cabinet Member will ensure that a revised timetable is established should such a situation arise.
- 7.6. Discussions with the Health Board and the Social Services Department will continue.

Next Steps and Timetable

8. WORK PROGRAMME

8.1 In response to the recent discussions, we have adjusted the time-line to achieve the changes.

It is proposed that we focus specifically on establishing a Core ALN Integrated Team during the 2015/16 academic year so as to provide adequate time for necessary adjustments at the schools – before the teaching assistants' provision is changed.



Opinion of the Statutory Officers

The Chief Executive:

“The need for change in this field is evident and there has been a great deal of county engagement with regards to the proposed change. I’m also aware that the Scrutiny Committee has approved the Draft Strategy subject to some of the points noted in paragraph 2.5 of this report.

There is still some work to be done in terms of realising the change and the support of the Cabinet on this point is key.”

The Monitoring Officer:

“The report gives appropriate consideration to the factors which are relevant to establishing the Strategy including the results of the consultation process and the implications from an equalities perspective. It is also noted, appropriately in the report that it is anticipated that the Strategy addresses the possible statutory changes which could result as a consequence of the Additional Learning Needs and Education Tribunals (Wales) Bill 2015. In order to take matters forward more detailed consideration will need to be given to the proposals from a partnership perspective and this is referred to in the report.”

The Head of the Finance Department:

“There is an uncommitted one-off resource of £2.6m available in the ‘Transformation Fund/Invest to Save’. Several deserving ‘need/use’ will be competing for this scarce resource, but it is logical to support the suggestion to invest £1.38m from this fund to implement the changes in Additional Learning Needs and Inclusion, if that ensures that the permanent annual savings of £808k, or more, can be achieved, along with the other outcomes”

Appendices

Appendix 1	Gwynedd Council’s Strategy for Additional Learning Needs and Inclusion
Appendix 2	Case Study – Sion’s Story
Appendix 3	Business Case Tables
Appendix 4	Equality Impact Assessment Report