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Scrutiny Panel A

Educational Attainment for Children with Special Needs Inquiry

Thursday, 3rd March, 2011
at 6.00 pm

PLEASE NOTE TIME OF MEETING
Committee Room 1 – Civic Centre

This meeting is open to the public

Members

Councillor Fitzgerald (Chair)
Councillor Kolker (Vice-Chair)
Councillor Mrs Damani
Councillor Morrell
Councillor Odgers
Councillor Turner
Councillor Willacy

Contacts

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PUBLIC INFORMATION

Role of Scrutiny Panel A

The Panel has responsibility for:-

- providing an independent assurance to the Standards and Governance Committee on the adequacy of the risk management framework and the internal control and reporting environment including (but not limited to) the reliability of the financial reporting process and the statement of internal control;
- satisfying and providing assurance to the Standards and Governance Committee that appropriate action is being taken on risk and internal control related issues identified by the internal and external auditors and other review and inspection bodies; and
- specifically, the oversight of, and provision of assurance to the Standards and Governance Committee on, the following functions:-
 - ensuring that Council assets are safeguarded;
 - maintaining proper accounting records;
 - ensuring the independence, objectivity and effectiveness of internal and external audit;
 - the arrangements made for co-operation between internal and external audit and other review bodies;
 - considering the reports of internal and external audit and other review and inspection bodies;
 - the scope and effectiveness of the internal control systems established by management to identify, assess, manage and monitor financial and non-financial risks (including measures to protect against, detect and respond to fraud).

Southampton City Council's Six Priorities

- Providing good value, high quality services
- Getting the City working
- Investing in education and training
- Keeping people safe
- Keeping the City clean and green
- Looking after people

Public Representations

At the discretion of the Chair, members of the public may address the meeting about any report on the agenda for the meeting in which they have a relevant interest.

Smoking policy – the Council operates a no-smoking policy in all civic buildings.

Mobile Telephones – please turn off your mobile telephone whilst in the meeting.

Fire Procedure – in the event of a fire or other emergency a continuous alarm will sound and you will be advised by Council officers what action to take.

Access – access is available for the disabled. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

Dates of Meetings: Municipal Year

2010	2011
3 June	19 January
8 July	3 February
2 September	3 March
7 October	7 April
4 November	

CONDUCT OF MEETING

Terms of Reference

The terms of reference of the Audit Committee are contained in Article 8 and Part 3 (Schedule 2) of the Council's Constitution.

Business to be discussed

Only those items listed on the attached agenda may be considered at this meeting.

Rules of Procedure

The meeting is governed by the Council Procedure Rules as set out in Part 4 of the Constitution.

Quorum

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

Disclosure of Interests

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "personal" or "prejudicial" interests they may have in relation to matters for consideration on this Agenda.

Personal Interests

A Member must regard himself or herself as having a personal interest in any matter

- (i) if the matter relates to an interest in the Member's register of interests; or
- (ii) if a decision upon a matter might reasonably be regarded as affecting to a greater extent than other Council Tax payers, ratepayers and inhabitants of the District, the wellbeing or financial position of himself or herself, a relative or a friend or:-
 - (a) any employment or business carried on by such person;
 - (b) any person who employs or has appointed such a person, any firm in which such a person is a partner, or any company of which such a person is a director;
 - (c) any corporate body in which such a person has a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
 - (d) any body listed in Article 14(a) to (e) in which such a person holds a position of general control or management.

A Member must disclose a personal interest.

Continued/.....

Prejudicial Interests

Having identified a personal interest, a Member must consider whether a member of the public with knowledge of the relevant facts would reasonably think that the interest was so significant and particular that it could prejudice that Member's judgement of the public interest. If that is the case, the interest must be regarded as "prejudicial" and the Member must disclose the interest and withdraw from the meeting room during discussion on the item.

It should be noted that a prejudicial interest may apply to part or the whole of an item.

Where there are a series of inter-related financial or resource matters, with a limited resource available, under consideration a prejudicial interest in one matter relating to that resource may lead to a member being excluded from considering the other matters relating to that same limited resource.

There are some limited exceptions.

Note: Members are encouraged to seek advice from the Monitoring Officer or his staff in Democratic Services if they have any problems or concerns in relation to the above.

Principles of Decision Making

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

AGENDA

Agendas and papers are now available via the City Council's website

1 APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)

To note any changes in membership of the Panel made in accordance with Council Procedure Rule 4.3.

2 DISCLOSURE OF PERSONAL AND PREJUDICIAL INTERESTS

In accordance with the Local Government Act, 2000, and the Council's Code of Conduct adopted on 16th May, 2007, Members to disclose any personal or prejudicial interests in any matter included on the agenda for this meeting.

NOTE: Members are reminded that, where applicable, they must complete the appropriate form recording details of any such interests and hand it to the Panel Administrator prior to the commencement of this meeting.

3 DECLARATIONS OF SCRUTINY INTEREST

Members are invited to declare any prior participation in any decision taken by a Committee, Sub-Committee, or Panel of the Council on the agenda and being scrutinised at this meeting.

4 DECLARATION OF PARTY POLITICAL WHIP

Members are invited to declare the application of any party political whip on any matter on the agenda and being scrutinised at this meeting.

5 STATEMENT FROM THE CHAIR

6 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)

To approve and sign as a correct record the Minutes of the Inquiry Meeting held on 19th January 2011 and to deal with any matters arising, attached.

7 4TH MEETING OF THE PRIMARY SCHOOL EDUCATIONAL ATTAINMENT FOR CHILDREN WITH SPECIAL NEEDS INQUIRY

Report of the Head of Corporate Policy and Performance, for the Panel to consider the draft recommendations detailed in Appendix 1 and agree any amendments, deletions or additional recommendations, attached.

TUESDAY 22 FEBRUARY 2011

SOLICITOR TO THE COUNCIL

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Agenda Item 6

SCRUTINY PANEL A

EDUCATIONAL ATTAINMENT FOR CHILDREN WITH SPECIAL NEEDS INQUIRY

MINUTES OF THE MEETING HELD ON 19th JANUARY 2011

Present:

Councillors Fitzgerald (Chair), Mrs Damani, Morrell, Osmond, Turner and Willacy

Also in attendance:

Julie Wharton – SEN Inspector

Julia Katherine – Principal Educational Psychologist

Lesley Hobbs – Strategic Lead for Special Educational Needs (SEN), SCC

Paul Nugent – Head of Standards

Jamie Schofield – Service Manager, Solent Healthcare

Donna Chapman – PCT Lead Commissioner – Children, Young People & Maternity Services, SCC/Southampton City PCT

23. APOLOGIES AND CHANGES IN PANEL MEMBERSHIP

Apologies were received from Councillor Kolker and Councillor Odgers and the Panel noted that in accordance with the provisions of Procedure Rules 4.3 and 4.4, Councillor Osmond replaced Councillor Odgers, for the purposes of this meeting.

24. DISCLOSURE OF PERSONAL AND PREJUDICIAL INTERESTS

Councillors Osmond, Morrell, Turner and Willacy declared non-prejudicial interests in relation to the scrutiny inquiry in view of their relationships with members of their family who were in receipt of or provided special educational needs. Councillor Mrs Damani declared a non-prejudicial interest in relation to the scrutiny inquiry in view of her working relationship with the witnesses.

25. MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)

RESOLVED that the minutes of the meeting held on 4th November 2010 be approved and signed as a correct record. (Copy of the minutes circulated with the agenda and appended to the signed minutes).

26. 3rd MEETING OF THE PRIMARY SCHOOL EDUCATIONAL ATTAINMENT FOR CHILDREN WITH SPECIAL NEEDS INQUIRY

The Panel considered the report of the Head of Policy and Performance, introducing the 3rd meeting which comprised two presentations and verbal feedback from members who visited Bassett Green Primary School, Hardmoor Early Years Centre, Highfield CE Primary School, Mason Moor Primary School and Springwell School to see the schools in action, with a particular focus on their resourced provision for special educational needs, attached.

The Panel received the following presentations:

(i) **Julie Wharton, Special Educational Needs (SEN) Inspector and Julia Katherine, Principal Educational Psychologist - The emerging national picture for special educational needs.**

The Panel noted that:-

- Academies would need to follow the legislation and guidance that applied to maintained schools in relation to admissions and responding to the needs of pupils with SEN and with effect from January 2011 and Special Schools could become Academies;
- standards funds targeted at pupils with SEN through 'Every Child Counts' would cease and be replaced by a single grant paid directly to schools as the 'Pupil Premium' which was likely to be based on free school meals;
- the SEN Green Paper is due to be published in February/March 2011 and would be likely to result in substantial changes to the statementing process;
- children with SEN may be able to obtain their own pupil premium-style personal budgets and these grants would follow the child wherever they were being educated.
- funding may be allocated according to the severity of the child's needs;
- School Action and School Action Plus might be disbanded and "pupil profiles" identifying the severity of needs would be the model adopted. There were 12 bands of needs;
- there would be a new role for educational psychologists who may be independent from the Local Authority; and
- mediation may be introduced for parents/carers who were unhappy with their child's support as it was felt that the tribunal process was too bureaucratic.

(ii) **Donna Chapman, PCT Lead Commissioner – Children, Young People & Maternity Services, SCC/Southampton City PCT – The future model of delivery and developments from the health perspective and how the Health White Paper will impact on service delivery for children with SEN**

The Panel noted that:-

- new commissioning and provider arrangements would be put in place which would enable medical and educational models to be better integrated, with specific reference to children with SEN;
- the Local Authority's role in relation to children with SEN would decrease and there would be more emphasis on parent's relationships with schools;
- there would be new roles and powers for Local Authorities and greater "patient power";
- although the pace of change could not be controlled there was a strong desire from all agencies and schools to adopt and lead the process with good examples of successful multi-agency already working across the City;
- there would be a strong focus on early years and foundation stage to provide children with the best start in life by early intervention and specific attention would be paid to vulnerable groups as well as early identification and support for carers; and

- local service reviews were in progress on Children and Adolescents Mental Health Services (CAMHS), speech and language therapy and services for children and young people with disabilities, underpinned by a joint commissioning team for children and young people across the PCT and the Local Authority;

(iii) **Members Verbal Feedback on visits to schools**

The following comments were noted:-

Bassett Green Primary School

- the catchment area was socially deprived with a low level of education, a high ethnic minority;
- the school had a large number and excellent record of supporting children with SEN. This was compounded by an indifference from some schools to take on pupils with SEN themselves;
- the children had great regard for the teachers and support staff and saw the school as an oasis of calm;
- the Headteacher felt that the school deserved more recognition/ acknowledgement both nationally through address value and locally in the community and city of the good progress made under very difficult circumstances, ;
- problems for the school were pupil attendance, a lack of co-operation from parents and a low level of language ability when children started school.
- It was felt that Sure Start should be better supported to ensure early intervention;

Hardmoor Early Years Centre

- there was a high percentage of children with English as a second language and it was felt there was a need for a language unit ;
- it would be helpful if children with SEN could stay on an extra year in nursery and pre-schools to accommodate delays in development ; and
- there were transport problems for children within a 2 mile radius who could not get to school easily especially if they had a sibling with a disability, as well as the problem that children with SEN were not being picked up early enough through 3 year health checks;
- early intervention was seen to be extremely beneficial to the child, especially in areas such as autism.

Highfield CE Primary School

- the school's split site created problems;
- the children were very committed to their activities and school and the learning framework was not just about accumulating facts but stimulating the children's interest level;
- there was a large number of capable children and few children with SEN and the learning technique of setting lessons for the more capable children and drawing in the children with SEN worked well due to the low level of special needs in each classroom;
- the school received funding from the Diocese and was in the process of increasing pupil places from 30 to 45; and

- the head teacher at this school recognised dyslexia as a special educational need
- the school has adopted a framework for learning which supported the development of learning as a goal rather than only focussing on attainment standards – this supports their good results in added value terms.

Mason Moor Primary School

- the catchment area was very socially deprived and was reflected in the high percentage of the many and varied special educational needs (SEN) in the school;
- the Deputy Headteacher was responsible for the children with SEN and was extremely committed;
- the school valued the extra educational psychologists support offered and would welcome an increase in intervention if it were available and
- there was a good atmosphere in the classrooms.

Springwell School

- the Headteacher and staff were a big asset to the school;
- the children had personalised learning programmes, broken down into small steps;
- the outside school activities and outreach for parents was excellent
- the head teacher had recently been awarded National Leader Status and was hoping to be able to develop outreach work and increase teacher training for SEN as a result; and
- it was difficult to obtain a place at the school and although the school had space to expand to 90 places, the Headteacher preferred to use any extra funding for outreach work and support to other schools.

General Comments

- the commitment of the Headteachers and teaching staff was apparent at all the schools visited;
- the recent changes to Southampton City Council staff's terms and conditions would create major problems for all the schools in relation to staffing and special educational needs;
- it was felt there were many lessons, tools and techniques for supporting children with special educational needs that could be taken into mainstream education and
- as there was an under-usage of Specialist Schools it might be possible for the Local Authority to become a conduit for specialist support and outreach work to mainstream schools.

RESOLVED

(i) that the following requests and comments be noted :-

- the high quality of leadership and teaching that existed at a number of Southampton schools should be maximised and utilised more widely; and
- the Chair would be writing to the Headteachers of all the schools visited, thanking them for their openness and hospitality.

- (ii) that the report of the Head of Policy and Improvement, the comments and presentations received from officers, Members' feedback on school visits, along with the ideas and suggestions contributed by Members of the Panel , be placed in the register of evidence of the Inquiry into Educational Attainment for Children with Special Needs.

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Agenda Item 7

DECISION-MAKER:	SCRUTINY PANEL A		
SUBJECT:	4 th MEETING OF THE PRIMARY SCHOOL EDUCATIONAL ATTAINMENT FOR CHILDREN WITH SPECIAL NEEDS INQUIRY		
DATE OF DECISION:	3 MARCH 2011		
REPORT OF:	HEAD OF CORPORATE POLICY AND PERFORMANCE		
AUTHOR:	Name:	Dorota Goble	Tel: 023 8083 3317
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STATEMENT OF CONFIDENTIALITY			
None			

SUMMARY

The final meeting of the Primary School Educational Attainment for Children with Special Educational Needs (SEN) Inquiry will consider the emerging recommendations of the inquiry.

RECOMMENDATIONS:

- (i) The panel is recommended to consider the draft recommendations shown in Appendix 1 and agree any amendments, deletions or additional recommendations.

REASONS FOR REPORT RECOMMENDATIONS

1. To enable the panel to formulate agree recommendations and key findings at the end of the inquiry process to formulate the final report to be presented to the Overview and Scrutiny Panel (OSMC).

CONSULTATION

2. Stakeholders have been consulted throughout the inquiry process. The Head of Standards, the Principal Officer for Prevention and Inclusion, the NHS Commissioner for Children's Healthcare and Associate Director for Children and Families, Solent Healthcare and parent representatives were involved in providing evidence to the panel between November 2010 and January 2011.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. None

DETAIL

4. The draft recommendations attached in **Appendix 1** have been developed following evidence from witnesses to the panel including representatives from school standards, Solent Healthcare, Southampton PCT, head teachers, Parents in Partnership and the ADHD Awareness Group.
5. The recommendations have been drawn together considering existing budget constraints alongside the changing landscape of provision in health and special needs given the pending Special Needs White Paper, the changing health agenda and emerging outcomes from existing reviews.

6. Members are asked to consider the draft recommendations and agree if they wish to make any amendments or add any new recommendations within the scope of the inquiry.
7. Once the emerging recommendations are agreed these will be used to form the structure of a final scrutiny report for the Primary School Educational Attainment For Children With Special Needs Inquiry by the chair of Panel A, to be presented to OSMC in May 2011. The report of the scrutiny panel will then be presented to the Cabinet in June 2011.

FINANCIAL/RESOURCE IMPLICATIONS

Capital

8. Not applicable

Revenue

9. Not applicable

Property

10. Not applicable

Other

11. Not applicable

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

12. The duty to undertake overview and scrutiny is set out in Section 21 of the Local Government Act 2000 and the Local Government and Public Involvement in Health Act 2007.

Other Legal Implications:

13. None

POLICY FRAMEWORK IMPLICATIONS

14. None

SUPPORTING DOCUMENTATION

Appendices

1	Emerging draft recommendation from the Primary School Educational Attainment For Children With Special Needs Inquiry
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Documents In Members' Rooms

	None
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Background Documents

None

Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

	None	
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Background documents available for inspection at:

FORWARD PLAN No: Not applicable **KEY DECISION?** No

WARDS/COMMUNITIES AFFECTED:	Not applicable
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APPENDIX 1

Primary School Educational Attainment For Children With Special Needs Inquiry: DRAFT RECOMMENDATIONS

1. To ensure there is a continuum of support to meet the needs of children at different times and through different services. Consideration should be given to support those families that have the most complex needs through a multi-agency approach to include all key services such as health, education and social care.
2. SCC, in partnership with others, to provide a centrally co-ordinated signposting to all SEN information, advice and services. There should be one clear point of contact for:
 - Providers including Health and Schools - for specialist and outreach support, key contacts, to share best practice examples, training and raising awareness
 - Parents, families and children - for support groups, advice on options, help choosing the right services to meet their needs and to make comments, compliments and complaints
3. Ensure there is recognition for and awareness of achievements in supporting and reducing SEN gap, including those areas outside of the SEN definition such as ADHD.
4. To agree a cross-agency protocol for parent/family involvement and transparency in options and decision-making for special needs care and support to ensure communication is maintained between all agencies and families
5. Within new structures for health delivery following government legislation and outcomes from recent reviews, the imminent SEN white paper and given existing budget constraints some key areas should be focussed on to ensure the good work with SEN is maintained and potentially increased, particularly in relation to:
 - Ensure the pupil premium is used to support vulnerable children
 - Continue the increased focus on early intervention and support
 - Maximise the joint power of personalised budgets and pupil premium to work most effectively for those in need
 - Ensure that within closer join-working arrangements the strengths of the social model for special needs are not lost within the medical model
6. Recognising the transition of the Public Health role to local authorities Southampton City Council to consider developing mechanisms to support the establishment of an ADHD multi-agency group for the city.