

17 June 2019

Agenda Item: 13

REPORT OF THE SERVICE DIRECTOR, EDUCATION, LEARNING AND SKILLS

SUPPORT TO SCHOOLS SERVICE STRUCTURE AND CONSULTATION ON THE UPDATED SPECIAL EDUCATIONAL NEEDS AND DISABILITY POLICY 0-25 YEARS

Purpose of the Report

1. The report seeks approval of the proposed new structure of the Support to Schools Service, attached as **Appendix 1**.
2. The report also seeks approval to consult on an updated Special Educational Needs & Disability Policy (0-25), in the light of the High Needs Review recommendations.

Information

3. The Support to Schools Service (StSS) structure was last reviewed in 2016 and the current structure (**Appendix 2**) was approved by the Committee in June 2016. This structure was created following the disestablishment of the SEND (Special Educational Needs & Disability) Policy and Provision Service and the creation of the Integrated Children's Disability Service (ICDS) and the integration of the Schools & Families Specialist Service (SFSS) and Educational Psychology (EP) Service within the StSS. The newly created Tackling Emerging Threats (TEC) Team was also incorporated within the StSS. The TEC team included 3 Schools Health Co-ordinators funded through Public Health with the remaining team members funded by a School Forum agreement from the Dedicated Schools Grant, as approved by the Schools Forum on 15th September 2015.
4. The 2016 structure included only one Group Manager post. This decision was made prior to the disestablishment of the SEND Policy and Provision Service, which had a dedicated Group Manager, and before the transfer of the SFSS, the EP Service and incorporation of the TEC team within StSS.
5. It became clear between 2016-2018 that there was insufficient Group Manager capacity to effectively manage this increased service, particularly at a time when significant strategic capacity for primary and secondary school place planning was emerging. This resulted in Children and Young People's Committee approval for the establishment of an interim

Group Manager post in May 2018 when the Committee also approved a review of StSS to incorporate recommendations from the High Needs Review. The main recommendations of the High Needs Review were that:

- the Council should make the case to national Government for an increase of Nottinghamshire's share of available funding
 - the Council should reduce reliance on high cost Independent Non-Maintained (INM) placements
 - a more focussed strategy around High Needs Block spend should be developed
 - decision-making should be based more in local areas
 - the quality of mainstream SEND offers should be improved and made more consistent
 - engagement with parents and carers should be increased.
6. The StSS structure has been reviewed in light of the 2018 High Needs Review's main findings and recommendations (available as a background paper), and has resulted in the proposed new structure. This structure was also informed by significant consultation, stakeholder feedback and consideration of the current teams' views (**Appendix 3**).
7. The findings from the High Needs Review recommend significant changes to the way in which SEND services to schools are delivered and this means that the SEND Policy needs to be updated to reflect the Council's response to the recommendations. As a result of this, the Policy has been revised to incorporate significant feedback from parents, carers and other key stakeholders including schools. Formal consultation on this revised draft Policy will run between 5 September until 1 November 2019. Consultation feedback will inform the final SEND Policy which will be considered at this Committee in December 2019 and ratified at Policy Committee in January 2020.

Proposed New Structure

8. The first proposal is to establish 2 additional permanent Group Manager posts in the structure for 2019, in recognition of the need for greater capacity for support to the Service Director. One additional Group Manager post is designated for Education Access and Partnership, which replaces the Interim Group Manager to lead on Strategic Schools Place Planning and admissions, alongside fair access and behaviour partnerships within the education sector. The second additional Group Manager post is designated for Psychology Services, with a recommendation that the statutory Principal Educational Psychologist post, and the statutory post for the Head of the Virtual School, are incorporated within the role. These two Group Managers will work alongside the existing third Group Manager who will take responsibility for Education, Standards and Inclusion.
9. The second proposal is for the Virtual School to be line managed by the Principal Educational Psychologist, as agreed by Members in May 2018. This proposal reflects the importance given to the work of the Virtual School, and recognises the value in strengthening collaborative working between the Virtual School, the Educational Psychology Service, and other Psychology Services responsible for supporting schools with the most vulnerable children.
10. The third proposal strengthens the leadership and operational capacity of the Virtual School. The Virtual School team capacity will increase from four to five Achievement Officers in response to the increased statutory responsibilities placed on the Virtual School,

since September 2018, to provide advice and guidance regarding previously looked after children. The current post of co-ordinator of the Virtual School will be re-designated as the Assistant Head of the Virtual School.

11. The fourth proposal relates to the Local Authority's responsibilities to provide support for children at risk of exclusion. Since the retirement of the Behaviour and Attendance Lead Officer, who had line management responsibility for the Primary Social, Emotional, Development Team (PSED), the line management has been undertaken by the 2 Partnership Development Officers as agreed by Members in May 2018. This fourth proposal disestablishes the Behaviour and Attendance Adviser post and allocates line management of the PSED team to 2 Partnership Development Officers. The PSED Team will be redesignated as the Social, Emotional and Mental Health (SEMH) team who will be allocated to work in localities. It is proposed that the two substantive Partnership Development Officers are re-designated as Education Partnership Team Managers (North/South).
12. The fifth proposal is to confirm the move of the Children Missing Education (CME) function and to similarly transfer the Elective Home Education (EHE) co-ordination role to sit within the Fair Access Team, line managed by the Team Manager for Fair Access and the Group Manager for Education Access. This move reflects the fact that the work of Elective Home Education advisers is more closely aligned to the work of the Fair Access Team, who work closely with education providers to ensure that all children and young people receive a suitable education in the most appropriate educational setting to meet their needs.
13. The sixth proposal is to retain the Team Manager post for Strategic School Place Planning as the lead of a re-organised team, which will now comprise 2 Senior Place Planning Officers, 1 Place Planning Data and Projects Officer, 1 Place Planning Officer and 2 Place Planning Practitioners. This proposal increases capacity within the Strategic School Place Planning team. The existing Team Manager post for School Admissions and Access is unchanged from the 2016 structure, and continues to be supported by three Senior Professional Practitioners (admissions only).
14. The Team Manager for Fair Access and team responsibilities are unchanged within the structure, with the exception of the responsibilities to oversee Elective Home Education. Accordingly, the Fair Access team will comprise 2 Senior Professional Practitioners Fair Access/EHE, 1 Funding and Commissioning Professional Practitioner, 1 Fair Access Professional Practitioner for Vulnerable Pupils, 1 Fair Access Practitioner and 1 Children Missing Education Practitioner.
15. The seventh proposal relates to the 1.8 Full-Time Equivalent (FTE) Teaching Assistant (TA) posts within the PSED Team to be known as the SEMH team. The proposed structure is essentially unchanged and there has been a review of their job description to ensure comparability with other Nottinghamshire County Council TA posts and re-naming as SEMH.
16. The eighth proposal clarifies the responsibilities of the original Group Manager for Support to Schools Services who will now be responsible for services relating to Education, Standards and Inclusion (ESI). This will include oversight of the Team Managers for the Education Improvement Service, Governing Body Service (GBS) and SFSS. Additionally, the structure retains the Commercial Business Manager post to provide continued support

for the traded services across the Education, Learning and Skills division. The new structure includes 1 Team Manager for the Education Improvement Service, as agreed by the Committee in May 2018. This proposal also recommends the disestablishment of the 0.6 FTE Post-16 Adviser post, with these responsibilities being incorporated within the roles of an existing Educational Improvement Adviser (Teaching and Learning/Skills and NQTs) post. The Closing the Gap Adviser post will now become the Educational Improvement Adviser – Improving Educational Opportunities for All post.

17. The ninth proposal is that a SEND Adviser post is incorporated within the Education Improvement Service. There is a need to align more closely the decisions around the provision of specialist places for children and young people with complex SEND and the creation and funding of new specialist places with an advisory role. The advisory function means that this post holder will work in partnership with officers from ICDS, Commissioning, Place Planning and SFSS to support and challenge head teachers to meet the needs of children and young people with complex SEND, whilst continuing to ensure that school effectiveness is at least Good in Ofsted ratings in Nottinghamshire special schools.
18. The tenth proposal is to increase the operational capacity of Governor Services by creating an additional 0.4 FTE Governing Body Practitioner post. This postholder will provide support to schools for the clerking of Governing Body meetings as required; ensuring that the Complaints Management Support Service is fully General Data Protection Regulation (GDPR) compliant; and expanding the GBS sold offer to include a wider range of services.
19. The eleventh proposal relates to SFSS, and incorporates the recommendations of the High Needs Review to build on current good practice and embed locality working across the County. It is proposed that the three current Senior Practitioners for Cognition and Learning (C&L), Communication and Interaction (CI) and Early Years (EY) will assume responsibility as Locality Leads to lead and co-ordinate a range of SEND functions, working closely with a range of partners to ensure that children and young people with SEND have their needs met in the most appropriate provision. They will also retain their lead responsibility for their existing specialism (C&L, CI, EY).
20. The teachers from the Cognition and Learning, Communication and Interaction and the Early Years Teams will be allocated to a locality on a needs-led basis, and would meet and contribute to locality discussions. They would continue to meet as specialist teams for the purposes of deployment, training, producing resources and engaging in research to ensure provision of relevant and up-to-date strategic advice.
21. The Sensory Lead Manager will continue to lead and manage a team of teachers of the visually impaired and of the deaf, as well as TAs and an Habilitation Officer and Sensory Technician. This team will continue to be run as a County resource to provide support, advice and guidance to all publicly funded schools and placements, but with links to the locality teams.
22. The twelfth proposal seeks to implement significant recommendations from the High Needs Review, as well as strengthening the capacity to meet the needs of children and young people with complex SEND through the establishment of 7 District Special Educational Needs Co-ordinator (SENCo) posts. These are new posts to be funded from the additional High Needs allocations announced by the Secretary of State for Education

in December 2018. These postholders will provide advice, guidance and support to Family SENCos on a range of SEND matters, and will thereby strengthen the role of Family SENCos. They will also facilitate the development of enhanced specialist provision in mainstream settings.

23. The thirteenth proposal is to retain Senior Teacher posts to co-ordinate Nottinghamshire's response to specific learning difficulties, including children and young people with dyslexic traits, and ICT provision to support the inclusion of children and young people with complex SEND in mainstream schools. In addition, it is proposed to designate the third Senior Teacher post to oversee the development of the District SENCo role, systems and processes to ensure coherent, consistent support and challenge for Family SENCos within each district in 3 Localities.
24. The fourteenth proposal is that the TA Senior Practitioner role should retain responsibility for safeguarding across the Early Years SFSS Team and oversee the allocation process for county wide early years referrals and initial assessments. This post-holder would be responsible for line managing the work of early years TAs and supervising casework for children under statutory school age, within each Locality.

Other Options Considered

25. No other options have been considered.
26. The 2016 structure does not provide the capacity needed from within the StSS teams to respond to recommendations from the 2018 High Needs Review which is available as a background paper. Results of the staff consultation (**Appendix 3**) show that the majority of staff support the proposed Support to Schools Service restructure as the means of delivering the new ways of working recommended by the High Needs Review.

Reason/s for Recommendation/s

27. These recommendations are made to ensure that the Council continues to fulfil its statutory duties for LA maintained schools, LA maintained schools causing concern, School Admissions, including Fair Access, Strategic School Place Planning, and to identify the Principal Psychologist as Head of the Virtual School, both of which are statutory posts. The structure also supports the Council to fulfil its ambitions as set out in "Your Nottinghamshire, Your Future" in relation to aspirations, access to Good and Outstanding schools and providing appropriate support for children and young people with SEND.

Statutory and Policy Implications

28. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

29. The new structure to support the proposals has been costed and can be fully funded through existing budgets.

Human Resources Implications

30. The Human Resources department and Trade Unions have been consulted at each stage of this process to ensure that employees are protected, whilst also ensuring the best and most appropriate use of resources.

Safeguarding of Children and Adults at Risk Implications

31. The proposals seek to ensure the best possible outcomes for children and young people with special educational needs and/or disabilities throughout Nottinghamshire.

Implications for Service Users

32. The intention of the StSS re-structure is to improve the educational outcomes for service users by developing District Locality Working, placing children, schools and parents at the centre of their Locality.

RECOMMENDATION/S

That Committee:

- 1) approves the proposed revised structure of the Support to Schools Service, to be known as Education, Learning and Skills Services, attached as **Appendix 1**
- 2) gives approval to consult on an updated Special Educational Needs and Disability Policy (0-25), in the light of the High Needs Review recommendations.

Marion Clay
Service Director, Education, Learning and Skills

For any enquiries about this report please contact:

Marion Clay
Service Director, Education, Learning and Skills
T: 0115 9772073
E: marion.clay@nottscc.gov.uk

Constitutional Comments (03/06/19)

33. The recommendations fall within the remit of the Children and Young People's Committee by virtue of its terms of reference.

Financial Comments (SAS 06/06/19)

34. The cost of the new structure is £8.208m and can be contained with the ELS staffing budget. The breakdown of costs and associated funding streams are as follows:

	£m
LA Budget	1.486
Schools Budget	6.238
Public Health grant	0.132
Sold Service income	0.352
TOTAL Funding	8.208

HR Comments (BC 03/06/19)

35. The revised structure has been subject to extensive trade union and staff consultation. The Council's Enabling procedure will be utilized to populate the structure.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Integration of the Educational Psychology Service and Schools & Families Specialist Services into the Support to Schools Service – report to Children and Young People's Committee on 20th June 2016

Interim structure for the Support to Schools Service (until Summer 2019) – report to Children and Young People's Committee on 21st May 2018

External review of funding for children and young people with high needs in Nottinghamshire: April 2018

Electoral Division(s) and Member(s) Affected

All.

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