

Meeting:	Children and young people scrutiny committee
Meeting date:	Monday 11 March 2019
Title of report:	SEND Provision Task and Finish Group - recommendations and outcomes
Report by:	Chairperson of the task and finish group

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose and summary

To report the outcomes and recommendations of the Special Education Needs and Disability (SEND) provision task and finish group to the children and young people scrutiny committee. The committee will consider and approve the outcomes from the task and finish group and decide if the recommendations should be reported to the cabinet

Recommendation(s)

That:

- (a) The committee considers the report and recommendations of the task and finish group: SEND provision (at appendix 1 of this report) and determines whether to agree the findings for submission to the executive.**

Alternative options

1. The recommendations proposed in this report represent the outcomes of the SEND provision task and finish group. If there are any additional recommendations which the committee feels should be included these can be proposed and voted upon at the meeting.

Key considerations

2. The establishment of a task and finish group to focus on Special Education Needs and Disability (SEND) provision in Herefordshire was agreed by the children and young people scrutiny committee on 16 July 2018. The task and finish group was established to assess SEND provision in Herefordshire and the allocation of pupils with SEND to appropriate educational settings.
3. The group was formed of four members of the Council and an education co-optee for the SEND sector on the children and young people scrutiny committee. The group undertook four meetings between October 2018 – February 2019. At the initial two meetings the group learned about: legislation and processes; statistics and trends; and independent support relating to SEND. The latter two meetings of the group were witness session where the group engaged a range of individuals including a parents representative group., a former educational psychologist, a head teacher from a local special school, a head teacher from a local mainstream school and Special Education Needs Coordinators (SENCOs) from schools in Herefordshire.
4. At its final meeting the group resolved a number of recommendations, as outlined in the appendix, concerning SEND provision together with additional proposals for the executive to consider. The recommendations are proposed to the children and young people committee to consider approving for submission to the cabinet. Any response to the recommendations from cabinet will be provided to the committee in the new Council term following the elections on 2 May 2019

Community impact

5. In accordance with the adopted code of corporate governance, Herefordshire Council is committed to promoting a positive working culture that accepts, and encourages constructive challenge, and recognises that a culture and structure for scrutiny are key elements for accountable decision making, policy development, and review.
6. The recommendations made by the task and finish group contributes to priorities in the corporate plan to: keep children and young people safe and give them a great start in life; and secure better services, quality of life and value for money.

Equality duty

7. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
8. If the committee agrees with the findings of the task and finish group, the report will need to be considered by the executive and, depending on their decision, due regard will need to be given to public sector equality duty. The findings of the task and finish group are intended to support and improve the SEND service. This demonstrates the council's commitment to its duty and the recommendations will improve SEND provision if adopted thereby demonstrating that the councils is being proactive in fulfilling its Equality duty.

Resource implications

9. This report proposes recommendations to the executive concerning SEND provision in Herefordshire. The final recommendations agreed by the children and young people scrutiny committee will be sent the executive. In considering their response to the approved recommendations a full assessment of resource implications will be undertaken.

Legal implications

10. The functions of the children and young people scrutiny committee include the powers to make reports or recommendations to the executive with respect to the discharge of any functions which are the responsibility of the executive; and to make reports or recommendations to council or the cabinet on matters which affect the authority's area or the inhabitants of that area
11. The report of the SEND Task and Finish Group considers SEN provision in Herefordshire, the impact of the changes to the Legislative Framework with the advent of the Children and Families Act 2014 and the appropriateness of SEN provision for children with differing Special Educational Needs. The recommendations of the SEND Task and Finish Group seek to address the issues with current provision identified in the report. Consideration of this report and implementation of its recommendations would be within the remit of the Children and Young People Scrutiny Committee.

Risk management

12. There are no risks associated with the recommendation and in considering its response the executive will need to assess the risks arising from the scrutiny committee's recommendations

Consultees

13. None

Appendices

Appendix 1 – SEND provision task and finish group report

Background papers - None identified