

NORTH YORKSHIRE COUNTY COUNCIL**The Executive****Tuesday 15 January 2019****Changes to Funding Arrangements for Post 16/19 placements for Young People with Education, Health and Care Plans****Report of the Corporate Director – Stuart Carlton, Children and Young People’s Services****1.0 PURPOSE OF REPORT**

- 1.1
- To provide the Executive with feedback on the consultation
 - To request approval from Executive for the recommendations

2.0 EXECUTIVE SUMMARY

- 2.1 The High Needs Block budget of £44.5m is currently under significant pressure due to increased demand in SEND and is predicted a £5.7 million overspend in 2018/19.
- 2.2 The local authority has a statutory responsibility to meeting the assessed needs of children and young people with Education, Health and Care Plans and for providing appropriate funding to ensure needs can be met
- 2.3 DfE Funding Guidance for Young People 2018/19 (issued May 2018) specifies that full time education placements should be made up of a minimum of 540 guided hours per week. The norm is 600 guided learning hours across the academic year. This equates to approximately 16 hours per week.
- 2.4 In North Yorkshire there is currently variation in the funding provided for post 16 students with Education, Health and Care Plans. If young people attend mainstream sixth forms, the establishment is still funded for 25 hours per week rather than 16 hours (pro rata calculation of annual 600 hours).
- 2.5 Post 19 students with EHCPs who have been assessed as requiring 5 day programmes are currently funded through the High Needs Block although part of the programme may be to ensure assessed social care needs are met
- 2.6 This proposal subject to approval specifies future funding arrangements for post 16/19 young people to ensure the local authority meets assessed needs of young people and is fulfilling its statutory duty
- 2.7 Potential savings to the High Needs Block on full implementation amount to £1.3 million
- 2.8 Whilst the adjustment of funding allocations for 5 day packages of education, health and care would create a £1,274K saving to the High Needs Block budget and ensure we comply with statutory duties, it would not create a saving to the council as there would be an increased budget pressure placed on Health and Adult Services to fund the care element of the package.

2.9 Following detailed analysis of the consultation feedback the recommendation to Executive is:

- To fund mainstream School Sixth Forms in line with FE colleges and to fund 600 hours of education per year for young people with EHC Plans and to implement this change from April 2019
- To continue to fund special school sixth forms for 25 hours of provision per week
- From September 2019, where a young person has a five day package, for the majority of young people this will be funded jointly across Adult Social Care and Education to reflect the 40%:60% contribution to funding respectively. Individual negotiations across Adult Social Care and Education will still be held for individual cases where funding allocations need to be varied. This approach is likely to have a cost impact on the County Council's adult social care and wider budgets and services.
- That the Local Authority accepts responsibility for the EHCP and its statutory responsibilities under the Children and Families Act 2014 and the Care Act 2014 and would ensure that assessed needs and provision over five days were supported by appropriate funding regardless of the source of the funding.
- That this additional budget pressure to HAS will be addressed from additional proposed contingency budget (LA funds) underpinning SEN so that there is a net nil impact to the HAS budget. This will be implemented in the Revenue Budget / MTFS report scheduled for 29 January 2018 should this proposal be approved.
- That implementation work continues with HAS (Health and Adult Services) over coming months to ensure the Local Authority remains compliant both with the Children and Families Act and the Care Act in ensuring we work together to ensure well planned and co-ordinated packages and transitions for this group of young people

3.0 **ISSUES**

Background

3.1 Since 2014 the Children and Families Act placed a duty on the Local Authority for supporting young people with EHCPs in Education settings up to the age of 25 years. Prior to this change in legislation these young people with SEND were supported in Education until age 19 years and then made a transition into Adult services.

3.2 The Local Authority receives High Needs Block funding which should be used to meet the Special Educational Needs of children and young people up to the age of 25 years in response to the change in legislation in 2014 (Children and Families Act).

3.3 The High Needs Block budget of £44.5m is currently under significant pressure due to increased demand in SEND and is predicted a £5.7 million overspend in 2018/19.

3.4 The local authority currently funds post 16/ 19 young people with EHCPs in a range of different post 16 educational settings including:

Post 16

- Mainstream sixth form
- Special school sixth form provision
- Colleges
- Independent and non maintained providers

Post 19

- Independent Specialist Providers and Learning Providers
- Personalised Learning Programmes (PLP) via ALSS

3.5 DfE guidance on post 16-19 study programmes states that a full time education course for post 16 young people is 600 hours of guided learning per year. This equates to approximately 16 hours per week during the academic year.

3.6 Within the EHCP, each student with SEND has identified educational outcomes which can be achieved through a progressive course of study. Where there is no progressive course of study identified, the EHCP will cease.

3.7 However some students with EHCPs may be assessed as requiring a 5 day package of support, care and education. When considering post 16 students with SEND who have Education, Health and Care Plans (EHCP) the SEND Code of Practice states that:

'When young people have EHCPs, local authorities should consider the need to provide a full package of provision and support across education, health and care that covers five days a week, where that is appropriate to meet the young person's needs.'

3.8 Five day packages of provision and support do not have to be at one provider and could involve amounts of time at different providers and different settings. It may include periods outside education institutions with appropriate support, including time and support for independent study. A package of provision can include non-educational activities such as:

- Community Inclusion – making friends, engagement in leisure activities, volunteering etc
- Independence and self-care - Opportunities that will equip young people with the skills they need to make a successful transition to adulthood such as independent travel training, and/or skills for living in semi supported or independent accommodation
- Being Healthy – making appointments, making healthy lifestyle choices

3.9 In North Yorkshire there is currently a lack of consistency in terms of the funding provided for post 16 education for young people with EHC Plans as illustrated below and funding is not allocated according to national guidance:

- Young people with EHCPs attending mainstream 6th forms are funded for 25 hours of provision/week whilst their peers are funded for 16 hours.
- Post 16 young people with EHCPs who access college provision are funded for 600 hours (if assessed need does not require a 5 day provision) in line with guidance

3.10 Young people with an EHCP who have an assessed need for a five day package across Education, Health and Care are currently predominantly funded from the High Needs Block. Although a contribution is received from Adult Services, negotiations are not aligned to national funding guidance. Therefore, there is a need to finalise a framework which acts as a guide to how full time packages of support and provision are funded across the council

4.0 PERFORMANCE IMPLICATIONS

4.1 There are no significant performance implications

5.0 POLICY IMPLICATIONS

5.1 There are no significant policy implications

6.0 PROPOSAL/OPTIONS

6.1 The local authority is proposing to bring arrangements for provision and funding for young people with EHCPs receiving post 16 education into line with statutory guidance.

6.2 This proposal is in two parts:

- **Proposal a** - We are proposing to fund top up funding for young people with EHCPs in mainstream school sixth forms at 16 hours per week in line with the tuition time they receive
- **Proposal b** - We are proposing to fund 600 hours (16 hours per week) of educational provision for post 19 young people with EHCPs. The remainder of a 25 hour a week programme will be funded through adult social care funding.

6.3 The Consultation document and detailed Schools Forum report are available in **Appendix 1** and **2** respectively

7.0 FINANCIAL IMPLICATIONS

Proposal a: 16 hours education provision for young people with EHCPs in mainstream school sixth form

7.1 Currently there are 33 learners in 6th form with an EHCP and this figure tends to remain fairly static year on year. The current E3 top up funding for the full year is £144,427 based upon 25 hours per week.

- 7.2 The local authority will continue to pay for a 25 hour offer in specialist sixth form provision because the young people who access a special sixth form offer receive a full time programme made up of education and social curriculum areas and are under constant supervision.
- 7.3 However if we bring the mainstream school sixth form education offer in line with statutory guidance and fund 16 hours per week adjusted costs are estimated at £92,433, therefore providing a saving of **£51,994 per annum**
- 7.4 This, if approved would apply to all placements from April 2019.

Proposal B - Post 19 specialist placements

- 7.5 Post 19 young people may access their continued specialist education in the following types of provision:
- Personalised Learning Programme (PLP)
 - Specialist Post 19 Independent Provision or other Independent Learning Providers (ISP/ILP)
 - Supported Internships.*
**Supported Internships need to be 25 hours of learning per week*
- 7.6 In September 2018 there were 127 learners attending PLP, ISP or ILP providers on a 25 hour/week basis (although this may alter subject to Tribunal and other placement decisions still awaiting confirmation).
- 7.7 The total current value of the placements for the full year is £2,427,000 based upon funding 25 hours per week. If these were funded for 16 hours per week from the High Needs Block the total funding would be reduced to £1,553,000. This would give a reduction of **£874k** in the High Needs Block, when the proposals are fully implemented.
- 7.8 The local authority would honour current placements for young people but would make the necessary changes to the funding arrangements
- 7.9 For September 2019, predictions indicate that there will be **41** learners leaving special school post-16 provision who are likely to progress to post-19 provision as described above. This number is subject to change as annual reviews take place and next steps are agreed through their EHCP review.
- 7.10 If average costs are assumed to be the same as current and if we do nothing, these 41 young people would cost £966k for 25 hours a week for the academic year from September 2019.
- 7.11 However, if we changed to a 600-hour education offer, in conjunction with a package from Health & Adult Services, to ensure a 5 day package, these 41 learning packages would cost £618k releasing a saving of **£348k** from the High Needs Block, when the savings are fully realised
- NB: These figures are estimates not actuals and would be dependent on exactly which students moved into this provision and their individual Element 3 top-up.***
- 7.12 Based on these assumptions savings to the High Needs Block have been estimated to be circa £1.3 million when the proposals are fully implemented - but as emphasised above, these are estimates based on the existing

population being supported and which may fluctuate depending on the needs of young people in the future

	Savings estimate 2019-20 (£000s)	Savings estimate 2020-21 (£000s)	Savings estimate full implementation (£000s)
Post-19 Specialist Placements – Existing Learners – para 7.7.	382	681	874
Post-19 Specialist Placements – New Learners – para 7.10.	203	348	348
Post 16 Mainstream Sixth Form – para 7.3.	52	52	52
Total Savings Estimate to High Needs Budget	637	1081	1274

7.13 The local authority has a statutory duty to meet assessed needs of young people with SEND and if a 5 day programme of education and care is required and there is a legal duty to ensure this is provided. Failure to do so would mean the local authority is in breach.

7.14 Whilst the adjustment of funding allocations for 5 day packages of education, health and care would create a £1,274k saving to the High Needs Block budget and ensure we comply with statutory duties, it would not create a saving to the council as there would be an increased budget pressure placed on Health and Adult Services to fund the care element of the package.

7.15 The estimated gross saving to the High Needs Budget is £1,274k but as there is no intention to reduce the totality of any package for young people assessed as requiring a 5 day package, there will be a cost to HAS of £1,222k. It is intended that this additional budget pressure will be made available to HAS from additional proposed contingency budget (core Council funds) underpinning SEN so that there is a net nil impact to the HAS budget. This will be implemented in the Revenue Budget / MTFs report scheduled for 29 January 2019 should this proposal be approved.

7.16 Even though the duty is on the Local Authority as a whole to provide the funding for these five day packages, it is important to have a framework that enables funding to be allocated according to guidance and from the appropriate budget to meet either Education or Care needs.

7.17 The High Needs Block budget is funding which should be used to meet a young person's Special Educational Needs from 0-25 years.

8.0 LEGAL IMPLICATIONS

8.1 Section 37 of the Children and Families Act 2014 requires local authorities to secure and maintain Education, Health and Care Plan ('EHCP') where it is necessary for special educational provision to be made for the child or young person in accordance with an Education, Health and Care Plan ('EHCP').

8.2 Section 42 of the Children and Families Act 2014 requires local authorities to secure specified special educational provision for a child or young person in accordance with their Education, Health and Care Plan ('EHCP').

8.3 With regard to young people approaching the age of 18, Section 58 of the Care Act 2014 requires local authorities to:

- a) assess whether the child has needs for care and support and, if so, what those needs are, and
- (b) whether the child is likely to have needs for care and support after becoming 18 and, if so, what those needs are likely to be.

8.4 The local authority also has responsibilities towards children and young people with SEND under the Equality Act 2010 in that:

- They must not directly or indirectly discriminate against, harass or victimise disabled children and young people.
- They must not discriminate for a reason arising in consequence of a child or young person's disability.
- They must make reasonable adjustments to ensure that disabled children and young people are not at a substantial disadvantage compared with their peers who are not disabled.

8.5 The local authority is also bound by the Public Sector Equality Duty and in discharging every function and every decision made a public authority must have due regard to:

- Eliminate discrimination, harassment, victimisation and any other conduct prohibited under this Act
- Advance equality of opportunity
- Foster good relations between those with a protected characteristic, disabled children and young people and those without.

8.6 The local authority has taken into account its statutory duties in the development of these proposals and in the final recommendation.

9.0 CONSULTATION UNDERTAKEN AND RESPONSES

9.1 This consultation formed part of a suite of three proposals impacting on the High Needs Block budget. A public consultation took place from 5th October 2018 to 11th November 2018. The analysis of the consultation applies to the 3 proposals.

9.2 The summary consultation document and full consultation response are attached as **Appendix 3, 3a and 4b**.

9.3 In relation to all 3 proposals for changes to the High Needs Budget there were 382 respondents who completed the survey (online and paper responses combined). Of this total:

- 32 (8%) were from Craven
- 55 (14%) were from Hambleton/Richmondshire
- 125 (33%) were from Harrogate/Knaresborough/Ripon
- 101 (26%) were from Scarborough/Whitby/Ryedale
 - Scarborough 76 (75%)
 - Whitby 11 (11%)
 - Ryedale 14 (14%)
- 69 (18%) were from Selby

Of these overall respondents 362 indicated how they are involved with the special educational needs and disability service. This was as follows (NB percentages relate to the responses to this question):

- Parents/carers 163 (45%)
- Young people 76 (21%)
- Responding on behalf of an organisation 123 (34%)
 - Education 111 (90%)
 - Health 1 (1%)
 - Social care 2 (2%)
 - Voluntary 6 (5%)
 - Other 3 (2%)
 -

10.0 ATTENDANCE AT EVENTS

There were 218 attendees at events, however it should be noted that some attendees were present at more than one event, so this figure does not reflect 218 separate individuals.

The attendees were as follows:

- 26 representing schools (including governors)
- 70 representing PRS
- 10 representing post 16 providers
- 86 parents and carers
- 7 children and young people
- 19 others (including representation from professional associations and local authority staff).

10.1 In addition, 19 pieces of written feedback providing responses to the consultation were received. These were as follows:

- 1 from a young person (5.3%)
- 5 from parents/carers (26.3%)
- 5 from Education professionals (26.3%)
- 5 others (groups, unions and police) (26.3%)
- 3 unable to identify type of respondent (15.8%)

There were also 18 further contacts about consultation dates/presentation information but not providing specific responses to the consultation.

11.0 OTHER FEEDBACK

In addition, feedback and questions were also received:

- The meeting of the County Council on 14 November 2018 – 2 questions/statements received.
- The Council's Young People Overview and Scrutiny Committee meeting of 7th December 2018 – 9 questions/statements received.
- The Skipton and Ripon Area Constituency Committee Meeting 13th December 2018 – 1 question received.

It should be noted that we are unable to provide a total number of consultation response numbers, as some individuals may have provided feedback through multiple routes.

Consultation feedback for Proposal a and b

- **Proposal a - We are proposing to fund top up funding for young people with EHCPs in mainstream school sixth forms at 16 hours per week in line with the tuition time they receive.**
- **Proposal b - We are proposing to fund 600 hours (16 hours per week) of educational provision for post 19 young people with EHCPs. The remainder of a 25 hour a week programme will be funded through adult social care funding.**

11.1 The full consultation response document is attached as **Appendix 3A,**

11.2 We asked **“To what extent do you agree with Proposal a?”**

There were a total of 291 responses to this question. The views were as follows:

- Strongly agree 28 (10%)
- Agree 82 (28%)
- Neither agree nor disagree 94 (32%)
- Disagree (10%)
- Strongly disagree (20%)

11.3 We asked **“To what extent do you agree with Proposal b?”**

There were a total of 287 responses to this question. The views were as follows:

- Strongly agree 21 (7%)
- Agree 65 (23%)
- Neither agree nor disagree 122 (43%)
- Disagree 34 (12%)
- Strongly disagree 45 (16%)

11.4 We asked **“Please provide further information (free text responses)?”**

We received a further 109 comments on the survey across proposal a.

- The majority of comments (56%) were related to a different proposal or were comments to say that this did not apply to their young person so they couldn't comment.
- 24% of the comments supported the proposal with the broad theme that this would create parity across colleges and sixth form provision.
- Where there were relevant comments that did not support the proposal, (20%) the majority related to disagreement with government guidance that full time post 16 provision should be classified as a minimum of 540 hours a year or 16 hours a week – they requested that post 16 should continue at 25 hours a week.
- However the local authority recognises its statutory duty and if assessed need warrants a 25 hour programme this would be provided

- Where relevant comments were made, most of those indicated support for moving post 16 EHCP funding for students in Sixth Forms in line with students in FE Colleges. Recommendations need to reflect concerns raised about the national guidance of 16 hours per week in post 16.

11.5 We received a further 94 comments on the survey for proposal b. Of those:

- 41% gave responses that were not relevant to this proposal (many of these related to proposal 2) or the respondent indicated that this wasn't relevant to the age / stage of their young person.
- Of the 59% of relevant comments:
 - 18% supported the proposal
 - A further 31% expressed various degrees of support but expressed concerns about the impact on Adult Social Care budgets, how they would fund their 2/5 of the five day package and what would happen if they refused to do so.
- Of the remaining 10% of responses which did not support the proposal, some were because they felt the young people should have 25 hours of education per week, some felt that all support for over 18s should be funded by social care and some questioned how much funding was provided by health.
- For those for whom the proposal was relevant, there was broad support for a five day package across Education and Social care. Comments received in the consultation meetings and in the survey referred to improving transitions and ensuring a comprehensive package for a young person moving into adulthood with clear "next steps" beyond education. The concerns expressed were not about the principle but about the practice of social care contributing to the package.

Other feedback

Outside of the consultation survey, there were 7 additional pieces of written feedback related to proposal 3.

- 2 were unrelated – one was about health needs and one was a request for further information.
- 2 were broadly critical of government guidance related to 16 hours and
- 3 expressed concerns about social care being able to fund their provision.

11.6 Whilst these comments have been noted the following table shows action which was taken prior to and during the consultation which mitigates these concerns:

Concern	Mitigating action
Timescales for the consultation	Information was sent to all schools, including PRS, about the consultation before it started. The link to the consultation website was included, along with a request to promote it to parents/carers and young people. The website page was live before the consultation began

	<p>to give advance notice and was updated with details of events and consultation papers on the first day of the consultation.</p> <p>NYPACT were given information about the consultation and were asked to promote it.</p> <p>Shortly after the start of the consultation the above was reinforced through letters to parents/carers and young people</p> <p>There were regular social media updates throughout the consultation.</p>
Lack of information/not understanding the information	<p>A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team.</p> <p>Meetings gave the opportunity for proposals to be explained.</p> <p>The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear.</p> <p>The presentation used at meetings was available on the consultation website.</p> <p>A series of frequently asked questions were added to the website as the consultation progressed.</p> <p>Materials were available in other formats if requested.</p>
Parents/carers being able to access meetings – including timing of meetings/notice period	<p>Lunchtime meetings were scheduled as parents/carers have previously indicated this is the most accessible time for them.</p> <p>For those who could not attend the presentation used at meetings was available on the consultation website.</p> <p>From the start of the consultation to the first parent and carer meeting there was a period of just over 2 weeks.</p> <p>Two weeks' notice is the minimum notice that SENDIASS suggest for parent/carers meetings.</p>
Accessibility for young people	<p>A summary document and easy read document were available – both checked by the Communications team for accessibility.</p> <p>Meetings gave the opportunity for proposals to be explained.</p> <p>Materials were available in other formats if requested</p> <p>SENCOs and Head teachers in special schools were asked to support children and young people to respond to the consultation.</p> <p>The local authority provided support for young people in PRA/AP to respond to the consultation.</p>
Criticism of the survey – particularly the limit to text in response boxes	<p>The survey used the same limit for text boxes as that for the Strategic plan.</p> <p>There was an option to complete a paper survey where there were no limits on text.</p>

Consideration of Consultation Feedback

11.7 The local authority has considered the feedback from the consultation in great detail and is of the view that the proposal should be submitted to Executive for a decision.

12.0 IMPACT ON OTHER SERVICES/ORGANISATIONS

12.1 There is limited impact on other organisations as a result of this proposal.

12.2 Health and Adult Services are in support of the funding allocation for post 19 young people assessed as required a 5 day programme. This approach will be further developed when protocols for transition are further strengthened across Children's and Adult Services.

13.0 RISK MANAGEMENT IMPLICATIONS

13.1 There are no significant risks to the implementation of this proposal.

14.0 HUMAN RESOURCES IMPLICATIONS

14.1 There are no significant HR implications

15.0 EQUALITIES IMPLICATIONS

15.1 Equality Impact Assessment is attached in **Appendix 5**

15.2 The local authority will continue to ensuring assessed needs for young people are met.

16.0 ENVIRONMENTAL IMPACTS/BENEFITS

16.1 None identified at this stage.

17.0 COMMUNITY SAFETY IMPLICATIONS

17.1 None

18.0 REASONS FOR RECOMMENDATIONS

18.1 For **Proposal a**, taking into account the analysis of the consultation feedback, the proposed recommendation is:

- To fund mainstream School Sixth Forms in line with FE colleges and to fund 600 hours of education per year for young people with EHC Plans and to implement this change from April 2019
- To continue to fund special school sixth forms for 25 hours of provision per week

18.2 For **Proposal b**, taking into account the analysis of the consultation feedback, the proposed recommendation is:

- From September 2019, where a young person has a five day package, for the majority of young people to jointly fund across Adult Social Care and Education to reflect the 40%:60% contribution to funding respectively. Individual negotiations across Adult Social Care and Education will still be

held for individual cases where funding allocations need to be varied from this norm.

- That the Local Authority accepts responsibility for the EHCP and its statutory responsibilities under the Children and Families Act 2014 and the Care Act 2014 and would ensure that assessed needs and provision over five days were supported by appropriate funding regardless of the source of the funding.
- That this additional budget pressure to HAS will be addressed from additional proposed contingency budget (core Council Funds) underpinning SEN so that there is a net nil impact to the HAS budget. This will be implemented in the Revenue Budget / MTFS report scheduled for 29 January 2018 should this proposal be approved.
- That implementation work continues with HAS (Health and Adult Services) over coming months to ensure the Local Authority remains compliant both with the Children and Families Act and the Care Act in ensuring we work together to ensure well planned and co-ordinated packages and transitions for this group of young people.

19.0 RECOMMENDATION(S)

19.1 That Executive approves:

- To fund mainstream School Sixth Forms in line with FE colleges and to fund 600 hours of education per year for young people with EHC Plans and to implement this change from April 2019
- To continue to fund special school sixth forms for 25 hours of provision
- From September 2019, where a young person has a five day package, for the majority of young people to jointly fund across Adult Social Care and Education to reflect the 40%:60% contribution to funding respectively. Individual negotiations across Adult Social Care and Education will still be held for individual cases where funding allocations need to be varied from this norm.
- That the Local Authority accepts responsibility for the EHCP and its statutory responsibilities under the Children and Families Act 2014 and the Care Act 2014 and would ensure that assessed needs and provision over five days were supported by appropriate funding regardless of the source of the funding.
- That this additional budget pressure to HAS will be addressed from additional proposed contingency budget (core Council funds) underpinning SEN so that there is a net nil impact to the HAS budget. This will be implemented in the Revenue Budget / MTFS report scheduled for 29 January 2018 should this proposal be approved.
- That implementation work continues with HAS (Health and Adult Services) over coming months to ensure the Local Authority remains compliant both with the Children and Families Act and the Care Act in

ensuring we work together to ensure well planned and co-ordinated packages and transitions for this group of young people

Stuart Carlton
Corporate Director – Children and Young People’s Services

COUNTY HALL
NORTHALLERTON
3 January 2019

Author of report – Jane Le Sage Assistant Director Inclusion
Presenter of report – Councillor Janet Sanderson, Lead Member

Background Documents –

- Children and Families Act 2014
- SEN Code of Practice
- ESFA funding guidance 2018

Appendices

Appendix 1	Consultation Document
Appendix 2	Schools Forum Report November 2018
Appendix 3	Consultation Summary Report
Appendix 3a	Full Consultation Responses
Appendix 4b	Additional Consultation Responses
Appendix 5	Equalities Impact Assessment

Consultation on changes to the High Needs Budget

5th October 2018 to 11th November 2018

All local authorities have a duty to keep their special education provision under review and ensure there is the right type of provision and enough places to meet the needs of children and young people with special educational needs and/or disabilities (SEND).

In order to meet this duty, North Yorkshire County Council has developed the strategic plan for SEND education provision. You can find this plan at www.northyorks.gov.uk/sendplan. The plan includes actions to develop special educational provision in North Yorkshire and to have more local provision for children and young people.

We have a budget of £44.8 million to spend on special educational provision. This is called the High Needs Budget and is allocated by central government. There is significant financial pressure on this budget due to the increase in the number of children and young people who have been assessed as needing an Education, Health and Care Plan (EHCP). However funding from central government has not increased in line with increased demand. The strategic plan helps us to make sure we can make the best provision possible with the funding we have whilst ensuring we meet the assessed needs of children and young people.

As set out in the plan we are reviewing and reshaping the high needs budget. This will be an ongoing process as we implement the plan but we now want to consult on the following three specific proposals for change:

- Changing the process for top up funding for children and young people with Education, Health and Care Plans (EHCPs) from a resource allocation system to a banding system.
- Changing the way provision for secondary aged pupils who are permanently excluded or at risk of permanent exclusion is commissioned and funded in North Yorkshire.
- Bringing arrangements for provision and funding for young people with EHCPs receiving post 16 education, into line with statutory guidance

Please note that the Local Authority will always make sure that the assessed needs of children and young people are met, and that it meets its statutory duties.

We want to ask your views on these proposals as part of a formal consultation.

This document explains the proposals for remodelling the High Needs Budget that we are consulting on. We recommend that you read more details about the proposals at <http://cyps.northyorks.gov.uk/nyep-meetings-and-agendas> .

We have explained about who and how we are consulting, the timescale for the consultation and our equalities impact assessments, as well as how to complete the survey below.

Who are we consulting?

We are asking the public for views on our proposals, specifically the following groups;

- parents, carers, children and young people;
- staff in early years settings, schools and further education settings (e.g. colleges), including governors;
- parent and carer groups, including North Yorkshire Parents and Carers Together;
- local authority staff.

How are we consulting?

We are asking a number of questions, in a survey, about our proposals and for any other comments. The survey will be available online, via the council's website and via the Local Offer. Paper copies are available on request and an 'easy read' version is available on the website. We are also holding events the following events around the county, to talk about the proposals:

Events for parents and carers:

Date	Time	Location
Monday 22nd October	12:00 – 13:30	Skipton Town Hall, High St, Skipton BD23 1AH
Tuesday 23rd October	12:00 – 13:30	Community House, Portholme Rd, Selby, YO8 4QQ

Wednesday 24th October	12:00 – 13:30	Evolution Business Centre, County Business Park, Darlington Rd, Northallerton, DL6 2NQ
Tuesday 6th November	12:00 – 13:30	Scarborough Dial A Ride, Unit 4, 64-66 Londesborough Road, Scarborough, YO12 5AF
Wednesday 7th November	12:00 – 13:30	Cedar Court, Park Parade, Harrogate, HG1 5AH

Events for school staff and other education professionals:

Date	Time	Location
Tuesday 16 th October	09:30 – 11:00	Allerton Court Hotel, Darlington Rd, Northallerton, DL6 2XF
Tuesday 6 th November	09:30 – 11:00	Scarborough Dial A Ride, Unit 4, 64-66 Londesborough Road, Scarborough, YO12 5AF

What is the timescale?

The consultation will be open for 38 days starting on 5th October 2018 until 11th November 2018. Once the consultation has closed, we will review all of the responses and prepare a report for consideration by Executive Members of the Council with responsibility for Children and Young People's Services. They will consider the feedback on the proposals and make a decision in about whether they wish to implement all or some of the proposals.

Information about our equalities impact assessment

We have carried out an equalities impact assessment (EIA) for each proposal which can be found here <https://www.northyorks.gov.uk/hnbconsult> . We will update these following comments received during the consultation and councillors will consider them again before they make a decision on implementing the proposals.

Completing the survey

Please give your feedback on the proposals for changing the High Needs Budget by completing our online survey, at <https://www.northyorks.gov.uk/hnbconsult> .

We recommend that you read the background documents for each proposal before you complete your response. You can find these here <http://cyps.northyorks.gov.uk/nyep-meetings-and-agendas> .

If you would like a paper copy of the survey, please call our customer service centre on 01609 780 780.

Our proposals for changing the High Needs Budget

Proposal 1

We will change the process for top up funding for children and young people with EHCPs from a resource allocation system to a banding system.

In order to meet the needs of children and young people with SEND who have EHCPs, the local authority allocates funding from the High Needs Budget which is called 'element 3' or top up funding.

At the moment we use a system called the 'CAN-Do' model which is a type of system to allocate resources. This system was designed to allocate an amount of funding to support a child or young person based on their individual needs.

We are aware that parents/carers and schools have concerns about the 'CAN-Do' model and despite making changes we are not confident we have been able to address all the issues. For example there have been some difficulties in the system allocating the right amounts of funding to meet children and young people's needs. There are also concerns about the funding being allocated appropriately to meet all SEND needs as the questions in the system can be understood in different ways. The current system also does not require evidence to be provided about the needs of children and young people, and so there can sometimes be variation between settings and schools in the amount of funding allocated.

Therefore our proposal is to replace the CAN- DO system with a banding system. A banding system is where each child's needs are assessed and the provision they require to meet those needs is identified. This is then compared with descriptions of provision to see what level of funding is required to make that provision. The way funding is allocated will be easier for everyone to understand and will ensure the right amount is allocated for each child. It will ensure that each child or young person's need are met. It will also have the following benefits:

- it will cover all areas of needs
- it will be easier to administer
- it will make sure funding is based on evidence of need
- it will make sure funding is allocated using clear principles
- it will be easier to understand
- it will be able to be used across the continuum of universal, targeted and specialist provision for 0-25 year olds

Our proposal is that there are 10 bands for top up funding which will:

- cover all four areas of SEN: communication and interaction; cognition and learning; social, emotional and mental health and sensory physical.
- include provision for children and young people's medical needs
- cover needs from the least to the most complex.

Our proposed bands and funding are set out in the table below:

Band	Value
1	No value
2	No value
3	No value
4	£1,160
5	£3,160
6	£4,780
7	£7,570
8	£9,140
9	£12,880
10	£20,000

The descriptions of need for each band can be found at <http://www.northyorks.gov.uk/bands>

We have set the funding for each band by considering the amount of support a child or young person needs against each band description. We have compared these to a number of teaching assistant hours. This does not mean that support for a child or young person will always be provided by a teaching assistant; it could be equipment or a particular intervention. Each setting, school and provider will work out the best way to use resources to meet the needs of children and young people, working in partnership with parents and carers.

There are no savings attached to this proposal. Our aim is to ensure that the Local Authority has the right information to make sure each child or young person has the right provision to meet their needs. The proposed banding system will also ensure that funding for each child or young person is spent as stated in their EHCP.

We will introduce this change from April 2019. For children and young people who receive top up funding linked to their EHCP, this will be reviewed at their annual review and moved to the new banding system.

Proposal 2

We will change the way provision for secondary aged pupils who are permanently excluded or at risk of permanent exclusion is commissioned and funded in North Yorkshire.

In North Yorkshire provision for young people who are permanently excluded or at risk of permanent exclusion is made by pupil referral services (PRS) and alternative provisions (AP). The majority of these young people do not have EHCPs.

North Yorkshire PRS and AP provision is as follows:

- Craven PRS
- Sunbeck (Hambleton/Richmondshire)
- The Grove Academy (Harrogate/Knaresborough/Ripon)
- Scarborough PRS
- Ryedale Out Of School Education (ROOSE)*
- Whitby Outreach*
- The Rubicon Centre (Selby)

*Provisions in Ryedale and Whitby are alternative provisions overseen by schools and are not registered as pupils referral services.

PRS and AP provisions meet the needs of children and young people who might need support to prevent them being excluded from school and who have been permanently excluded. At the moment they also have provision for pupils with medical needs, but as we implement the strategic plan there will be changes to this provision.

Our proposal is that we change the way we commission provision at the PRS/AP and how we fund them. We currently provide £4.6 million of funding to the PRS/AP provisions of which £2.7million 'non-statutory' funding.

We are proposing that we commission places at PRS on a place basis. This means that we ask each PRS or AP provision to deliver a certain number of places for pupils. In doing this we will meet our statutory duty to provide education for those who are permanently excluded but remove the 'non-statutory' element of funding from the PRS/AP budgets.

We are proposing that each of these places is funded at £10,000 for the place, and each place will have top up funding of £7,000. We intend that schools will be able to use these places flexibly to meet the needs of children who are at risk of exclusion rather than for permanent exclusions to provide a suitable alternative curriculum.

This will mean we are commissioning places at PRS/AP in a similar way to places in special schools. It will also mean the amount of funding for each place is similar to that in the same kind of provisions regionally and nationally.

For the academic year 2019 to 2020 we will also commission a number of in reach places for children with medical needs from the PRS/AP. These places will be funded at £10,000 each. We intend to change the model of provision for these pupils after that, in line with actions in the Strategic Plan. Further work is taking place on this and it will be subject to a separate consultation in due course.

From the non-statutory funding currently in the PRS/AP budget we propose to redirect £771,000 into the locality education partnerships so school leaders and other partners and stakeholders can use this funding to address priorities for SEND and Inclusion in their area. They may decide to use some of this funding to buy services from their local PRS/AP but, equally, they may look at other services that can meet the needs of children and young people.

By changing the way we commission provision in PRS/AP we expect there will be a saving to the High Needs Budget of between £1.3 million and £1.5 million each year which will help us manage the pressures on the High Needs Budget. However there will still be a significant investment of over £3 million into PRS/AP and local area partnerships. A transformational piece of work will also take place with PRS/AP and schools to develop a strengthened alternative provision offer across North Yorkshire.

We will introduce this change from April 2019. There will be some transitional funding for PRS/AP until 31st March 2020.

Proposal 3

We will bring arrangements for provision and funding for young people with EHCPs receiving post 16 education, into line with statutory guidance.

Guidance of post 16 'full time' courses (2018) says that it is expected that a full time post 16 study course will be 600 planned hours per academic year.

The SEND Code of Practice, the statutory guidance we have to follow, says that:

'Where young people have EHC plans, local authorities should consider the need to provide a full package of provision and support across education, health and care that covers 5 days a week, where that is appropriate to meet the young person's needs'. These packages of provision do not have to be at one provider and can include non-educational activities'.

Our proposal is to bring arrangements in line with this guidance while still meeting the assessed needs of young people with SEND.

There are two parts to this proposal:

3a Funding for young people with EHCPs in mainstream school sixth forms

Young people with EHCPs who attend mainstream school sixth forms receive 600 hours of education over the academic year, the same as young people without EHCPs. This equates to 16 hours of direct tuition per week. However, currently, the LA pays the top up funding for these young people based on 25 hours a week, therefore is overfunding.

We are therefore proposing to fund the top up funding for these young people at 16 hours per week as this is what they receive.

By making this change we expect there will be a saving to the High Needs Budget of around £50 000 each year.

This will not affect young people attending special school sixth forms who will continue to have top up funded at 25 hours per week which is the amount of tuition they actually receive.

We will introduce this change retrospectively from September 2018.

3b Funding for post 19 specialist placements

Young people with EHCPs may receive continued specialist educational provision in the following types of provision:

- Personalised learning programme
- Specialist Post 19 Independent Provision or other Independent Learning Providers
- Supported Internships

Currently the full 25 hour programmes are funded entirely through the High Needs Budget, which is education funding.

We are proposing that 600 hours (16 hours per week) is funded through the High Needs Budget in line with guidance. The remainder of the 25 hour programme would be funded through adult social care funding.

By making this change we expect there will be a saving of between £0.9m and £1.2m to the High Needs Budget each year.

It is important to note that if a young person has been assessed as requiring a 25 hour programme this will still be provided. We will not be changing a young person's provision, we are just changing the way it is funded across the Council.

We will introduce this change retrospectively from September 2018.



**NORTH YORKSHIRE
SCHOOLS FORUM**

Date of meeting:	Thursday, 27 September 2018
Title of report:	Statutory Provision of 600 Hours Education per Academic Year for Post-16 Students with EHCPs
Type of report: Delete as required	For Discussion/ Information
Executive summary: Including reason for submission	The paper proposed moving to study programmes of 600 planned hours per academic year in line with national guidance. Proposals are outlined for 16 hours education provision for young people with EHCPs in sixth forms. The report also outlines proposals for post-19 specialist placements in personalised learning pathways (PLPs), Specialist Provision Institutions (SPIs) and Individual Learning Pathways (ILPs). The report proposes that the measures are subject to consultation with school, carers and parents.
Budget / Risk implications:	The report proposes savings options up to £1,259k which would be phased over a period of time to avoid impact on students in current packages of study.
Recommendations:	That members of the Schools Forum note the contents of the report.
Voting requirements:	None
Appendices: To be attached	Appendix 1: Post-16 600 Hours: Consideration of Approach
Report originator and contact details:	Nikki Joyce, Head of SEN Nikki.Joyce@northyorks.gov.uk
Presenting officer: If not the originator	Jane Le Sage – AD, Inclusion



NORTH YORKSHIRE SCHOOLS FORUM

1.0 PURPOSE OF THE REPORT

- 1.1 To highlight existing guidance around post-16 education programmes.
- 1.2 To consider aligning arrangements for provision and funding in line with guidance.

2.0 BACKGROUND

- 2.1 There are two key pieces of guidance and legislation covering post-16 education for young people with EHCPs. The SEND Code of Practice states that: *“Where young people have EHC plans, local authorities should consider the need to provide a full package of provision and support across education, health and care that covers five days a week, where that is appropriate to meet the young person’s needs.”*
- 2.2 Five-day packages of provision and support do not have to be at one provider and could involve amounts of time at different providers and in different settings. It may include periods outside education institutions with appropriate support, including time and support for independent study. A package of provision can include non-educational activities such as:
 - volunteering or community participation
 - work experience
 - opportunities that will equip young people with the skills they need to make a successful transition to adulthood, such as independent travel training, and/or skills for living in semi-supported or independent accommodation, and
 - training to enable a young person to develop and maintain friendships and/or support them to access facilities in the local community.
- 2.3 In terms of post-16 “full time” courses, the guidance updated in June 2018 clarifies that a “full time” education course is at least 540 hours per year. *‘We expect that full time study programmes for 16 and 17 year olds will be 600 planned hours per academic year, and we set the funding rate on this basis. For funding purposes, the minimum threshold for 16 and 17 year olds’ full time programmes is set at 540 planned hours.’*
<https://www.gov.uk/guidance/16-to-19-funding-planned-hours-in-study-programmes#planned-hours-and-funding-allocations>
- 2.4 Typical programmes are around 600 hours depending on the length of the academic year which equates to 3 days or 16 hours per week of education during the academic year.

2.5 **Appendix 1** illustrates the current programmes for post-16 students with EHCPs in North Yorkshire and how these are funding them currently with a recommendation for each group in terms of moving forward towards a fair and consistent offer for post-16 education.

3.0 PROPOSALS

16 hours education provision for young people with EHCPs in school sixth forms

3.1 Currently there are 33 learners in 6th Form with an EHCP. This figure remains roughly static from year-to-year with approximately half leaving at the end of Year 13 and a new, similar-sized intake into Year 12. The total current value of the E3 top-up for the full year is £144k, based upon 25 hours per week.

3.2 This papers proposed bringing the education offer in line with statutory guidance and funding 16 hours per week. The young people in this cohort are actually only receiving the 600 hours of education as their peers receive. Their peers without EHCPs will be already funded for 600 hours.

3.3 The local authority will continue to pay for a 25 hour offer in specialist sixth form provision at this time. Adjusted costs would be £92k providing a saving of **£52k per annum**

Post-19 specialist placements

3.4 Young people may access their continued specialist education in the following types of provision:

- Personalised Learning Programme
- Specialist Post 19 Independent Provision or other Independent Learning Providers
- Supported Internships.*

**Supported Internships need to be 25 hours of learning per week and we are still trying to establish whether there is the opportunity for a top-up from 16 hours through the Department for Work and Pensions.*

3.5 The following examples demonstrate potential savings to the High Needs Block were the current cohort of learners to be on 600 hour programmes:



NORTH YORKSHIRE SCHOOLS FORUM

PLP, SPIs and ILP (with Supported Internships):

- 3.6 In September 2018 there are 164 learners (although this may alter subject to Tribunal and other placement decisions still awaiting confirmation). The total current value of the placements for the full year is £3,353k, based upon 25 hours per week (8 of these placements are residential). If these were funded for 16 hours per week, the total is £2,146k - a reduction of **£1,207k** to the High Needs Block

OR

PLP, SPIs and ILP (without Supported Internships):

- 3.7 In September 2018 there are 127 learners (although this may alter subject to Tribunal and other placement decisions still awaiting confirmation). The total current value of the placements for the full year is £2,427k based upon 25 hours per week. If these were funded for 16 hours per week, the total is £1,553k - a reduction of **£874k**.

Please note these savings are informed estimates at this stage.

- 3.8 For September 2019, predictions indicate that there will be **41** learners leaving special school post-16 provision who are likely to progress to post-19 provision as described above. This number is subject to change as annual reviews take place and next steps are agreed through their EHCP review.
- 3.9 If average costs are assumed to be the same as current, if we do nothing, these 41 would cost £966k for 25 hours a week for the academic year from September 2019. If we changed to a 600-hour programme, in conjunction with a package from Health & Adult Services, to ensure a 5 day package, these 41 learning packages would cost £618k releasing a saving of **£348k**.

NB: These figures are not actuals and would be dependent on exactly which students moved into this provision and their individual Element 3 top-up.

4.0 RECOMMENDATIONS

- 4.1 That Schools Forum note:
- the intention to apply the national guidance that post-16 study consists of approximately 600 hours per year of education (16 hours / 3 days per week during the academic year) which, for young people with EHCPs, may



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form part of a five-day package which supports the transition into adulthood.

- the plan to remedy the current administrative anomaly which pays 25 hours per week for students in 6th Form with EHCPs when they are receiving 16 hours of study in line with their peers. This will bring this group into line with young people with EHCPs attending FE colleges.
- the proposal to consult with schools, parents, carers in October/ November 2018.

4.2 That Schools Forum note the proposal to also consider Special School post-16 provision at a later stage once the transition work has been completed and provision from Health & Adult Services is in place as part of a five-day package for these young people.

Stuart Carlton
Corporate Director, Children & Young People's Service

Item 2.4c: Statutory Provision of 600 Hours Education per Academic Year for Post-16 Students with EHCPs

Appendix 1: Post 16 – 600 hours consideration of approach

Officers met during August to consider the options around post-16 funding. Subsequent to this, we have had information from Leeds City Council who conceded a Judicial Review regarding a move away from 5 days education for young people with EHCPs and also information from Bristol City Council who were taken to Judicial Review and the judgement went against them in terms of proposed budget reductions and consultation.

As a result, we propose the following:

	CURRENT OFFER		PROPOSED OFFER		IMPACT		RECOMMENDATION
	YP (taught time)	Setting (hours paid)	YP (taught time)	Setting (hours paid)	YP	Setting	
Post-16 and FE colleges Age 16 – 18 2 years funding.	16 hours p/w	16 hours p/w	16 hours p/w	16 hours p/w	No change	No change	No impact on this group – no consultation required.
Post-16 in school 6th form Age 16 – 18 2 years funding.	16 hours p/w	25 hours p/w	16 hours p/w	16 hours p/w	No change	Reduction in budget to 16 hours p/w 18/19 at 25 hours = £144,427, 18/19 at 16 hours = £92,433, a reduction of £51,994.	Relates to 33 young people. PAROs will check their timetables early in September to confirm they are only getting 16 hours direct tuition. EIA to be completed. Letter to be issued in September to advise budget deduction from October half term 2018. Report to, and approval of approach through High Needs Funding Officer Group, High Needs Funding Sub Group, CYPLT and Schools Forum in September.

	CURRENT OFFER		PROPOSED OFFER		IMPACT		RECOMMENDATION
	YP (taught time)	Setting (hours paid)	YP (taught time)	Setting (hours paid)	YP	Setting	
							No consultation required.
<p>Post 16 in special school 6th form (Including Other LA Special & Independent/Non Maintained Special)</p> <p>Age 16 – 19 3 years funding.</p>	25 hours p/w	25 hours p/w	16 hours p/w Remaining hours made up through health/care.	16 hours p/w Additional budget hours from health/care	Possible change to timetable / placement according to “Care” provision and “Education” provision requirements	Possible budget / staffing / curriculum implications. E.g. if parent decides to take up use of personal budget.	<p>Option needs careful consideration to the potential impact on young people. Careful planning with health and care colleagues to understand individual packages and funding arrangements. Young person’s transition to Health & Adult Services and associated funding to be considered.</p> <p>Given Leeds and Bristol Judicial Review outcomes, propose that we do not look to change this and potentially review as a “phase 2” proposal once we have implemented post-19 changes and have implemented transitions work with Health & Adult Services.</p>
<p>Post 19 (and those aged 18 who fit into this category).</p>	25 hrs p/w	25 hrs p/w	“Five day package” – 25 hrs approx.	16 hrs pw from Education + ?? from Health / Care	Possible change to timetable / placement according to “Care” provision and “Education” provision requirements	Possible change to placement according to “Care” provision and “Education” provision requirements.	To analyse impact on Health and Adult Services both in terms of capacity and budget but to work towards a transition for these young people (who will require Health and Adult Services provision post Education already) during this post-19 phase, preparing them for adulthood and meeting their care needs as part of a five day package with 3 days / 16 hours of Education.
<p><i>Supported internships</i></p>	25 hrs p/w	25 hrs p/w	25 hrs p/w	16 hrs/pw.	No change	Budget implications	We must offer a 5 day package.

	CURRENT OFFER		PROPOSED OFFER		IMPACT		RECOMMENDATION
	YP (taught time)	Setting (hours paid)	YP (taught time)	Setting (hours paid)	YP	Setting	
				Additional budget to be source from other options (e.g. DWP).			Explore options available from other funding streams including Department of Work and Pensions.
<i>SPI's</i>	Min 25 hrs p/w	25 hrs+ p/w	25 hrs p/w	16 hrs/pw. Additional budget to be source from other options.	No change if only a funding distribution but may be health / care package elsewhere for 2 days	Budget implications if other 2 days elsewhere	There must be a 5 day package: 8.39 Code of Practice. Health & Adult Services accept principle of 600 hours education for this group and providing this is a co-ordinated transition plan, this would be a better outcome for young person with planned, co-ordinated and seamless transition into adult services.
<i>ILP</i>	25 hrs p/w	25 hrs p/w	25 hrs p/w	Additional budget to be source from other options.	No change	Budget implications	Consistent approach – where we must offer a 5 day package but education are only obliged to pay for 16 hours. Work with Health & Adult Services colleagues to understand and provide clarification to parents and young people on what education pays for, and what Health & Adult Services pays for.
<i>PLP</i>	25 hrs p/w	25 hrs+ p/w	25 hrs p/w	Additional budget to be source from other options.	No change	Budget implications	Consistent approach – where we must offer a 5 day package but education are only obliged to pay for 16 hours. Work with Health and Adult Services colleagues to understand and provide clarification to parents and young people on what

	CURRENT OFFER		PROPOSED OFFER		IMPACT		RECOMMENDATION
	YP (taught time)	Setting (hours paid)	YP (taught time)	Setting (hours paid)	YP	Setting	
							education pays for, and what Health & Adult Services pays for.

Consultation on the changes to the High Needs Budget – Appendix 3

Consultation outcomes report – Proposal 3

We will bring arrangements for provision and funding for young people with EHCPs receiving post 16 education into line with statutory guidance.

We have developed this document to share the outcomes of the consultation for Proposal 3 of changes to the High Needs Budget. The consultation took place between 5th October 2018 and 11th November 2018.

1.0 What did we consult on?

All local authorities have a duty to keep their special education provision under review and ensure there is the right type of provision and enough places to meet the needs of children and young people with special educational needs and/or disabilities (SEND).

In order to meet this duty, North Yorkshire County Council has developed the strategic plan for SEND education provision. You can find this plan at www.northyorks.gov.uk/sendplan . The plan includes actions to develop special educational provision in North Yorkshire and to have more local provision for children and young people.

We have a budget of £44.8 million to spend on special educational provision. This is called the High Needs Budget and is allocated by central government. There is significant financial pressure on this budget due to the increase in the number of children and young people who have been assessed as needing an Education, Health and Care Plan (EHCP). However funding from central government has not increased in line with increased demand. The strategic plan helps us to make sure we can make the best provision possible with the funding we have whilst ensuring we meet the assessed needs of children and young people.

As set out in the plan we are reviewing and reshaping the high needs budget. This will be an ongoing process as we implement the plan but our consultation asked for views on the following specific proposals:

Proposal 1

- We will change the process for top up funding for children and young people with EHCPs from a resource allocation system to a banding system.

Proposal 2

- We will change the way provision for secondary aged pupils who are permanently excluded or at risk of permanent exclusion is commissioned and funded in North Yorkshire.

Proposal 3

We will bring arrangements for provision and funding for young people with EHCPs receiving post 16 education into line with statutory guidance.

This proposal is in two parts:

- **Proposal 3a - We are proposing to fund top up funding for young people with EHCPs in mainstream school sixth forms at 16 hours per week in line with the tuition time they receive**
- **Proposal 3b - We are proposing to fund 600 hours (16 hours per week) of educational provision for post 19 young people with EHCPs. The remainder of a 25 hour a week programme will be funded through adult social care funding.**

Please note this consultation has now closed, but you can still read the consultation documents at the following link: <https://www.northyorks.gov.uk/previous-consultations>

This document provides information on the consultation outcomes specifically for Proposal 3a and 3b

2.0 Who did we consult with?

2.1 We asked the public for views on our proposals. We asked for views from:

- parents and carers of young people with SEND
- children and young people with SEND;
- staff in early years settings, schools, alternative provision and further education settings (e.g. colleges), including governors;
- parent and carer groups, including North Yorkshire Parents and Carers Together (NYPACT);
- local authority staff.

2.2 Given the proposals we were consulting on we also specifically targeted the following groups:

- parents and carers of children and young people with Education, Health and Care plans (EHCPs)
- young people aged 16 and over with EHCPs
- children and young people receiving provision from Pupil Referral Services and Alternative Provision

3.0 How did we consult?

3.1 We asked a number of questions, in a survey, about our proposals and for any other ideas and suggestions. The survey was available online, via the council's website and via the Local Offer. Paper copies were available on request and an 'easy read' version was available on the website. Copies of the consultation paperwork was also available in other formats as requested.

We recommended that those being consulted read more details about the proposals at the link <http://cyps.northyorks.gov.uk/nyep-meetings-and-agendas> .

3.2 During October and November 2018 the consultation included:

- Lunchtime parent/carers' meetings in each of the localities (Craven; Hambleton/Richmondshire; Harrogate/Knaresborough/Ripon; Scarborough/Whitby/Ryedale and Selby)
- Three meetings for education professionals and schools staff. Two of these were held in the morning and one in the early evening
- A meeting with the Flying High young people's group.
- Facilitated group discussions with young people who attend Pupil Referral Services across the county in each of the five localities (Craven; Hambleton/Richmondshire; Harrogate/Knaresborough/Ripon; Scarborough/Whitby/Ryedale and Selby)

In addition the presentation given at these meetings was made available on the consultation website, and a series of frequently asked questions were added to the website during the consultation period.

SENCOs in mainstream schools and Headteachers of special schools were asked to support young people to participate in and respond to the consultation and the local authority also provided support for young people in pupil referral services/alternative provision to contribute their views.

3.3 During the consultation we explained all three proposals for changing the High Needs Budget, and asked for feedback on each of these. The three proposals formed the structure of the presentations and discussion at meetings and with young people, and the survey questions.

4. Consultation respondents

4.1 High Needs Budget Consultation survey respondents

In relation to all 3 proposals for changes to the High Needs Budget there were 382 respondents who completed the survey (online and paper responses combined). Of this total:

- 32 (8%) were from Craven

- 55 (14%) were from Hambleton/Richmondshire
- 125 (33%) were from Harrogate/Knaresborough/Ripon
- 101 (26%) were from Scarborough/Whitby/Ryedale
 - Scarborough 76 (75%)
 - Whitby 11 (11%)
 - Ryedale 14 (14%)
- 69 (18%) were from Selby

Of these overall respondents 362 indicated how they are involved with the special educational needs and disability service. This was as follows (NB percentages relate to the responses to this question):

- Parents/carers 163 (45%)
- Young people 76 (21%)
- Responding on behalf of an organisation 123 (34%)
 - Education 111 (90%)
 - Health 1 (1%)
 - Social care 2 (2%)
 - Voluntary 6 (5%)
 - Other 3 (2%)

4.2 Attendance at events

There were 218 attendees at events, however it should be noted that some attendees were present at more than one event, so this figure does not reflect 218 separate individuals.

The attendees were as follows:

- 26 representing schools (including governors)
- 70 representing PRS
- 10 representing post 16 providers
- 86 parents and carers
- 7 children and young people
- 19 others (including representation from professional associations and local authority staff).

4.3 Written feedback received

In addition, 19 pieces of written feedback providing responses to the consultation were received. These were as follows:

- 1 from a young person (5.3%)
- 5 from parents/carers (26.3%)
- 5 from Education professionals (26.3%)
- 5 others (groups, unions and police) (26.3%)
- 3 unable to identify type of respondent (15.8%)

There were also 18 further contacts about consultation dates/presentation information but not providing specific responses to the consultation.

4.4 Other feedback

In addition, feedback and questions were also received for:

- The meeting of the County Council on 14 November 2018 – 2 questions/statements received.
- The Council's Young People Overview and Scrutiny Committee meeting of 7th December 2018 – 9 questions/statements received.
- The Skipton and Ripon Area Constituency Committee Meeting 13th December 2018 – 1 question received.

It should be noted that we are unable to provide a total number of consultation response numbers, as some individuals may have provided feedback through multiple routes.

5. Consultation feedback for Proposal 3a and 3b

We will bring arrangements for provision and funding for young people with EHCPs receiving post 16 education into line with statutory guidance.

- **Proposal 3a - We are proposing to fund top up funding for young people with EHCPs in mainstream school sixth forms at 16 hours per week in line with the tuition time they receive.**
- **Proposal 3b - We are proposing to fund 600 hours (16 hours per week) of educational provision for post 19 young people with EHCPs. The remainder of a 25 hour a week programme will be funded through adult social care funding.**

5.1 Consultation survey

5.1.1 We asked **“To what extent do you agree with Proposal 3a?”** There were a total of 291 responses to this question. The views were as follows:

- Strongly agree 28 (10%)
- Agree 82 (28%)
- Neither agree nor disagree 94 (32%)
- Disagree (10%)
- Strongly disagree (20%)

5.1.2 We asked **“To what extent do you agree with Proposal 3b?”** There were a total of 287 responses to this question. The views were as follows:

- Strongly agree 21 (7%)
- Agree 65 (23%)
- Neither agree nor disagree 122 (43%)
- Disagree 34 (12%)
- Strongly disagree 45 (16%)

5.1.3 We asked “Please provide further information (free text responses)?”

We received a further 109 comments on the survey across proposal 3a.

- the majority of comments (56%) were either irrelevant to the proposal (many were responses related to proposal 2) or were comments to say that this did not apply to their young person so they couldn't comment.
- 24% of the comments supported the proposal with the broad theme that this would create parity across colleges and sixth form provision.
- Where there were relevant comments that did not support the proposal, (20%) the majority related to disagreement with government guidance that post 16 should be 600 hours a year or 16 hours a week – they requested that post 16 should continue at 25 hours a week. This is national policy which is not within our gift to change.
- Where relevant comments were made, most of those indicated support for moving post 16 EHCP funding for students in Sixth Forms in line with students in FE Colleges. Recommendations need to reflect concerns raised about the national guidance of 16 hours per week in post 16.

We received a further 94 comments on the survey across proposal 3b. Of those:

41% gave responses that were not relevant to the proposal (many of these related to proposal 2) or the respondent indicated that this wasn't relevant to the age / stage of their young person. Of the 59% of relevant comments,

- 18% supported the proposal
- a further 31% expressed various degrees of support but expressed concerns about the impact on Adult Social Care budgets, how they would fund their 2/5 of the five day package and what would happen if they refused to do so.
- Of the remaining 10% of responses which did not support the proposal, some were because they felt the young people should have 25 hours of education per week and that the national guidance was wrong, some felt that all support for over 18s should be funded by social care and some questioned how much funding was provided by health.

For those for whom the proposal was relevant, there was broad support for a five day package across Education and Social care. Comments received in the consultation meetings and in the survey referred to improving transitions and ensuring a comprehensive package for a young person moving into adulthood with clear “next steps” beyond education. The concerns expressed were not about the principle but about the practice of social care contributing 2/5 to the package.

5.2 Other feedback

5.2.1 Outside of the consultation survey, there were 7 additional pieces of written feedback related to proposal 3.

- 2 were unrelated – one was about health needs and one was a request for further information.
- 2 were broadly critical of government guidance related to 16 hours and
- 3 expressed concerns about social care being able to fund their provision.

6. Responses to all consultation feedback

6.1 We have developed a consultation response document for Proposal 3, incorporating each piece of feedback that has been received either through the survey or other written feedback that has been received for Proposal 3a and 3b, and where appropriate, responses have been added.

6.2 In the consultation survey, we also asked a final question in relation to all 3 proposed changes to the High Needs Budget which was **'if you have any other comments, suggestions or feedback on our proposals please tell us below'**. We have developed a consultation response document for this feedback and where appropriate, responses have been added, and have also included feedback or questions received for the County Council Meeting on 14th November 2018, and questions or statements received for the Children and Young People Overview and Scrutiny Committee meeting on 7th December 2018.

7.0 Equality Impact Assessments

7.1 Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

7.2 There is an EIA for Proposal 3. This was shared on our website as part of the consultation material for consideration. The EIAs were monitored against feedback throughout the consultation period, including a review at the half-way point of the consultation. Having reviewed feedback on conclusion of the consultation there have been changes made to the EIA and it can be found at Appendix 4.

8. Outcome of the consultation

8.1 The consultation was open for 38 days starting on 5th October 2018 until 11th November 2018. Once the consultation closed, we reviewed all of the responses and following consideration of the consultation feedback the proposed recommendations are:

8.2 For Proposal 3a, after taking into account the information above, the proposed recommendation is:

- To fund mainstream School Sixth Forms in line with FE colleges and to fund 600 hours of education per year for young people with EHC Plans and to implement this change from April 2019
- To continue to fund special school sixth forms for 25 hours of provision per week

8.3 For Proposal 3b, taking into account the information above, the proposed recommendation is:

- From September 2019, where a young person has a five day package, for the majority of young people this will be funded jointly across Adult Social Care and Education to reflect the 40%:60% contribution to funding respectively. Individual negotiations across Adult Social Care and Education will still be held for individual cases where funding allocations need to be varied. This approach is likely to have a cost impact on the County Council's adult social care and wider budgets and services.
- That the Local Authority accepts responsibility for the EHCP and its statutory responsibilities under the Children and Families Act 2014 and the Care Act 2014 and would ensure that assessed needs and provision over five days were supported by appropriate funding regardless of the source of the funding.
- That further work will be taken to monitor the financial implications for social care and wider council budgets in the longer term, given the likely impact on the County Council's adult social carer and wider budgets and services.
- That implementation work continues with HAS (Health and Adult Services) over coming months to ensure the Local Authority remains compliant both with the Children and Families Act and the Care Act in ensuring we work together to ensure well planned and co-ordinated packages and transitions for this group of young people.

9. Next steps and timescales

We prepared a report for councilors, who will consider the feedback and recommendations for Proposal 3 and make a decision at the council's Executive scheduled for 15th January 2019.

These recommendations were put forward in line with the Authority's democratic processes as outlined in its Constitution.

Consultation on changes to the High Needs Budget – Appendix 3A

Written feedback to Proposal 3: Bring arrangements for provision and funding for young people with EHCPs receiving post 16 education, into line with statutory guidance.

We have developed this document to provide a response to questions received during the consultation period for Proposal 3 of changes to the High Needs Budget, which ran between October 5th 2018 and November 11th 2018.

This proposal is in two parts:

Proposal 3a

- We are proposing to fund top up funding for young people with EHCPs in mainstream school sixth forms at 16 hours per week in line with the tuition time they receive.

Proposal 3b

- We are proposing to fund 600 hours (16 hours per week) of educational provision for post 19 young people with EHCPs. The remainder of a 25 hour a week programme will be funded through adult social care funding.

The document includes responses to all feedback received in relation to Proposal 3 through the following sources:

1. Written feedback to questions in the consultation survey for Proposal 3a and for Proposal 3b. No additional written feedback was received outside of the consultation survey.

Please note that although comments may have been redacted to ensure anonymity of respondents, we have not altered any wording.

Consultation Survey feedback:

Where a written response has been submitted against a consultation survey question, we have also included the score the respondent selected.

Key: **SA** (strongly agree); **A** (agree); **N** (neither agree or disagree); **D** (disagree); **SD** (strongly disagree).

We have also indicated against each response the type of respondent to help us analyse and understand feedback.

Key: **P** (parent/carer); **E** (education professional); **YP** (young person); **O** (other).

Proposal 3:

We will bring arrangements for provision and funding for young people with EHCPs receiving post 16 education, into line with statutory guidance.

1. Written feedback to questions in the consultation survey for Proposal 3a

Where survey respondents have provided written comments against questions, we have included these in this document, and provided a response to each individual piece of feedback.

We asked: To what extent do you agree with Proposal 3a?

To what extent do you agree with Proposal 3a?								
(We are proposing to fund top up funding for young people with EHCPs in mainstream school sixth forms at 16 hours per week in line with the tuition time they receive).								
ID	TYPE	Comment or question	SA	A	N	D	SD	Response
1	P	The schools should only get the funding that equates to the tuition that the pupil receives. I agree provided that no pupil loses out on provision as a result of this change						The Local Authority is committed to providing funding according to national guidance and legislation
2	P	I believe that if a child is capable of attending mainstream provision for sixth form, then the school should only receive the same funding as for any other child in that provision.						Support noted
3	P	they should receive the same as all children.						Support noted
4	P	Lack of in school support and reasonable adjustments resulting in my child not considering post 16 mainstream despite being more than capable.						Not relevant to this proposal but noted that you felt your child did not have sufficient support and reasonable adjustments in school
5	E	This inline with the other LA's and works well						Support noted
6	E	This seems to make sense - why would you pay for 25 hours if the young person is only receiving 16!						Support noted
7	E	If EHC plans continue until they are 25 then so should the funding. The young adults do not stop having special needs because they have left formal education.						The Local Authority is committed to providing funding according to legislation and statutory guidance, if a young person has an EHCP until they are 25 then they would receive the appropriate funding as part of that

Appendix 3A

Consultation responses – High Needs Budget Changes – October / November 2018

To what extent do you agree with Proposal 3a?									
<i>(We are proposing to fund top up funding for young people with EHCPs in mainstream school sixth forms at 16 hours per week in line with the tuition time they receive).</i>									
ID	TYPE	Comment or question	SA	A	N	D	SD	Response	
8	E	This makes sense as they are only receiving 16 hours - not the 25 that is being paid for.						Support noted	
9	E	Paying for more hours than you are receiving doesn't make financial sense.						Support noted	
10	E	This seems to make sense - why pay for 25 hours if the young person is only receiving 10.						Support noted	
11	E	Though I agree with this, I am concerned that parents may misunderstand, as they did at the consultation event I attended, and flood Special Schools with requests for places as a result. This requires careful information management as a result. I am worried that this is not 'currently' the plan for special schools - but my fear is that you will consider applying this to sixth forms in special soon/imminently.						Support noted	
12	YP	Not full days so yes College hours are different to school hours pay for college time						Support noted	
13	P	Why should NYCC not be in line with statutory guidance anyway ?						Support noted	
14	P	Just meeting your statutory guidance would be a good start - in the case of our son you manifestly failed,. 3A is a no brainer						Support noted	
15	P	This way it is standard across board						Support noted	
16	P	I do not think children should be made to stay on into the 6th form if further education or apprenticeships are more suitable. An individual child's well being should be taken into account and it should not be a blanket rule that they are expected to stay on.						No response required – comment not related to proposal	
17	P	I agree with this but ask how this will benefit my son who is at college because the local 6th form could not offer him a suitable course or learning environment. Are Colleges to expect the same level of support and funding.						Support noted. Colleges and school 6 th forms are funded according to the same post 16 guidance.	
18	E	Agree that in this financial climate we should do what is statutory only, though envisage that this will not necessarily be as easy as it sounds as some sixth						Support noted	

Appendix 3A

Consultation responses – High Needs Budget Changes – October / November 2018

To what extent do you agree with Proposal 3a?									
<i>(We are proposing to fund top up funding for young people with EHCPs in mainstream school sixth forms at 16 hours per week in line with the tuition time they receive).</i>									
ID	TYPE	Comment or question	SA	A	N	D	SD	Response	
		forms do expect students to be in supported independent study and register for all 10 half days							
19	E	This seems a sensible way forward. However not currently involved in post 16 so not clear on the real impact this would have.							Support noted
20	E	In fairness, those people suggesting proposals 1 2 and 3 should really have been aware of this issue a long time ago, maybe the money wasted on the current system would have reduced cuts in staff and provision now. Someone should be held accountable for this. However, for the EHCP students with the greatest need, the above could cause issues as the 6th Forms who in most cases will know the student and their needs best will not have the financial ability to continue to provide education and support.							Support noted. Pupils in school 6 th forms with EHCPs will continue to receive the top-up funding they require pro-rata to attendance.
21	E	any additional funding is vital for our young people with specific needs. The school needs to have autonomy as to where this is best deployed.							Support noted
22	E	Only agree if the funding element is sufficient enough to secure support roles for that young person. Current EHCP funding is not sufficient for pre 16 aged students in securing a teaching assistant and the additional money has to come from schools budgets.							The Local Authority is committed to providing funding in line with legislation and statutory guidance. Schools are expected to provide the first £6k of support for an individual with SEN from the delegated SEN budget.
23	E	This seems in line with need and a logical proposal							Support noted
24	E	This is fair and equitable. Makes perfect sense, particularly when financial pressures are what they are.							Support noted
25	YP	Help get apprenticeships							Support noted. We also note your request for apprenticeships and will ensure that is passed to the officer responsible for developing paths to employment for young people with SEND
26	YP	Apprenticeships							Support noted. We also note your request for apprenticeships and will ensure that is passed to the officer responsible for developing paths to employment for young people with SEND
27	YP	Should be shared							No response required

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Consultation responses – High Needs Budget Changes – October / November 2018

To what extent do you agree with Proposal 3a? (We are proposing to fund top up funding for young people with EHCPs in mainstream school sixth forms at 16 hours per week in line with the tuition time they receive).								
ID	TYPE	Comment or question	SA	A	N	D	SD	Response
28	YP	If lessons are not all the time then yes College hours are different to school hours pay only for the hours in college						Support noted
29	YP	Seems right to me I'm not going to 6th form or college Not sure they might have to cut teachers						Support noted
30	P	I cannot fathom the literature provided to make a valid assessment of what this entails.						No response required
31	P	Again I feel there is a lot of enthusiasm in the EHCP which I understand but there is not enough on children who just have SEN needs.						High needs funding relates to children with EHCPs hence the focus on EHCPs rather than children and young people at SEN Support level.
32	P	Not yet relevant to me so I don't understand enough about it to comment						No response required
33	P	Please see answer to proposal 2						Unable to respond without the reference to what was put in response to proposal 2
34	P	Don't understand your proposal						No response required
35	P	Don't understand how this works						No response required
36	P	Don't understand						No response required
37	P	I think done correctly this could work, but would assume all child who need an ehcp have one. The current situation to acquire an ehcp is too lengthy, having to fight and appeal Duro which time child are missing out on an education.						Support noted. Further comment relates to statutory process – 20 week timescale is a statutory timescale and not within the gift of the LA to change
38	P	It looks like you've decided this already.						No decision has been made. Officers develop proposals, seek approval to consult, conduct a consultation and consider all the consultation responses and then elected members made a decision as to whether to implement the proposal. Until the matter goes to the Executive Board on the 15 th January, this has not been decided.
39	P	Seems fair they are only funded for time they are there						Support noted
40	P	This needs to be considered on an individual basis still to ensure that support needs are met. Tuition time capped at 16 hours is not always a true representation of the time spent in school where support may be required.						The LA is under a duty to meet individual assessed needs. The additional support will be pro-rata to attendance and if additional support is identified out of guided teaching sessions then that will be resourced from the Top-Up allocated.

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Consultation responses – High Needs Budget Changes – October / November 2018

To what extent do you agree with Proposal 3a? (We are proposing to fund top up funding for young people with EHCPs in mainstream school sixth forms at 16 hours per week in line with the tuition time they receive).								
ID	TYPE	Comment or question	SA	A	N	D	SD	Response
41	E	I don't feel confident making a judgement						No response required
42	E	I need to fully understand this before commenting						No response required
43	E	It sounds reasonable - my concern would be young people who need additional hours in order to access mainstream tuition - e.g. preparation of materials such as braille texts, pre or post-tutoring etc. Will there be sufficient funds for this?						Support noted. Funding will be provided pro-rata to attendance to meet the needs and deliver the provision identified in the EHCP
44	E	I am not sure where our child fits in to this category, I assume he doesn't.						No response required
45	E	I don't work in a setting with post-16 provision so can't comment on whether this will work for those settings.						No response required
46	O	Fudging with budgets. I suspect this will increase paperwork figuring out the rest of the budget. If you cut a budget for an item you can no longer buy that item.						There will be no additional paperwork as a result of this proposal.
47	O	do not know enough to comment						No response required
48	O	The most important issue is to provide funding until they are 16.						No response required
49	YP	Funding should be in equal parts and not taken away from one side						No response required – this may be a comment regarding the second part of this proposal?
50	YP	It seems ok Shouldn't waste money Not sure If lessons are not on all the time then yes Only pay for what is there						Support noted
51	Not selected	Agree with the first two statements, but unsure how this would work by saving money by charging the way you pay for.						No response required
52	Not selected	I agree to educate all children, if funding cutting is made how will this be possible ?						No response required
53	P	It needs to be on a need basis not time basis						Funding will be allocated according to need pro-rata to attendance
54	P	In post 16 the courses, especially in colleges the teaching hours are around 16 hours but the homework or study time is much greater than that, often up to 16 hours. In a school the child would have access to various support staff in a small special needs unit In						Funding will be allocated according to need pro-rata to attendance. Where a young person requires a high level of support, that would be reflected in their top-up to ensure that they have that support across their timetable of guided teaching hours.

To what extent do you agree with Proposal 3a?								
<i>(We are proposing to fund top up funding for young people with EHCPs in mainstream school sixth forms at 16 hours per week in line with the tuition time they receive).</i>								
ID	TYPE	Comment or question	SA	A	N	D	SD	Response
		colleges often this is not the case. Also the organisational skills of a college student generally has to be greater and therefore some transition may be necessary. The current 16hrs of support or money allocated would not cover this if the student already had support for the full 16hrs while in the college. Sometimes a college may be many miles away and needs over an hour of transport time. Therefore going in for extra days is a great physical drain just to do any homework even if the teachers or support were available over and above the possible 16hours of teaching but a high functioning student could do the academic work but not necessary keep on task and still needs low level support which parents have to do.						
55	P	Equity						No response required
56	P	Why wasn't it under statutory guidance in the first place?						We don't know why this over funding occurred for young people in school 6 th Forms with EHCPs but would like to ensure equity with young people in colleges through this proposal
57	P	These children are entitled to a full time education like others who have no sen						Full time education in post 16 consists of 16 hours per week / 600 hours per academic year of guided study.
58	P	A lot of those with ehcps need extra help in mainstream. Extra hours spent in education in a smaller extra class maybe could greatly benefit suitable individuals.						Funding will be allocated according to need pro-rata to attendance. Where a young person requires a high level of support, that would be reflected in their top-up to ensure that they have that support across their timetable of guided teaching hours.
59	P	Any reduction in funding will be contrary to the Equality Act which expects those with additional needs to be offered access to the same level as others. I do not believe that this achieves this.						Funding will be allocated according to need pro-rata to attendance. Where a young person requires a high level of support, that would be reflected in their top-up to ensure that they have that support across their timetable of guided teaching hours.
60	P	16 hours isn't enough.						Full time education in post 16 consists of 16 hours per week / 600 hours per academic year of guided study. This is national guidance and not within the gift of the LA to change.
61	P	Students are in school longer than 16 hours in sixth form. Taught provision may be 16 hours but if a student needs to be on site between classes and needs support to complete private study or personal						Funding will be allocated according to need pro-rata to attendance. Where a young person requires a high level of support that would be reflected in their top-up to ensure that they have that support across their timetable of guided teaching hours.

To what extent do you agree with Proposal 3a?								
<i>(We are proposing to fund top up funding for young people with EHCPs in mainstream school sixth forms at 16 hours per week in line with the tuition time they receive).</i>								
ID	TYPE	Comment or question	SA	A	N	D	SD	Response
		care how will this be achieved. If a student is unable to access support required to stay on site then there is the potential for reduced vicarious learning and social cohesion with other students e.g. accessing library facilities.						
62	P	Even if a young person is in mainstream sixth form they may still need 25 hours of tuition and if that is the case it should be available to them along with the top up funding it should not be limited based on setting it should be based on need.						Full time education in post 16 consists of 16 hours per week / 600 hours per academic year of guided study. This is national guidance and not within the gift of the LA to change.
63	P	dont know what this is. make it complex so people dont understand and push it through anyway. whatever 3a is it is not in the interests of clients.						No response required
64	P	They should already be inline. If it is in the EHCP than that should already be adhered to. You have not clearly explained why overpayments have been made?						Support noted. We don't know why this over funding occurred for young people in school 6 th Forms with EHCPs but would like to ensure equity with young people in colleges through this proposal
65	P	Is there any point in receiving less hours when an individual takes longer to learn, process and complete tasks You can not justify any further education if the extra support hours are not in place to allow a task to be completed						Funding will be allocated according to need pro-rata to attendance. Where a young person requires a high level of support that would be reflected in their top-up to ensure that they have that support across their timetable of guided teaching hours.
66	P	While this makes sense in some ways as you are looking at purely academic tuition time, I don't see how mainstream sixth forms will then be able to provide the pastoral care that these students need. Many students with EHCPs in MS still need Independent Living Skills support. How will the institutions fund this if their funding has been cut?						Funding will be allocated according to need pro-rata to attendance. Where a young person requires a high level of support that would be reflected in their top-up to ensure that they have that support across their timetable – this may include Independent Living Skills if identified in their EHCP.
67	P	Again about saving money with little regard to the effects.						No response required
68	E	I am not sure how some of these pupils will cope for the rest of the hours they are in school. A Post 16 pupil with a colostomy bag may well need it changing, with epilepsy could have a seizure outside their 16 hours, who cannot weight bear may need to use the						Funding will be allocated according to need pro-rata to attendance. Where a young person requires a high level of support that would be reflected in their top-up to ensure that they have that support across their timetable of guided teaching hours. For post 16 pupils in Special School

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Consultation responses – High Needs Budget Changes – October / November 2018

To what extent do you agree with Proposal 3a? (We are proposing to fund top up funding for young people with EHCPs in mainstream school sixth forms at 16 hours per week in line with the tuition time they receive).								
ID	TYPE	Comment or question	SA	A	N	D	SD	Response
		toilet who is not toilet trained may need their pad changing with a trache may need suctioning or have an issue with their trache OUTSIDE THEIR 16 hours. Would the pupil be expected to be on the school premises outside their 16 hours tuition? How would transport be arranged?						6 th Forms, they receive 25 hours of education and the school receives the full EHCP top-up as it is pro-rata to attendance
69	E	As mentioned before, while I understand the issue with Proposal 3 for older students, I am concerned that valuable resources diverted away from the primary sector is going to increase the level of demand in the older sectors as those pupils work their ways through.						Comment noted. No response required
70	YP	If they need support they need it - you can't take the support away.						Funding will be allocated according to need pro-rata to attendance. Where a young person requires a high level of support that would be reflected in their top-up to ensure that they have that support across their timetable of guided teaching hours.
71	P	Post 16 are entitled by law to full time education. 16 hours is not full time						Full time education in post 16 consists of 16 hours per week / 600 hours per academic year of guided study. This is national guidance and not within the gift of the LA to change.
72	P	I'm sorry to sound negative but yet again it's just another cost cutting exercise! & can someone tell why you have made the supporting information for this particular survey so confusing to read. We have children with disabilities, which means are lives are totally consumed. Which means finding the time to sit down and unravel all of the information to make some kind of sense is just impossible. Why were we only told about this consultation one week ago? Why are we having yet another consultation? Where has all the previous feedback from all the other consultations gone?						No response required – comment not related to this proposal
73	P	This is not going to fulfill the legal requirement of and entitlement to a full time education that all other children have up to age 18! And with ehcp up to age 25! Breaking the law!						Full time education in post 16 consists of 16 hours per week / 600 hours per academic year of guided study. This is national guidance and not within the gift of the LA to change.

To what extent do you agree with Proposal 3a?								
<i>(We are proposing to fund top up funding for young people with EHCPs in mainstream school sixth forms at 16 hours per week in line with the tuition time they receive).</i>								
ID	TYPE	Comment or question	SA	A	N	D	SD	Response
74	P	This is a cut back in service and a massive loss of education to practically wipe out half the school week, this is clearly going to have a massive impact on the child, parent and school. It would mean for me that I would not be able to work and would need to seek more rest bite yet there is no facility to offer this for children under 18 due to the announced closing of The Ghyll.						Full time education in post 16 consists of 16 hours per week / 600 hours per academic year of guided study. This is national guidance and not within the gift of the LA to change.
75	P	Again, not enough information about the current system and its issues. To only pay for contact with a tutor is short-sighted, SEND young people require extra support outside the 16 hours of teaching time - this will not be provided, or will come from other areas of a school's budget. If young people lucky enough to have a place in a special sixth form will get the 25 hours why not those in mainstream schools? This is discrimination. You say it will save £50,000 this could easily be saved by streamlining management and losing one middle management post.						Funding will be allocated according to need pro-rata to attendance. Where a young person requires a high level of support that would be reflected in their top-up to ensure that they have that support across their timetable of guided teaching hours. Support will be individual to each student and may be pastoral support, individual one to one support in lessons, pre-tutoring outside of lesson time or specific equipment or approaches.
76	P	Your information is, perhaps deliberately, opaque. You must increase the budget on the previous year whatever proposal you make.						No response required
77	P	Again this is discriminatory - those with an EHCP in mainstream high schools whose lessons are spread out often need TA support for the non lesson bits too. They are entitled to be in school as much of the day as their peers. You are already putting vulnerable young people at college in the situation where they are stuck at home with nothing 2 days a week, or a member of the family has to give up work, this is disgraceful.						Funding will be allocated according to need pro-rata to attendance. Where a young person requires a high level of support that would be reflected in their top-up to ensure that they have that support across their timetable of guided teaching hours. Support will be individual to each student and may be pastoral support, individual one to one support in lessons, pre-tutoring outside of lesson time or specific equipment or approaches.
78	P	No clarity what you expect the young people aged 16 to do for the further 2 days -cant answer based on lack of clear information here in the face 2 face consultations very little information given and LA unable to give answers to this.						Full time education in post 16 consists of 16 hours per week / 600 hours per academic year of guided study. This is national guidance and not within the gift of the LA to change. The 16 hours may be spread across five days in mainstream 6 th forms but will not be for 5 full hours each day.

To what extent do you agree with Proposal 3a?								
<i>(We are proposing to fund top up funding for young people with EHCPs in mainstream school sixth forms at 16 hours per week in line with the tuition time they receive).</i>								
ID	TYPE	Comment or question	SA	A	N	D	SD	Response
79	P	I need more time and fuller information to be able to properly consider this proposal						Comment noted
80	P	These students have an EHCP for a reason, they can't be treated in the same manner as those without an EHCP ...						Funding will be allocated according to need pro-rata to attendance. Where a young person requires a high level of support that would be reflected in their top-up to ensure that they have that support across their timetable of guided teaching hours. Support will be individual to each student and may be pastoral support, individual one to one support in lessons, pre-tutoring outside of lesson time or specific equipment or approaches. Currently young people with EHCPs in FE colleges receive their EHCP top-up pro-rata to attendance of 16 guided study hours, this proposal brings pupils in school 6 th forms in line.
81	P	Where is evidence only 16 hours tuition? My non SEN 6th form son receives far more than 16 hours per week teaching - he is doing 4 A Levels and gets 24 hours per week plus also gets additional support in careers, PE, tutor time, volunteering, extra study support etc. Young People SEN require this help more not less than other pupils. It will lead to a 2 tier system where those without SEN can access extra curricular activities and support and those with SEN cannot. It will lead to poorer outcomes at adulthood and increase demand on social care.						Full time education in post 16 consists of 16 hours per week / 600 hours per academic year of guided study. This is national guidance and not within the gift of the LA to change. The 16 hours may be spread across five days in mainstream 6 th forms but will not be for 5 full hours each day and there will be independent study and pastoral support around that.
82	P	The young people who require EHCP need more support than just the standard 16 hour their peers receive. There is no guarantee that the short fall in these situation will be met by other services, and as no representative from these services were at the consultation meeting to discuss this there is no reassurance to parents that this will happen. It is a cost cutting exercise with no thought for the young people it effects just another battle for the parents to go through.						Funding will be allocated according to need pro-rata to attendance. Where a young person requires a high level of support that would be reflected in their top-up to ensure that they have that support across their timetable of guided teaching hours. Support will be individual to each student and may be pastoral support, individual one to one support in lessons, pre-tutoring outside of lesson time or specific equipment or approaches.
83	P	It will create problems with funding...guess who will loose out as usual? The child.						Comment noted

Appendix 3A

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To what extent do you agree with Proposal 3a?									
<i>(We are proposing to fund top up funding for young people with EHCPs in mainstream school sixth forms at 16 hours per week in line with the tuition time they receive).</i>									
ID	TYPE	Comment or question	SA	A	N	D	SD	Response	
84	P	These students by the very nature of requiring an EHCP need more structured hours than their mainstream peers... cutting their hours is detrimental.							Full time education in post 16 consists of 16 hours per week / 600 hours per academic year of guided study. This is national guidance and not within the gift of the LA to change. The 16 hours may be spread across five days in mainstream 6 th forms but will not be for 5 full hours each day.
85	P	Comments as before .							No response required
86	P	Again I feel there hasn't been enough information available to make an informed opinion on all 3 proposals							No response required
87	P	Students with SEND often need more help and tuition of peers							No response required
88	P	where will they be able to access the other two days????							Full time education in post 16 consists of 16 hours per week / 600 hours per academic year of guided study. This is national guidance and not within the gift of the LA to change. The 16 hours may be spread across five days in mainstream 6 th forms but will not be for 5 full hours each day.
89	P	there is an equality issue here if yp in special still receive full week funding why aren't those in mainstream? all have ehcp's and will require more than 3 days in education , ehcp's are there because the child takes longer to learn needs support and time and what happens the other 2 days -why are children/yp sat at home doing nothing on those 2 days (as you have already implemented this) there is a safeguarding issue here surely -but I suspect you think its ok for parents to give up work to babysit -these are not young people you can leave on their own. This has been contested in the courts already by individuals and they have won their case many cannot go to court due to financial reasons or are not aware of their rights and you play to this. this is not acceptable ensure ehcps are robust and no young person is left wanting, stop failing our children and allow them a chance of an education their peers receive and allow them the time to engage with their education							Young people in special school 6 th forms are likely to have 5 day packages specified with element of self care and independence skills identified alongside their education programme. Full time education in post 16 consists of 16 hours per week / 600 hours per academic year of guided study. This is national guidance and not within the gift of the LA to change. The 16 hours may be spread across five days in mainstream 6 th forms but will not be for 5 full hours each day.
90	P	As before.							No response required
91	P	The consultation is FLAWED as there is insufficient information from the LA regarding what might be in							Full time education in post 16 consists of 16 hours per week / 600 hours per academic year of guided study. This is national guidance and not

To what extent do you agree with Proposal 3a?								
<i>(We are proposing to fund top up funding for young people with EHCPs in mainstream school sixth forms at 16 hours per week in line with the tuition time they receive).</i>								
ID	TYPE	Comment or question	SA	A	N	D	SD	Response
		place of the remaining two days per week for those not in disability specialist education settings. The recognition that those in SILC provision will need 5 days, yet not for those disabled YP who CHOOSE to exercise their right to equality and be in a mainstream setting is DISCRIMINATORY policy and should be reconsidered. Furthermore, many disabled students and young people require supported additional study time and support, as "reasonable adjustments" under the Equality act, their mainstream typical peers also are afforded access to additional study time in access to the FE college facilities and library and access to learning mentors during non-timetabled periods and days, and so to not afford equal access and reasonable adjustments will again be discriminatory policy and practice by the LA. How Social Care, Health & Mental Health will fit into this proposal is missing from con						within the gift of the LA to change. The 16 hours may be spread across five days in mainstream 6 th forms but will not be for 5 full hours each day. Funding will be allocated according to need pro-rata to attendance. Where a young person requires a high level of support that would be reflected in their top-up to ensure that they have that support across their timetable of guided teaching hours. Support will be individual to each student and may be pastoral support, individual one to one support in lessons, pre-tutoring outside of lesson time or specific equipment or approaches.
92	P	I cannot believe that the majority of children with an EHCP only need learning support for the 16 hours of direct tuition. They will require support with the independent learning sessions which cannot be classed as social care						Funding will be allocated according to need pro-rata to attendance. Where a young person requires a high level of support that would be reflected in their top-up to ensure that they have that support across their timetable of guided teaching hours. Support will be individual to each student and may be pastoral support, individual one to one support in lessons, pre-tutoring outside of lesson time or specific equipment or approaches.
93	P	These young people require support in line with a school day to further develop their life skills and independence						Funding will be allocated according to need pro-rata to attendance. Where a young person requires a high level of support that would be reflected in their top-up to ensure that they have that support across their timetable of guided teaching hours. Support will be individual to each student and may be pastoral support, individual one to one support in lessons, pre-tutoring outside of lesson time or specific equipment or approaches.
94	P	These children already struggle in mainstream school and this cut will result in break down of their education.						Funding will be allocated according to need pro-rata to attendance. Where a young person requires a high level of support that would be reflected in their top-up to ensure that they have that support across their timetable of guided teaching hours. Support will be individual to each student and may be pastoral support, individual one to one support in

To what extent do you agree with Proposal 3a?								
<i>(We are proposing to fund top up funding for young people with EHCPs in mainstream school sixth forms at 16 hours per week in line with the tuition time they receive).</i>								
ID	TYPE	Comment or question	SA	A	N	D	SD	Response
								lessons, pre-tutoring outside of lesson time or specific equipment or approaches. Full time education in post 16 consists of 16 hours per week / 600 hours per academic year of guided study. This is national guidance and not within the gift of the LA to change. The 16 hours may be spread across five days in mainstream 6 th forms but will not be for 5 full hours each day.
95	E	This proposal is fine where a post 16 student with an EHCP is following a programme of study such as A Level where tuition time is less. However, we have run, for many years, a programme for 'Foundation Learners' (most of whom have an EHCP) where they have 25 hours of contact time. This is an integrated provision within a mainstream sixth form and a highly successful model with all students going on to meaningful destinations and achieving accredited qualifications. If it is not funded to meet tuition costs of 25 hours a week it will not continue and that will lead to another gap in provision for these young people.						Where a young person receives a provision which includes 25 hours of direct guided learning and this is evidenced, required and commissioned, we would pay the top-up pro-rata to attendance
96	E	Its hard to have any faith i such an unscrupulous organisation, as I'm sure you will understand - if you study your own record.						No response required
97	E	Post 16 provision for young people at further education provisions is not just 16 hrs. Ridiculous						Full time education in post 16 consists of 16 hours per week / 600 hours per academic year of guided study. This is national guidance and not within the gift of the LA to change. The 16 hours may be spread across five days in mainstream 6 th forms but will not be for 5 full hours each day. Funding will be allocated according to need pro-rata to attendance. Where a young person requires a high level of support that would be reflected in their top-up to ensure that they have that support across their timetable of guided teaching hours. Support will be individual to each student and may be pastoral support, individual one to one support in lessons, pre-tutoring outside of lesson time or specific equipment or approaches.
98	E	Good luck with that idea- mainstream schools are clearly not coping as it. A nonesensical and naive concept which bears no notion of the reality of the						No response required – not related to this proposal

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To what extent do you agree with Proposal 3a? (We are proposing to fund top up funding for young people with EHCPs in mainstream school sixth forms at 16 hours per week in line with the tuition time they receive).								
ID	TYPE	Comment or question	SA	A	N	D	SD	Response
		current situation facing schools and pupils excluded or on the verge of exclusion.						
99	E	Tuition time is only small part of the education these young people receive. Eating lunch with others, attending to their own toilet ting needs is all part of their education.						Funding will be allocated according to need pro-rata to attendance. Where a young person requires a high level of support that would be reflected in their top-up to ensure that they have that support across their timetable of guided teaching hours. Support will be individual to each student and may be pastoral support, individual one to one support in lessons, pre-tutoring outside of lesson time or specific equipment or approaches.
100	E	Some post 16 young persons will have reduced access to services						No response required
101	E	Will not meet needs of individuals						Funding will be allocated according to need pro-rata to attendance. Where a young person requires a high level of support that would be reflected in their top-up to ensure that they have that support across their timetable of guided teaching hours. Support will be individual to each student and may be pastoral support, individual one to one support in lessons, pre-tutoring outside of lesson time or specific equipment or approaches.
102	E	The mainstream schools cannot cope with violent or disruptive pupils.						No response required – not related to this proposal
103	O	They will not get the proper tuition appropriate to their needs						Funding will be allocated according to need pro-rata to attendance. Where a young person requires a high level of support that would be reflected in their top-up to ensure that they have that support across their timetable of guided teaching hours. Support will be individual to each student and may be pastoral support, individual one to one support in lessons, pre-tutoring outside of lesson time or specific equipment or approaches.
104	O	These pupils need specialist education which would not be met in mainstream schools despite the top up funding. It would also have a detrimental effect on the pupils in mainstream schools in terms of disruption to classes and consequently potentially lower educational standards across the board.						No response required – not related to this proposal
105	YP	This survey is surely not legal						No response required
106	YP	We need lots of lessons to help us .. we have enough to deal with and now this, cutting our time back...						Full time education in post 16 consists of 16 hours per week / 600 hours per academic year of guided study. This is national guidance and not

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To what extent do you agree with Proposal 3a? (We are proposing to fund top up funding for young people with EHCPs in mainstream school sixth forms at 16 hours per week in line with the tuition time they receive).								
ID	TYPE	Comment or question	SA	A	N	D	SD	Response
								within the gift of the LA to change. The 16 hours may be spread across five days in mainstream 6 th forms but will not be for 5 full hours each day.
107	YP	Why can't I go to school on the days I don't have lessons? I need these days to be able to revise and do course work with extra support. Other students at sixth form can go as many days as they like to work in the library, speak to tutors, and get some extra guidance and support, so why can't I when my disability means this is what I need the most? There is not enough information provided about what Social Care will provide, is this the same as HAS? Then I can't tell what you think might be available for me, and you don't tell me what the law says about this either.						Full time education in post 16 consists of 16 hours per week / 600 hours per academic year of guided study. This is national guidance and not within the gift of the LA to change. The 16 hours may be spread across five days in mainstream 6 th forms but will not be for 5 full hours each day.
108	YP	if this happening why not speak to us why not you even let us know what you doing it is about us not mum and dad we have voice I am not happy with this where is right for us to have a voice why not accessible I need some one to read this I cant see it you need to be equal you are not been equal						No response required
109	Not selected	Surely, while the teaching staff may or may not be able to cater for the SEND pupils, the mainstream pupils are very unlikely to be supportive of them.						No response required
110	E	I have not had opportunity to read this proposal properly	No rating selected					No response required
111	P	I can't agree or disagree as I don't feel the information given is clear. I have read all the supporting documents and don't have a clear understanding of what you are proposing and how it affects my child.	No rating selected					No response required
112	P	I'm afraid that I do not know what this means: it is not clearly explained. I do not know how it will affect us from the situation we are in now, to the proposed provision in the future.	No rating selected					No response required
113	YP	It's really confusing	No rating selected					No response required

We asked: To what extent do you agree with Proposal 3b?

To what extent do you agree with Proposal 3b?								
(We are proposing to fund 600 hours (16 hours per week) of educational provision for post 19 young people with EHCPs. The remainder of a 25 hour a week programme will be funded through adult social care funding).								
ID	TYPE	Comment or question	SA	A	N	D	SD	Response
114	P	I agree that this should be done as most disabled children will benefit from the extra provision which will help long term in their lives.						Support noted
115	P	As long as the young person receives provision to meet assessed needs, it doesn't matter how that provision is funded in terms of internal budgets. I agree provided that no pupil loses out on provision.						Support noted
116	E	Glad adult social care are becoming more involved. It will be clear to parents what part education plays in the process + reduces the pressure on education & funding.						Support noted
117	E	Partnership with adult social care needs to improved rapidly. This information needs to be conveyed to parents now if it is going to have an impact on what they might be offered as straightforward education provision. Many do not have adult social care involved, or do not understand the importance of this being sorted out soon enough. Most of our Post 19 EHCP reviews have taken place already, only DCS attended, I have no recollection of any adult social care attendance. Nor was this explained to parents at the time. I understand that this is an 'in the background' funding matter, but if Adult services cannot support two days financially could this lead to post nineteens only getting three days provision?						Support noted – the Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services
118	E	This seems a fair arrangement.						Support noted
119	YP	At 18 you are an adult so yes.						Support noted
120	YP	No comment to make						No response required

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To what extent do you agree with Proposal 3b? (We are proposing to fund 600 hours (16 hours per week) of educational provision for post 19 young people with EHCPs. The remainder of a 25 hour a week programme will be funded through adult social care funding).								
ID	TYPE	Comment or question	SA	A	N	D	SD	Response
121	P	Everyone gets fair chance						Support noted
122	P	We have concerns about how this transition will work and if 'reassessment' will actually be a way to reduce support and make further budget savings. My son already struggles at the moment and as parents we are concerned that any reduction in his support will mean he cannot access the education provided to him.						Support noted – the Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services
123	P	This makes more sense in light of my comments above.						Support noted
124	P	Better proposals.						Support noted
125	E	This shouldn't be in place of social care package provided as wrap around care						Support noted – the Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services
126	E	this also makes sense in line with the number of taught hours						Support noted
127	E	But my concern would be that adult social care may not have the funds to do this?						Support noted – the Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services
128	P	I agree in principle but await confirmation as to whether this will impact upon the social care package of support offered to my child. If by doing this he is not able to access other provision outside of his college day then he misses out and therefore what he is considered to be entitled to under the current system will be reduced. In spite of any reassurance to the contrary (if indeed they are offered) I have little faith that this will be the case, as social care is obviously under huge financial pressure so they are not about to offer a larger package of support, realistically speaking. It is the world we live in and resources are limited, I understand that, but I struggle to accept that my child is likely to miss out on some social provision as an impact of this.						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services

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To what extent do you agree with Proposal 3b?								
<i>(We are proposing to fund 600 hours (16 hours per week) of educational provision for post 19 young people with EHCPs. The remainder of a 25 hour a week programme will be funded through adult social care funding).</i>								
ID	TYPE	Comment or question	SA	A	N	D	SD	Response
129	P	As before, why not include a summary of the proposal ie is the proposal more or less than currently ?						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services
130	P	As above						No response required
131	P	I thought adult social care had as many or more financial difficulties as education, especially as we have an aging population - hw will this work in years to come!						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services
132	P	I have concerns that the adult social care budget will not be able to fulfill its obligations under this proposal						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services
133	P	Please see answer to proposal 2						No response required
134	P	Will this be joined up or will education and social care do their own thing?						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services
135	P	It matters not where the money comes from. It matters that it comes. Your adult social care spending is no doubt over budget too so again this proposal may be suspect.						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services
136	P	Where the funding comes from isn't of importance to me as long as those with SEN are provided for and the funding allows for the provision they require.						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services
137	P	I have no information about how the social care budget will be allocated. In my experience any handover of budget between services results in the individuals needing support missing out.						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services

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To what extent do you agree with Proposal 3b?

(We are proposing to fund 600 hours (16 hours per week) of educational provision for post 19 young people with EHCPs. The remainder of a 25 hour a week programme will be funded through adult social care funding).

ID	TYPE	Comment or question	SA	A	N	D	SD	Response
138	P	While what you say makes sense, unfortunately I believe this will leave current students in a very vulnerable situation as social care has already made drastic cuts and there will only be more to come as funding is reduced. This is just moving the burden from one budget to another. Parents and Carers are struggling just to meet the day to day needs of their children but then they are expected to navigate reams of paperwork and meetings etc. Charities and services that provided support have gone under or are cutting back and families have to jump through an increasing amount of hoops to prove that they need help. A lot of families have given up trying to get help or just can't go on fighting the system and schools can't cope so the children are left to struggle on. The current system does not work. I noted that you are looking for more joint work between Education, Health and Social Care but until this is formalised there just seems to be too much uncertainty.						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services. Further work is underway by Health and Adult Services (HAS – Adult Social Care) looking at transitions and trying to improve transitions for young people and their families. The Local Authority is aware of its duty to integrate services and jointly commission services across Health, Care and Education. The Health SEND network provides the forum for this to progress with representation from all three sectors.
139	P	If there is no change to provision and it does not affect the amount of hours or support post 16's receive than I have no opinion if it's coming out of a different pot?						No response required
140	P	I am yet to see how the change in funding here will cause true negative issues for those with the ECHP, however, am not convinced that there won't be negative effects.						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services
141	E	See above						No response required
142	E	This seems to be an accounting change and does not have an negative impact on the young people but clearly it will have a negative impact on the adult social care funding.						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services
143	E	This may not have an impact on young people, but it may have a negative impact on social care.						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward

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To what extent do you agree with Proposal 3b? (We are proposing to fund 600 hours (16 hours per week) of educational provision for post 19 young people with EHCPs. The remainder of a 25 hour a week programme will be funded through adult social care funding).								
ID	TYPE	Comment or question	SA	A	N	D	SD	Response
								we hope this will lead to improved planning and co-ordination for transition into adult services
144	E	It doesn't appear to have much of an impact on the students.						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services
145	E	This will have an impact on adult social care which is already stretched.						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services
146	E	In principle I agree with this but without a firm commitment as to how this social care funding will be accessed and that it will not therefore reduce entitlement outside of these hours I am not in a position to agree with the proposal. If the ultimate outcome is that support allocation is reduced overall it is simply a means of cutting back support for a highly vulnerable group in society and so I cannot and will not support that.						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services
147	E	This could work if adult social care actually provide the funding. If they are also short of funds, what happens?						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services
148	E	Do adult care have the funding???						The Local Authority has a duty to meet assessed needs in both Education and Social Care.
149	E	Do not know enough to comment						No response required
150	E	this seems to be just moving the budget for this programme						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services
151	E	Adult Social Care do not have the resources for this, you are just trying to move the issue to be someone else's problem. Adult Social Care are already going						There is a saving to the High Needs block budget which funds Education for children and young people with SEND. There is no overall saving identified for the Local Authority as 2/5 of the funding will come from the Social Care budget. The Local Authority remains committed to providing 5 day packages where

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To what extent do you agree with Proposal 3b? (We are proposing to fund 600 hours (16 hours per week) of educational provision for post 19 young people with EHCPs. The remainder of a 25 hour a week programme will be funded through adult social care funding).								
ID	TYPE	Comment or question	SA	A	N	D	SD	Response
		through staffing cuts after receiving outstanding ofsted grading.						these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services.
152	O	How does this save money it is just cost moving from one area to another and unless you are to pay social care staff less there can be no real saving						There is a saving to the High Needs block budget which funds Education for children and young people with SEND. There is no overall saving identified for the Local Authority as 2/5 of the funding will come from the Social Care budget. The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services.
153	P	We can see the sense in part funding through adult social care, it potentially helps with transition from school to independence. However, this will only be effective if the adult social care budget has enough money and it doesn't mean other areas of adult care are starved of funding. Also it will only be a benefit to the young person if it introduces them to the adult social care team; there is no mention of this happening. This appears to be a case of cooking the books to make one budget balance at the detriment of another with dubious benefit to the young person.						There is a saving to the High Needs block budget which funds Education for children and young people with SEND. There is no overall saving identified for the Local Authority as 2/5 of the funding will come from the Social Care budget. The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services.
154	P	The student may not have a social need but an purely education one. It should be flexible to be used by either service.						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services. Where the additional social care need is not required, the young person would receive their education package of 16 hours per week / 600 hours per academic year in line with guidance
155	P	The proposal for adult social care to provide 9 hours of funding for post 19 young people with EHCP's seems a simple way of passing on funding responsibility to another department, another department that is already over stretched. What will happen to the 9 hours when the adult social care budget cannot provide this funding or the correct support?						There is a saving to the High Needs block budget which funds Education for children and young people with SEND. There is no overall saving identified for the Local Authority as 2/5 of the funding will come from the Social Care budget. The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services.

Appendix 3A

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To what extent do you agree with Proposal 3b? (We are proposing to fund 600 hours (16 hours per week) of educational provision for post 19 young people with EHCPs. The remainder of a 25 hour a week programme will be funded through adult social care funding).								
ID	TYPE	Comment or question	SA	A	N	D	SD	Response
156	P	Don't understand the proposal						No response required
157	P	At its best, this will create an extra level of possible delay and disagreement, between adult and Children's services. Our children already face a cliff edge in terms of respite care and Camhs involvement when they reach 18, and no amount of preparing for Adulthood courses seems to solve this. This proposal could lead to even more disabled young people out of education while waiting for decisions.						There is a saving to the High Needs block budget which funds Education for children and young people with SEND. There is no overall saving identified for the Local Authority as 2/5 of the funding will come from the Social Care budget. The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services.
158	P	2 lots of funding, why???						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services
159	P	If young people are not open to social care due to the difficulties with families gaining assessment or Meeting blanket criteria how will NYCC ensure they are receiving the 25 hours they need and has been provided through EHCP previously						If a five day package is identified then the outcomes – including Care outcomes – will be clearly articulated in the EHCP and will be monitored through the Annual Review process
160	P	see above						No response required
161	P	Good luck with getting funding for that when they clearly struggle now with funding						No response required
162	P	This means that parents of special needs young people have to make 2 applications for funding for post 19. It's hard enough as it is doing 1						If a five day package is identified then the outcomes – including Care outcomes – will be clearly articulated in the EHCP and will be monitored through the Annual Review process. The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services
163	P	A great number of children with complex learning difficulties are still learning even outside of directed learning. Life skills are in fact still legally classed as learning, so it is an educational responsibility.						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services
164	P	There is no mention.of NHS CHC partners involvement and agreement with this proposal which concerns me						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3

To what extent do you agree with Proposal 3b?								
<i>(We are proposing to fund 600 hours (16 hours per week) of educational provision for post 19 young people with EHCPs. The remainder of a 25 hour a week programme will be funded through adult social care funding).</i>								
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		greatly as the most complex young people will receive care funding either jointly or wholly from NHS CHC. I am concerned that the impact of this proposal will reduce the amount of Short Breaks funding the highest need families will receive. I am concerned that parents will be required to seek support from SENDIST to secure the other two days funding. In an environment where Education/social care and NHS budgets are so pressured the impact of this proposal is likely to result in parents being required to fight yet more battles to gain provision. This could lead to a high demand for young people to leave home and require full time specialist residential provision of which there is a local shortage. The reality 'at the coal face' is not of need but of parents being told by NYCC staff that 'they have to protect the council's assets.						days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services. Where Health are involved or a young person receives funding from CHC this will be reflected in the EHCP and the Health outcomes and any associated funding will be protected for those Health outcomes.
165	P	As above						No response required
166	P	Lack of equity						No response required
167	E	Has it been established that adult social care can afford to fund the additional hours?						There is a saving to the High Needs block budget which funds Education for children and young people with SEND. There is no overall saving identified for the Local Authority as 2/5 of the funding will come from the Social Care budget. The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services. Both budgets are stretched but we believe this to be the correct principle for funding
168	E	I feel that in practice this will have difficulties. Transition is a very difficult time for young people and families. The suggestions of volunteering, work experience, ITT and independence skills are all well and good- however, in practice this will not be joined up and delivered well- I feel that it will be fragmented and fraught with problems. Re HAS support- I have worked with SEND since 2012 and have witnessed HAS, then PFA and then DCS all						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services. . There is a project underway in Health and Adult Services looking at improving transitions for children, young people and their families.

Appendix 3A

Consultation responses – High Needs Budget Changes – October / November 2018

<p>To what extent do you agree with Proposal 3b? (We are proposing to fund 600 hours (16 hours per week) of educational provision for post 19 young people with EHCPs. The remainder of a 25 hour a week programme will be funded through adult social care funding).</p>								
ID	TYPE	Comment or question	SA	A	N	D	SD	Response
		trying to support SEND into adulthood. When it works then it is really good, but there are so many pressures on the staff, of options to forward SEND post 19 onto. The information that parents/carers understand and can gain access to is not always transparent. I have concerns if in reality that the additional provision required by this model can be achieved.						
169	E	Does the social care fund have any extra to cover it. I would think not. Leaving them with only 16 hours.						There is a saving to the High Needs block budget which funds Education for children and young people with SEND. There is no overall saving identified for the Local Authority as 2/5 of the funding will come from the Social Care budget. The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Going forward we hope this will lead to improved planning and co-ordination for transition into adult services.
170	E	This shows how little value you place on the rest of the learning that goes on outside lesson or tuition time!						This proposal relates to young people with five day packages across Education and Care and how we fund all elements of these packages including those elements that are not “lessons” or “tuition time” but may be work experience, independent living, self-care, involvement in sport and leisure activities etc
171	E	As above, I am concerned that essential funding to support younger pupils could be diverted away from primary settings which could increase demand much faster as they get older.						No response required – does not relate to this proposal
172	O	Be interesting to see if social care pick up the rest of the tab						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Both budgets are stretched but we believe this to be the correct principle for funding
173	O	These are children not adults						This proposal relates to young adults in post 19 provision
174	YP	Depends on the person						No response required
175	YP	If they choose to stay in education between 19-25 they should fund it themselves						This proposal relates to young people 19 and over who have an EHCP which states they need to have a five day package. The Local Authority is responsible to fund that package.
176	Not selected	The proposal for adult social care to provide 9 hours of funding for post 19 young people with EHCP's seems a simple way of passing on funding responsibility to another department, another department that is already						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Both budgets are stretched but we believe this to be the correct principle for funding

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Consultation responses – High Needs Budget Changes – October / November 2018

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		over stretched. What will happen to the 9 hours when the adult social care budget cannot provide this funding or the correct support?						
177	P	Education is education not social care responsibility. Accountability for education falls with authority and until 25						In post 16, guidance states that full time education consists of 16 hours a week or 600 hours an academic year. This may be part of a five day package across education and care for which the Local Authority is responsible. We want to ensure that education provision is paid for from an education budget and care provision from a care budget.
178	P	see my previous answer - it's a cop out						No response required
179	P	We can't get services now with SS bending the legal guidelines and even their own criteria to deny support, what makes you think they will change for this?						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Both budgets are stretched but we believe this to be the correct principle for funding. There is a project underway in Health and Adult Services looking at improving transitions for children, young people and their families.
180	P	Ditto						No response required
181	P	I'm sorry to sound negative but yet again it's just another cost cutting exercise! & can someone tell why you have made the supporting information for this particular survey so confusing to read. We have children with disabilities, which means are lives are totally consumed. Which means finding the time to sit down and unravel all of the information to make some kind of sense is just impossible. Why were we only told about this consultation one week ago? Why are we having yet another consultation? Where has all the previous feedback from all the other consultations gone?						The website page was live before the consultation began to give advance notice and was updated with details of events and consultation papers on the first day of the consultation. Shortly after the start of the consultation the above was reinforced through letters to parents/carers and young people. There were regular social media updates throughout the consultation.
182	P	There are no facilities to accomodate this and some children would find this extremely distressing. The cost to set up this facility would far out reach the cost of keeping the child in education for 25 hours a week.						We already have young people in post 19 five day provisions as stated in the consultation. These young people would maintain those placements but the funding would be split between education and care.
183	P	Educational provisional funding should be for under 18's and not used to top up a social budget.						This proposal relates to young people 19 and over who have an EHCP which states they need to have a five day package. The Local Authority is responsible to fund that package.

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ID	TYPE	Comment or question	SA	A	N	D	SD	Response
184	P	Social care have no budget and youngsters with high functioning asd get no help so then what happens they refuse to fund						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Both budgets are stretched but we believe this to be the correct principle for funding.
185	P	These children/young people need this education , by nature of the definition special educational needs, you can't just stop at 19 yes, these young people need to be able to carry on learning so they can live in our very disable -unfriendly society. By stopping or reducing this you again fail to understand the needs of these people. You want to wash your hands of all responsibility and push it onto somewhere else. I am so annoyed with the way NYCC are treating these members of our society.						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Both budgets are stretched but we believe this to be the correct principle for funding. There is a project underway in Health and Adult Services looking at improving transitions for children, young people and their families.
186	P	If have no idea what you mean, You must spend more money on resourcing special needs.						No response required
187	P	Not all young people have a social worker - at the moment the transition into adulthood is described as a cliff edge, I know of many young people who have not got SW input - it is just kicking the budget down the line to someone else. And what happens if the other 9 hours are actually to enable them to access education - if it is an education need it is not adult social care who should pick up?						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Both budgets are stretched but we believe this to be the correct principle for funding. There is a project underway in Health and Adult Services looking at improving transitions for children, young people and their families.
188	P	Services do not communicate. This will not work						There is a project underway in Health and Adult services looking at improving transitions for children, young people and their families
189	P	Are social care happy about this proposal?!						There is a project underway in Health and Adult services (HAS) looking at improving transitions for children, young people and their families. As part of this, HAS have accepted the principle that education is 16 hours or 3 days per week for young people in post 16 provision.
190	P	if you have 2500 on ehcps and 400 open to dcs are you saying HAS will pick up all post 19's haha! no they wont and they aren't! this part of the consultation was not even covered in face to face as the consultation had over run due to the PRS part, no!! stop trying to dump our young people and make them another depts. problem NO ONE from HAS was there to back it up we need to hear from them will they commit? they are						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Both budgets are stretched but we believe this to be the correct principle for funding. There is a project underway in Health and Adult Services looking at improving transitions for children, young people and their families. Where Health are involved or a young person receives funding from CHC this will be reflected in the EHCP and the Health outcomes and any associated funding will be protected for those Health outcomes.

Consultation responses – High Needs Budget Changes – October / November 2018

To what extent do you agree with Proposal 3b?								
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		currently out to consultation re their cuts they cant afford it can they? we don't know because we didn't get any info this needs to go back out to be properly consulted on and families given information from HAS too -how they will pick it up and how they are buying into this proposal. Also where is health in this have you considered those on CHC full funding or those on joint chc funding wil they be expected to pick up the tab for the extra 2 days ? we know their financial situation is in more dire straights than yours or HAS -no this proposal seriously needs to be out a						
191	P	Again lack of clarity no representation from HAS or CHC re the 2 days you wont fund need assurances they will why weren't they there to answer questions where the plans from them? HAS looking at cutting their costs atm with consultation we are given no assurances they will contribute in anyway. Zero mention of CHC and how the YP in receipt of this will be affected. This needs further consultation as too many questions left unanswered						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Both budgets are stretched but we believe this to be the correct principle for funding. There is a project underway in Health and Adult Services looking at improving transitions for children, young people and their families. Where Health are involved or a young person receives funding from CHC this will be reflected in the EHCP and the Health outcomes and any associated funding will be protected for those Health outcomes.
192	P	I need more time and fuller information to be able to properly consider this proposal						No response required
193	P	I can't express my disgust strongly enough about this... EDUCATION EDUCATION EDUCATION ! Days at an education establishment can't be shoved into adult social care, this is wrong on every level , when an 18 year old goes to unin, they don't get their fees from two places , it is all education, all this will do is get social care to reduce a post 19 students learning... by not funding the two days that you are suggesting. Yet again you are trying to line up EHCP students with their peer group and the essence of an EHCP is to protect these who can't protect themselves.						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Both budgets are stretched but we believe this to be the correct principle for funding. There is a project underway in Health and Adult Services looking at improving transitions for children, young people and their families.
194	P	By law anything which educates or trains is special educational provision and in Part F of EHC plan. It is not social care. If the Council wishes to seek contributions from social care on a case by case basis that is an						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Both budgets are stretched but we believe this to be the correct principle for funding. There is

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		internal matter for the Council but it cannot have a blanket policy that only 16 hours is education. Childrens social care (DCT) only supports 400 of the 2500 who have EHCPs. HAS works on basis of the DCT figures. Where is the extra capacity in social care going to come from? The Council also has a duty to parent carers to ensure they can work. 25 hours is not fulltime. Many young people will have needs above 25 hours a week. Systemic management fault over many years has led to this situation. eg schools schools sited in rural areas with high transport costs, closing sen units in towns, the failure of EMS to meet its intended purpose of reducing exclusions, duplication of outreach. Cllrs should look elsewhere for savings.						a project underway in Health and Adult Services looking at improving transitions for children, young people and their families including the transition from DCS.
195	P	Adult social care will not take referrals for many of the young people that this will effect, so the short fall will be left to the parents again!						In August 2018, jointly with Adult Social Care, the SEN team started an annual process of writing out to young people with EHCPs and their parents and carers just before they turned 18 to ask if they wanted a referral to Adult social care. This ensures all young people who may require a service from Adult Social Care are able to receive a Care Act Assessment to determine needs.
196	P	As before						No response required
197	P	As above Some children with an EHCP at this point will be wanting to attend university so academic learning will make up a higher proportion of the 'education' week than children who are attending education for social and less academic learning						This relates to young people who require a five day package across Education and Care – this will not apply to young people with EHCPs who may want to access higher education.
198	P	At the Cedar Hotel there was no one from adult social services to state their backing of this. Our experience of social services is one of cuts. Our respite care has been significantly reduced - I imagine due to budget as our needs have not changed. Adult social services are strapped for cash and I can't imagine this working. Our children/ young adults will miss out on the necessary supervision they need throughout the day. There is a lack of understanding in your department about the real needs of the children/ young adults. I am sure the councillors who push this through also lack						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Both budgets are stretched but we believe this to be the correct principle for funding. There is a project underway in Health and Adult Services looking at improving transitions for children, young people and their families.

To what extent do you agree with Proposal 3b?								
<i>(We are proposing to fund 600 hours (16 hours per week) of educational provision for post 19 young people with EHCPs. The remainder of a 25 hour a week programme will be funded through adult social care funding).</i>								
ID	TYPE	Comment or question	SA	A	N	D	SD	Response
		understanding but will be delighted with this cost saving - which it will be.						
199	P	Adult social care budget is already stretched. People within that bracket who require care are already missing out and not having needs met because of the existing budget.						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Both budgets are stretched but we believe this to be the correct principle for funding. There is a project underway in Health and Adult Services looking at improving transitions for children, young people and their families.
200	P	Again this is shuffling education on to social , and ultimately this change is impacting those with the least voice in society ...having to discuss with education AND social to ensure they get their hours.						Five day packages as part of the EHCP will be developed through that single process as they are now and will be reviewed annually as they are now.
201	E	If such proposals are in place, do you really believe that current KS3 and KS4 students will be in a position to receive such a post 19 provision? You will have lost them. On your watch.						The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Both budgets are stretched but we believe this to be the correct principle for funding. There is a project underway in Health and Adult Services looking at improving transitions for children, young people and their families.
202	E	The consultation is FLAWED as there is insufficient information from the LA regarding what might be in place of the remaining two days per week for those not in disability specialist education settings. The recognition that those in SILC provision will need 5 days, yet not for those disabled YP who CHOOSE to exercise their right to equality and be in a mainstream setting is DISCRIMINATORY policy and should be reconsidered. Furthermore, many disabled students and young people require supported additional study time and support, as "reasonable adjustments" under the Equality act, their mainstream typical peers also are afforded access to additional study time in access to the FE college facilities and library and access to learning mentors during non-timetabled periods and days, and so to not afford equal access and reasonable adjustments will again be discriminatory policy and practice by the LA. Education NEED and PROVISION are Section F of EHCP = EDUCATION to provide.						This proposal does not apply to young people in mainstream provision – this applies to young people in specialist post 19 provision who require five day packages.

Appendix 3A

Consultation responses – High Needs Budget Changes – October / November 2018

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ID	TYPE	Comment or question	SA	A	N	D	SD	Response	
203	YP	Ooh. It's me again							No response required
204	YP	This is not good, we need lots of learning hours and now it means our parents have to prove stuff even more and I think this is unfair to us...							The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Both budgets are stretched but we believe this to be the correct principle for funding. From a parent's perspective, we hope to make the EHCP annual review process more joined up so that there is less need to repeat or give further information.
205	YP	why not speak with us about this you need to get access right you are not been accessible and equal where our voice in it							No response required
206	YP	Why can't I go to college on the days I don't have lessons? I need these days to be able to revise and do course work with extra support. Other students at college can go as many days as they like to work in the library, speak to tutors, and get some extra guidance and support, so why can't I when my disability means this is what I need the most? There is not enough information provided about what Social Care will provide, is this the same as HAS? Then I can't tell what you think might be available for me, and you don't tell me what the law says about this either.							This proposal does not apply to young people in colleges – this proposal applies to young people in post 19 specialist provision

We asked: If you have any other comments, suggestions or feedback on our proposals please tell us below:

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ID	TYPE	Comment, suggestion or feedback on Proposal 3a and/or 3b								Response
207	P	Generally I agree with the changes of proposal one and the exclusion provision needs to be changed for the better, it does not work at present. Post 16 proposal still needs to be looked at for college provision. In schools if you went down to 16 hours, I don't think the existing teachers or support would turn a student away if they were stuck on study time. Colleges are run differently so provision needs to fit in with their schemes. If colleges only want students in for 3 days and two days study time. What do parents do then to keep their child safe and keep the learning on target. Currently there is no solution if the								Already colleges are funded pro-rata to attendance for the 16 hours of guided learning that the students with EHCPs receive. Funding will be allocated according to need pro-rata to attendance. Where a young person requires a high level of support that would be reflected in their top-up to ensure that they have that support across their timetable of guided teaching hours.

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Consultation responses – High Needs Budget Changes – October / November 2018

If you have any other comments, suggestions or feedback on our proposals please tell us below:			
ID	TYPE	Comment, suggestion or feedback on Proposal 3a and/or 3b	Response
		college has need of the full 16 hours of money for physical changes to the environment or full support. This is especially so in high functioning children with high intelligence and low maturity and or social skills and/or physical problems. I am a parent but also a retired lecturer specialising in special needs provision in Yorkshire in colleges.	
208	P	Post 19 budgets do these go up to 25 years for adults in education or are unable to be in education.	This proposal applies to all young people in specialist post 19 provision whilst they have an EHCP and until their EHCP ceases
209	P	Please take action asap , my son and other young people are suffering and its not right or fair . My son is due to leave school next summer , he has had his assesment for college , but said college has issues at the moment so this causing me great concern. But i will fight tooth and nail for a place for him there as its the best setting for him and the respite unit i want too..I will not give in, he deserves the best .	No response required – comment regarding college placement and respite care, not related to this proposal
210	P	The way EHCPs were explained to me was that these are proof of the needs of a young person and if councils haven't got the money to provide them then national government has a duty to.	Local Authorities across the country (including North Yorkshire) continue to lobby the government for more funding for children and young people with SEND
211	P	I cant complete the survey as word limit cuts me off how can we have our say if we cant actually say it? Also the proposals are very very unclear Please go out to consultation on this again to explain and bring HAS and CHC colleagues along to answer very important questions as we expect they have bought into proposal 3 so will have no problem coming to explain how they ar going to pick up those extra 2 days..without then we have not been given the information!!!!	The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Both budgets are stretched but we believe this to be the correct principle for funding. There is a project underway in Health and Adult Services looking at improving transitions for children, young people and their families.
212	P	Reducing provision and shoving it into adult social care is a false economy for the council , as the people you are targeting will always need help and support. Perhaps us parents who do the care need to “wash our hands” of these adults and then the burden will be incredible for the council.	The Local Authority remains committed to providing 5 day packages where these are required. This proposal looks to share the funding between the 3 days / 16 hours of education and 2 days / 9 hours of Social Care. Both budgets are stretched but we believe this to be the correct principle for funding. There is a project underway in Health and Adult Services looking at improving transitions for children, young people and their families.
213	E	Very concerned re the impact in particular on small schools that the banding system could have. Depending on outcome of re banding of current we could potentially loose tens of thousands of pounds of funding. When this is taken into account in conjunction with the recent consultation on element 2 top up funding this could be the next 'nail in the coffin' of small schools especially those on the edge of large towns that attract a disproportionate % of high needs pupils due to parent perception they will serve the needs of their children more effectively due to small classes. While I agree the current system is far from ideal I worry the proposed system would leave small schools with even bigger funding gaps.	Comment related to proposal 1

Appendix 3A

Consultation responses – High Needs Budget Changes – October / November 2018

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ID	TYPE	Comment, suggestion or feedback on Proposal 3a and/or 3b	Response
214	YP	I disagree with the bits that you say because they will not let me be just like other students at college who can go in whenever they need extra help or to use the computers and library any day. But you don't tell me enough, in simple and understandable ways, what might happen or what the law says and there just isn't enough information for me to decide. I need to know what my social worker will provide and if this is the right thing for them to do instead, or how this will affect me and my friends.	Government gives guidance to schools and colleges. For students in Year 12 and above, the government says that full time education is 16 hours a week – this could be 3 full days or spread across 5 days. If you have an EHCP, it will describe the support you need. In schools that support has to be available across 25 hours of teaching in class. In post 16 that support has to be available across 16 hours of teaching in class. In both cases, the support needed might be out of class time or in independent study but it needs to be shared fairly depending on how many hours of teaching are received.

Consultation on changes to the High Needs Budget – Appendix 4B

Written feedback to proposals – Other written feedback

We have developed this document to provide a response to written questions or feedback received in relation to proposed changes to the High Needs Budget consultation, which ran between October 5th 2018 and November 11th 2018. The consultation asked respondents to provide feedback on 3 proposals which were in relation to:

Proposal 1 - Changing the process for top up funding for children and young people with Education, Health and Care Plans (EHCPs) from a resource allocation system to a banding system.

Proposal 2 - We will change the way provision for secondary aged pupils who are permanently excluded or at risk of permanent exclusion is commissioned and funded in North Yorkshire.

Proposal 3 - We will bring arrangements for provision and funding for young people with EHCPs receiving post 16 education, into line with statutory guidance.

We have developed separate consultation response documents for feedback relating specifically to each proposal. The feedback in this document provides responses to more general feedback received during the consultation period, and other feedback received outside of the consultation period.

1. General feedback from the consultation survey for proposed changes to High Needs Budget;
2. General feedback received outside of the survey format (email or letters);
3. Questions or statements to the meeting of the County Council held at County Hall, Northallerton on 14 November 2018;
4. Questions or statements to the meeting of the Council's Young People Overview and Scrutiny Committee meeting of 7th December 2018;
5. Question to the meeting of the Skipton and Ripon Area Constituency Committee Meeting 13th December 2018
6. Responses to MP letters relating to the consultation.

Please note that although comments may have been redacted to ensure anonymity of respondents, we have not altered any wording.

1. The following responses are to consultation survey comments received under the section 'If you have any other comments, suggestions or feedback on our proposals please tell us below':

ID	TYPE	Survey comment or question under 'Other suggestions, comments or feedback'	Response
1	P	Has anyone considered WHY there are so many children with "Special Needs" ? Does no-one step back and ask the question of what is the cause of so many children being 'diagnosed' as such ? Could it be that once diagnosed a child gets additional attention and "investment" - so why should they not go down that route, even if not truly in need ? The country seems to be heading down a path of identifying a significant % of children as "special needs" - 15% currently, what is the country's future when this 15% is of normal adult working age ? Where is the budgeting for that ?	This comment has been noted. The Strategic Plan for SEND Education provision aims to ensure there is early identification and intervention for children and young people with SEND. This will reduce the risk of them needing more specialist higher cost provision.
2	P	I'm sorry to sound negative but yet again it's just another cost cutting exercise! & can someone tell why you have made the supporting information for this particular survey so confusing to read. We have children with disabilities, which means their lives are totally consumed. Which means finding the time to sit down and unravel all of the information to make some kind of sense is just impossible. Why were we only told about this consultation one week ago? Why are we having yet another consultation? Where has all the previous feedback from all the other consultations gone? Please be honest with us all & produce something that is honest, clear & transparent.	<p>Information from the ISOS review and informal and formal consultation about the proposals for the Strategic Plan shaped the Plan which can be found at: www.northyorks.gov.uk/sendplan . This consultation is about three specific proposals to make changes to the High needs Budget</p> <p>Information about the consultation was sent out to all schools and the PRS/AP before it started, with a request to promote it to parents/carers and young people. The website page was live before the consultation began to give advance notice and was updated with details of events and consultation papers on the first day of the consultation. Shortly after the start of the consultation the above was reinforced through letters to parents/carers and young people. There were regular social media updates throughout the consultation.</p> <p>A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. The presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed. Materials were available in other formats if requested</p>
3	P	I understand local authority money needs to be saved but reducing the budgets of these already under-funded resources is not an intelligent use of	This response is noted.

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ID	TYPE	Survey comment or question under 'Other suggestions, comments or feedback'	Response
		public money. There will be implications in the lives of the young people affected by such change, and this will go on to have societal consequences that could work out more expensive in the longer term. You admit yourselves it will impact young people with SEND. I believe the best outcome for these plans is for them to be shelved. Thank you.	
4	P	Improved training should be funded and mandatory for school SEN teams and Sencos. It should be delivered annually and schools accountable to their actions but also allow authority to be accountable for failings in the system. Bedale high school is prime example no senco was in post for a year, no external applications for enhanced provision or assessments and appalling understanding of ASD. Despite the enhanced provision being available, authority employed a consultant head to post who openly discriminated against SEN children and resulted in a school not being inclusive and moving mainstream children to alternative education. Results in global cost implications. Wider agencies identified and commented, complaints to Ofsted and the authority should be accountable for this alongside their decision to not support the wider SEN children through adequate training and supervision. Close supervision of authority services is essential and would save a lot of money long term.	<p>All SENCOs must undertake the SENCO qualification.</p> <p>The Strategic Plan includes actions to strengthen the universal provision in mainstream schools for children with SEND which includes training, evidence based approaches and continued support for SENCOs. More information can be found on pages 24-25 in the document at www.northyorks.gov.uk/sendplan</p> <p>There will be closer monitoring of schools in respect of accountability and progress of children and young people with SEND and this will link with our proposals for developing local area accountability and decision making (pages 30-31 of the Strategic Plan).</p>
5	P	NYS should lobby the government, who has not funded the new system appropriately, rather than making cuts to existing budgets that are overspent as a result of meeting statutory duties. I agree with efficiency savings, but not budget cuts. Inevitably our children will pay the price for the government's decision makers not understanding the children, young people, education professionals, and parents/carers. If they did, they would fund this vital service appropriately. To have an inclusive education system, and society which will save social care costs over a child's lifetime they need to invest in the provision available. By making cuts in every direction at the same time, it is adding to the burdens we face as families. There is no wonder we feel that we have to fight everyone to get simply what they deserve.	North Yorkshire faces unsustainable pressures on the High Needs Budget. This year, the funding received from the DfE for the education of children and young people with SEND is nearly £6m less than is required. The LA is funding this from reserves and has also asked Schools Forum to transfer money from all other schools. North Yorkshire is calling on Government to fund fully the high needs budget.
6	P	The small amount of money there is needs to be shared out fairly.	The proposals being made for the High Needs budget will enable the local authority to do this.
7	P	Worried about some of the services been taken away from children who already have them put in place through ehcp plans. Worried about some of these children been worse off when they are doing so well now.	The local authority will always ensure that the provision set out in a child or young person's EHCP is made, according to its statutory duty.
8	P	How can we make a reasoned decision on these proposals when we don't know the problems with the current system? We may be able to suggest a	Information about the consultation was sent out to all schools and the PRS/AP before it started, with a request to promote it to parents/carers and young people.

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ID	TYPE	Survey comment or question under 'Other suggestions, comments or feedback'	Response
		<p>less radical remedy if armed with this information. We only have the LAs word the current system is failing, you have provided no evidence. Unfortunately, from our experience, you have knowingly lied so many times your word is of little consequence to us. Following Precautionary Principle, we have no option but to disagree with all points. Your consultation is less than adequate. The fact none of the venues are near where we live is a consequence of geography and we understand the cost would increase significantly were you to offer more venues. However, the distance combined with all of them being lunch time is unacceptable; this precludes us from attending any of them. We have had just 3 working days' notice of the consultation meetings, far too little time for us to arrange a day off to attend - we both have commitments we cannot get out of.</p>	<p>The website page was live before the consultation began to give advance notice and was updated with details of events and consultation papers on the first day of the consultation. Shortly after the start of the consultation the above was reinforced through letters to parents/carers and young people. There were regular social media updates throughout the consultation.</p> <p>A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. These were arranged at lunchtimes following previous feedback from parents/carers that this was the most appropriate time for them. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. The presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed. Materials were available in other formats if requested</p> <p>Overall in the county we have gone well beyond any statutory requirements to ensure that the voices of young people, their families, teachers and carers are heard as part of this consultation and the consultation has been legal, fair and thorough.</p>
9	P	<p>Aside from my comments, giving the Selby area only 5 days notice is incredibly poor practice! Also that in your recently published announcement, NYCC acknowledge that many Selby children are sent out of county for their educational provision... it is also widely known that NYCC schools align their half terms differently to the surrounding LA's and yet this has not been taken into account with the date set for the Selby area consultation - many of our 10children are on half term the week before NYCC schools or for two weeks starting Monday 22nd October- many parents will not be able to make it to the consultations because their children are at home for half term already .. very poor planning and even poorer consideration of local landscape and needs of SEN Parents in this area! #youareNOTlistening!</p>	<p>Information about the consultation was sent out to all schools and the PRS/AP before it started, with a request to promote it to parents/carers and young people. The website page was live before the consultation began to give advance notice and was updated with details of events and consultation papers on the first day of the consultation. Shortly after the start of the consultation the above was reinforced through letters to parents/carers and young people. There were regular social media updates throughout the consultation.</p> <p>As we were aware that not all parents and carers would be able to attend a consultation meeting the presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed.</p> <p>The comment about differing school holidays has been noted for future consultations.</p>
10	P	<p>Can I say that I think it is absolutely outrageous that whilst announces further cut backs to children's services, it has been released in the press about tax payers funding a £1600 lavish dinner for NYCC staff. Taking away much needed funds from vulnerable and disadvantaged children and using tax payers money in a highly unsuitable manor in such times of</p>	<p>The High Needs Budget is used for the education of children and young people with SEND.</p>

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ID	TYPE	Survey comment or question under 'Other suggestions, comments or feedback'	Response
		hardship is absolutely disgraceful. Our children deserve more and as parents we will fight in unity.	
11	P	The personnel commissioned to do this work and propose these damaging and naive changes, patently do not have the necessary credentials to undertake the task!	No response required.
12	P	These proposals will leave vulnerable young people, many of who have been in care at even more of a disadvantage than they already are. On top of your cuts to alternative provision this is going to leave a generation of vulnerable youngsters abandoned by NYCC. Just so you can save some money, shame on you!	The Strategic Plan for SEND Education Provision sets out how North Yorkshire will develop the continuum of provision to meet the needs of children and young people with SEND. The local authority will always meet its statutory duty to meet the assessed needs of these children and young people.
13	Not known	If you need to save money - cut the salaries of the senior officers by 50%, they are paid far too much for the quality of service they deliver. Our son has been manifestly failed by NYCC - the evidence is clear in his educational tribunal findings. And what is NY response -hire expensive briefs, and appoint an officer full time to work on tribunals. Answer cut the number of tribunals save hundreds of thousands in lawyers fees. This is a gross failure at strategic management level which needs to be accounted for and the people responsible made accountable for	The comments do not relate to the 3 proposals that were subject to consultation.
14	Not known	I AN INCLUSIVE CULTURE AND ETHOS' WE WILL NOT GIVE UP ON ANY CHILD OR YOUNG PERSON. PROPOSAL 2, - IF IMPLEMENTED WILL MEAN THAT IS EXACTLY WHAT WILL HAPPEN AS THEY WILL GET A SUB STANDARD DEGREE OF EDUCATION WHERE THEIR INDIVIDUAL NEEDS AS A WHOLE ARE NOT CONSIDERED OR MET.	The Strategic Plan for SEND Education Provision sets out how North Yorkshire will develop the continuum of provision to meet the needs of children and young people with SEND. The local authority will always meet its statutory duty to meet the assessed needs of these children and young people. We are committed to reducing permanent exclusions of young people. A responsive AP model is key to ensuring early intervention and support for those at risk of exclusion
15	P	I have been without respite since [REDACTED] when my son turned [REDACTED] i am a single mum with no support at all from my sons father , i am absolutley worn out and feel i have been very badly let down and lied to , as i was assured i would not be without respite once his last setting ended ! The setting i want have assesed him [REDACTED] , but i still have norhing concrete . My son is [REDACTED] Please can there be light at the end of a very dark tunnel for me . All i have is school and home ! Action is needed NOW !	This response is noted but is not relevant to the proposals being put forward. The issues raised have been forwarded to the appropriate manager to make contact with the family
16	Not known	The issues covered in this consultation are complex & I do not have any information detailing the current system to compare the proposed new system against it. It seems a fancy way of redistributing limited funds, but ultimately if the funds are becoming less then the children & young people	The proposals in the consultation are being made to ensure that we use the budget available in the best way to meet the needs of children and young people. North Yorkshire is calling on Government to fund fully the high needs budget.

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ID	TYPE	Survey comment or question under 'Other suggestions, comments or feedback'	Response
		they support will suffer, as sufficient funding will not be available without removing it from someone else in need.	
17	P	There is an increasing number of children that need additional support in school. More staff need to be provided so that children are given help as soon as there is a problem. Parents are having to fight for every little bit of support. This leads to further problems with mental health and school refusal, as help is not provided quickly enough, which costs more in the long run. Understanding and compassion to these children needs to be provided, and not blaming the child or parent. Schools need more staff and better training to provide support for children automatically. If this was the case fewer ehcp would need to be requested as a way of forcing schools to provide provisions.	<p>The Strategic Plan for SEND Education provision aims to ensure there is early identification and intervention for children and young people with SEND. This will reduce the risk of them needing more specialist higher cost provision.</p> <p>The Strategic Plan includes actions to strengthen the universal provision in mainstream schools for children with SEND which includes training, evidence based approaches and continued support for SENCOs. More information can be found on pages 24-25 in the document at www.northyorks.gov.uk/sendplan</p> <p>The plan sets out how we will develop a continuum of provision to meet the needs of children and young people with SEND in North Yorkshire.</p>
18	P	I understand the need to address the funding of this service but after reading the plans I am not confident that this will not lead to a reduction of care for those in need. For those of us who do not stamp our feet but quietly support and nurture our Children to the best of our ability will loose out and the ultimate price will be our children not being able to access an educational service and all the benefits that brings to allow them to develop as best then can into independent adults.	The Strategic Plan for SEND Education Provision sets out how North Yorkshire will develop the continuum of provision to meet the needs of children and young people with SEND. The local authority will always meet its statutory duty to meet the assessed needs of these children and young people.
19	P	Parents are not concerned how this is met as long as it is met!!!	Comment notes
20	p	I am not sure I have a strong enough handle on the current plan to be able to say the future plan will be better. Our child is [REDACTED] at the moment and is well looked after at [REDACTED] The future which this deals with is full of uncertainties and concerns and I am afraid this neither allays these nor makes them any clearer.	The Strategic Plan for SEND Education Provision sets out how North Yorkshire will develop the continuum of provision to meet the needs of children and young people with SEND aged 0-25. It can be found at www.northyorks.gov.uk/sendplan .The local authority will always meet its statutory duty to meet the assessed needs of these children and young people.
21	P	A comparison of old and new would be beneficial to see. I also would like to hear more from a range local head teachers and sencos to hear their views on the changes.	The consultation gave opportunities for Headteachers and SENCOs to comment on the proposals. All responses to the consultation will be considered and a response made to each written comment received. These will be published as part of the papers for consideration by The Executive of the Council who will make the decisions on the proposals.
22	P	When you have a child with additional needs our time is spent caring for them which is very time consuming. I have no issue with giving feedback but I am a well educated women but do not understand the proposal. Maybe explaining in English what you are proposing would make it easier because I do not have time to work out what you mean. I am busy being a full time carer , life is hard enough	A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. The presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed. Materials were available in other formats if requested

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ID	TYPE	Survey comment or question under 'Other suggestions, comments or feedback'	Response
23	P	Id like to understand what NYCC are doing to change the Governments 2014 based formula for this type of funding. It was explained to me that the funding shortfall is a direct result of the Children and Family act which asks local authorities to educate EHCP children until they are 25 yet the funding formula does not take account of this change.	North Yorkshire is calling on Government to fund fully the high needs budget.
24	P	The letter we received arrived after three of the five events had taken place. None of them easy to access from Easingwold, especially not for working parents	<p>Information about the consultation was sent out to all schools and the PRS/AP before it started, with a request to promote it to parents/carers and young people. The website page was live before the consultation began to give advance notice and was updated with details of events and consultation papers on the first day of the consultation. Shortly after the start of the consultation the above was reinforced through letters to parents/carers and young people. There were regular social media updates throughout the consultation.</p> <p>As we were aware that not all parents and carers would be able to attend a consultation meeting the presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed.</p>
25	P	It is all unclear	A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. The presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed. Materials were available in other formats if requested
26	P	I feel it is essential the council reviews how it carries out their consultation processes. At present it is a process that is perceived to lack transparency, appropriate timescale to allow all those impacted to review sufficiently and there are some views that the process is just a tick box exercise and the outcome is already preempted regardless of the views throughout the consultation process. This is particularly appropriate for Proposal 2, as there are still many questions that need answered and the impact of any outcome at present, will create a high detriment to our local community.	<p>Information about the consultation was sent out to all schools and the PRS/AP before it started, with a request to promote it to parents/carers and young people. The website page was live before the consultation began to give advance notice and was updated with details of events and consultation papers on the first day of the consultation. Shortly after the start of the consultation the above was reinforced through letters to parents/carers and young people. There were regular social media updates throughout the consultation.</p> <p>A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. These were arranged at lunchtimes following previous feedback from parents/carers that this was the most appropriate time for them. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. The presentation used at meetings was available on the consultation website. A series of frequently asked</p>

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ID	TYPE	Survey comment or question under 'Other suggestions, comments or feedback'	Response
			<p>questions were added to the website as the consultation progressed. Materials were available in other formats if requested</p> <p>Overall in the county we have gone well beyond any statutory requirements to ensure that the voices of young people, their families, teachers and carers are heard as part of this consultation and the consultation has been legal, fair and thorough.</p> <p>All consultation responses will be considered and will inform recommendations to be made to the Council's Executive. Responses will be made to all written comments and these will be published with the papers for The Executive for their consideration prior to a decision on the proposals being made</p>
27	P	<p>I attended one of the consultation meetings and this was useful to help me understand the changes to the operation of the SEND budget for North Yorkshire. We have [REDACTED] children who are now teenagers and [REDACTED] an EHCP. I understand that you have to make changes to the ways that you manage available funds and that your funds have of course been effectively cut by central government as part of the ongoing austerity measures. We appreciate that you are doing the best that you can and my wife and I will accept whatever changes that you might consider appropriate. Thank you.</p>	<p>This response has been noted.</p>
28	P	<p>To be quite honest I don't fully understand it all. I don't feel there has been enough meetings about the proposals and non that I have been able to attend. I do know everyone is struggling and maybe more pressure needs to be put on central government as budgets are cut to the bone in fact there are huge deficits in schools budgets, certainly in my child's speacial school. I am yet to see how these proposed changes will affect them but affect them they will</p>	<p>A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. These were arranged at lunchtimes following previous feedback from parents/carers that this was the most appropriate time for them. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear.</p> <p>As we were aware that not all parents and carers would be able to attend a consultation meeting the presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed.</p> <p>North Yorkshire is calling on Government to fund fully the high needs budget.</p>
29	P	<p>I am afraid that the lack of time for this consultation is damning. We received an invitation after a number of sessions had occurred and those that remained were not at a time which working parents can attend. I strongly urge you to reconsider this course of action, through both the lack of adequate consultation and the profound negative effects it will entail. Specifically, no details of the process for allocating bands (beyond through</p>	<p>Information about the consultation was sent out to all schools and the PRS/AP before it started, with a request to promote it to parents/carers and young people. The website page was live before the consultation began to give advance notice and was updated with details of events and consultation papers on the first day of the consultation. Shortly after the start of the consultation the above was reinforced</p>

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		<p>the normal annual review) are given. What is the procedure, who will have the final say and what is the appeals procedure should a parent wish to challenge. These are vital issues which affect young people with EHCPs.</p>	<p>through letters to parents/carers and young people. There were regular social media updates throughout the consultation.</p> <p>A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. These were arranged at lunchtimes following previous feedback from parents/carers that this was the most appropriate time for them. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. As we were aware that not all parents and carers would be able to attend a consultation meeting the presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed.</p> <p>Materials were available in other formats if requested</p> <p>Overall in the county we have gone well beyond any statutory requirements to ensure that the voices of young people, their families, teachers and carers are heard as part of this consultation and the consultation has been legal, fair and thorough.</p> <p>The proposal around changing to a banding system is purely a funding proposal. The implementation plan including detailed descriptors and training will be developed should the proposal be approved to take forward. Across the country, banding systems are widely used and have a robust evidence base and are transparent and equitable. Whatever methodology is used to determine the Top-Up allocation, parents, carers and young people have the legal right to challenge the content of the EHCP through the Special Educational Needs and Disability Tribunal.</p>
30	P	<p>The information needs to be clearer. How will this affect my child.</p>	<p>A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. These were arranged at lunchtimes following previous feedback from parents/carers that this was the most appropriate time for them. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. As we were aware that not all parents and carers would be able to attend a consultation meeting the presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed.</p> <p>Materials were available in other formats if requested</p>
31	P	<p>Although the document was available I couldn't find any mention of proposals.</p>	<p>All three proposals were set out in the consultation summary document which was available as part of the consultation papers. The proposals were also explained at meetings and in the presentation on the website.</p>

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ID	TYPE	Survey comment or question under 'Other suggestions, comments or feedback'	Response
32	P	I feel the LA need to consider in more depth the potential impact of the proposals.	This comment is noted.
33	P	I have a degree and a professional qualification . This is quite possibly the worst survey I have ever read. The proposals and their effects are unclear . I can understand your proposal but given the effects are unclear I cannot answer the survey properly . I could not attend the meeting either. We cannot vote when we don't know the implications or effects on our children. Do not fail the parents on this as well as the children. You need to try harder.	<p>Information about the consultation was sent out to all schools and the PRS/AP before it started, with a request to promote it to parents/carers and young people. The website page was live before the consultation began to give advance notice and was updated with details of events and consultation papers on the first day of the consultation. Shortly after the start of the consultation the above was reinforced through letters to parents/carers and young people. There were regular social media updates throughout the consultation.</p> <p>A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. These were arranged at lunchtimes following previous feedback from parents/carers that this was the most appropriate time for them. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. As we were aware that not all parents and carers would be able to attend a consultation meeting the presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed.</p> <p>Materials were available in other formats if requested</p> <p>Overall in the county we have gone well beyond any statutory requirements to ensure that the voices of young people, their families, teachers and carers are heard as part of this consultation and the consultation has been legal, fair and thorough.</p> <p>The proposal around changing to a banding system is purely a funding proposal. The implementation plan including detailed descriptors and training will be developed should the proposal be approved to take forward. Across the country, banding systems are widely used and have a robust evidence base and are transparent and equitable. Whatever methodology is used to determine the Top-Up allocation, parents, carers and young people have the legal right to challenge the content of the EHCP through the Special Educational Needs and Disability Tribunal.</p>
34	P	The consultation I attended on 7th November at Cedar Court was poorly organised. There were not even enough seats until a member of the hotel staff brought some more in. It was a lunchtime event but no lunch was provided. There were not even enough cups and saucers or glasses of water. I was only able to attend for the advertised hour and a half as I was due back at work, the even had not even moved on to discussing the third proposal.	<p>The comments about the organisation of this event have been noted and will be taken into account for future consultations.</p> <p>Officers leading the meetings endeavoured on all occasions to ensure that there was time allocated to each proposal for explanation and discussion.</p>

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ID	TYPE	Survey comment or question under 'Other suggestions, comments or feedback'	Response
35	P	Too much emphasis on EHCP rather than development of an inclusive provision. The middle children will miss out	This consultation focused on three specific proposals for changes to the High Needs Budget, Proposals 1 and 3 related specifically to children and young people with EHCPs which is why the focus was around those children and young people with EHCPs. The Strategic Plan for SEND Education Provision which can be found at www.northyorks.gov.uk/sendplan covers the continuum of provision for SEND from universal (mainstream) through targeted to specialist.
36	P	I don't understand any of your proposals. How about a phone number where we can just ring you and find out what's safe and what's not so we are prepared for it in advance? Everyone's circumstances are totally different and I'm sick of all the stress and worrying now about cutbacks and my sons welfare.	A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. These were arranged at lunchtimes following previous feedback from parents/carers that this was the most appropriate time for them. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. As we were aware that not all parents and carers would be able to attend a consultation meeting the presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed. Materials were available in other formats if requested
37	P	Councils should come together with parents to more pressure on the government to gain extra funding needed and remove academies that are failing special educational needs children that should be able to be supported in a mainstream school. Money needs to be invested in mainstream schools for SEND children to be included not isolated	North Yorkshire is calling on Government to fund fully the high needs budget. The Strategic Plan for SEND Education Provision sets out how North Yorkshire will develop the continuum of provision to meet the needs of children and young people with SEND aged 0-25 including those in mainstream schools and colleges.. It can be found at www.northyorks.gov.uk/sendplan .
38	P	Reiterate all previous comments	No response required.
39	P	NYCC needs to get a grip on education policy as good pupils in Scarborough are suffering. Funding changes will make this worse.	This response has been noted.
40	P	The way EHCPs were explained to me was that these are proof of the needs of a young person and if councils haven't got the money to provide them then national government has a duty to.	The local authority will always meet its statutory duty to meet the assessed needs of children and young people with EHCPs. The government provide high needs funding to local authorities but unfortunately this has not risen to reflect the additional costs of the 2014 SEND Reforms.
41	P	The information is misleading and unclear. Statements have been made but they do not thoroughly explain how the changes will affect the young people. If you pull the money from the schools, they will no longer be able to meet need. Education will no longer be inclusive without the right level of support and more Children will require placement in specialist provisions.	A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. These were arranged at lunchtimes following previous feedback from parents/carers that this was the most appropriate time for them. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. As we were aware that not all parents and carers would be able to attend a consultation meeting the presentation used at meetings was available on the consultation website. A series of

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ID	TYPE	Survey comment or question under 'Other suggestions, comments or feedback'	Response
			<p>frequently asked questions were added to the website as the consultation progressed. Materials were available in other formats if requested.</p>
42	P	<p>I am appalled by the proposals to target those with EHCP's , as if life won't be hard enough for these people... surely the council can look at other funding streams.</p>	<p>The local authority will always meet its statutory duty to meet the assessed needs of children and young people with SEND with EHCPs.</p>
43	P	<p>Your proposals are incomprehensible, apart from the fact you are planning to break the law by spending less, thus making life harder for groups you have a duty to make significant improvements. Your EIA shows the dangers you are putting vulnerable people in, the are not taking the EIA seriously. What is clear is that YNCC has a public duty to improve increasing numbers of vulnerable peoples lives and you are planning not to do this. You need, you in law, must, make new proposals which show how you will securely, and without risk, make the lives of vulnerable childrens' lives better. You cannot do this by spending less money. All your proposals must, to keep within the law, be rejected. It is a disgusting, inaccessible document.</p>	<p>A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. The presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed. Materials were available in other formats if requested</p> <p>Overall in the county we have gone well beyond any statutory requirements to ensure that the voices of young people, their families, teachers and carers are heard as part of this consultation and the consultation has been legal, fair and thorough.</p> <p>The EIA has been developed taking into account all groups with protected characteristics and reviewed as a result of the consultation. A revised version will be published with the papers to be considered by the Executive.</p> <p>The Strategic Plan for SEND Education Provision sets out how North Yorkshire will develop the continuum of provision to meet the needs of children and young people with SEND aged 0-25. It can be found at www.northyorks.gov.uk/sendplan .</p>
44	P	<p>This consultation is flawed in not giving enough space for feedback - I could not complete Q10 - you ask us for our views then restrict them?? I do agree that change is necessary - but this is an issue we all need to take to government - why are the most vulnerable being made to pay? I hardly know a parent who has not had to push and push and push for the support their child needs, this adds insult to injury.</p>	<p>The online survey did have text limits, in line with the survey used by the Council for the proposals for the Strategic Plan for SEND Education provision. A paper survey was available which allowed more text to be written.</p> <p>North Yorkshire is calling on Government to fund fully the high needs budget.</p>
45	P	<p>The consultation documents are unclear and verbose without proper explanation of what actually is being proposed!</p>	<p>A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. The presentation used at meetings was available on the consultation website.</p>

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ID	TYPE	Survey comment or question under 'Other suggestions, comments or feedback'	Response
			<p>A series of frequently asked questions were added to the website as the consultation progressed. Materials were available in other formats if requested</p> <p>Overall in the county we have gone well beyond any statutory requirements to ensure that the voices of young people, their families, teachers and carers are heard as part of this consultation and the consultation has been legal.</p>
46	P	<p>There is FAR too little information for this consultation to be fully informed: A lack of information from Social Care, Health, Mental Health and so on means that no response can be fully informed. Therefore the consultation is flawed. There are also a number of aspects of the proposals that would be questionable in terms of the Equality Act and in terms of the Children and Families Act that would give cause for concern regarding Equality and discriminatory policy and practice. Generally, other information provided is both misleading and selective in presentation, with some essential pieces of information missing from the proposals and supporting consultation documentation. Furthermore, the "working group" did not include parent carers and so the requirement for Co-production is not being met.</p>	<p>A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. The presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed. Materials were available in other formats if requested</p> <p>A full Equality Impact Assessment has been developed taking into account all groups with protected characteristics and reviewed as a result of the consultation. A revised version will be published with the papers to be considered by the Executive.</p> <p>Overall in the county we have gone well beyond any statutory requirements to ensure that the voices of young people, their families, teachers and carers are heard as part of this consultation and the consultation has been legal, fair and thorough.</p>
47	P	<p>proposal 3 at Harrogate face 2 face was not covered in any way sufficiently - suggest this one goes back out to consultation so families can get the answers they need and that the consultation involves HAS and Health partners</p>	<p>There is information in the consultation documents and in the online presentation about proposals 3.</p> <p>Officers leading the meetings endeavoured on all occasions to ensure that there was time allocated to each proposal for explanation and discussion.</p>
48	P	<p>I need more time and fuller information to be able to properly consider this proposal therefore I feel the County Council has not fulfilled its duty to provide full and thorough information to allow those affected to make an informed decision.</p>	<p>A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. The presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed. Materials were available in other formats if requested.</p> <p>Overall in the county we have gone well beyond any statutory requirements to ensure that the voices of young people, their families, teachers and carers are heard as part of this consultation and the consultation has been legal, fair and thorough.</p>

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49	P	<p>I consider the Council should in future ensure all its consultation proposals are first assessed by a qualified lawyer and that legal advice is attached. There are clear legal faults and omissions in the consultation. I could not understand the proposals from the consultation documents, I was only able to understand them by finding information given to the schools forum. The proposals as written are incoherent. Councillors must step up and apply proper scrutiny because successive SEND managers are advising Cllrs to fund initiatives with little evidence only for Cllrs to be asked to agree to do the exact opposite a few years later. EMS and SEN outreach duplicates resources at a cost of over £6 million. ISOS found EMS purpose and outcomes unclear. EMS was supposed reduce exclusions - they have increased. SEND services are poor quality and not achieving progress for young people leading to higher costs. Alternatives should have been provided as are other ways to save money than frontline.</p>	<p>The consultation proposals and paperwork were considered by a qualified lawyer prior to the consultation taking place.</p> <p>The summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team lawyer. Meetings gave the opportunity for proposals to be explained.</p> <p>The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. The presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed. Materials were available in other formats if requested.</p> <p>Overall in the county we have gone well beyond any statutory requirements to ensure that the voices of young people, their families, teachers and carers are heard as part of this consultation and the consultation has been legal, fair and thorough.</p> <p>The Strategic Plan for SEND Education provision (www.northyorks.gov.uk/sendplan) sets out actions to develop the continuum of provision for children and young people with SEND across universal (mainstream), targeted and specialist provision. This includes changes to the current EMS model. The ISOS review work underpins the Strategic Plan.</p>
50	P	<p>I attended the consultation in Harrogate on November 7th and am concerned that the feedback given at this consultation was not recorded so that comments made can be fed into the consultation. It was also taken over by proposal 2 which overshadowed the other 2 proposals and probably stopped parents who had nothing to do with proposal 2 from asking questions or giving a view.</p>	<p>At all consultation meetings notes were made of the themes which emerged from the meetings. These will be considered as part of the consultation.</p> <p>The point about discussion on proposals 2 is noted.</p> <p>Officers leading the meetings endeavoured on all occasions to ensure that there was time allocated to each proposal for explanation and discussion.</p>
51	P	<p>The whole consultation is unsatisfactory. Our concerns will not be answered individually. You group concerns into themes and respond. You then pass this off as a consultation and send it to the councillors for ratification. The system is corrupt. Interestingly where is the new sixth form college at Forest School. I don't remember a consultation about scrapping this. Sadly I believe you rail road everything through and often pass through illegal actions. Like demanding that people with a motability car for their child must use this to transport their child to school - shocking!!</p>	<p>A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. The presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed. Materials were available in other formats if requested.</p>

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ID	TYPE	Survey comment or question under 'Other suggestions, comments or feedback'	Response
			<p>Overall in the county we have gone well beyond any statutory requirements to ensure that the voices of young people, their families, teachers and carers are heard as part of this consultation and the consultation has been legal, fair and thorough.</p> <p>All consultation responses will be considered and will inform recommendations to be made to the Council's Executive. Responses will be made to all written comments and these will be published with the papers for The Executive for their consideration prior to a decision on the proposals being made.</p>
52	P	Halt, reconsider, reevaluate. Have empathy and act within the realms of morality.	No response required.
53	P	I don't understand the survey, not all parts apply to our life stage and it is hard to understand the impact this will have.	<p>A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. The presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed.</p> <p>Materials were available in other formats if requested.</p>
54	P	I am not able to attend the public engagement session in Harrogate, as I am at work that day. I have been bombarded with requests to read supporting documentation and fill in the consultation survey but it is not clear what the proposals actual mean, in real terms. It reads as Doublespeak, obscuring and disguising reality. Please can we have some clarity, set out succinctly? Is this just a paper exercise?	<p>A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. The presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed.</p> <p>Materials were available in other formats if requested.</p>
55	P	I am very sorry but I don't understand the survey. If I had more information regarding this I would happily make an informed response to the questions	<p>A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. The presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed.</p> <p>Materials were available in other formats if requested.</p>
56	P	The information provided for this consultation is not easy to understand. It requires you to read multiple documents and link them together. A single, comprehensive (and simple) explanation of the proposal should have been	<p>A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. The consultation</p>

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		provided in one document. Limiting the word count for responses prevents people from responding in full to the proposals. That prevents a proper consultation. The consultation is not linked from the main NYCC SEND webpage which is surprising and may lead to some people missing it and not responding. Overall, a disappointing and inadequate approach to consultation. and the consultation is not mentioned on the main NYCC SEND page	<p>proposals were reinforced at meetings to ensure the focus of the consultation was clear. The presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed. A news banner with a link was in place on the SEND Local Offer pages to direct people to the main consultation page and raise awareness of the consultation.</p> <p>Materials were available in other formats if requested.</p> <p>The online survey did have text limits, in line with the survey used by the Council for the proposals for the Strategic Plan for SEND Education provision. A paper survey was available which allowed more text to be written.</p>
57	P	As a working parent of a profoundly disabled child plus sibling - I have not had sufficient opportunity or time to read & respond to these proposals properly	No response required.
58	P	Just to clarify, I did attend a meeting however I still don't fully understand the proposals and the effects these changes would have on young people and their families. I felt there was a lot of missing information, there was no representative from social care and the meeting wasn't long enough, also it wasn't always easy to hear what everyone was saying, I don't understand why a microphone wasn't used. I feel we haven't been given enough time to consider and research the proposals, especially since the last consultation was held on the 7th Nov only a few days before the closing date on the 11 Nov. As with other recent consultations the time scale of things all seems very rushed.	<p>A summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. The presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed.</p> <p>Materials were available in other formats if requested.</p> <p>Overall in the county we have gone well beyond any statutory requirements to ensure that the voices of young people, their families, teachers and carers are heard as part of this consultation and the consultation has been legal, fair and thorough.</p> <p>The comments about being able to hear presenters is noted for future consultations.</p>
59	E	I have great concern for the future of children with EHCP's and the provision that they will receive in mainstream school if the budgets are to be cut as suggested. I understand that savings need to be made but to reduce the funding available for our most vulnerable children is shocking.	The local authority will always ensure that the provision set out in a child or young person's EHCP is made, according to its statutory duty. This applied to children and young people in mainstream schools as well as special schools.
60	E	I appreciate the need to claw back funds and that there has been an overspend in some cases. I understand that the directive is from central government. I also agree that changes can be made. Local secondaries do need help to tackle exclusion rates but this work will need funding. However, the cuts should equitable and fair. You have acknowledged that all of these pupils have 'high needs' and that all are vulnerable.	No response required.

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ID	TYPE	Survey comment or question under 'Other suggestions, comments or feedback'	Response
61	E	This is a disgusting way to treat the young people who need the support of everyone. Giving more money to the main stream schools whilst removing life chances from students with SEMH and disabilities makes me ashamed to live in Yorkshire	The proposals are intended to ensure that the budget available is used efficiently and effectively to meet the needs of children and young people with SEND
62	E	Many thanks for your hard work on these proposals, I understand it must be very hard.	No response required
63	E	Let's just see what you're really made of; we know your game, we intend to make others fully aware as well.	No response required
64	E	The quality on depth of this survey is inadequate for the purpose it is trying to achieve. It shows either a lack of thought or ambivalence to the subject matter	<p>The summary document and easy read document were available and were both checked by the Communications team for accessibility. These were also checked by the Legal team. The survey was checked in the same way. Meetings gave the opportunity for proposals to be explained. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. The presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed.</p> <p>Materials were available in other formats if requested.</p> <p>Overall in the county we have gone well beyond any statutory requirements to ensure that the voices of young people, their families, teachers and carers are heard as part of this consultation and the consultation has been legal, fair and thorough.</p>
65	E	As a main stream school, with a high percentage of high needs pupils- we do receive additional funding- however, this in no way pays for the extra provision and also the extra significant workload on both every class teacher and SENCO. I worry that through inclusion, and then underfunding these pupils will become marginalised. Pupils in mainstream education are currently funding pupils with SEN, and in my school it is having an increasingly negative effect, both on the workload of class teachers and also the progress of all the individuals. There is a lack of SEN provision beyond mainstream, far too much paperwork, and too much strain put on school budgets.	The Strategic Plan for SEND Education Provision (www.northyorks.gov.uk/sendplan) sets out how North Yorkshire will develop and improve provision for all children and young people with SEND. This includes strengthening to offer from universal (mainstream) provision, developing a different kind of targeted mainstream provision and increasing places at special schools. It also includes reshaping the high needs budget to support those developments. The proposals being consulted on are part of this work.
66	E	My concern that is once again the LA is rushing through chnages as a panicked response to its on going financial difficulties. The LA has shown poor strategic judgement over the last several years. The new strategic plan seems to be based more on a wish and aprayer than any really though through attempt to address the underlying causes of the dramatic rise in exclusions, mental health problems among young people and the rise in	The Strategic Plan is based on extensive informal and formal consultation and is underpinned by the ISOS reviews. It draws on examples of good practice. The provision to be developed is intended to improve the offer of education provision for all children and young people with SEND across North Yorkshire, and to promote early identification of need and intervention to meet need so that needs are met earlier, more locally, and at less cost overall. It will be subject to regular review to ensure actions are having positive impact.

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ID	TYPE	Survey comment or question under 'Other suggestions, comments or feedback'	Response
		EHCP's. I am really worried that this is a monumental disaster in the making!	
67	E	Stop picking away at SEND funding and give this area of education the money it deserves and the TA'S these pupils depend on	No response required.
68	E	I appreciate that CYPS is massively underfunded in this area but trying to find cuts from the budget for schools to meet high needs doesn't make any sense to me as it would appear that the main drain on funds is finding out of area placements when schools can't meet need. More needs to be done to investigate what schools who do meet need and don't exclude re doing that is different to those who say they can't meet need and do exclude. More money needs to be directed by some means to those schools who are doing the right thing! I know that there is a separate consultation on E2 exceptional but it would appear that my small secondary school of 369 is not considered small and therefore the LA considers it reasonable that the school should contribute first £660k to meet need for a disproportionate number of EHCP and K code students. this can't be right!	Comment not related to proposals – referring to Element 2 or the delegated school's SEN budget. There are no cuts or spending reduction target attached to the change to a banding methodology. School's core funding including guidance around Element 2 and the need for a school to provide the first £6k for pupils with SEN are nationally set.
69	E	I'd be interested to know more about long term plans for moving students requiring specialist provision back into their local areas. Short term increase in costs may lead to significant long term savings. I'd also be interested to know how much effort has been put into engaging the local business community into supporting our efforts. Lots of entrepreneurs are actually very interested in supporting disengaged youngsters, and may not be aware of the woeful state of the High Needs Block- has any kind of sponsorship been sought? Finally, I'd like to re-emphasise that there is a very great risk of excluded youngsters being left without quality provision because of the impossibility of groups of HTs planning for future provision without access to funds, which are currently tied up in PRUs. This whole situation needs to be managed very carefully, and a sudden drop off in funds (say in April 2020) could be very damaging.	<p>The Strategic Plan for SEND Education Provision (www.northyorks.gov.uk/sendplan) sets out how we will develop and improve the offer of education provision for children and young people with SEND across universal (mainstream), targeted and specialist provision. Our aim is to develop local provision so children and young people can attend school as close as possible to their home. An improved offer in North Yorkshire will mean fewer children and young people being educated out of area.</p> <p>National government is responsible for the core funding to meet the needs of children with SEND. Local businesses do support the wider social care needs of young people . Businesses are also involved in helping develop a wider range of alternative provision pathways</p> <p>The proposals to develop local area steering groups with access to funding (part of proposal 2) will give local Headteachers and partners access to funding to commission provision locally.</p>
70	E	This survey does not allow for the submission of sufficiently detailed responses.	The online survey did have text limits, in line with the survey used by the Council for the proposals for the Strategic Plan for SEND Education provision. A paper survey was available which allowed more text to be written.
71	E	My worry is that this may be rushed - is a pilot project in say one area of the county possible?	This comment is noted.

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72	E	More information is needed on how this will be implemented and what time may need to be spent on this. Whilst I agree that pupils should have access to the right funding and provision, I would like to know what will have to be done to secure the funding? What evidence will be needed?	The proposal around changing to a banding system is purely a funding proposal. The implementation plan including detailed descriptors and training will be developed should the proposal be approved to take forward. Across the country, banding systems are widely used and have a robust evidence base and are transparent and equitable. Evidence to secure funding will be based on the content of the EHCP which identifies needs and provision to meet those needs.
73	E	This sector appears to be taking a disproportionate loss of funding when compared to other sectors. This seems unwise due to the importance of the possible loss of much needed services.	The Strategic Plan for SEND Education Provision (www.northyorks.gov.uk/sendplan) sets out how North Yorkshire will develop and improve provision for all children and young people with SEND. This includes strengthening to offer from universal (mainstream) provision, developing a different kind of targeted mainstream provision and increasing places at special schools. It also includes reshaping the high needs budget to support those developments. The proposals being consulted on are part of this work.
74	E	I am disappointed that money is not being increased to support early intervention in the coastal areas. This is where the most support is required. Having worked in schools on the coast for [REDACTED] the trends in difficult behaviour, increased learning needs, demands for alternative provision and upskilling parents in 'parenting' has to be a focus or with the academisation of many schools has the local authority just ignored these trends and are leaving it the Trusts to deal with!?	<p>The Strategic Plan for SEND Education Provision (www.northyorks.gov.uk/sendplan) sets out how we will develop and improve the offer of education provision for children and young people with SEND across universal (mainstream), targeted and specialist provision. Our aim is to develop local provision so children and young people can attend school as close as possible to their home. This includes the coastal areas. Page 37 of the Strategic Plan gives more information about this.</p> <p>The proposals to develop local area steering groups with access to funding (part of proposal 2) will give local Headteachers and partners access to funding to commission provision locally, and this will include the coastal areas (see pages 30 and 31 of the Strategic Plan).</p> <p>Funding has been secured from the OA funding to enhance approaches to inclusion. This includes enhanced training for mainstream schools to embed inclusive practice, intensive support for families in need and the creation of additional AP pathways.</p>
75	E	Why was the option box, on such a key issue as SEND restricted to the amount that could be entered. Leave well alone, why change something that works!!!	The online survey did have text limits, in line with the survey used by the Council for the proposals for the Strategic Plan for SEND Education provision. A paper survey was available which allowed more text to be written.
76	E	It is not acceptable to have character limited boxes on such issues as SEND funding and the provision of services to our most vulnerable disadvantaged young people in the area. I do NOT accept that this is a consultation or that you are interested in the views provided if you will not even allow us to fully put what our issues are with the proposals. I have many many more points to make but am not allowed to do so. The "Staff Consultation Meeting" was not a Consultation, we were shut down at each available point, not allowed to ask questions as you had "run out of time" and clearly lied to about	The purpose of the meetings during the consultation period was for officers to explain in more detail the proposals and allow time equally for questions and discussion on each one. This was only part of the consultation as there was a summary document and easy read document available which were both checked by the Communications team for accessibility. These were also checked by the Legal team. The survey was checked in the same way. The online survey did have text limits, in line with the survey used by the Council for the proposals for the Strategic Plan for SEND Education provision. A paper survey was available which allowed more text to be written.

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		<p>timescales and information that was provided to Headteachers. If ALL the Heads separately say they weren't informed of the size of the cuts but you state they were, I know who I believe. If those high up people responsible for these consultations really cared about the young people of North Yorkshire and their staff, they should consider resigning so services could continue.</p>	<p>In addition the presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed. Materials were available in other formats if requested.</p> <p>All of these elements make up the consultation, not the meetings alone.</p> <p>Overall in the county we have gone well beyond any statutory requirements to ensure that the voices of young people, their families, teachers and carers are heard as part of this consultation and the consultation has been legal, fair and thorough.</p> <p>All responses to the consultation will be considered and a response made to each written comment received. These will be published as part of the papers for consideration by The Executive of the Council who will make the decisions on the proposals.</p>
77	E	<p>We are in very challenging times. I have always believed that high level capacity at the youngest end with the earliest intervention would have a much more positive longer term impact on young people, but this will take time to see fruit from.</p>	<p>The Strategic Plan for SEND Education Provision (www.northyorks.gov.uk/sendplan) aims to ensure there is early identification and intervention for children and young people with SEND. This will reduce the risk of them needing more specialist higher cost provision.</p>
78	E	<p>Education and early support will reduce future need and therefore spend. These children unsupported increase the problem making it more expensive in future years.</p>	<p>The Strategic Plan for SEND Education Provision (www.northyorks.gov.uk/sendplan) aims to ensure there is early identification and intervention for children and young people with SEND. This will reduce the risk of them needing more specialist higher cost provision.</p>
79	E	<p>Impact on other services and schools could be catastrophic</p>	<p>The proposed changes would be part of the overall development of the continuum of education provision for children and young people with SEND which aims to ensure the needs of as many children and young people as possible can be met in North Yorkshire provision.</p>
80	E	<p>The whole consultation process has been a joke and it has been abundantly clear that NYCC have no interest in feedback about the proposed changes to funding. During the meeting for teachers and school staff xxxxxx was patronising, belittling and downright rude and dismissive of any feedback. She was unable or unwilling to answer very basic questions about what the planned provision for the PRS would look like and at times attempted to shout down and intimidate people asking questions. These proposed changes are ill conceived, naive and are fundamentally failing the most deprived and vulnerable children in our society. Without a doubt NYCC will be failing in their statutory duty if these funding proposals go ahead.</p>	<p>The purpose of the meetings during the consultation period was for officers to explain in more detail the proposals and allow time equally for questions and discussion on each one. This was only part of the consultation as there was a summary document and easy read document available which were both checked by the Communications team for accessibility. These were also checked by the Legal team. The survey was checked in the same way.</p> <p>In addition the presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed. Materials were available in other formats if requested.</p> <p>All of these elements make up the consultation, not the meetings alone.</p>

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ID	TYPE	Survey comment or question under 'Other suggestions, comments or feedback'	Response
			<p>Overall in the county we have gone well beyond any statutory requirements to ensure that the voices of young people, their families, teachers and carers are heard as part of this consultation and the consultation has been legal, fair and thorough.</p> <p>All responses to the consultation will be considered and a response made to each written comment received. These will be published as part of the papers for consideration by The Executive of the Council who will make the decisions on the proposals.</p> <p>The local authority will always meet its statutory duty for children and young people, including those who have been permanently excluded and those who have EHCPs.</p>
81	O	<p>I think lots of people have sat round a desk and come up with a way of making something complicated even more complicated. All that will happen is: Less money Less provision Centres closing Looking around to provide new centres—cos you have to help these people Massive increase in social issues in adult life—need for even more officers!!</p>	<p>The Strategic Plan (www.northyorks.gov.uk/sendplan) is based on extensive informal and formal consultation and is underpinned by the ISOS reviews. It draws on examples of good practice. The provision to be developed is intended to improve the offer of education provision for all children and young people with SEND across North Yorkshire, and to promote early identification of need and intervention to meet need so that needs are met earlier, more locally, and at less cost overall. It will be subject to regular review to ensure actions are having positive impact.</p> <p>The plan includes actions in respect of the PRS/AP (pages 26 to 27) and reshaping of the high needs budget (pages 32 and 33) which underpin the proposals being consulted on.</p>
82	O	<p>This is a cost saving measure directed against the most vulnerable children in our education system at time when predictions say that 80% will be in deficit by 2020. Is this proposal really going to help schools or pupils? I think no.</p>	<p>The Strategic Plan for SEND Education Provision (www.northyorks.gov.uk/sendplan) sets out how we will develop and improve the offer of education provision for children and young people with SEND across universal (mainstream), targeted and specialist provision. Our aim is to develop local provision so children and young people can attend school as close as possible to their home. An improved offer in North Yorkshire will mean fewer children and young people being educated out of area.</p> <p>The plan includes actions in respect of the PRS/AP (pages 26 to 27) and reshaping of the high needs budget (pages 32 and 33) which underpin the proposals being consulted on.</p>
83	E	<p>It is unacceptable that the option boxes on such a key issue as SEND funding are restricted to the amount that can be entered. This invalidates the consultation. One is led to believe that this consultation is fait accompli - why call it a consultation why not call it Official NYCC Policy Document</p>	<p>The online survey did have text limits, in line with the survey used by the Council for the proposals for the Strategic Plan for SEND Education provision. A paper survey was available which allowed more text to be written.</p> <p>All responses to the consultation will be considered and a response made to each written comment received. These will be published as part of the papers for consideration by The Executive of the Council who will make the decisions on the proposals.</p>

Appendix 3B

Consultation responses – High Needs Budget Changes – October / November 2018

ID	TYPE	Survey comment or question under 'Other suggestions, comments or feedback'	Response
84	YP	Hard to understand as we don't get involved with the money side of things, I suppose we are the lucky ones but then others need the support too.	No response required.
85	YP	I will get some qualifications - can you put a price on that?	No response required.
86	YP	This survey is a) being discussed with academics about the questioning bias and b) being checked by a freedom of information request to ensure all answers are considered and reported and c) being checked for accessibility for all parents / carers of those whom it will affect.	No response required.
87	YP	Fidget spinner	No response required.
88	YP	More support in mainstream Q6 - easy read Smaller unit that the school runs so they can meet everyones needs without leaving school	<p>The Strategic Plan for SEND Education Provision (www.northyorks.gov.uk/sendplan) sets out how we will develop and improve the offer of education provision for children and young people with SEND across universal (mainstream), targeted and specialist provision. Our aim is to develop local provision so children and young people can attend school as close as possible to their home.</p> <p>The actions in the plan cover improving support in mainstream (pages 24 to 25) and developing targeted provision for small groups of children and young people linked to mainstream schools (page 25).</p>
89	YP	Not young person friendly	<p>A summary document and easy read document were available – both check by the Communications team for accessibility.</p> <p>Meeting during the consultation gave the opportunity for proposals to be explained.</p> <p>Materials were available in other formats if requested.</p> <p>SENCOs in mainstream schools were asked to support children and young people to respond to the consultation.</p> <p>Headteachers of special schools were asked to support children and young people to respond to the consultation.</p> <p>The local authority provided support for young people in PRS/AP to respond to the consultation.</p> <p>The local authority is keen to hear from young people about suggestions for making consultations more accessible to them.</p>
90	YP	This is not young person friendly	A summary document and easy read document were available – both check by the Communications team for accessibility.

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91	YP	Not young person friendly	<p>A summary document and easy read document were available – both check by the Communications team for accessibility.</p> <p>Meeting during the consultation gave the opportunity for proposals to be explained.</p> <p>Materials were available in other formats if requested.</p> <p>SENCOs in mainstream schools were asked to support children and young people to respond to the consultation.</p> <p>Headteachers of special schools were asked to support children and young people to respond to the consultation.</p> <p>The local authority provided support for young people in PRS/AP to respond to the consultation.</p> <p>The local authority is keen to hear from young people about suggestions for making consultations more accessible to them.</p>
92	YP	Sort it out.	No response required.
93	YP	This is not young people friendly	<p>A summary document and easy read document were available – both check by the Communications team for accessibility.</p> <p>Meeting during the consultation gave the opportunity for proposals to be explained.</p> <p>Materials were available in other formats if requested.</p>

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94	YP	The text in this survey is not easy for young people to understand.	<p>A summary document and easy read document were available – both checked by the Communications team for accessibility.</p> <p>Meeting during the consultation gave the opportunity for proposals to be explained.</p> <p>Materials were available in other formats if requested.</p> <p>SENCOs in mainstream schools were asked to support children and young people to respond to the consultation.</p> <p>Headteachers of special schools were asked to support children and young people to respond to the consultation.</p> <p>The local authority provided support for young people in PRS/AP to respond to the consultation.</p> <p>The local authority is keen to hear from young people about suggestions for making consultations more accessible to them.</p>
95	YP	My mum filled this bit in we have had to argue for provision throughout my child's time in education and now as a young adult , it seems we will have to keep on arguing , and justifying their need. However if my young person had been causing problems in the community the resources would be thrown at them to help pull their life around , and get them back on the straight and narrow. Whereas my young person has to be led by the hand down the path of life and sadly will always need support, and you are planning to chip chip chip away at their provision.... I am disgusted .	<p>The Strategic Plan for SEND Education Provision (www.northyorks.gov.uk/sendplan) sets out how we will develop and improve the offer of education provision for children and young people aged 0-25 with SEND across universal (mainstream), targeted and specialist provision. Our aim is to develop local provision so children and young people can attend provision as close as possible to their home.</p> <p>The local authority will always meet its statutory duty for children and young people, including those who have been permanently excluded and those who have EHCPs.</p>
96	YP	you not equal and not take our voice you are not been accessible for us I think you need to talk to ones it affects you never do that and you shud	<p>A summary document and easy read document were available – both checked by the Communications team for accessibility.</p>

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Consultation responses – High Needs Budget Changes – October / November 2018

ID	TYPE	Survey comment or question under 'Other suggestions, comments or feedback'	Response
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97	YP	We need more money to make sure everyone has what they need. Better transport to make sure we can get to activities, clubs etc	North Yorkshire is calling on Government to fund fully the high needs budget.
98	YP	Give me p	No response required
99	Not selected	Just the same as stated under proposal 2	No response required.
100	Not selected	PEOPLE WITH SPECIAL NEEDS GET EXTRA HELP	<p>The Strategic Plan for SEND Education Provision (www.northyorks.gov.uk/sendplan) sets out how we will develop and improve the offer of education provision for children and young people aged 0-25 with SEND across universal (mainstream), targeted and specialist provision. Our aim is to develop local provision so children and young people can attend provision as close as possible to their home.</p> <p>The local authority will always meet its statutory duty for children and young people, including those who have been permanently excluded and those who have EHCPs.</p>
101	Not selected	Need more places to go	No response required.
102	Not selected	I have no idea.	No response required.
103	Not selected	Give them the same education curriculum as at mainstream students' but give them support.	The Strategic Plan for SEND Education Provision (www.northyorks.gov.uk/sendplan) sets out how we will develop and improve the offer of education provision for children and young people aged 0-25 with SEND across universal (mainstream), targeted and specialist provision. The plan aims to ensure that children and young people will get the type of education they need more locally.
104	Not selected	I cant complete the survey as word limit cuts me off how can we have our say if we cant actually say it? Also the proposals are very very unclear	The online survey did have text limits, in line with the survey used by the Council for the proposals for the Strategic Plan for SEND Education

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Consultation responses – High Needs Budget Changes – October / November 2018

ID	TYPE	Survey comment or question under 'Other suggestions, comments or feedback'	Response
		<p>Please go out to consultation on this again to explain and bring HAS and CHC colleagues along to answer very important questions as we expect they have bought into proposal 3 so will have no problem coming to explain how they are going to pick up those extra 2 days..without then we have not been given the information!!!!</p>	<p>provision. A paper survey was available which allowed more text to be written.</p> <p>The summary document and easy read document were available – both checked by the Communications team for accessibility. These were also checked by the Legal team. Meetings gave the opportunity for proposals to be explained. The consultation proposals were reinforced at meetings to ensure the focus of the consultation was clear. As we were aware that not all parents and carers would be able to attend a consultation meeting the presentation used at meetings was available on the consultation website. A series of frequently asked questions were added to the website as the consultation progressed.</p> <p>Materials were available in other formats if requested</p> <p>Proposal 3 was a funding proposal regarding the principle that education would fund 3 days / 16 hours per week in post 16 as per national guidance. Where young people have an agreed 5 day package, that package won't change – only the source of funding for 2/5 of it will change. Going forward, if this proposal is approved, we hope that 5 day packages would be jointly agreed and developed between Education and Social Care to ensure a holistic plan with clear progression into adult life beyond education identified.</p>

2. The following feedback was by email or letter during and outside of the consultation period - please note these have been redacted to ensure they are anonymised but content has not been altered.

ID	Other written feedback, from emails and letters	Response
104	<p>This is to inform you that I have received this letter about 'consultation' about budget changes (dated a week ago) but I know of parents of SEND children who have not. I noticed Bristol City council also failed to consult properly on this matter recently and were told cuts should perhaps not be made at all.</p>	<p>Information about the consultation was sent out to all schools and the PRS/AP before it started, with a request to promote it to parents/carers and young people. The website page was live before the consultation began to give advance notice and was updated with details of events and consultation papers on the first day of the consultation. Shortly after the start of the consultation the above was reinforced through letters to parents/carers and young people. There were regular social media updates throughout the consultation.</p> <p>As we were aware that not all parents and carers would be able to attend a consultation meeting the presentation used at meetings was available on the</p>

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Consultation responses – High Needs Budget Changes – October / November 2018

ID	Other written feedback, from emails and letters	Response
	<p>What support is in place/will be in place for families that already get basic minimum if education provide because of health /medical needs?</p> <p>What are the expected/accepted hours of education pupils who cannot get to school because of health/medical conditions should/will receive and from where?</p> <p>What about the many children declined EHCP or even refused assessment for one how are there needs accessed and provided for?</p>	<p>We will make sure that children and young people get the education they are entitled to, taking into account their medical needs. This will be monitored by the lead officer through the 'virtual school'.</p> <p>If a pupil cannot attend school because of medical reasons as confirmed by the appropriate medical professional, then they are entitled to up to full time education, depending on their medical needs and how much they can manage. Advice will be taken from the medical professional as to how much the pupil can access. However we would expect children who are able to access full time education to be back in school or equivalent within the very near future.</p> <p>The methods we use to decide appropriate home tuition and longer term education for young people with medical needs will be subject to further consultation.</p> <p>If a pupil has medical needs and cannot attend school then the Local Authority will make arrangements for education. They do not require an EHCP for this.</p>
106	<p>1. PRs Budget in 2010 was Approx £870,000 for 16 commissioned placements, the plan for 2019 is for approximately 13 placements and 3 medical placements (13x17k + 3 x10K) at a budget of £251 (73% cut in budget from initial commission) from 2018 £500k to 2019 £238k is a cut of 52%. However, the PRS are being asked to complete this work with the same pupil numbers including higher need ECHP students. How is the LA going to maintain that the PRS will remain a safe environment for students and staff on this reduced budget?</p> <p>For 2019-2020 - How will the local steering group meet and support pupils as they will not have any money, the £75k is being used as transitional funding for the PRS in Craven. This begs the question as to what the steering groups are actually able to fulfil within the academic year.</p> <p>From 2020 - 2021 there will be no £75k (transitional funding) and no Medical funding there the total PRS predicted budget for 13 @ £17k student would actually be £221k!!!! What provision does the LA that provides a better quality service and better outcomes could be provided for this money?</p>	<p>The funding proposed within this proposal is in line with how places are funded nationally and is fair and equitable in line with how other provisions, such as special schools, are funded from the High Needs Budget.</p> <p>The LA will work with all current PRS to develop a model of AP that meets the needs of each locality that is fit for purpose and financially sustainable.</p> <p>The local steering groups will be established in 2019 and will have a much broader role than determining the spend of delegated funds. This will include the monitoring of performance, identifying local priorities, developing plans that address local priorities and reviewing and establishing local protocols to assist this work. This work is not all dependent upon the delegation of funding.</p>

ID	Other written feedback, from emails and letters	Response		
	<div data-bbox="277 204 1144 300" style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">HOW MUCH DO YOU PAY FOR A PLACE IN THE PUPIL REFERRAL UNIT</td> <td style="width: 50%; padding: 2px;">HOW MUCH MONEY DO YOU RECHARGE SCHOOLS WHEN THEY PERMANENTLY EXCLUDE?</td> </tr> </table> </div> <p data-bbox="208 316 1245 496">2. Funding benchmarking data – questions are vague 'how much do you pay for a place at the PRU?' There are no questions about size of the PRU's. Most of our research suggests that the majority of PRU's in LA's are 50+ places per PRU. Completely different economies of scale! As an example even though Cumbrian PRU's get fixed PRU funding they also get £110,000 Lump Sum. This information is freely available on the internet. Cumbrian PRUs also have 50+ pupils.</p> <p data-bbox="255 539 1200 600">The widening of the alternative provision offer means there are more options available to schools looking for a different type of provision to meet young people's needs.</p> <p data-bbox="208 643 1223 762">3. Consultation says plenty/wider AP choice in area – there is no other AP provision in Craven area/there is one AP in Selby, how will the choice be widened with no funds to do so? This question was asked and a lack of clarity in the consultation, something about charities!</p> <p data-bbox="208 802 1245 922">4. What are the LA timescales for this being put in place? The timescales are very short especially when you take in consideration the 'highly likely' scenario of having to move premises. Is there any money for relocation? Who will receive the money for sale of the current premises?</p> <p data-bbox="215 962 1104 1134">The changes to provision for pupils with medical needs will give greater flexibility to the provision of home tuition, and therefore more opportunity for pupils to engage with and benefit from this provision. Pupils will be encouraged to return to school as soon as possible and be supported to do this. The introduction of a 'virtual school' for pupils with medical needs will ensure pupils are monitored and reviewed regularly and that they are achieving appropriate outcomes. Care will be taken to ensure that changes to provision for pupils with medical needs are carefully planned and implemented so that the needs of these pupils are met and the LA delivers its statutory duty.</p> <p data-bbox="208 1169 1223 1382">5. Consultation talks about the introduction of virtual schools for medical pupils – but how is that going to help them get back into schools? Has the LA got data on the number of medical pupils that have gone directly from Home Tuition back to MS school? There is a severe lack of understanding of the 'needs' of these students. Where is the money coming from for paying for the 'virtual medical service?' Is taken into account. We have had larger group of medical pupils with one teacher. This won't be able to be completed under the current plan and is actually more cost effective. Is</p>	HOW MUCH DO YOU PAY FOR A PLACE IN THE PUPIL REFERRAL UNIT	HOW MUCH MONEY DO YOU RECHARGE SCHOOLS WHEN THEY PERMANENTLY EXCLUDE?	<p data-bbox="1272 180 2163 371">The benchmarking is one aspect that was considered in establish a fair and equitable place cost. Other sources used were national research carried out by the DfE and our own local funding arrangements with special schools. High Needs Budget funding must provide provision for a vast range of needs and provisions. It is our view that funding should be fair and equitable to ensure all needs are met. Current AP funding in North Yorkshire is disproportionately high compared to our specialist schools.</p> <p data-bbox="1272 531 2134 584">The LA will work with all current PRS to develop a model, or models, of AP that meets the needs of each locality that is fit for purpose and financially sustainable.</p> <p data-bbox="1272 611 2145 746">Although it is not NYCC's intention to directly commission AP from independent providers we understand and recognise that schools do. We will work with these providers to ensure they are safe and comply with legal requirements and where appropriate assist them in developing their offer if it meets identified local needs to widen the choice for schools.</p> <p data-bbox="1272 802 2134 855">The consultation documentation is clear that the proposal is to implement in April 2019 subject to due consideration of the feedback.</p> <p data-bbox="1272 882 1865 906">The sale of premises is not relevant to this consultation.</p> <p data-bbox="1272 962 2145 1066">The consultation is with regard to the funding arrangements for those at risk of, or who have been, permanently excluded from school. This exert is from the Equality Impact Assessment which identifies any groups that might be affected by the changes and any mitigating actions to be taken.</p> <p data-bbox="1272 1098 2157 1209">A new model of medical provision will be subject to a further consultation in 2019. The reference to Virtual School does not mean virtual learning. A virtual school is a model adopted to ensure central oversight of all children and young people to ensure they are accessing the support they need in whatever setting is appropriate.</p>
HOW MUCH DO YOU PAY FOR A PLACE IN THE PUPIL REFERRAL UNIT	HOW MUCH MONEY DO YOU RECHARGE SCHOOLS WHEN THEY PERMANENTLY EXCLUDE?			

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ID	Other written feedback, from emails and letters	Response																		
	<p>the plan to use supply teachers to undertake this or have a team of staff centrally? How are the economies of scale going to be able to manage this and where is the evidence that has formed the SEND Plan?</p> <p>With regard to customers it is anticipated that any impact arising from changes to current provision will be mitigated by achieving better outcomes for individual young people with SEND and by having a better range of educational provision. The introduction of targeted mainstream provision across the county will increase provision for pupils with SEMH needs, and it is anticipated that this will provide support earlier for the pupils, reduce exclusions and ensure pupils are maintained in mainstream provision.</p> <p>6. How can the LA say young people will get better outcomes? With the huge reductions in staffing and specialist teachers within the PRS's how does the LA anticipate this to be the case. With fewer teaching and support staff the curriculum will be reduced and not be 'broad and balanced'. Exactly how will there be a 'better range of educational provision'?</p>	<p>The strategic plan sets out a number of developments of provision of which AP is only one aspect. We will establish additionally resourced provision for young people with SEMH and Communication and Interaction needs, develop local hubs of specialist teams to provide an improved therapeutic offer into mainstream schools and expand special school capacity across the county. These developments will ensure more provision is available that meets needs and improves outcomes.</p>																		
	<table border="1" data-bbox="353 689 1106 1337"> <thead> <tr> <th></th> <th>Phase 1</th> <th>>> Phase 2</th> </tr> </thead> <tbody> <tr> <td>Targeted mainstream provision</td> <td> During phase 1 and phase 2 we plan to establish: 1 primary nurture provision (SEMH-I) 1 secondary nurture provision (SEMH-I) 1 primary C & I provision 1 secondary autism provision </td> <td></td> </tr> <tr> <td>Alternative provision</td> <td> We will commission from the PRS provision for: <ul style="list-style-type: none"> • Pupils who have been permanently excluded from secondary schools. We expect this number to reduce as the new model is implemented. • Flexible and preventative approaches for pupils who may need some additional support. </td> <td></td> </tr> <tr> <td>Specialist provision</td> <td> We will commission additional places from Brooklands special school. We will commission places for KS4 pupils with EHCPs from the PRS provision. </td> <td></td> </tr> <tr> <td>Governance, accountability and decision making</td> <td> We will establish a: <ul style="list-style-type: none"> • Local area inclusion steering group. • Local area inclusion panel. </td> <td></td> </tr> <tr> <td>Support</td> <td>We will establish a multi-disciplinary locality team</td> <td></td> </tr> </tbody> </table>		Phase 1	>> Phase 2	Targeted mainstream provision	During phase 1 and phase 2 we plan to establish: 1 primary nurture provision (SEMH-I) 1 secondary nurture provision (SEMH-I) 1 primary C & I provision 1 secondary autism provision		Alternative provision	We will commission from the PRS provision for: <ul style="list-style-type: none"> • Pupils who have been permanently excluded from secondary schools. We expect this number to reduce as the new model is implemented. • Flexible and preventative approaches for pupils who may need some additional support. 		Specialist provision	We will commission additional places from Brooklands special school. We will commission places for KS4 pupils with EHCPs from the PRS provision.		Governance, accountability and decision making	We will establish a: <ul style="list-style-type: none"> • Local area inclusion steering group. • Local area inclusion panel. 		Support	We will establish a multi-disciplinary locality team		<p>Young people accessing an EHCP place at a PRS is at the discretion of the LA and Head Teacher of the provision via individual consultation. Since the introduction of these places some PRS have been consulted on an individual basis and have offered places to those in late KS3, hence the reference. The reference to whether these young people are KS 3 or 4 does not require a consultation process.</p> <p>The future models developed will determine the ability of those provisions to take young people with EHCP's and will influence decisions taken to increase capacity of special schools and other provisions.</p>
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	<p>7. PRS's have all been advised that the EHCP's they will be requested to consult on will be KS4 (as seen above) yet the EIA documents all refer to late KS3 and KS4 EHCP's. When and under what consultation did this change occur from the SEND plan 2018-2023?</p> <p>There will be a specified number of places commissioned at each PRS/AP. These will be flexible preventative places for pupils who have been permanently excluded (secondary pupils). There will also be places at PRS only for pupils with EHCPs (late KS3/KS4)</p> <p>If under forecast budget constraints Craven PRS has to change to a ROOSE model, how will the LA fulfil the ECHP plan. The ROOSE model has student on a MS school role. The PRS in Craven would not be an OFSTED registered school.</p>	
	<p>8. The plane states that the LA expects PX to be reduced? Based on what evidence? Has the LA completed any investigations with the local steering group to see how they would spend the 75k in Craven?</p>	<p>Within North Yorkshire there are differing models of provision and some reflect many if not all of the characteristics of good AP as defined by the DfE. These models are influenced and managed by local school leaders and respond to needs prior to exclusion. In these localities exclusions are kept low and have been for some time. The local steering groups will have senior representation from the LA and spending will be agreed in partnership.</p>
	<p>9. The LA have already been advised it would be difficult to provide a long term curriculum for KS3 pupils at the current time. With the proposed budget & staffing cuts how do they expect PRS's to provide this as it is a regular occurrence.</p>	<p>The strategic plan sets out a number of developments of provision of which AP is only one aspect. We will establish additionally resourced provision for young people with SEMH and Communication and Interaction needs, develop local hubs of specialist teams to provide an improved therapeutic offer into mainstream schools and expand special school capacity across the county. These developments will ensure more provision is available that meets needs, improves outcomes and ensure young people do not remain in PRS long term unless that is appropriate.</p>
	<p>10. Does the LA think it is a positive step for KS3 pupils to be taught with KS4. Under the proposals it is difficult to see how this won't happen.</p>	<p>The LA's view is that curriculums should meet the needs of individuals.</p>
	<p>11. At the PRS we deal with some of the most vulnerable pupils in NY and all services trying to help them are being taken away or reduced – PRS, Prevention Service etc surely this is failing them not helping them?</p>	<p>The strategic plan sets out the actions being taken to meet the needs of all young people with SEND. This will ensure that suitable provision is available and will work in partnership with all services to ensure holistic needs are met</p>
	<p>12. You refer to ISOS working with the PRS's to remodel the service yet this work didn't start until after the Consultation began – Consultation started 5th October – First ISOS workshop 17th October. (Headteachers of PRS not advised of the proposals until 2nd day of 2018/2019 term) How are you able to move to a Consultation stage when no preparatory work appears to have been done?</p>	<p>The consultation is to seek views on the proposal. Work has been and is ongoing in parallel with regards to future models. Discussions with Head Teachers of PRS have been ongoing since March 2018 of the need for more efficient models of AP.</p> <p>This consultation is specifically about the funding model for AP.</p>

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ID	Other written feedback, from emails and letters	Response
	<p>13. LA keep saying PRS HT's were aware of the new funding proposals but ALL the HT's have stated they were asked for comments and ideas based on 5,10,15 & 20% cuts in funding which is what staff were all then advised to be prepared for. Why is the LA misleading people in the consultation?</p>	<p>The consultation is clear that there is a £1.3-£1.5m reduction in spend on this aspect of High Needs Budget. This equates to a total spend reduction of 28%. This has been communicated through public meetings and documentation that sets out how the remaining money will be disseminated. The LA has at no point failed to disclose this information.</p>
	<p>14. The "Discretionary" Funding for Craven PRS last year was £268k – the proposed funding model says that the local steering group will receive approx. £75K. a) Slight variation in amounts b) How is a mere £75K going to help mainstream schools keep pupils and not perm ex, deal with SEMH pupils – bearing in mind this money will now cover both primary and secondary schools?</p>	<p>The local area money has been proposed using a needs based formula that takes into account the school population as well and levels of SEND and deprivation measures to ensure that each area is provided with a fair proportion of the available resource.</p>
107	<p>To all involved in the SEND Budget Consultation,</p> <p>My name [REDACTED] and I am one of the Officers at the North Yorkshire branch of Unison.</p> <p>I am contacting you to provide feedback for this consultation following seeking the views of our members. I was not able to put this in the desired format on the online form so I am contacting you by e mail.</p> <p>I would like to outline the following questions and concerns that have been fed back during this consultation and we would be grateful if they could be taken into consideration.</p> <p>The main concerns are in relation to the second proposal which is focussed on the Pupil Referral Services (PRS) and in particular the impact on staff working in the Pupil Referral Units (PRU).</p>	<p>Please see responses to individual questions below:</p>
	<p>1. There are concerns regarding the consultation being meaningful and there being adequate opportunity for staff to express their views and ask questions within the consultation meetings. In light of the potential impact of these changes it is felt more time is needed to adequately consult with all parties affected.</p> <p>There have been concerns raised regarding meaningful consultation aimed at pupils and parents. There has also concern that staff in the PRU's had not been visited by anyone from NYCC responsible for decision making. This is a particular concern in areas that may be facing specific pressures where there is a distinct lack of alternative provision. It is felt that staff would have benefitted from being able to demonstrate the work they are doing and the unique pressures in their area as part of this consultation.</p>	<ul style="list-style-type: none"> • The local authority is of the view that the consultation has been thorough and meaningful for each of the 3 proposals. Consultation included 5 meetings for parents/carers and 3 for professionals, an on line and paper survey and access to versions in alternative formats. • All parents/carers with children who had an EHC Plan were written to directly together with parents/carers of young people who were on the roll of the Pupil Referral Services. • Local authority staff also met with groups of young people within the PRS and the Flying High group of 16-25 year olds. Special school head teachers also facilitated feedback on proposals from young people in their schools. • Schools were asked via the 'Red Bag' to make parents/carers aware of the 3 proposals for consultation.

Appendix 3B

Consultation responses – High Needs Budget Changes – October / November 2018

ID	Other written feedback, from emails and letters	Response
		<ul style="list-style-type: none"> • The Communications team has raised awareness of the consultation on an ongoing basis throughout the consultation period • A series of frequently asked questions have been made available on the web site throughout the consultation period in response to themes that have arisen. • There has been strong representation at the professional meetings by PRS staff and staff have also raised questions at Full Council and Overview and Scrutiny and whilst these have been out of the consultation period, responses are being included in the analysis. We are of the view that the consultation has been thorough and that we have provided a range of opportunities for feedback on the consultations. • The local authority meets with PRS Head Teachers on a regular basis and all were involved in the development of the Strategic Plan for SEND provision, which articulated plans for the future of Alternative Provision. Working groups were established from June 2017 with regards to SEMH provision. PRS Head teachers were made aware of significant pressure on the High Needs Block budget in March 2018 and in July 2018 they were informed that there was a need for transformational change into the future to ensure value for money. • We acknowledge the quality of the PRS/AP provision but we are of the view that we need to reduce exclusions by establishing a model of alternative provision that can be used flexibly by schools to meet the needs of children who are starting to disengage from the mainstream environment. Schools have clearly stated that they want to increase the range and responsiveness of AP in their area.
	<p>2. There is a lack of a clear timescale to enable staff to see how these changes will be managed; this has led to significant anxiety among staff as some of these changes will take effect September 2019. Staff will need a clear plan with detailed costs. This is also in light of all PRS receiving good or outstanding Ofsted results; this is raising concern that the standard offered will not be able to continue.</p>	<ul style="list-style-type: none"> • The initial proposals suggest that the budgetary changes will take effect from April 2019 but that transitional funding will be provided to PRS/AP provisions for the financial year 2019/20. There has been a lot of feedback regarding the timescales of finalisation and implementation of the new model and we have reflected this in the final recommendations to Executive.
	<p>3. There is concern regarding the current situation, as we know more pupils are facing permanent exclusion. How will the local authority be able to adequately respond to this need by limiting resources? There is also an unanswered question of what will happen to young people once all the available places are full?</p>	<ul style="list-style-type: none"> • We are concerned by the increase in permanent exclusions as we know that this has a detrimental impact on future outcomes for young people. We are also aware that schools do not take the decision lightly and try not to resort to permanent exclusion in the majority of cases. • We want to work with schools and PRS/APs to be able to establish a range of high quality alternative provision that schools can use flexibly and at an early stage when a young person is disengaging with mainstream school. We will still provide educational provision for young people that have been subject to a permanent exclusion

Appendix 3B

Consultation responses – High Needs Budget Changes – October / November 2018

ID	Other written feedback, from emails and letters	Response
		<ul style="list-style-type: none"> We also want to ensure that young people who have been excluded can transition into a new school when appropriate We are keen to agree a collaborative arrangement with schools to fund alternative provision so that we maximise the money we collectively have
	4. What will the expected curriculum be? With the proposed limitations on non-statutory provision will this limit what pupils can be offered? As we know many young people struggle to engage with core subjects and benefit greatly from access to a wide range of learning opportunities.	<ul style="list-style-type: none"> As we develop the new models in localities we will agree the range of curriculum areas, accreditation routes and wider learning opportunities. We want to ensure that young people can achieve academically and are well prepared for next steps as they move into post 16
	5. What will flexible provision mean? Also who will be responsible for this? There are concerns regarding schools having greater decision making powers as they are arguably responsible for excluding the pupils. Where there are limited resources this could then lead to conflict arising between schools.	<ul style="list-style-type: none"> We want to establish a model that enables schools to access a range of AP that they can use to personalise a learning programme for a young person. This may mean that they place a young person in AP for a number of sessions throughout the academic year to follow specific courses, it may mean that the young person accesses specific interventions. We have been told that schools are not able to access a range of AP because all money is invested in the infrastructure of PRS and is affected by the limitations of PRS buildings. Schools are responsible for overseeing educational provision and progress of their students. They are telling us that they cannot access preventative AP under the current model and sometimes this means that they resort to permanent exclusion The performance of localities in terms of exclusion, part timetables, value for money of commissioned provision will be overseen by the Locality Based Steering Groups that will be set up from the Spring 2019. Details can be found in the Strategic Plan for SEND Provision (page 30)
	6. There are proposals to change the name of the PRU's, what does this mean and does this indicate a change in school status?	<ul style="list-style-type: none"> Yes we do want to change the name of the PRS so they are recognised as Alternative Education Providers rather than the historic interpretation that they are providers for permanently excluded young people
	7. Why is there a proposed amount of funding 10k per child (plus top up of up to 17k)? There is a disparity between this and funding for pupils with medical needs.	<ul style="list-style-type: none"> The funding proposed per full time place in a PRS is £17K We are proposing to fund young people with medical needs at a rate of £10K per full time place which is equivalent to school funding of AWPU and notional SEN budget allocation
	What is the 3m investment mentioned in inclusion panels and what will this look like moving forward?	We are unclear what this is referring to. Under our proposals we will still be investing over £3m across the county to support statutory and preventative provision. The £3m does include approximately a total of £770K that will be deployed to the 5 Local Steering Groups across the county. The partnerships will agree how this money is used to address priorities for Inclusion, which may include supporting more AP.
108	As suggested by you on Twitter, here are some further comments for inclusion please!	Please see responses to individual questions below:
	1. Cut off to word limit is denying us a proper voice – we know we can also email but many people will not necessarily know to do that or feel they can.	<ul style="list-style-type: none"> Respondents who wished to say more than the word count allowed were able to complete a paper copy, or as you say, could have fed back to us by letter, email if they wished

Appendix 3B

Consultation responses – High Needs Budget Changes – October / November 2018

ID	Other written feedback, from emails and letters	Response
	<p>2. There were no accessible consultations for our young people – this is always a difficult issue, but the very way it was all worded for those able to read the main details was enough to cause upset. One young person in an out of county placement, well aware of the painful route to get there, was thrown into panic when attempting to discuss the consultation as he now feels his placement should/will be taken away from him.</p>	<ul style="list-style-type: none"> • We asked adults who knew the young people to help discuss the proposals and gain their views e.g. special schools, local authority officers and parents/carers • There is no intention in the proposals to disrupt the education of a young person in an out of county specialist placement
	<p>3. The 'easy read' did not give any indication whatsoever of the difficulties that might arise from the proposals so does not present a balanced picture for consideration. It failed to provide equally accessible supporting documentation as those links it refers to do for the parents, e.g. the banding descriptors and council papers. It also failed to tell them what the law says – which is a must for any accessible consultation.</p>	<ul style="list-style-type: none"> • The easy read version provides a less wordy version of the full document but people can still access the more detailed information if they wish. All papers associated with the proposals have been available to the public. • The public meetings were arranged so that people could meet with local authority staff to discuss the proposals rather than just rely on written information. • A video with talk over was also placed on the web site to help explain the details of the proposals
	<p>4. The proposed cuts to the PRS are devastating, and quite rightly being challenged – however the emphasis on risk of exclusion is overshadowing the other areas of PRS work where they are used to support young people with SEND who are out of school (far too many for far too long), and for medical tuition. Those with SEND who are not considered 'medical' disappear totally in those gaps.</p>	<ul style="list-style-type: none"> • Under the proposal we still intend to fund places for students with medical needs together with outreach provision. • PRS should be able to meet the needs of young people at SEN Support level. PRS are responsible for requesting statutory assessment of young people who may require an Education, Health and Care Plan. • We also commission additional places in some PRS for children with EHC Plans
	<p>5. The cuts to 3 days education – this is already seriously affecting 16-18 year olds who are not being accepted by DCS and therefore left with two blank days. The 3 day week access to education is not lawful and is discriminatory. Mainstream students at college are able to still go into college on non-timetabled days and sessions to access facilities, the library and some learning support - the very things that our disabled students in mainstream NEED. It's a matter of Equality. The two remaining days should be for things such as Life Skills, Social Skills, PSICHE, SRE, Employability Skills, SALT - all that needs specific adapted teaching, and embedding in daily life and age appropriate activities. Anything that Educates or Trains is clearly for Section F and should be education provision. We ask that the consultation is clearer on this stance and confirm that they have no intention of not meeting this statutory requirement in education provision.</p>	<ul style="list-style-type: none"> • The local authority has a duty to provide 600 hours of education for post 16 young people. • Young people with SEND who have been assessed as requiring a 5 day provision will receive this offer but it will be funded jointly by Health and Adult Services and Education. Education will be paid for from the High Needs Block and the other two days will be funded by HAS. • We intend to fulfil our duty to ensure assessed needs are met appropriately for young people with EHCPs up to the age of 25 years
	<p>6. For post-19, there has been no indication that HAS is on board with the extra support they will be expected to pick up – is this a joint plan? We have not been provided with enough information to comment adequately. Also we are well aware that HAS is undergoing a transport consultation at the moment and also needing to cut costs. The same concerns as for point 5 apply here, regardless of age – even up to age 25 if there is an EHCP.</p>	<ul style="list-style-type: none"> • Discussions have already been held with HAS in terms of the proposals at senior level. • The transport consultation is separate to these proposals. Health and Adult Services have the same duty to meet assessed needs of adults.

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ID	Other written feedback, from emails and letters	Response
	<p>7. It does not seem sensible to lose control of this money when the council has already delegated a lot of SEN money to schools, when it isn't ring fenced for alternative provision and when previous decisions to delegate more money to schools e.g. element 3 outside of EHCPs and EMS hasn't led to the promised reduction in exclusions but in fact an increase. Finally, it is upsetting that this is causing so much division and setting the public against the LA, I imagine making many people's jobs uncomfortable – it is our wish, and that of many we talk to, that we could truly work together and take this debate to government – the only place it can effectively be resolved as we are all very clear the Children and Families Act extended obligations without providing anything like the appropriate funding.</p> <p>Apologies we missed a section at the start of point 7 - please insert: We are concerned parents will be referred to schools and this local partnership for alternative provision and not told about the councils legal duty. We are also concerned the existence of this statutory duty hasn't been made clear to members voting on the proposals. The consultation reads as though the only duty is for pupils with ehcps when in fact the duty to educate applies to all children under s19 Education Act.</p>	<ul style="list-style-type: none"> Schools receive a notional SEN budget as part of their overall budget. This money is not ring fenced but schools use this money to provide support for children with SEND in their schools. Under this proposal the local authority will retain overall responsibility for the money as it is from the High Needs Block budget. We invest over £4.7 million into PRS/AP provision across the county which has not resulted in a reduction in exclusions and therefore we want to agree other ways to invest some of this money to provide greater flexibility as to how this money is used to improve inclusion. We want to work with secondary schools and the PRS over the transition period if the proposal is approved to shape the model for AP into the future. We are strongly of the belief that permanent exclusions should be kept to a minimum as we know young people generally do not do as well as if they remain at their mainstream school with appropriate support. We want to ensure that AP can be used at an early stage by schools to help personalise a young person's learning programme so it meets the needs of the young person and can be overseen by the school. Elected members will be reminded of the legal duties of the local authority before a decisions is taken. This will be emphasised in the final Executive report
109	<p>Suggestion - Proposed cuts to Special Needs Education Budget I suggest that this proposals completely ignores the public's passionate support for this use of their taxpayers' funds. I doubt if any household in untouched by some direct knowledge of the needs of children with impairments and their parents. Apart from providing the usual public goods - street lighting etc - UK society has shown a lasting and permanent commitment to supporting those with additional needs as a priority - and no more so than children for whom expert and ambitious support in the formative years can bring about lasting benefits for the ecomic and social wellbeing that will last a lifetime. We are a rich country and as such are in the position to fund this spending at the current level if the political will is there. I suggest that politicians are completely out of touch with the reality of the electorate's priorities if they think this is an acceptable proposal. Please reject this proposal and demonstrate that we are decent, fair and inclusive society that we can well afford to be.</p>	<ul style="list-style-type: none"> We currently invest over £4.7 million to support children at risk of or who have been excluded from school and those with medical needs. However if the current trends continue to increase this will require further funding from the public purse. We also know that young people who have been permanently excluded cost the tax payer, on average, an additional £370K due to their need for support from support services into the future. In 2017/18 exclusions in NY would have cost an additional £39 million to society. We want young people to have the life chances they deserve and not be limited by the impact of permanent exclusion. The strategic plan for SEND developed by the local authority clearly explains the range of work we are undertaking to make sure that children and young people with additional needs have their needs met and receive the support they require. We are a Children's Service judged as outstanding by Ofsted and are committed to maximising outcomes for our children and delivering high quality and cost effective services.

3. The following information was requested to be included as public questions or statements to the Meeting of the County Council held at County Hall, Northallerton on 14 November 2018. The following information is an extract from the draft minutes from the meeting - this will remain draft until minutes have been approved at the Council meeting on 20th February 2019.

ID	Public questions or statements to the Meeting of the County Council held at County Hall, Northallerton on 14 November 2018	
	Question or Statement	Response
110	<p><u>Public Question 1</u></p> <p>Hello, my name is Alex Boyce and I am one of the organisers of the 'Save the Pupil Referral Service' Campaign. As you are aware, in an attempt to recoup the debt in the High Needs Budget, the council are proposing cuts of at least 50% across the 7 pupil referral units in North Yorkshire. This means they would either close completely or run with dangerously low staff numbers. I would like to give you a summary of some key documents surrounding the issue of exclusion as local people are confounded by the council's proposal:</p> <p><u>Extracts from Key Documents</u></p> <p>Exclusions are increasing</p> <p>The numbers of exclusions continues to increase. North Yorkshire's increase in exclusions is above both regional and national figures. Between the 2015/16 and 2016/17 academic years there was and [sic] increase in all fixed-term exclusions of 42%.¹</p> <p>Nationally, there has been a "40% increase over the past three years"²</p>	<p>This information has been extracted from the DRAFT Minutes of the Meeting of the County Council held at County Hall, Northallerton on 14 November 2018. This remains draft until minutes have been approved at the Council meeting on 20 February 2019.</p> <p>In response to question Alex Boyce's questions, County Councillor Patrick Mulligan said:</p> <p>1) North Yorkshire is experiencing an increase in fixed and permanent exclusion despite an investment of £4.6 million per year from the Local Authority.</p> <p>Young people who have been permanently excluded from school perform less well than their peers in mainstream in terms of academic achievement, life chances, and have an increased dependency on public services – on average costing an additional £370,000 per person.</p> <p>North Yorkshire County Council wishes to invest in the reduction in the need for permanent exclusion across the county by:</p> <ul style="list-style-type: none"> • Encouraging the development of different approaches to alternative provision allowing schools to use it more flexibly to support young people disengaging from mainstream curriculum • Building capacity in schools for inclusion

¹ NYCC Strategic Plan for SEND Education Provision 0-25 at <https://www.northyorks.gov.uk/send-specialist-support-and-inclusion>

² House of Commons Education Committee Report "Forgotten children: alternative provision and the scandal of ever increasing exclusions" at <https://publications.parliament.uk/pa/cm201719/cmselect/cmeduc/342/342.pdf>

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<p>Mainstream schools cannot cater for some pupils and are excluding and off-rolling Children in care, children in need, children with special educational needs and disabilities (SEND) and children in poverty are all more likely to be excluded than their peers.²</p> <p>An unfortunate and unintended consequence of the Government's strong focus on school standards has led to school environments and practices that have resulted in disadvantaged children being disproportionately excluded, which includes a curriculum with a lack of focus on developing pupils' social and economic capital.²</p> <p>The rise in so called 'zero-tolerance' behaviour policies is creating school environments where pupils are punished and ultimately excluded for incidents that could and should be managed within the mainstream school environment²</p> <p>But... North Yorkshire CC plans to stop schools excluding and to force schools to take responsibility for previously-excluded children there should be little, if any, need for a young person to be permanently excluded from school.¹ Schools will not refuse to admit a pupil who has been denied a place at that school at appeal, if the protocol identifies that school as the one to admit the child.³</p> <p>If a Fair Access Panel does not make an offer of a school place, the Local Authority will identify a school/academy to admit the young person³ Where a Fair Access Panel judges that a child is not yet ready for mainstream provision, based on the information provided, they will allocate a school roll and will consider which provisions are appropriate. The school is responsible for securing appropriate full-time educational provision.³</p> <p>North Yorkshire doesn't have a plan for Alternative Provision – it just expects them to appear and operate. <i>We will:</i></p> <ul style="list-style-type: none"> • <i>Revise the local alternative provision directory for schools</i> • <i>Establish a provider forum chaired by the local authority to provide advice and guidance to alternative providers operating in North Yorkshire and surrounding area</i> 	<ul style="list-style-type: none"> • Providing more opportunities for school leaders and the Local Authority to work collaboratively to shape provision. <p>2) There is currently a directory of alternative provision which is updated annually.</p> <p>3) We acknowledge the quality of provision across PRS/APs. This proposal is about taking steps to reducing the use of exclusion across NY. The Local Authority conducts safeguarding checks of alternative provision. Schools are responsible for quality assurance and monitoring of placements in AP for individual young people.</p> <p>4) As per the answer to question 3.</p> <p>5) The costs of places for a permanently excluded child are currently £19,000 per annum. Under the proposal this will be reduced to £17,000 per annum which is in line with national average (between £17,000 - 18,000) and feedback from a number of Local Authorities nationally. The costs for other Alternative Providers range from £6,000 in Further Education to £20,500 in a special school and £30K for Alternative Provision academies.</p> <p>6) Schools are telling us that the range and capacity of Alternative Provision needs to be increased across North Yorkshire. Responsibility for monitoring quality, value for money will remain with the Local Authority and schools and overseen by the Locality Partnerships.</p> <p>7) There are a number of reports that underpin the review of AP including:</p> <ul style="list-style-type: none"> • ISOS locality reviews 2016 • Strategic Plan for SEND 2018-2023 • October 2018 ISOS workshops on PRS/AP provision – currently in draft form with LA. <p>Alex Boyce then asked a supplementary question regarding home tuition for children and young people who are unable to attend school due to their medical needs.</p>
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ID	Public questions or statements to the Meeting of the County Council held at County Hall, Northallerton on 14 November 2018	
	Question or Statement	Response
	<ul style="list-style-type: none"> Establish a forum for alternative provision with neighbouring local authorities to ensure illegal schools can be identified quickly³ <p>There is no mention of quality assurance of alternative provision in the NYCC Strategic Plan for SEND. But... AP does not work on market principles. It needs a clear plan.</p> <p>Our research suggests that there is not a single “best model” for arranging local AP. Instead, our research has underscored the importance of having a clear strategic plan that articulates a shared understanding of the role of local AP.⁴</p> <p>Local AP needs to be seen as system that has to be planned strategically, rather than as a traditional market. Indeed, our research suggests that, in certain important ways, AP does not operate like a traditional market.⁴</p> <p>And... Alternative Provision is unregistered, unregulated and generally low quality. In a quarter of the schools surveyed, the curriculum for pupils who attended alternative provision on a part-time basis was too narrow.⁵</p> <p>As I am sure you are aware, I have repeatedly expressed my concerns about the number of children disappearing from the formal system and into unregulated, unregistered provision. That includes much alternative provision (AP), which does not always have to be registered and therefore is subject to no independent scrutiny – despite the fact that a lot of AP caters for some of our most vulnerable children.⁶</p>	<p>In response to question Alex Boyce's question, County Councillor Patrick Mulligan said:</p> <p>As detailed in the strategic plan for SEND education provision the local authority is intending to change the model of delivering home tuition for children and young people who are unable to attend school due to their medical needs and is planning to introduce this change from September 2019. This will be subject to further consultation in early 2019 but it is important to note this change has already been agreed in the strategic plan for SEND provision.</p> <p>Currently the LA commissions the PRS/AP to deliver home based medical tuition for secondary students (except in the East where the funding is delegated to secondary schools). The current model involves staff from the PRS travelling to the home address of a child to deliver a teaching session. The numbers of hours offered to children varies according to need.</p> <p>We intend to change the model to ensure the local authority funding is being used more efficiently to focus on teaching and to increase the tuition hours that will be available for young people whilst they cannot attend school.</p> <p>The revised model will also provide greater oversight of young people who are receiving home tuition by schools and the local authority, thereby ensuring that their return to school is progressed at the appropriate opportunity and any additional needs in terms of SEN are identified in a timely manner, and appropriate provision put in place.</p>

³ NYCC Draft Fair Access Protocol (Sep 2018) at [https://www.northyorks.gov.uk/sites/default/files/fileroot/About%20the%20council/Consultations/Admission arrangements 2020-21/Appendix 4 - proposed in-year fair access protocol.pdf](https://www.northyorks.gov.uk/sites/default/files/fileroot/About%20the%20council/Consultations/Admission%20arrangements%202021/Appendix%204%20-%20proposed%20in-year%20fair%20access%20protocol.pdf)

⁴ Alternative provision market analysis by ISOS Partnership for DFE (Oct 2018) at <https://www.gov.uk/government/publications/alternative-provision-market-analysis>

⁵ Alternative provision: the findings from Ofsted's three-year survey of schools' use of off-site alternative provision at <https://www.gov.uk/government/publications/alternative-school-provision-findings-of-a-three-year-survey>

⁶ HHM Chief Inspector Amanda Spielman letter to the Public Accounts Committee (31 Oct 2018) at <https://www.gov.uk/government/publications/amanda-spielman-letter-to-the-public-accounts-committee>

ID	Public questions or statements to the Meeting of the County Council held at County Hall, Northallerton on 14 November 2018	
	Question or Statement	Response
	<p>The lack of information about where these children end up is perhaps my greatest concern as Chief Inspector.⁶</p> <p>North Yorkshire wants local groups of schools to take responsibility for commissioning alternative provision. Local Area Inclusion Steering Groups will: Commission services and develop the alternative provision offer to meet identified needs within the locality and reduce exclusion, with the aim of a 'no-exclusion' approach in the area.¹</p> <p>Work to reduce the numbers of young people at risk of exclusion and poor attendance¹</p> <p>But... school-led commissioning models are generally of poor quality. Schools do not always have the capacity and specialist knowledge to have full responsibility for the commissioning of long-term placements for pupils who will often have complex needs. A fragmented approach to commissioning responsibilities and a lack of oversight and scrutiny around decisions means that pupils are being left vulnerable to inappropriate placement decisions.²</p> <p>Some schools were still not taking enough responsibility for ensuring the suitability of the placements they set up. A few of the schools in the survey placed pupils at an off-site provider without having visited first to check its safety and suitability. Some schools did not check for themselves that the relevant safety standards were met.⁵</p> <p>AP provides for more than just those permanently excluded. These children have unmet needs and their numbers are growing. However, the AP population is made up of a greater number of students than those who are just permanently excluded.²</p> <p>Most LAs use AP for a wide range of purposes, with the majority of LAs identifying multiple reasons why they would use AP. The most common reasons given were provision for excluded pupils (selected by 96% of LAs), provision for mental and physical health-related reasons (80%) and early, preventative support (78%)⁴</p>	

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ID	Public questions or statements to the Meeting of the County Council held at County Hall, Northallerton on 14 November 2018	
	Question or Statement	Response
	<p>Many of these children are arriving in the AP sector with unidentified and unmet needs²</p> <p>We expect the greatest increase in the areas of C&I (Communication and Interaction) and SEMH (Social Emotional and Mental Health)¹</p> <p>There are increasing numbers of children with mental health needs in schools and alternative provision²</p> <p>I am appealing to the council to oppose this proposal and re-consider both the speed and severity of the cuts. I would also appreciate the council's formal response to these questions:</p> <ol style="list-style-type: none"> 1) Can the council explain how this proposal will remedy the problem of increasing exclusions in North Yorkshire? 2) Can the council provide a list of alternative provision centres available for September 2019 in North Yorkshire? 3) Can the council assure us that alternative provision will be as good as the education and support at PRUS which are rated Good or Outstanding? 4) Can the council guarantee that alternative providers will be assessed and monitored to ensure safe standards of care? 5) Can the council provide any research they have completed into the anticipated costs of a new network of alternative provision in the county? 6) In the long term, does the council really believe handing over education to profit making providers will give the taxpayer value for money? 7) Can the council assure us that all ISOS reports (used to justify the proposal) have been finalised and please send them to my personal email address? 	
111	<p><u>Public Question 2</u></p> <p>The following public questions were received from Richard Hughes, of Grove Academy Pupil Referral Unit.</p>	<p>This information has been extracted from the DRAFT Minutes of the Meeting of the County Council held at County Hall, Northallerton on 14 November 2018. This remains draft until minutes have been approved at the Council meeting on 20 February 2019.</p> <p>In response to public question 2), County Councillor Patrick Mulligan said:</p>

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ID	Public questions or statements to the Meeting of the County Council held at County Hall, Northallerton on 14 November 2018	
	Question or Statement	Response
	<p>1. My name is Richard Hughes and I teach at the Grove Academy Pupil Referral Unit. I am speaking on behalf of all staff and students at the PRU with the support of the leadership team at the Delta Academy Trust.</p> <p>2. We work with some of the most complex and disaffected young people across the Harrogate area and have provided them with an Outstanding education support service for over twelve years now.</p> <p>3. The PRU educates and supports a range of pupils with complex needs including extreme social, emotional, behavioural and medical problems which prevent them from attending 'mainstream' schools. These Special Educational Needs have proven extremely difficult if not impossible to accommodate in mainstream; these students have been, or are at risk of being, permanently excluded from school.</p> <p>4. The Council's CYPS committee plan to cut their funding of the PRS service, in effect by 83% from next April 2019. (That is a removal their 'discretionary' payment, 2/3 of our budget and a serious reduction in their per pupil top up.) Essentially this destroys a national model of Outstanding SEN provision. The Council is expecting us to meet the needs of a rapidly increasing number of complex students with a staff team reduced by up to 80%. The Council maintain that all PRU heads were informed of the likely scale of this cut last year; in reality our management received this incredible news in September.</p> <p>5. The Council have talked about a small transitional fund for the first year but this still represents a 50% funding cut that means we cannot function from April 2019.</p> <p>6. This huge cut would of course be disastrous for this excellent service and mean at best huge downsizing if not closure. The severe damage would be to the students themselves, many of whom are the most vulnerable in the area, but then to their families, who often struggle with their own personal, social and health issues. In the wider community Public Services such as Policing and Social Care are already stretched and they will certainly be further pressured. Finally, the impact on local mainstream schools will potentially be catastrophic. They can not cope with further</p>	<p>The Consultation has finished and all views will be given due consideration including comments on timescales. The Consultation did state that transitional funding would be agreed for 2019/20 and PRS also have significant reserves of between £128,000 and £765,000.</p> <p>Responses from local schools will be considered and made public when the consultation has been analysed.</p> <p>Further work is required across localities to ensure young people who have been permanently excluded can access mainstream provision as appropriate. This is recognised by the Local Authority and is being addressed through the In Year fair Access Protocol and the establishment of the local Partnerships.</p> <p>Richard Hughes then made a supplementary statement that highlighted that PRUs did not have significant reserve funds as there had significant expenditure of capital upon developing facilities.</p>

ID	Public questions or statements to the Meeting of the County Council held at County Hall, Northallerton on 14 November 2018	
	Question or Statement	Response
	<p>SEN demands, as evidenced by the increasing number of exclusions and 'off rollings'; if they are forced to retain these pupils then how are they going to manage? There is no clear plan in place!</p> <p>7. There has been a rapid increase in referrals to the PRS on medical grounds. These range from severe physical illnesses to autism and development disorder then to the full range of mental health conditions. There is a crisis of provision for those young people with health problems and the Council are proposing huge cuts to it – it simply does not make sense.</p> <p>8. This proposal will dismantle many years of highest quality provision, experience and expertise; the staffing to support these pupils with their various needs and to safeguard them adequately. The Grove Academy PRU has been recognised as Outstanding by OFSTED three times in a row, a feat only achieved by 9 of some 350 PRUs across the whole country. Surely this is a beacon of quality provision that should be celebrated, not destroyed?</p> <p>9. The Council's so-called 'consultation' on what have only been termed 'changes' to the High Needs Budget, has been rushed and extremely poorly thought through. Its plan for provision in the future is very unclear. The only clear idea put forward seems to be that schools liaise with a new network of profit-making Alternative Provision centres or Charity providers to form a strategy. Ourselves and our colleagues are not aware of any such even basic quality providers locally. And this is to deal with the increasing number of permanently excluded children in the system, with the evident need for preventative placements and to accommodate the increasing number of students referred on medical grounds, all by next April!</p> <p>10. Given the lack of Alternative Provision in the Harrogate area at present the pace of change seems completely unreasonable and, frankly, suggests panic on behalf of the Council. Whilst North Yorkshire council are proposing that these changes come into effect in some 4 months, other councils have taken at least 3 years to create such a network of providers. Whilst there is certainly need for more alternative routes through</p>	

ID	Public questions or statements to the Meeting of the County Council held at County Hall, Northallerton on 14 November 2018	
	Question or Statement	Response
	<p>education, getting rid of the safety net that the PRU provides without these options in place is asking for serious problems across schools and local communities.</p> <p>11. The likely effects of these cuts will be a worsening of the current adolescent mental health crisis, an increase in truancy and children missing from education, an increased risk of child exploitation and coercion into criminal behaviour and an increased risk of anti-social behaviour within the community. North Yorkshire police are opposed to this proposal and are in the process of formalising their objections. Local schools are similarly shocked and in clear opposition. Parents, staff and students are outraged, all of this increasingly evidenced in local and national media.</p> <p>Could the council please re-consider their position on the proposed cut to the funding of the Grove Academy Pupil Referral Unit. Could the council also respond to the following key questions about the cuts proposed for the Grove Academy PRU:</p> <p>1) Harrogate PRU only found out about the proposed cuts on September 4th and they are due to take effect in April 2019. The Consultation opened in October and closed on November 11th. Could the Council explain how this is a fair and timely approach to such a significant systemic change?</p> <p>2) All local schools contacted are objecting to the Council's proposal. What response have the Council had from local schools? Are the council prepared to direct mainstream schools to accept excluded students on to their roles?</p> <p>Many thanks for your time and consideration on these critical matters.</p>	

4. The following questions were received for the Young People Overview and Scrutiny Committee meeting of the 7th December 2018. Please note these have been redacted to ensure they are anonymised but content has not been altered.

Public questions or statements to the Young People Overview and Scrutiny Committee Meeting, County Hall, Northallerton on 7 th December 2018.		
ID	Question or Statement	Response
112	<p><u>QUESTION/STATEMENT 1</u></p> <p>Hello</p> <p>Re: Cuts to the Pupil Referral Service proposed as part of "Changes to the High Needs Budget"</p> <p>Question: It is a fantasy to believe that every child can be educated in a mainstream school especially with their own severe budget pressures (80% of N Yorks schools are in deficit). Even schools with EMS status are excluding students with special needs. The CEO of our MAT, has told Stuart Carlton that "on your proposed cuts I will have to close the Grove as a PRU." The Collaborative system between local schools and prus has not worked for many years now, leading to a typical stay of 2 years for permanent exclusions in PRUs instead of the maximum 30 school days stated in the council's in year fair access protocol. In the light of this reality, can the council explain how it's proposed collaborative arrangements will be any different from the previous ones which have failed? And can the council explain where the students currently on roll at the Grove Academy will be educated in September 2019 if it is forced to close as a PRU?</p> <p>PRINCIPAL The Grove Academy PRU, Harrogate</p>	<p>The following is a response to all 9 questions and statements submitted at the Young People Overview and Scrutiny Committee meeting of the 7th December 2018.</p> <p>Initial Statement.</p> <ol style="list-style-type: none"> 1. The LA has been working with key stakeholders including schools, parents/carers, young people and other professionals to finalise the strategic plan for SEND provision. We have also scrutinised the range of research documents which inform good practice models for AP and how they can be effective in reducing exclusions. 2. The LA invests over £4.6 million per year to provide for children and young people who have been, or are at risk of, permanent exclusion from school. £2.7 million is invested in PRS/AP for preventative work. This does not take into account the additional funding the LA invests for students with medical needs. 3. Rate of growth of permanent exclusion in NY is 13th highest out of all LAs despite this investment. This must prompt a change in approach in NY – we would be reviewing and making changes to the alternative provision offer, in line with p.26 of the SEND Provision

QUESTION/STATEMENT 212th November 2018

Dear Mr Busby,

Re: Threatened Closure of Harrogate's Grove Academy Pupil Referral Unit

My name is _____ and I am the _____ and _____ at The Grove Academy PRU. I am writing on behalf of all the staff at the Grove Academy and referring to Proposal 2 of NYCC's proposed cuts to the High Needs Budget.

My colleagues have provided sound arguments against every detail in this proposal, copies of which I believe you will have received and read. I am writing from a safeguarding perspective.

The staff team at The Grove Academy, both teaching and non-teaching, is dedicated and passionate about providing the very best, most suitable all round individual provision for every single young person who is referred to us. We take safeguarding very seriously and operate a culture of vigilance. We know the background of every child which allows us all to be aware of the potential risks each of them faces whether it be Child Sexual Abuse, Criminal Exploitation, radicalisation, drug and alcohol misuse, physical abuse, mental abuse or neglect all of which, and more, we have had experience of and have prevented at The Grove Academy. 40% of the current cohort at the Grove Academy currently have Child Protection or Child In Need status so we really are dealing with the most needy, most vulnerable students. We know who our pupils associate with in their local communities and liaise very closely with their families. We have close links with all the other service providers and agencies including police and social services and work with them on a daily basis. By liaising so closely with all these services and families we are best placed to safeguard these vulnerable children, reduce their risk taking behaviour and support them in achieving the very best they are capable of. With the best will in the world mainstream schools aren't in a position to do this and will not have the resources or capacity if these cuts are implemented. If NYCC's proposals are allowed to go ahead these children will be at serious risk of harm including Child Sexual Exploitation and taking part in criminal behaviour. Harrogate could quite easily become another Rotherham, Sheffield or Newcastle or at least have to deal with several Serious Case Reviews. The already stretched resources of other schools and agencies, including the Police, Social Care and the NHS would be under even more pressure.

Strategic Plan, regardless of the current pressure on High Needs Block Funding.

4. The LA acknowledges the Ofsted ratings of the PRS as good or above but must now give consideration to how the significant increase in permanent exclusions can be reduced longer term.
5. High needs block budget is facing a £5.7 million deficit for 18/19 and predicted to rise to £13 million by 2022. Corrective action is required to ensure the local authority meets its statutory duty but also manages its budgets effectively.
6. Throughout 2018 extensive informal engagement and formal consultation took place on the Strategic Plan for SEND Education Provision 0-25. This plan was approved by the Executive on 4th September 2018. Within this document (p.26/27) it is clearly detailed the changes proposed to PRS and AP in North Yorkshire. These changes include:
 - Commissioning on a place basis for the purpose of preventing exclusion and provision of education for those who are excluded
 - Removal of medical outreach tuition with a new model to replace it
 - Working with mainstream Head Teachers to ensure investment of HNB funds have an impact of reducing exclusion
 - Ensure local steering groups and Head Teachers have more influence on the model of AP in each locality

I have been humbled by the response to the cuts we have had from parents, pupils and former pupils who have rallied to our cause. They speak passionately and eloquently about what The Grove Academy has done for them, what it means to them and what would have happened to them had they been denied our provision.

Her choice of the word 'people' is poignant; they see us as human beings who treat them with respect and are there to help and support them not as detached professionals who are paid to do a job of work. They've had the confidence and conviction to attend the consultations, be interviewed by local radio and The Guardian newspaper in an effort to save 'their

school' which clearly means so much to them. These are young people who now have a positive future and who would be written off through lack of funding if this proposal is allowed to take effect. They deserve so much better than this.

school' which clearly means so much to them. These are young people who now have a positive future and who would be written off through lack of funding if this proposal is allowed to take effect. They deserve so much better than this.

It is a false economy to cut the budget of a school which has been rated as Outstanding in their last three Ofsted inspections and which is already providing the specialist support which NYCC propose mainstream schools should be able to do under their new proposals. This is not realistic. They expect this to be achieved on a share of a one off payment of £771,000 (see paragraph 8 on page 6 of NYCC's 'Consultation on changes to the high needs budget') in real terms this means £165,000 per school. Given that many local schools have their own budget problems to cope with, it is simply an impossible task for them to manage these complex students with this meagre handout – not least because this money will not go far in commissioning places from profit-making Alternative Provision centres. Such a short-sighted systemic change will put the future and safety of a significant number of young people in the Harrogate area at risk. One cannot put a price on the safety of children.

Yours sincerely,

Throughout the development of this plan PRS Head Teachers and staff were consulted. This consultation, specifically in regard to The Grove Academy, was facilitated through the following meeting and/or consultation events:

- 14.06.17. SEMH task and finish group Harrogate
- 15.11.17. PRS governors meeting (No PRS governors attended)
- 16.01.18. Harrogate HTs meeting (PRS Invited)
- 12.03.18. Specific meeting for PRS HTs
- 04.06.18. Harrogate/Knaresborough/Ripon HTs meeting – formal consultation (Both The Grove's former and current HT attended)
- 13.06.18. Specific PRS HTs meeting as part of formal consultation

During this same time period regular meetings continued between the LA and PRS Head Teachers. On the following dates the need for much more efficient models, the HNB deficit and implications of this and pre warning of PRS budget implications were discussed:

- 21.03.18 Points discussed:
 - significant pressures on HNB
 - fundamental review of all aspects of funding including PRS budgets
- 04.07.18 Points discussed:
 - Medical provision and its removal from PRS in 2019 for outreach with in-reach proposal to follow
 - The need for transformational change (with various models suggested by PRS Leads and LA)
 - Strong challenge the LA have had from Mainstream Head teachers about the value for money PRS provide given the levels of investment.

QUESTION/STATEMENT 3

Dear Mr Busby

Re: Threatened Closure of Harrogate's Grove Academy Pupil Referral Unit

This letter makes two requests.

The first is that you spend a few minutes of your time considering the information below.

The second, assuming that what follows is sufficiently persuasive, is that you add your voice to those of North Yorkshire police, social care agencies, mainstream schools, staff, and pupils and their families, in asking North Yorkshire County Council ('the Council') to reconsider its current position regarding cuts which will almost certainly lead to the closure of the Grove Academy. They have said their decisions are "not set in stone".

Introduction

The Grove Academy Pupil Referral Unit (PRU) in Harrogate is one of seven specialist units that form the wider North Yorkshire Pupil Referral Service (PRS). They support and educate a range of pupils with complex needs including extreme social, emotional, behavioural and medical problems.

The Grove Academy has been recognised as 'Outstanding' by OFSTED during its last three inspections. This has been achieved by only nine others – or less than 3 per cent – of some 350 PRUs across the whole country.

Against a background of increasing local and national demand for such provision it might be hoped that beacons of quality such as the Grove Academy would be encouraged to thrive. Instead, the Council's Children's and Young People's Service (CYPS) committee is proposing cuts of 83 per cent to the council-funded part of the Grove Academy's budget. At a minimum there will be a substantial quantitative and qualitative reduction in the services that the Grove Academy can provide. Closure is a real possibility.

Moreover, the Council's plan for the future provision of these services is unclear. Faced with similar challenges, other councils have taken at least three years to create a network of alternative providers. CYPS is attempting to push through a 'consultation' and as yet unspecified restructuring by April 2019.

In summary, the likely effects of these cuts will be a worsening of the current adolescent mental health crisis, an increase in truancy and children missing from education, an increased risk of child exploitation and coercion into criminal behaviour and an increased risk of anti-social behaviour within the community. North Yorkshire police are opposed to this proposal and are in the process of formalising their objections. Local schools are similarly shocked and in clear opposition. Parents, staff and students are outraged.

- **04/09/18 Meeting purpose:**
 - To brief all PRS and AP leads of proposals prior to public consultation and Schools Forum

7. Permanent exclusion has a detrimental impact on the achievements and life chances of young people in terms of :
 - Lower levels of attainment in comparison to their peers
 - 45% not in education, employment or training compared to 6% in mainstream
 - Increased vulnerability in terms of criminality -42% of prisoners had been PX
 - Increased health risks including mental health (Making the difference breaking the link between school exclusion and social exclusion, Oct 2017) (Forgotten Children- Alternative provision and the scandal of ever increasing exclusions, July 18)

8. Our drive is to:
 - Reduce permanent exclusion across the county
 - Increase the range and capacity of AP which can be used flexibly at an early stage to personalise learning and maintain young people on their school roll. This is not happening effectively in NY despite a 2.7 million investment per year into PRS/AP.
 - Develop Alternative Provision pathways with school leaders at the helm so that it is flexible in meeting need early, is of good quality and represents the most efficient use of public monies invested in LAs and school budgets.
 - Ensure schools have greater accountability for young people placed from their schools
 - Increase transparency of the allocation and impact of high needs funding with school leaders

This approach is in line with recommendations from national studies which emphasise early intervention, high quality and strong accountability of schools.

Cuts and Consequences

The CYPS committee, led by Stuart Carlton, Jane LeSage and Chris Reynolds, is proposing to remove the so-called 'discretionary' part of the Grove Academy's budget, or roughly two-thirds of its current income. They also propose to reduce the top-up funding from £9,000 to £7,000 per student. This represents a cut of around 83 per cent to the Council funded part of the budget, and an overall cut of 55 per cent assuming that funding from the Department for Education (DfE) will remain the same.

This huge cut would be disastrous for the Grove Academy and mean at best major downsizing if not closure. The impacts would be damaging on several fronts:

- To the students themselves, many of whom are the most vulnerable in the area.
- To their families, many of whom struggle with their own personal, social and health issues.
- To the wider community where public services such as policing and social care are already past breaking point.
- To local mainstream schools which are already at full stretch in terms of meeting SEN demands and would then be hugely limited in their ability to exclude. They must then face huge disruption if currently excluded pupils were to be directed back on to their rolls, as seems to be the plan.

The Council is expecting the Grove Academy to meet the future needs of a rapidly increasing number of complex students despite a staff reduction of up to 80 per cent. Among student groups that are at risk from this are those referred to the Grove Academy with an Education and Health Care Plan (EHCP, formerly the SEN Statement), or on medical grounds.

In the school year 2015/16 only six students at the Grove had EHCPs (or SEN Statements) for conditions ranging from autism to developmental disorder. The following year this figure had risen to 12 and the year after to 13.

In the school year 2015/16 only nine students were referred to the Grove because they could not access mainstream schooling on medical grounds, often due to severe anxiety or other mental health disorders. By 2017 this figure was exceeding 20 pupils.

There is already a crisis of provision for those young people with health problems and yet the Council are proposing huge cuts. The effect will be to destroy a national model of outstanding SEN provision. It simply does not make sense.

Proposal

- Provide an increased number of places for young people who have been, or are at risk of being, permanently excluded from school in line with national average funding (ISOS report 2018).
- Funding for students with medical needs will continue to be funded in the PRS for the near future at a slightly uplifted rate of £10,000 per full time place
- We will have to take steps to reduce the LA contribution to preventative funding to offset the significant pressure on the high needs block. However we have not taken the decision, like some other LA's, to remove it all. The LA have proposed that a reduced spend of 28% would enable a proportion of the non-statutory money, £771,000, be provided directly to local area partnerships made up of school leaders. This will support their ability to develop the right offer and reduce any incentive to exclude in order to access support. These partnerships will be constituted groups with detailed terms of reference and a range of responsibilities for the monitoring and performance of each locality in regard to SEND and School Improvement.
- In parallel to the consultation on funding, a series of workshops have taken place to consider and explore models of AP into the future to ensure that young people are predominantly supported prior to exclusion, rather than following exclusion.
- Across the county the proposal set out would still see between £3.1 and £3.3m being invested from the HNB into the education system to provide alternative provision and support earlier intervention strategies.

Implications for the Grove Academy

- The LA currently invests over £1.2 million to the Grove Academy. This funding is made up of :
 - £435K statutory funding
 - £788K for those at risk of exclusion

'Consultation' and 'Changes'

The Council maintain that all PRU heads were informed of the likely scale of this cut last year. In reality management received this shocking news only in September 2018.

The Council's so-called 'consultation' on what have only been termed 'changes' to the High Needs Budget has been rushed, and to date it has provided little or no response to staff, parent and student concerns.

The Council's plan for provision in the future is very unclear. The only substantial idea put forward by the Council was that local schools, together with a new network of profit-making Alternative Provision centres or Charity providers, would somehow come together to form a strategy. This is to deal with the increasing number of permanently excluded children in the system, with the evident need for preventative placements and to accommodate the increasing number of students referred on medical grounds. All this, by April 2019!

Given the lack of Alternative Provision in the Harrogate area at present the pace of change seems completely unreasonable and suggests panic on behalf of the Council. Whilst North Yorkshire County Council is proposing that these changes come into effect in just five months, other councils have taken at least three years to create such a network of providers. Whilst there is certainly need for more alternative routes through education, getting rid of the safety net that the PRU provides without these options in place is asking for serious problems across schools and local communities.

The Council has talked about allocating a small transitional fund to the Pupil Referral Service. However, this would be for one year only and would represent an immediate 45 per cent cut, increasing to at least 55 per cent the following year. Again, this is totally unsustainable.

Conclusions

In summary, if the proposals outlined above are approved the Grove Academy could not continue to offer its outstanding services to these most challenging of pupils. Its excellence as a service is based on the quality of engagement, individualised support and a motivational personal, social and academic curriculum. It is so much more than the sum of its parts!

The proposals will dismantle many years of highest quality provision, experience and expertise; the staffing to support these pupils with their various needs and to safeguard them adequately. Given that the Grove Academy is already close to capacity it would quickly reach the physical limits of its provision.

Actions

You support is sought for the following:

1. Request that the Council re-consider its position on the proposed cut to the funding of the Grove Academy Pupil Referral Unit.
2. Request that the Council also respond to the following key questions about the cuts proposed for the Grove Academy PRU:

- The Grove PRS offers a total of 25 FTE places with a place cost of around £48K per place. This is disproportionate to the national average of £18K per place for AP and is significantly above a specialist SEMH school pace in NY which averages £19,769 per place
- Under the proposals the LA will commission between 28-30 places in the Grove for permanently excluded young people (excluding medical provision) at national average funding rates
- It is proposed that the budget changes will be introduced from the financial year 2019/20 but transitional funding will be agreed to ensure stability for the PRS/AP provision whilst the new AP model is finalised
- Discussions are continuing with Head teachers in the area to ensure the future model for AP is agreed together with collaborative arrangements for funding.

Associated Changes

- The Strategic Plan for SEND provision also specifies further developments which will ensure the needs of young people with additional needs including SEND are met
- Transfer of 0.5-1% from schools funding to offset high needs block funding pressures of £5.7 million for 18/19
 - Multi-disciplinary teams of SEND professionals in localities to enhance support for young people in schools and local accountability for young people
 - Increase in specialist and targeted provision including SEMH
 - Enhanced model for young people with medical needs
 - Replacement of Behaviour and Attendance collaboratives under a strengthened governance arrangement

Independent AP

- 2.1 Harrogate PRU only found out about the proposed cuts on 4th September 2018 and they are due to take effect in April 2019. The Consultation opened in October and closed on November 11th. Please could the Council explain how this is a fair and timely approach to such a significant systemic change?
- 2.2 All local schools contacted are objecting to the Council's proposal. What response have the Council had from local schools? Are the Council prepared to direct mainstream schools to accept excluded students on to their rolls?
- 2.3 Can the council provide a list of Alternative Provision centres available to schools in the Harrogate area, including costs, from September 2019? Can parents and pupils be assured that these AP centres will be subject to the same rigorous checks and monitoring as the PRS? Can parents and pupils be assured that these AP centres will provide the same, Good or Outstanding education that is available through the current PRS?

Many thanks for your time and consideration of these critical matters. I am speaking on behalf of all staff and students at the PRU, with the support of the leadership team at the Delta Academy Trust of which the Grove Academy is part.

Yours sincerely

The Grove Academy

It is not the council's view that Independent AP will become the core offer of AP into the future. However, we do recognise that Independent AP do contribute to the breadth of offer available to schools and young people and will engage with the sector to monitor and prompt development of suitable pathways.

NYCC maintains a directory of providers in line with our statutory duties and are going further to ensure standards including safeguarding, welfare and legal compliance are evidenced prior to entry into the directory. Schools will continue to be responsible for the assurance of quality for any provision they use.

Safeguarding

With regard to concerns raised by representatives of The Grove Academy in relation to safeguarding we restate our absolute and total commitment to safeguarding the most vulnerable in our society. This is underpinned by the revised guidance on Working together to safeguard children which reinforces the responsibilities of all stakeholders including education providers.

We are rightly proud of our record in this regard and are recognised by Ofsted as Outstanding in all areas. Despite this unprecedented endorsement of our safeguarding practices we continue to strive for improvement in all areas and will work side by side with all partners, including AP, to continue to ensure systems are robust and they minimise the risk of harm.

The introduction of a revised Early Help strategy in 2019 will further strengthen our joint responsibilities to safeguard children and young people

Consultation

The Council has undertaken extensive consultation in respect of the High Needs Budget proposals and has carried out a legal consultation. The LA

QUESTION/STATEMENT 4

I am a teacher at The Grove Academy Pupil Referral Service (The long term Ofsted Outstanding Harrogate PRU).

I would ask the scrutiny committee to seriously enquire as to what is REALLY the basis to North Yorkshire's SEND funding crisis.

Myself and many colleagues in the profession are aware of the scandalous wasting of many millions of pounds in relation to the closing of two successful SEND residential provisions (Netherside Hall and Balliol Schools) and their replacement with Foremost School, later rebranded Forest Moor. To public knowledge this has continued to fail as a provision despite the many millions that the County has poured into it (precise figures are clearly unpublished and pending a FOI request, now overdue.)

To clarify my question for the Committee:

How can the County justify the saving of £1.5 million by cutting a long term outstanding EBD and medical provision, with no reasoned plan in place for supporting these young people?

How can the County justify these cuts when they are wasting untold millions on a failed and failing provision at Forest Moor?

Many thanks for your consideration.

Teacher
HG43SD

is not of the view that there is a need for a second consultation on these principles.

Officers are currently fully considering those consultation responses prior to developing recommendations to propose to the Executive in January 2019.

All consultation feedback is under analysis

QUESTION/STATEMENT 5

Hello,

Re: proposal 2 of the changes to the High Needs Budget - cuts to the Pupil Referral Service

Question: Richard Sheriff, President of the ASCL and Principal of Harrogate Grammar, stated in the Harrogate Advertiser last week that the proposed changes to the High Needs Budget would "result in having nowhere to go for a whole set of children with varied and particular needs, which will be almost impossible to meet in mainstream...the outcome will be HIGH levels of exclusion." Given that the main justification stated by the council is that the changes will REDUCE exclusions, what is the council's response to Mr Sheriff?

Thank you,

QUESTION/STATEMENT 6

Dear Mr Busby

I would like to submit the following question to the overview and scrutiny committee for consideration this Friday...

Parents, staff and pupils alike feel that the council's consultation on the Changes to the High Needs Budget was fundamentally flawed and, as such, unlawful. The content of the consultation documents was misleading and lacked both transparency and precision. There are also serious concerns about the poor distribution and accessibility of the documents and the overall timing of the consultation process. As a result, a group of parents is pursuing legal action against the council. Though the challenge is only just being drafted, the parents have been advised that the case is very strong for at least a delay and a revised second consultation. After this challenge, the parents also plan to challenge the content of the proposed "Changes to the High Needs Budget," chiefly proposal 2 concerning severe cuts to the Pupil Referral Service (PRS); I believe another campaign group "Save SEND North Yorkshire" is challenging proposals 1 and 3. These parents' action has the backing of both the NEU and NASUWT. In addition, the North Yorkshire public is highly concerned about the council's plans: over 2600 signatures have been gathered on a change.org petition and many others are sending written objections to the council. And so, given the obvious flaws in the consultation process, would the council consider revising its consultation documents and setting about arranging a second, lawful consultation process on these proposals rather than ploughing ahead with this premature, unwise and unsupported decision?

I would also like to read out my question at the meeting. Is this possible please?

Yours sincerely

Parent Governor of The Grove Academy Pupil Referral Unit
Save the PRS campaign group

QUESTION/STATEMENT 7

Dear Sir,

Re: the proposed cuts to the Grove Academy PRU and the whole North Yorkshire Pupil Referral Service

I'd like to give the following statement and question for the scrutiny meeting on December 7th:

At the three-time OFSTED outstanding PRU in Harrogate only 3% of school leavers in the last 5 years have gone on to enter the criminal justice system.

The recent education committee report on "forgotten children" states that this figure is as high as 50% when PRU provision is of low quality. The report clearly calls for more good-quality PRUs to act as an intervention to reduce criminal behaviour.

So when Cllr Mulligan drags the names of PRUs through the dirt by associating them with criminality and implying they are part of a path to prison, he is correct - BUT HE IS TALKING ABOUT POOR QUALITY PRUs. North Yorkshire's PRUs are all rated Good or Outstanding. His comments show a complete lack of regard for quality, which is obviously critical, and I feel are deliberately misleading the public. At the Grove Academy PRU the staff turn children's lives around, keeping them safe and protecting them from coercion into criminality - you only have to read the Harrogate Advertiser to see the difference the PRU makes to the lives of their students.

Have the council inc the CYPs executive studied the Education Committee report entitled "Forgotten Children: alternative provision and the scandal of ever increasing exclusions" published on July 25 this year AND, in the light of that report's recommendations, can the council explain how cutting/closing Outstanding PRUs like the Grove Academy in Harrogate will safeguard our most vulnerable children in the future?

Yours sincerely,

Parent

QUESTION/STATEMENT 8

Hello,

I'd like to submit a question for the next CYPs scrutiny committee meeting.
Question: I'm sure you're aware of the proposed cuts to the pupil referral service as part of the changes to the high needs budget. For the grove academy pru in Harrogate this would mean a 66% cut (based on 25 student places). The council have very vague plans for a network of Alternative Provisions which they believe will spring up in time for sept 2019. Currently there are only a handful of Alternative Provisions in the Harrogate area: Veloheads, an overpriced bike repair shop with no qualified teachers; Harrogate Training Services, which charge £75/hour and is utterly unsuitable for excluded students; and NISAI, a "virtual" school, which is quite frankly laughable as a provision for disaffected students, or students who have mental health problems. Can the council explain how this lack of quality Alternative Provision will educate the most needy and vulnerable students in the Harrogate area? If the council believe devolved funding will stimulate the market for alternative provisions, they are misguided - the proposal only offers only around £16k per school which will hardly buy one placement in AP. N Yorks Schools, 80% of which are in deficit, will be forced to off roll students they cannot cope with or exclude, and there will be no PRU left to educate them.

Many thanks,

QUESTION/STATEMENT 9

Dear Mr Busby,

The aim of this letter is to ensure that any decisions about the future of the PRS services of North Yorkshire are made based on the reality of needs, rather than the hopes of attempting to fix difficult financial problems.

We do not live in a simple or straightforward society, the demand for non-mainstream school places has increased, the number of students permanently excluded from schools has increased, complex emotional and mental health needs in students have increased, the desire to help students with additional needs however has not changed.

The PRS service (anywhere) is filled with teachers, instructors, and assistants with this desire, they have developed skills, curricula, and most importantly pedagogy which is intended to re-engage, develop and rehabilitate students so they are able to become successful members of society, be that with qualifications or improved emotional stability and always improving aspirations for their own future.

I write this letter from the position of educator, with particular investment in the Grove academy in Harrogate.

The proposed cuts will cut deeper than the loss of provisions filled with expertise; the CYPS committee, led by Stuart Carlton, Jane LeSage and Chris Reynolds, is proposing to remove the so-called 'discretionary' part of the Grove Academy's budget, or roughly two-thirds of its current income. They also propose to reduce the top-up funding from £9,000 to £7,000 per student. This represents a cut of around 83 per cent to the Council funded part of the budget, and an overall cut of 55 per cent assuming that funding from the Department for Education (DfE) will remain the same.

Consultation responses – High Needs Budget Changes – October / November 2018

This huge cut would be disastrous for the Grove Academy and mean at best major downsizing if not closure. The impacts would be damaging on several fronts:

- 1) To the students themselves, many of whom are the most vulnerable in the area.
- 2) To their families, many of whom struggle with their own personal, social and health issues.
- 3) To the wider community where public services such as policing and social care are already past breaking point.
- 4) To local mainstream schools which are already at full stretch in terms of meeting SEN demands and would then be hugely limited in their ability to exclude. They must then face huge disruption if currently excluded pupils were to be directed back on to their rolls, as seems to be the plan.

The Council is expecting the Grove Academy to meet the future needs of a rapidly increasing number of complex students despite a staff reduction of up to 80 per cent. Among student groups that are at risk from this are those referred to the Grove Academy with an Education and Health Care Plan (EHCP, formerly the SEN Statement), or on medical grounds.

In the school year 2015/16 only six students at the Grove had EHCPs (or SEN Statements) for conditions ranging from autism to developmental disorder. The following year this figure had risen to 12 and the year after to 13.

In the school year 2015/16 only nine students were referred to the Grove because they could not access mainstream schooling on medical grounds, often due to severe anxiety or other mental health disorders. By 2017 this figure was exceeding 20 pupils.

There is already a crisis of provision for those young people with health problems and yet the Council are proposing huge cuts. The effect will be to destroy a national model of outstanding SEN provision. It simply does not make sense.

In good conscience the proposed cuts are less a reimagining of the services and more a hatchet job aiming to save money fast. Dismantling excellent provisions in such a short time scale and replacing them with a theoretical provision by April is fantastical, and the period of consultation provided less answers or date it has provided little or no response to staff, parent and student concerns.

The Council's plan for provision in the future is very unclear. The only substantial idea put forward by the Council was that local schools, together with a new network of profit-making Alternative Provision centres or Charity providers, would somehow come together to form a strategy. This is to deal with the increasing number of permanently excluded children in the system, with the evident need for preventative placements and to accommodate the increasing number of students referred on medical grounds.

Consultation responses – High Needs Budget Changes – October / November 2018

Given the lack of Alternative Provision in the Harrogate area at present the pace of change seems completely unreasonable and suggests panic on behalf of the Council. Whilst North Yorkshire County Council is proposing that these changes come into effect in just five months, other councils have taken at least three years to create such a network of providers. Whilst there is certainly need for more alternative routes through education, getting rid of the safety net that the PRU provides without these options in place is asking for serious problems across schools and local communities.

The Council has talked about allocating a small transitional fund to the Pupil Referral Service. However, this would be for one year only and would represent an immediate 45 per cent cut, increasing to at least 55 per cent the following year. Again, this is totally unsustainable.

Again, let me reiterate that these changes, with such an underdeveloped plan are all to be put in place by April 2019.

Finally, I ask you the following:

- 1) To Support the local PRS and the Grove by requesting the council re-considers its position on the proposed cut to the funding.
- 2) To explain why The Grove and PRS only found out about the proposed cuts on 4th September 2018 and that they are due to take effect in April 2019. The Consultation opened in October and closed on November 11th. Please could the Council explain how this is a fair and timely approach to such a significant systemic change?
- 3) To share with us the response the Council has had from local schools?
- 4) To explain how the Council is prepared to direct mainstream schools to accept excluded students on to their rolls?
- 5) To answer this; Can the council provide a list of Alternative Provision centres available to schools in the Harrogate area, including costs, from September 2019? Can parents and pupils be assured that these AP centres will be subject to the same rigorous checks and monitoring as the PRS? Can parents and pupils be assured that these AP centres will provide the same, Good or Outstanding education that is available through the current PRS?

Thank you for your time.

Your Sincerely


4. Question to the meeting of the Skipton and Ripon Area Constituency Committee Meeting 13th December 2018


Question to the meeting of the Skipton and Ripon Area Constituency Committee Meeting 13 th December 2018		
ID	Question or Statement	Response
113	<p>Statement/Question at Skipton and Ripon Area Constituency Committee Meeting 13th December 2018</p> <p>North Yorkshire County Council is currently proposing drastic reductions to funding of educational provision for children who are excluded from mainstream schools. These changes are driven by an ideology which puts budget before benefit and is symptomatic of conservative elected representatives both in local government and parliament.</p> <p>There are seven Pupil Referral Units (PRU) in North Yorkshire. They are all recognised as either good or outstanding by OFSTED. These institutions provide life chances to children who would otherwise be left by the wayside. The PRU in Harrogate, The Grove Academy, takes children excluded from 11 secondary schools in North Yorkshire and is threatened with closure within the next few months, as is the Craven Pupil Referral Service in Skipton. It will be impossible for them to function with the proposed cut in funding of at least 50% and probably as much as 66%. The alternative provision, such as virtual schooling, proposed by NYCC is clearly far inferior.</p> <p>May I ask the council today if they will consider delaying this decision to allow for a fuller and proper public consultation and to allow the PRU's time to manage the drastic change to their financial circumstances?</p> <p>Yours sincerely</p> <p>██████████</p>	<p>Response to Question at Skipton and Ripon Area Constituency Committee Meeting</p> <p>NYCC currently provides £2.7m of non-statutory High Needs Block funding to PRS and AP to work proactively with local schools to reduce exclusion, this is in addition to £1.9m of statutory funding. Despite this investment, exclusions are increasing rapidly and schools report regularly being unable to access support from the current PRS model early enough to prevent exclusion.</p> <p>We recognise the Ofsted judgements of all PRS in North Yorkshire and have not sought to question the quality of provision. However we must recognise and respond to the challenge of increasing exclusions and stretched budgets by ensuring that young people can access support before, and not after, they are excluded from school and ensure that funding arrangements from the High Needs Block are fair and equitable across a vast range of SEND provision.</p> <p>Currently the national average cost for alternative provision is £18,000 per place. North Yorkshire's present funding arrangements are disproportionately higher than this national average. A full time place at The Grove Academy currently stands at around £48,000 per place. For the purposes of context, and to illustrate the disproportionate levels of funding, maintained SEMH special school provision funded from the HNB costs, on average, £19,769 per place.</p> <p>The HNB is currently running at a projected deficit of £5.7m for this financial year. This level of deficit is unsustainable into the future. The proposed reduction in spend in relation to alternative provision for those who have been, or at risk of being, excluded is 29% and the proposals will give school leaders more scope to shape a system of support that can be accessed before exclusion.</p>

Question to the meeting of the Skipton and Ripon Area Constituency Committee Meeting 13 th December 2018	
ID	Question or Statement
	<p>Response</p> <p>Irrespective of the pressure on the HNB budget we would still be bringing forward these proposals to address the effectiveness of early intervention, the disparity of funding between PRS and other HNB funded provision and the role of local education leaders in shaping the AP offer in each locality.</p> <p>The Council has undertaken extensive consultation in respect of the High Needs Budget proposals and has carried out a legal consultation. The LA is not of the view that there is a need for a second consultation on these principles.</p> <p>Officers are currently fully considering those consultation responses prior to developing recommendations to propose to the Executive in January 2019.</p> <p>All consultation feedback is under analysis.</p>


5. MP letters received relating to the consultation


Consultation responses – High Needs Budget Changes – October / November 2018



MP letters in relation to the High Needs Budget consultations.		
ID	Question or Statement	Response
114	<p>From: [REDACTED] Sent: 26 September 2018 13:18 To: [REDACTED] Marion.Sadler@northorks.gov.uk Subject: Rubicon Centre Funding</p> <p>Hi [REDACTED]</p> <p>Nigel has had a letter from [REDACTED] at the Rubicon Centre regarding the proposed funding cuts for the service. We understand that these will amount to over 50% of their current budget. Nigel is extremely concerned about this given that need is undoubtedly increasing in the Selby area and there is very little provision for young people with special education needs. As you know, there is no special school provision in the area at present which puts huge pressure on the Rubicon Centre. [REDACTED] has told us that the only way they will be able to cope with the budget reduction is by reducing both the capacity and the quality of the support they offer. This is clearly not a desirable situation for the most vulnerable young people.</p> <p>Please could you draw Nigel's concerns to Stuart's attention and ask him for a response?</p> <p>Kind regards, [REDACTED] [REDACTED] Senior Caseworker, Office of Nigel Adams MP</p> 	<p>An individual response has been sent to the MP.</p>


115	<p style="text-align: center;">RT HON JULIAN SMITH MP Skipton & Ripon</p> <p style="text-align: center;"></p> <p style="text-align: center;">HOUSE OF COMMONS LONDON SW1A 0AA</p> <p style="text-align: right;">31 October 2018</p> <p>Dear Richard</p> <p>Craven Pupil Referral Service</p> <p>I visited the Craven Pupil Referral Service, The Snaygill Centre, Keighley Road, Skipton, on Friday, and spoke with the Headteacher, [redacted], and also met a number of his staff too, in connection with the Council's proposed High Needs budget changes and the effect this would have on the school. [redacted] confirmed that he will provide a written response to the consultation, however, I promised to write to you to pass on the concerns raised in the meantime.</p> <p>[redacted] is concerned especially about the timescale for the consultation as I believe they were only aware of the proposals, which will significantly alter the service to be provided, on returning to school in September. Whilst it is recognised that changes will be required, the speed with which this has to be done is very concerning with the size of cuts proposed giving little time to, for example, if necessary, find alternative and suitable premises covering a large geographic area, adjust staffing etc. In essence, they would like more time to plan and to ascertain what is possible as they need to find a solution in the right way, with time, and with no detriment to their students, and I should be most grateful if you would let me have your comments on the points raised.</p> <p>I hope the County will be able to spend time listening to the School's concerns and are able to assist them in finding a suitable solution, going forward, and look forward to receiving your comments, in due course.</p>	An individual response has been sent to the MP.
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<p>Yours sincerely</p> <p>The Rt Hon Julian Smith MP</p>	
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116	<p style="text-align: center;">RT HON JULIAN SMITH MP Skipton & Ripon</p>  <p style="text-align: center;">HOUSE OF COMMONS LONDON SW1A 0AA</p> <p style="text-align: right;">RECEIVED 20 NOV</p> <p>Mr Richard Flinton Chief Executive North Yorkshire County Council County Hall Northallerton DL7 8AH</p> <p style="text-align: right;">12 November 2018</p> <p>Dear Richard</p> <p>The Grove Academy</p> <p>I have been contacted regarding North Yorkshire County Council's proposed changes to High Needs funding in connection with The Grove Academy, Harrogate, at which he is a teacher.</p> <p>is concerned especially about the timescale for the consultation, as he claims that the School was only made aware of the proposals, which will significantly alter the service provided, in September. Whilst it is recognised that changes will be required, the speed with which this has to be done is very concerning with the size of cuts proposed giving little time to, for example, if necessary, find alternative and suitable premises covering a large geographic area, adjust staffing etc. is also concerned about the availability of places for their students in mainstream schools, and would like to understand what preparations the Council have made for alternative provision for the students concerned.</p> <p>A copy of ' correspondence is attached so that you can read his concerns and I would be most grateful if you would let me have your comments on the points he raises.</p> <p>Yours sincerely</p> <p>Rt Hon Julian Smith MP</p>	An individual response has been sent to the MP.
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117	<p style="text-align: center;">RT HON JULIAN SMITH MP Skipton & Ripon</p>  <p style="text-align: center;">HOUSE OF COMMONS LONDON SW1A 0AA</p> <p style="text-align: right;">RECEIVED 20 NOV 2018</p> <p>Mr Richard Flinton Chief Executive North Yorkshire County Council County Hall Northallerton DL7 8AH</p> <p style="text-align: right;">15 November 2018</p> <p>Dear Richard</p> <p>I have been contacted regarding The Grove Academy, Harrogate, at which [redacted] is a teacher.</p> <p>[redacted], on behalf of the school, has asked that I write to you regarding North Yorkshire County Council's proposed changes to High Needs funding and their effect on the school.</p> <p>[redacted], on behalf of the school, has asked that I write to you regarding North Yorkshire County Council's proposed changes to High Needs funding and their effect on the school.</p> <p>In particular, [redacted] would like to understand the reasons for the short timescale of the consultation, the response the council have had from local schools in relation to these proposed changes, and what Alternative Provision is available for the affected students.</p> <p>A copy of [redacted] correspondence is attached so that you can read her concerns and I would be most grateful if you would let me have your comments on the points she raises.</p> <p>Yours sincerely</p> <p>Rt Hon Julian Smith MP</p>	An individual response has been sent to the MP.
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<p>118</p>	<p>JULIAN SMITH MP Skipton & Ripon</p>  <p>HOUSE OF COMMONS LONDON SW1A 0AA</p> <p>RECEIVED 06 DEC 2018</p> <p>6 November 2018</p> <p>Dear Richard</p> <p>I have received an email from my constituent, Dr Morris Charlton of 29 Eshton Road, Gargrave, Skipton, BD23 3SH, in connection with the Craven Pupil Referral Service and the Council's changes to the high needs budget.</p> <p>A copy of the email is attached so that you can read Dr Charlton's concerns, and I should be most grateful if you would let me have your comments on the points raised.</p> <p>Yours sincerely</p>  <p>The Rt Hon Julian Smith MP</p>	<p>An individual response has been sent to the MP.</p>
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119	<p>From: [REDACTED] Sent: 13 November 2018 11:59 To: [REDACTED] Marion.Sadler@northyorks.gov.uk Subject: Pupil Referral Units</p> <p>Dear [REDACTED]</p> <p>Our constituent, [REDACTED] came to see us at our surgery last week regarding Pupil Referral Units. I am attaching two briefing note she brought with her – these refer to The Grove specifically, but she also wanted to express her concern about the future of the Pickering unit. Kevin would be grateful if Stuart could clarify the situation so that we can go back to [REDACTED]</p> <p>Kind regards,</p> <p>[REDACTED] <u>Private Secretary to Kevin Hollinrake MP</u> <u>Member of Parliament for Thirsk & Malton</u></p>  <p>9 Hanover House Market Place Easingwold York YO61 3AD</p>	An individual response has been sent to the MP.
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Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated May 2015)

Implementation of guidance that there should be 600 hours per year of Education for post 16 students – December 2018

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email communications@northyorks.gov.uk.



যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	Children and Young People's Service – NYCC Inclusion Service
Lead Officer and contact details	Jane Le Sage - Assistant Director – Inclusion
Names and roles of other people involved in carrying out the EIA	Nikki Joyce – Head of SEN
How will you pay due regard? e.g. working group, individual officer	This project has been governed through a strategic Project Board and monitored through High Needs Officer Budget Group. The proposals were subject to a formal public consultation process during 5 th October and 11 th November 2018 and this EIA were monitored during and at the end of this period.

	Following this, any changes to post 16 Education funding will be placed for approval by the Council's Executive on 15 January 2019.
When did the due regard process start?	Initial discussions as part of the Transitions Project with Health and Adult Services (HAS) started in Spring 2018.

Section 1. Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, stopping doing something?)

This EIA is about changing the way post 16 provision is funded and described so that there are 16 hours per week (or 600 hours per year) of education in line with guidance for children and young people with EHCPs. This may or may not be part of a five day package if that is required.

There are 2 key pieces of guidance and legislation covering post 16 education for young people with EHCPs. The SEND Code of Practice states that:

"Where young people have EHC plans, local authorities should consider the need to provide a full package of provision and support across education, health and care that covers five days a week where that is appropriate to meet the young person's needs."

Five-day packages of provision and support do not have to be at one provider and could involve amounts of time at different providers and in different settings. It may include periods outside education institutions with appropriate support, including time and support for independent study. A package of provision can include non-educational activities such as:

- volunteering or community participation
- work experience
- opportunities that will equip young people with the skills they need to make a successful transition to adulthood, such as independent travel training, and/or skills for living in semi-supported or independent accommodation, and
- training to enable a young person to develop and maintain friendships and/or support them to access facilities in the local community.

In terms of post-16 "full time" courses, the guidance updated in June 2018 clarifies that a "full time" education course is at least 540 hours per year. *'We expect that full time study programmes for 16 and 17 year olds will be 600 planned hours per academic year, and we set the funding rate on this basis.* <https://www.gov.uk/guidance/16-to-19-funding-planned-hours-in-study-programmes#planned-hours-and-funding-allocations>

Typical programmes are around 600 hours depending on the length of the academic year which equates to 3 days or 16 hours per week of education during the academic year.

Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it? (e.g. to save money, meet increased demand, do things in a better way.)

We are proposing that NYCC accepts the guidance regarding 600 hours of education for young people post 16.

The aims are to ensure:

- That young people in mainstream post 16 education are funded for the 16 hours per week of direct education that they are receiving.
- That young people post 19 with EHCPs receiving specialist packages of education have a five day package developed in conjunction with Health and Adult Services.
- This will ensure a seamless transition into adult services and a clear description of both the Education and Care provision that the young person requires.

Section 3. What will change? What will be different for customers and/or staff?

There will be no change in provision for young people with EHCPs who attend a 6th form within a school.

The change will be that the school will no longer receive 25 hours funding for the 16 hours of tuition per week that the young person receives, the school will receive the 16 hours of element 3 funding required.

There will not necessarily be a change in the provision for young people post 19, but there will be clearly identified Care provision and clearly identified next steps in terms of post education and adulthood. This is in line with both the Children and Families Act 2014 and the Care Act 2014.

Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

Consultation on the proposal took place once the proposal was agreed through High Needs Sub Group and Schools Forum which met at the end of September 2018.

This consisted of locality public meetings during October and November 2018 and an online survey.

Formal consultation – 5th October 2018 to 11th November 2018

- A public consultation took place from 5th October 2018 to 11th November 2018. An online survey was available on the NYCC website with paper copies made available for those who required these. Easy Read versions were also made available. Public engagement events in localities were held during the public consultation period and included events in localities for parents and families and for education and SEND health professionals.
- During this time we also used existing communication methods such as promoting the consultation and events through the council's e-red bag to schools, our Local Offer, and NYPACT to disseminate information to parents and carers through their network of groups and members, our NYCC website, and corporate Facebook and Twitter accounts.
- During the consultation period additional communications took place in the form of direct mailings to; parents and carers of young people with EHCPs; to young people post 16 with an EHCP; to parents and carers of young people who attend a Pupil Referral Service (PRS); and to young people who are on the role of a PRS. This was to act as a further reminder of the consultation and to raise awareness of the consultation events for parents and families, and to ask for their assistance in supporting their young people to be able to respond to the consultation.
- During the consultation we regularly updated some frequently asked questions on our consultation page to help respond and provide clarity on any key areas of feedback highlighted throughout the consultation period.

Update December 2018 following the consultation initial analysis:

3a. Funding for young people with EHCPs in mainstream school sixth forms. We propose to fund the top up funding for these young people at 16 hours per week in line with the tuition they receive.

There were a total of 291 survey responses for the question 'To what extent do you agree with proposal 3a?' The views were as follows:

- 38% of respondents strongly agreed or agreed
- 32% of respondents neither agreed or disagreed
- 30% of respondents disagreed or strongly disagreed

We received a further 105 comments on the survey for proposal 3. In terms of 3a, the majority of comments (56%) were either irrelevant to the proposal (many were responses related to proposal 2) or were comments to say that this did not apply to their young person so they couldn't comment. 24% of the comments supported the proposal with the broad theme that this would create parity across colleges and sixth form provision. Where there were relevant comments that did not support the proposal, (20%) the majority related to disagreement with government guidance that post 16 should be 600 hours a year or 16 hours a week – they requested that post 16 should continue at 25 hours a week. This is national policy which is not within our gift to change.

Where relevant comments were made, most of those indicated support for moving post 16 EHCP funding for students in Sixth Forms in line with students in FE Colleges. Recommendations need to reflect concerns raised about the national guidance of 16 hours per week in post 16.

3b Funding for post 19 specialist placements. We propose that where a young person has been assessed as needing a 25 hour package, 16 hours per week is funded through High Needs Budget in line with guidance and the remainder is funded through adult social care funding.

There were a total of 287 survey responses for the question 'To what extent do you agree with proposal 3b?' The views were as follows:

- 30% of respondents strongly agreed or agreed
- 43% of respondents neither agreed nor disagreed
- 28% of respondents disagreed or strongly disagreed

There were 94 survey comments to this question. Of those, 41% gave responses that were not relevant to the proposal (many of these related to proposal 2) or the respondent indicated that this wasn't relevant to the age / stage of their young person. Of the 59% of relevant comments, 18% supported the proposal and a further 31% expressed various degrees of support but expressed concerns about the impact on Adult Social Care budgets, how they would fund their 2/5 of the five day package and what would happen if they refused to do so. Of the remaining 10% of responses which did not support the proposal, some were because they felt the young people should have 25 hours of education per week and that the national guidance was wrong, some felt that all support for over 18s should be funded by social care and some questioned how much funding was provided by health.

For those for whom the proposal was relevant, there was broad support for a five day package across Education and Social care. Comments received in the consultation meetings and in the survey referred to improving transitions and ensuring a comprehensive package for a young person moving into adulthood with clear "next steps" beyond education. The concerns expressed were not about the principle but about the practice of social care contributing 2/5 to the package.

Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

There will be a reduction in costs to the High Needs Block budget of around £50k per year for the students with EHCPs in 6th form who receive 16 hours of education but the college receives 25 hours worth of their top-up. We will only give the schools the 16 hours of payment that that they are delivering which creates that saving to the High Needs Block budget.

There will be a reduction in costs to the High Needs block in terms of post 19 but a corresponding increase to Health and Adult Services funding so the overall impact on the council budget will be cost neutral. Alongside this proposal, there is a Transitions project looking at how to effectively transition between children's and adult's service with a recognition that effective transition may mean 2 services working together for a while with a child which may require additional funding and have increased costs. This is being worked through the Transitions project and this proposal to pay for 600 hours of Education per year as part of a 5 day package (if required) for post 19 students will impact on how much additional resource is required for that effective Transition. This proposal is supported by the AD for Health and Adult Services.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Age	✓	✓		<p>Customer: Young people aged 19 and over with an EHCP in education will have a more effective transition into adult services with a clearly articulated plan for how that transition will happen and Care provision built into their 5 day provision</p> <p>Staff: No identified impact.</p>
Disability	✓	✓		<p>Customer (school or CYP): Things will improve for young people aged 19 and over with EHCPs in education and for their families as there will be a removal of the "cliff edge" that they refer to between education and adult services. Care will be incorporated into the plan from age 18 and will be a clearly articulated part of their 5 day package (if required) in post 19 education. This will support the seamless transition into adulthood after the EHCP ceases with the young person and family fully aware and engaged with the support plan and what services and provision are available.</p> <p>Staff: No identified impact.</p>

Sex (Gender)	✓ ✓			<p>Customer: It is anticipated there would be no identifiable impact on gender as a result of the project. The SEND population of young people with EHCPs is higher among boys however as the LA have a statutory duty to meet the needs contained within the plan, this over-rides any other considerations, policies or resources</p> <p>Staff: No identified impact.</p>
Race	✓ ✓			<p>Customer: It is anticipated there would be no identifiable impact on specific ethnic groups as a result of the project.</p> <p>Staff: No identified impact.</p>
Gender reassignment	✓ ✓			<p>Customer: It is anticipated there would be no identifiable impact in relation to gender reassignment as a result of the project.</p> <p>Staff: No identified impact.</p>
Sexual orientation	✓ ✓			<p>Customer: It is anticipated there would be no identifiable impact in relation to sexual orientation as a result of the project.</p> <p>Staff: No identified impact.</p>
Religion or belief	✓ ✓			<p>Customer: It is anticipated there would be no identifiable impact on specific religious groups or beliefs as a result of the project.</p> <p>Staff: No identified impact.</p>
Pregnancy or maternity	✓ ✓			<p>Customer: It is anticipated there would be no identifiable impact as a result of the project.</p> <p>Staff: No identified impact.</p>
Marriage or civil partnership	✓ ✓			<p>Customer: It is anticipated there would be no identifiable impact as a result of the project.</p> <p>Staff: No identified impact.</p>

Section 7. How will this	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation
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proposal affect people who...				and/or service user data or demographic information etc.
...live in a rural area?		✓		Customer: It is anticipated this will increase the range of options and the understanding of what is available in rural areas with a clear package into adulthood within the local rural community Staff: No identified impact.
...have a low income?	✓			Customer: It is anticipated there would be no identifiable impact as a result of the project. Staff: No identified impact.

Section 8. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.

It is anticipated proposed changes to the current provision will impact more on the following: Young people with special educational needs and disabilities.

These groups are more likely to find change challenging if changes are made to current services they will need support to make the transition. We will ensure that any child in an existing programme of study with existing education arrangements maintains that package and we commit to working with Adult Social Care colleagues on the transition arrangements beyond the current package of education so that they can realise the benefits of this proposal without any changes to their existing package. For new programmes of study from September 19 we would ensure that young people and their families / carers are fully aware and are supported to understand what their five day package (if required) will be and how Education and Care will work together and with them throughout the duration of the education programme and to transition into adult services post education.

Section 9. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)	Tick option chosen
1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.	
2. Adverse impact - adjust the proposal - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	✓
3. Adverse impact - continue the proposal - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	

<p>4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.</p>	
<p>Explanation of why option has been chosen. (Include any advice given by Legal Services.)</p> <p>Initial analysis of the implementation of proposed changes indicate minimal impact on children and young people with SEND.</p> <p>Potential problems have been identified in terms of proposal 3b in terms whilst the new approach is fully embedded across the council departments. This will be mitigated by the Local Authority's statutory duty to meet individual assessed needs and to commitment to delivering five day packages if identified. It will also be mitigated by the closer working procedures to support transition across Children's and Adult's Services.</p>	

<p>Section 10. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)</p> <p>If proposals are approved we will monitor and review via:</p> <ul style="list-style-type: none"> • Annual reviews for individual EHCPs to ensure that provision is still sufficient to meet need and that the Care package is clearly articulated with a clear transition to adulthood plan; • Feedback from SENCOs on an ongoing basis and through regular SENCO Network Meetings to understand the user experience; • Budget monitoring of both High Needs block and HAS budgets to understand any impact on funding; • Feedback from young people and families on how this is working for them – not only through the annual review but through specific focus groups / surveys (method to be agreed as part of the transition project due to finish in January 2019).

<p>Section 11. Action plan. List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.</p>				
Action	Lead	By when	Progress	Monitoring arrangements
Formal consultation	Jane Le Sage	Oct/Nov 2018		Through the Programme Board / HNB OG.
Finalise guidance documentation	Jane Le Sage	March 2019		
Finalisation of transition model and start implementation	Jane Le Sage	April 2019		
Review of implementation / impact	Jane Le Sage	December 2019		Through the Programme Board / HNB OG.

<p>Section 12. Summary Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.</p>

This section will be updated during and following consultation to ensure any unidentified impacts can be considered.

The LA will continue to meet its statutory duties to meet the needs of the young person regardless of whether a decision is taken to fund Special Educational Provision post 16 at the national guidance level.

Taking into account the information summarised in section 4, the proposed recommendation for proposal 3a is:

To immediately stop overfunding the EHCP top-up in School Sixth Forms to bring in line with FE colleges (funding 16/25 of the top-up amount pro rata to attendance.)

Taking into account the information summarised in section 4, the proposed recommendation for proposal 3b is:

From September 2019, where a young person has a five day package, this will be funded 2/5 by Adult Social Care and 3/5 by Education. The caveat is that the Local Authority ultimately accepts responsibility for the EHCP as per the Children and Families Act 2014 and the Code of Practice and would ensure that identified needs and provision over five days were supported by appropriate funding regardless of the source of the funding. Implementation work will continue with HAS (Health and Adult Services) over coming months to ensure the Local Authority is compliant both with the Children and Families Act 2014 and the Care Act 2014 in ensuring we work together to ensure well planned and co-ordinated packages and transitions for this group of young people.

Section 13. Sign off section

This full EIA was completed by:

Name: Nikki Joyce

Job title: Head of SEND

Directorate: CYPS Inclusion

Signature: N Joyce

Authorised by relevant Assistant Director (signature):

Signature: J Le Sage

Date: 12.12.18

Updated approval 3.1.2019