

## **PaCC Position Statement on the BHCC Proposal to re-design the Learning Support Services (LSS) for children with special educational needs and disabilities.**

10 November 2015

Note also in this document: Addendums November 2015, and Updates January 2016 (in red)

### **Background**

This Position Statement covers the proposed changes for the Educational Psychology and Learning Support Services (EP+LSS), as described in a briefing to parents from Brighton and Hove City Council (<https://www.brighton-hove.gov.uk/content/council-and-democracy/news/educational-psychology-and-learning-support-service-proposals>). This proposal forms part of the wider SEND Review. However, this position statement only covers the changes to the EP and LSS.

The LA propose to combine eight specialist SEN support services into a single “Communication and Support Service”, under a single management structure. This direction of travel proposal was given the go-ahead by the Joint Children and Young People Committee and Health and Wellbeing Board in February. PaCC, while supporting the proposal of joined up working and co-location of services, were very concerned about the lack of detail, and asked whether there would be any cuts to specialist teachers. PaCC stated that the community would not support cuts to frontline provision.

The details have now been published, and include a restructure with “generic” SEN specialist advisor posts replacing the specialist teachers currently in post. There is also a proposed cut of approximately 10% to the current budget, including a reduction in the number of frontline posts. Specialisms in visual impairment, hearing impairment and autism will be protected within the new structure. The generic posts will support families as well as schools, with support extending to age 18. There is an emphasis on fulfilling statutory duty, i.e supporting those children with a statement of SEN and Education Health and Care Plans (EHCP).

### **1. PaCC Position Summary**

PaCC is broadly supportive of the vision of co-location and shared management in the new EP+LSS, especially where this creates efficiencies in back office costs and provides a more joined up service. PaCC also support a value for money approach linked to better outcomes for children and young people with SEND. However PaCC has significant concerns:

*Parent Carers' Council (PaCC), Community Base, 113 Queens Road, Brighton BN1 3XG*  
• Tel: 01273 234 862 • email: [admin@paccbrighton.org.uk](mailto:admin@paccbrighton.org.uk) • [www.paccbrighton.org.uk](http://www.paccbrighton.org.uk)

- PaCC opposes any cuts to frontline services. The SEND community reports a need for more capacity, not less. PaCC additionally strongly questions caseload capacity with a reduced staffing level.
- PaCC does not believe there has been sufficient consultation or co-production with key stakeholders on the proposed structure or cuts to frontline provision; **Update January 2016: Consultation has since been opened up to other stakeholders, although the consultation is officially a staff consultation.**
- PaCC is concerned by the lack of communication to parent carers, leading to a lack of confidence in the new proposals, as well as high anxiety across the SEND community. Consultation with parent/carers must be a priority. Parent carers want more clarity about the proposals, as well as a good evidence base for this re- design of service. **Update January 2016: Parent carers' views have since been sought, a PaCC connect was held, and a Stakeholder Group has been formed to advice on the local authority's response to the consultation. The Stakeholder Group includes PaCC and other parent reps, and representatives from schools and nurseries.**
- PaCC does not believe the proposals have been subject to an appropriate level of scrutiny, with no EIA produced in advance of the consultation, and no discussion of the proposed cuts at board level. The Joint Children Young People and Skills Committee and Health and Wellbeing Board in February agreed to co-location of the services which would be combined under unified leadership. Neither the cuts to frontline staff nor the structure were discussed or voted on.
- PaCC is concerned about the pace of change, and loss of specialist expertise at both pre-school and school level, ultimately leading to a less inclusive city and poorer outcomes for children and young people. **Update January 2016: Implementation has been delayed until September 2016**
- PaCC believes insufficient regard had been paid to Equalities Duties.

**PaCC requests that the proposed redesign of structure, including cuts to frontline staff and regrading of teaching posts, goes to the SEND Partnership board for discussion with expert partners (including Parent Carers), followed by approval by the Children Young People and Skills Committee, accompanied by a full EIA. Following the Joint Children Young People and Skills Committee and Health and Wellbeing Board meeting on 10 November, please see addendum at the end of this document.**

## **2. Detail**

Here we provide more detail and background to the position summary above.

**Equality Duties.** Children and young people with disabilities and SEN are disadvantaged compared to their peers, evidenced by poor academic outcomes and poor life chances after leaving full time education, with many not being in employment, education or training (NEET). Recent figures show 42% of YP with SEND are NEET aged 20.

Disability is a protected characteristic under equalities and discrimination law, and public bodies must have due regard to “removing or minimising disadvantages suffered by people due to their protected characteristic” (Equality Act 2011).

PaCC acknowledge the significant pressures on Local Authority Budgets. However, PaCC raise the issue of councillors and senior managers observing and prioritising their Equality Duties in regard to these proposals.

**Capacity.** PaCC welcome increased support within the proposals, including an increase in home support for families, extending the service to age 18, and increased support for Behavioural Emotional and Mental Health (BEMH) in and out of school. However, we would not wish to see an increase in one domain at the expense of another. Increased support at home will only be effective if our children are being supported effectively in school. Behavioral and mental health issues are frequently manifestations of difficulties in learning and/or communication. We believe any reduction in provision for schools, nurseries and in the area of learning and communication will lead to increased difficulties in learning, mental health and behavior of children and young people.

It is for this reason that we do not support any reduction in numbers of frontline staff in the EP/LSS services. There is already insufficient specialist capacity to address the needs of children and young people with SEND in the city, and outcomes are poor. Extending the remit of the service highlights the need for more capacity, not less.

**Pre-school.** The briefing provided to parents gives no details about the proposals for pre-school provision, and we request more clarity in this area. Private nurseries, who are the main providers, are likely to struggle to include children with disabilities with what appears to be a reduced level of service and expertise from the current PRESENS. PaCC feels the issues faced, and the nature of the providers, are very different from those in full time education, and therefore this area needs protection, particularly in view of the evidence of the importance of early intervention. There is a real concern that a reduction in pre-school provision will lead to a much reduced level of inclusion by mainstream providers. Particular attention must be paid to PRESENS provision as PaCC highlight the added vulnerability from this cohort of parent/carers who at the beginning of the parent/carer journey are still very much learning the way.

PaCC would like more detail on how the proposals will affect support to pre-school provision, and confirmation that this will not be reduced.

**Protection of Specialisms.** While we welcome maintaining specialisms in visual impairment, hearing impairment and autism, we are very concerned about the possibility there might be loss of expertise in other areas including speech language and literacy support. PaCC is a forum representing the views of families with children pan-disability and has a responsibility to ensure all children and young people have the correct level of support.

PaCC would like more details on generic posts, how staff will be employed/supported to cover all these specific areas with sufficient specialisms and capacity.

**Co-production.** PaCC does not feel sufficient evidence has been made available showing how the proposed structure will be in the best interest of CYP with SEND, and we remain concerned about lack of co-production with stakeholders and parent carers. This proposed service is a major change to support for these vulnerable children, and as such it is essential that there is both a high level of co-production and solid evidence that this is the best approach. It is also essential that current expertise is not lost, and there is effective monitoring and safeguards in case outcomes for children and young people are not improved.

**Pace of Change.** The very short timescale of implementation means that it's likely that schools and nurseries are unprepared, both structurally and financially, to cope with the changes. Rushing through the redesign could very likely lead to a number of 'lost years' for many children and young people in mainstream schools, e.g. if schools are not signed up and ready for the changes, or if specialist teachers leave with a loss of specialist knowledge. PaCC strongly hold the position that even a single year of loss of provision for our young citizens is wholly unacceptable.

**Scrutiny.** As we understand it, the proposal for the EP+LSS service (apart from the broad concept of co-locating services under unified management) has not been discussed at either the SEND Partnership Board or the Children Young People and Skills Committee. We would like to understand why not, and request that these proposals are now taken to these very important groups for discussion.

**Inclusion.** PaCC is aware that these changes are being made within the broader context of reviewing all SEND provision. Much of the SEND Review focuses on provision for children and young people in special schools, with reference to links to mainstream schools but little detail on how this will work in practice. We are therefore very concerned about provision for those children and young people in mainstream education, who are often extremely vulnerable, isolated and dependent on the abilities of an individual SENCO or class teacher. Our understanding is that these proposals will reduce the offer from the Local Authority for these children, thus increasing their vulnerability and negatively impacting their outcomes. Brighton and Hove has seen a small improvement in SEND attainment in mainstreams schools: PaCC strongly question how this will be maintained with a reduction in specialist EP+LSS provision.

We believe the city runs a real risk of an increased number of families opting for a seemingly improved offer of specialist provision, increasing budget demands on the Local Authority. PaCC question the ability of Brighton and Hove to remain an inclusive city for our children and young people, if support that children with SEND need to attend mainstream schools is reduced.

In the light of the city championing an inclusive ethos and the newly formed Fairness Commission, PaCC ask how these proposed cuts to front line staff can deliver these aspirations to our young citizens.

### 3. Conclusion

PaCC has been supportive of the review of services for SEND, recognising that more joined up, integrated working may lead to better outcomes for some children with SEND. We supported proposals voted on in February to co-locate the EP+LSS under joint management. However, we have consistently asked whether there would be cuts to teaching staff, and received no answer until the leak of the staff consultation regarding the EP+LSS restructure via social media. We do not feel this constitutes co-production. We are also aware that key partners, including schools, nurseries, and associated health providers have not been involved in consultation until this very late stage in the process, and there has been no real co-production with these key partners in provision for our children with SEND.

These proposals represent a radical change to provision of SEND support within mainstream schools to some of the most vulnerable children in the city, and include a reduction in front line provision. As such, PaCC strongly believe a full EIA should have been produced prior to the consultation; the proposals should have been brought to the SEND Partnership Board, and there should have been approval by the Children Young People and Skills Committee.

In the absence of either effective co-production or proper scrutiny of such a critical service, PaCC requests that the proposals are delayed until they have been brought to the SEND Partnership Board for discussion accompanied by a full EIA, followed by a vote by the Children Young People and Skills Committee on the recommendations. In addition, more time is needed for a full and structured consultation with key stakeholders and providers, in order to design the very best service for our children and young people with SEND.

**Update January 2016: PaCC welcome the fact that the implementation date for the redesign has been delayed, the consultation extended and opened up beyond staff, and a stakeholder group has been set up to examine responses to the consultation. We also support the appointment of an independent SEND expert to review the final proposals.**

**PaCC welcome the enhanced level of co-production in the latter stages of the consultation. Going forward, PaCC recommend that co-production with parent carers is at the heart of both strategic direction and development of services.**

## **Addendum 12 November 2015**

Our position statement was written before the Joint Children, Young People and Skills Committee and Health and Wellbeing Board meeting on 10 November 2015.

We understand that Councillor Bewick, chair of the CYPSC, made the following points:

- A petition regarding cuts to the LSS/EP would be coming to Full Council in December, so he proposed the LSS/EP restructure will be brought to Full Council for discussion.
- The consultation has been extended to the end of January
- The proposals should then be brought back to the Children, Young People and Skills Committee (after consultation period complete)
- Implementation of any agreed proposal has been put back to September 2016

PaCC is very pleased that more time is being given for the consultation, including broader scrutiny of the proposals and time to consult parents at our PaCC Connect on the 17th November

At this stage, we would like to request the following:

**Confirmation that the proposals will be discussed at Full Council in December, followed by a vote at a future CYPSC, as intimated by Councillor Bewick.**

Following the PaCC Connect on the 17<sup>th</sup> November 2015, we will issue some more detailed points on the proposals, to add to our current position statement.

## **Addendum 16 November 2015**

Regan Delf Assistant Director Children's and Adult Service Brighton and Hove LA has provided PaCC with an update: *'We will also be convening a stakeholder group with representatives from parent groups, schools and young people to discuss the feedback with us and to give views on the final proposed structure'*

PaCC welcome this development. Regan Delf will also update us further at the PaCC connect tomorrow; <http://amazingbrighton.org.uk/events/pacconnect-focus-group-changes-send-provision-brighton-hove/>  
PaCC will continue to update you with all developments on both their facebook page and website; [www.paccbrighton.org.uk](http://www.paccbrighton.org.uk) .

---

The Parent Carers' Council (PaCC) is a parent-led forum which represents parent carers with children and young people with any kind of physical disability, learning disability, complex or long-term medical/health condition, or special educational need. The group was formed to enable parent carers to work closely together to help improve services and support. It aims to help parents get more directly involved in the strategic delivery of services for disabled children in Brighton & Hove and now has about 270 signed up members.

Parent Carers' Council (PaCC), Community Base, 113 Queens Road, Brighton BN1 3XG  
• Tel: 01273 234 862 • email: [admin@paccbrighton.org.uk](mailto:admin@paccbrighton.org.uk) • [www.paccbrighton.org.uk](http://www.paccbrighton.org.uk)