

**TASK AND FINISH GROUP ON FUTURE ARRANGEMENTS FOR FUNDING  
POST-SIXTEEN ADDITIONAL LEARNING NEEDS IN SCHOOLS AND FURTHER  
EDUCATION**

**REPORT**

**SEPTEMBER 2010**

## **EXECUTIVE SUMMARY**

This Task and Finish Group was established at the request of Leighton Andrews AM, Minister for Children, Education and Lifelong Learning, following a Written Statement made on 22 March 2010. The Terms of Reference of the Group are given at Annex 1 – it should be noted that the remit did not extend to Work Based Learning or Adult Community Learning. Pre-16 specialist placements will be subject to a separate review in due course.

The Group consisted of representatives from mainstream and special schools, local and specialist further education institutions (FEIs), Careers Wales, local authority education and social services departments, the Welsh Local Government Association, NHS Confederation, Estyn, and a voluntary sector organisation, SNAP Cymru representing the voice of the learner/parent/carer. It met 5 times between July and September 2010.

A finance sub-group was established to capture the financial complexity of the subject area together with the possibility of value for money options arising from future changes. SNAP Cymru undertook a series of consultations with young people and parents/carers to capture their experiences and suggestions for improvement.

There was a general consensus reached very early on in discussions that the present system could not continue and that the separation of the funding and management decisions was not sustainable. Most importantly, the learners themselves do not always receive a timely decision in relation to their future options due to the complexity of the existing process. There was no criticism of any one organisation regarding this but it was clear that the process was not smooth or sophisticated enough to enable the learner to progress on the education journey with any certainty or clarity.

Some of the key issues included the need for consistency of approach across Wales; to be clear on the definitions of need; to ensure that schools and FE settings worked together in a collaborative way post-16; and to ensure there was a value for money approach taken in the commissioning process. Ultimately it was a clear message from the Group that the learner could achieve benefits if better planning of provision took place, including an increase in options available at a local level.

However, it was also clear that, for a few learners, specialist residential placements will remain the right option. There should be a way of indentifying and informing the learner and parents/carers when a specialist residential placement would not be an option. Increased local day provision, accompanied by appropriate support, such as respite care, offers the chance for improvements

in both quality and value for money. The findings of the Additional Learning Needs statutory reform pilots are directly relevant to, and consistent with, the work of this Group.

It was generally agreed that the changes in systems required for this vulnerable learner group should dovetail in with overarching strategic policies such as the School Effectiveness Framework and the Transformation agenda but that this learner group had to be catered for in a different way to ensure there is greater equity of provision across Wales.

The key recommendations from the Task and Finish Group were:

**Recommendation 1:** A joint protocol between all partners involved in transition planning should be developed, which could be adapted to suit needs at a local level. Similar issues have emerged and been addressed in terms of looked after children and protocols developed in that context could be used as a template for this.

**Recommendation 2:** The Welsh Assembly Government should propose and consult on legislative change to improve and effect better transition planning for children and young people with ALN, including the replacement of the existing statement of SEN with an Individual Development Plan (this would be apply in school and FE settings).

**Recommendation 3:** Prior to any legislative changes as envisaged in Recommendation 2, further work should be done to ensure transition planning and decisions for post 16 placements for learners with ALN are started earlier.

**Recommendation 4:** Local authorities should take over the responsibility for funding FE specialist placements and the management of the FE Exceptional Funding provision. As part of that responsibility, they should establish and maintain a system for administering and processing applications. The amount of funding to be transferred is a key issue but the close links required with social services (both children and adult services) are key to better transition arrangements, both into and out of FE.

**Recommendation 5:** Local authorities should take on the responsibility for arranging the assessments of the education and training needs of young people with ALN under Section 140 of the Learning and Skills Act. This should include engagement with the young person and their family. The Welsh Assembly Government should issue guidance designed to ensure a consistent approach across Wales.

**Recommendation 6:** Careers Wales should retain responsibility for using these assessments in coherent Learning, Skills and Career Plan documents agreed with the individual young people concerned and delivered to relevant post school providers of education and training'.

**Recommendation 7:** The Section 140 assessment should include consideration of the ultimate aspirations of the individual, so that the training or education meets those aspirations and there is a satisfactory outcome. This does not mean that all training desires need to be met but the training should enable the individual to move towards the goals have set themselves in life.

**Recommendation 8:** The timing of assessments for specialist residential funding should be brought forward from the final to the penultimate year of compulsory schooling.'

**Recommendation 9:** Local authorities should develop a consortium approach to contracting. This could be based on the existing consortia used by the Association of Directors of Education Wales (ADEW). Value Wales could play an important part in this process. The consortia also need to develop an 'invest to save' approach to reduce the need for expensive placements.

**Recommendation 10:** Local authorities should work together to analyse the increased incidence of SEN, how this is distributed by level of need, and how this is managed within each consortium area.

**Recommendation 11:** Guidance on consortium working and planning/commissioning under Section 191 of the Education Act 2002, on the lines of that seen by the Group, should be issued, and the survey of provision carried out in 2007 should be updated.

**Recommendation 12:** FEIs, specialist residential colleges and, where appropriate, special schools, should form consortia on a 'hub and spoke' basis, allowing them to share expertise and equipment and thereby reduce costs and allow more learners to have provision closer to home.

**Recommendation 13:** FEIs should receive Supplementary Funding from the Assembly Government as part of their mainstream allocations to remove the bureaucracy associated with this relatively small amount of money and to support the individual placements at a local level.

**Recommendation 14:** Funding for post-16 ALN provision in special schools, out of county placements and mainstream schools should be returned to Revenue Support Grant. Authorities should, in setting up the commissioning consortia recommended above, take into account the complexities of the current structure in terms of the plethora of different providers (some very small in volume).

**Recommendation 15:** Further work should be undertaken in relation to the purchase and sharing of equipment and this should dovetail into the work already in existence from the development of the Welsh Assembly Government's Community Equipment Scheme. Local authorities should take the lead in joining the existing partnerships which are in existence and this work should include schools, FEIs and specialist schools/colleges.

## **PURPOSE**

1. This report outlines the work that the Group has undertaken and sets out its conclusions as to a preferred way forward on post-sixteen funding for learners with additional learning needs.

### **Establishment of the Task and Finish Group**

2. The Group was established following the Written Statement issued on 22 March 2010 by Leighton Andrews AM, Minister for Children, Education and Lifelong Learning. Terms of reference and membership are at Annex 1. It should be noted that they
3. There were two sub-streams of work undertaken, one to capture the views of learners and parents/carers and a financial sub-group. These reports are at annexes 2 and 3 respectively.

## **BACKGROUND AND CONTEXT**

4. In line with the approach taken in the legislative competence order transferring law-making powers in this area to the National Assembly, the terms of reference for the Group refer to additional learning needs (ALN). The term learning difficulties and/or disabilities' (LDD) tends to be used in the context of further education, drawn from the definition of 'learning difficulty' in the Learning and Skills Act 2000. Special educational needs (SEN) has been used in schools up to age 16. Both may be considered sub-sets of the wider category referred to as 'additional learning needs' (ALN).
5. Neither SEN nor LDD include learning difficulties arising from English being an additional language. For funding purposes, LDD does not include learning difficulties arising solely from a basic skills deficit.

### **Relevant Legislation**

6. The key legislation prior to age 16 is the Education Act 1996, as amended, under which local authorities have a legal duty to provide special educational provision for learners with a statement of SEN. This statement is drawn up by the local authority (LA) in accordance with the national SEN Code of Practice for Wales, after a multi-professional assessment is made for the learner, and is reviewed annually.
7. Each LA must, by law, provide the educational support detailed in each learner's statement of educational needs. Unless amended or ceased by the LA in accordance with the SEN Code of Practice for Wales, a statement will remain in place until the end of the academic year in which the learner reaches 19 years of age. As a result of this legal obligation, LAs manage their limited resources to ensure that these young people's needs are prioritised.

8. Post-16, Section 31 of the Learning and Skills Act 2000 (LSA) imposes a duty on the Welsh Ministers to secure the provision of proper facilities for education and training suitable to the requirements of persons aged 16 to 19, other than higher education. Such facilities can include facilities at schools maintained by local authorities.
9. Section 36 gives the Welsh Ministers power to make grants to LAs to be applied as part of the schools budget for a financial year for the provision of post-16 education. Even though section 36 allows the Welsh Ministers to make grants to LAs, the duty imposed by section 31 remains.
10. Section 41 states that in the exercise of duties under section 31, the Welsh Ministers must have regard to the needs of persons with learning difficulties. "Learning difficulties" is defined in section 41(5). A person has a learning difficulty if he has a "significantly greater difficulty in learning than the majority of persons of his age" or a disability preventing or hindering him from making use of facilities "of a kind generally provided by institutions providing post-16 education and training".
11. Section 140 requires the Welsh Ministers to arrange for assessments, during the last year of compulsory schooling, of young people with statements of SEN who they believe will receive further or higher education or training.
12. In relation to learners with statements who remain in school post 16 the statutory duties placed on local authorities remain in place until the learner is 19 and supported by the relevant Education Acts. However, the legal basis for the funding is contained within Section 36 of the Learning and Skills Act 2000.

### **Proposed Legislative Change**

13. In taking forward its remit, the Group was very conscious that a considerable amount of work is already being done in preparation for a comprehensive reform of the statutory framework relating to children and young people with ALN. This planned statutory reform is a One Wales commitment and follows the three-part review of SEN undertaken by the former Education, Lifelong Learning and Skills Committee and the more recent report on Autism in FE by the Enterprise and Learning Committee.
14. The outcome of this work will be significant system changes to the existing statutory framework for SEN. A number of the aspects of this are currently being tested in pilots. These include:
  - building the capacity of all providers to provide appropriately for pupils with ALN through self-evaluation using the new ALN quality assurance framework. This process will be further informed by the new pupil Individual Development Plans, replacing existing statements;

- constructing and trialling a range of models for the role of the ALN co-ordinator in schools, including cluster arrangements for smaller schools;
- a holistic system for identifying and meeting the needs of children and young people with the most severe and complex needs from age 0 to 25 on a multi-agency basis;
- a flexible, multi-agency system for meeting the needs of those with less complex ALN;
- transition key working, in cooperation with the Care Co-ordination Network UK (CCNUK). This has recently been extended with an additional £1.5m of match funding under the “Reaching the Heights” European Social Fund initiative to include all 15 local authorities in the convergence area.

15. In the light of its terms of reference, the Group has concentrated primarily on financial issues. However, all of its recommendations are consistent with the direction of travel of this wider statutory reform, which in turn will contribute to the objectives of the Group.

## **CATEGORIES OF POST-16 ALN PROVISION**

### **School Sixth Forms**

16. Provision for learners with learning difficulties and/or disabilities in school sixth forms is set in legal duties and the SEN Code of Practice. The following describes the various options for pre-19 year olds in school settings.

### ***SEN in Mainstream School Sixth Forms***

17. Learners with special educational needs are, where it is deemed appropriate, taught in mainstream schools. LAs’ ‘inclusion policies’ are aimed at improving the accessibility of mainstream education. The move towards improving access to mainstream education has been reinforced by the SEN and Disability Act 2001, which has strengthened the right of parents to have their children educated in a mainstream school.

18. LAs’ policies concerning the issue of statements for SEN vary and many young people have learning difficulties and/or disabilities which do not require a statement. There is no national approach to the funding of SEN in mainstream schools. Each local authority has its own approach to funding individual support needs within mainstream schools.

19. The additional learning support that LAs provide for SEN in mainstream and other related provision (including SEN Units described below) is funded by LAs from the post-16 mainstream funding it receives from the Welsh Assembly Government under the National Planning and Funding System (NPFS).

20. In order that funding for this form of SEN provision is not diluted by the funding model across all forms of post-16 provision, in 2004-05 LAs provided

a snapshot of their expenditure in this area. This snapshot forms the baseline for that funding which is reserved as representative of mainstream SEN provision prior to the application of the funding model across the post-16 sector. This funding is an indicative amount which is not ring fenced but is an identifiable part of the NPFS funding received by LAs for their post-16 provision.

### ***SEN Units in Mainstream Sixth Forms***

21. Some mainstream schools have SEN Units, sometimes known as 'LA Designated Units' attached to them, which are usually targeted at the needs of pupils with particular disabilities/learning difficulties. Some, for instance, are units for the hearing or for visually impaired. These units can also provide a resource for learners from other local authority areas.
22. These units also tend to be funded by the LA on a places basis, which means that a fixed number of learner places at a unit are funded by the LA regardless of whether or not those places are filled. This mechanism is used because a minimum level of funding is necessary to maintain the specialist resource offered by the unit. Places in these units are secured for a pupil on the understanding that, without this facility, mainstream provision would not otherwise be accessible to the pupil. It is possible for LA Designated Facilities to offer residential provision.

### ***Special School Sixth Forms***

23. In the same way as SEN Units, special schools are funded by LAs on a places basis. Places are funded regardless of demand in order to retain staffing resources in this specialist area. Some local authorities 'buy' places in special schools located in a neighbouring authority on the basis that they may require these places at a future date.

### ***Specialist Placements (Out of County)***

24. Some pupils with special educational needs receive their education outside their own local authority provision. Such specialist placements may be residential and may be in:
  - LA designated units in mainstream schools in other local authority areas;
  - Special schools in other local authority areas; or
  - Independent schools in Wales, England or beyond.
25. The cost of specialist placements can be high and the movement of one or more pupils requiring specialist provision into or out of a local authority area can have a significant impact on LA resources. Currently, there is no national approach to funding specialist placements and local authorities deal with requests for such placements according to need and on an individual learner basis. Some specialist placements are funded jointly with other agencies such as Social Services or Health Boards. Broad guidance is given in the SEN Code of Practice for Wales on joint funding.



## ***Post 16 Funding***

26. The funding for post-sixteen SEN provision was removed from the Revenue Support Grant (RSG) in 2002-03 along with the other post-sixteen education funding in order to transfer the budget to Education and Learning Wales (ELWa). Since then authorities have received funding for post-sixteen SEN in mainstream through a grant in addition to the National Planning and Funding System (NPFS) formula. Funding for post-sixteen special schools and out of county placements is also through a grant, which is derived from LAs' own cost estimates for the forthcoming year. An initial estimate informs an initial allocation, which allows budgets to be set. Consideration is then given to in-year updates which allow for fluctuations in stated need and ensure that the final allocation is as close as possible to what local authorities allocate using their established methodologies. This funding mechanism was introduced by ELWa and intended to be interim to the development of a common post-16 funding mechanism, which in the event did not prove possible. It has continued after the amalgamation of ELWa into the Welsh Assembly Government (WAG).
27. A task group was set up in 2009 to consider the way forward for funding post-16 SEN education in special schools and out of county placements and recommended that the funding responsibility should be returned to Revenue Support Grant. A copy of its report is attached at annex 4. That was considered and approved by the WLGA on 23 March 2010.

## **Post-sixteen FE**

28. Further Education Institutions (FEIs) offer a range of support arising from an assessment of a learner's individual need. Statements do not extend to FE provision, although the information they contain provides FEIs with valuable information when determining learners' additional support needs.
29. Under Section 140 of the Learning and Skills Act 2000, every learner with a statement of special educational needs, who is expected to go on to further or higher education or training, is entitled to an assessment of education and training needs in his or her final year of compulsory schooling. Currently, Careers Wales collect, collate and summarise the education, social care and health related assessments, via the transition planning process. Careers Wales then use these assessments in Learning, Skills and Career Plan documents agreed with the individual young people concerned and delivered to relevant post school providers of education and training.

## ***Specialist Residential FE Provision***

30. For a small number of learners, placement at a specialist residential college is the most appropriate to meet their needs.

31. The majority of specialist residential FE establishments in the UK are in England, with four such independent establishments in Wales. In addition, there is one FE sector institution, Bridgend College, which offers 24-hour provision for learners with ALN and is subject to the same application procedures as specialist residential independent FE establishments.
32. Specialist residential FE college places are funded via a fee matrix which was developed with specialist colleges across England and Wales as a consistent and transparent means of matching the costs of specialist day and residential provision to the needs of individual learners.
33. Many of the places that the Welsh Assembly Government secures in specialist residential FE establishments are jointly funded with local health boards and local authorities. Very often, the Welsh Assembly Government will negotiate funding with one or both of these agencies.

### ***Mainstream Further Education Provision***

34. Additional support to enable providers to make their mainstream provision accessible is currently funded via a system of supplementary funding. Until recently, colleges submitted detailed information about individual learners with LDD as the basis of their claims. This involved additional administrative workload for LDD practitioners in colleges. The level of input and the extent of audit trail associated with each individual learner was the same whatever level of support is claimed. In addition, as claims were made in-year, FEIs did not know the level of funding they would receive until the end of the first academic term. As a result, more recently funding has been allocated on the basis of the previous year's distribution, particularly as the final sum to be allocated has been boosted by re-distribution of under-spending from elsewhere at the end of the financial year.
35. Exceptional Funding may be allocated to FE providers on a case-by-case basis to enable learners with profound learning difficulties and/or disabilities, who would otherwise be funded to attend specialist residential establishments, to access discrete provision locally.

### ***Discrete Further Education Provision***

36. Discrete classes are available for learners for whom mainstream classes are not appropriate, and human and/or technical support is available to improve the accessibility of mainstream.
37. Discrete programmes of study are designed exclusively for learners with LDD and provision is intensive. High costs result mainly from small class sizes, individually tailored equipment and the need for additional learning support assistance. These additional costs are currently funded via a subject area weight within the Learner Provision stream of the National Planning and Funding System.

## **FINDINGS**

38. The following findings and recommendations are drawn from evidence tabled and discussed at the meetings of the main group, which included the reports from SNAP Cymru on the learner and parent/carer voice (annex 2), the finance sub-group of this Task and Finish Group (annex 3) and the earlier Task and Finish Group on post 16 SEN funding (annex 4).

## Transition

39. As already indicated above, there is much work being undertaken to improve the transition for this learner group and there are a number of requirements, some statutory, some simply best practice, which are in place. However, the anecdotal evidence provided to the Group indicates that this is variable and that the largest issue to be overcome is in relation to the age group we are dealing with here.

40. The age and circumstances of the individual will affect the organisations that are involved in the process. The Task and Finish Group were made aware of youngsters at 16

- entering a mainstream 6<sup>th</sup> form setting;
- applying to go to the local FEI;
- applying to go to a specialist FEI placement due to local provision being unable to meet their needs;
- remaining in special schools until the year in which they are 19 if they have an SEN statement.
- re-accessing education and other services after a period not in education, employment or training.

41. The most problematic transition seems to be when the learner is transferring from children's into adult social services. The Group were made aware of some adult social services which were not sighted on the possibility that a youngster was likely to be applying for a FE placement, even though the guidance states that both children's and adult social services should be present at the transition meetings which start in Year 9. There are understandable reasons why this may occur due to:

- the young person not indicating their desire to go to FE at the initial transition meetings
- the young person not having need for social services input whilst they are living at home and in a supportive environment
- the young person dropping out of school based provision and re-entering education and the need to access services at a later date.

42. It was very useful to have the voice of the learner captured by SNAP Cymru. Their conclusion is that throughout the transition process, there is often too little planning and participation of all partners and insufficient engagement of young people, who are often left unprepared to manage the change of premises, personnel, provision and peer groups. Consultation responses indicate that too often, young people leaving school provision and those

entering FE or adult services have insufficient information about choices and options and are left without timely and appropriate services to meet their individual needs.

43. The timing of decisions for the individual and the organisations themselves has to be revised and it was recommended in SNAP Cymru's report that the whole process be pulled back by at least 6 months. This would have to be modelled, but whilst the application process is still with the Welsh Assembly Government further work could be commissioned working in tandem with Careers Wales, LAs, SNAP Cymru and schools.
44. The statutory reform agenda has already highlighted the need for better transition planning for all learners with ALN and the pilots presently being trialled have identified a strong case for children and young people to have an Individual Development Plan. This would replace the existing statement of SEN, and would apply not just in school but also FE and work-based learning (WBL).

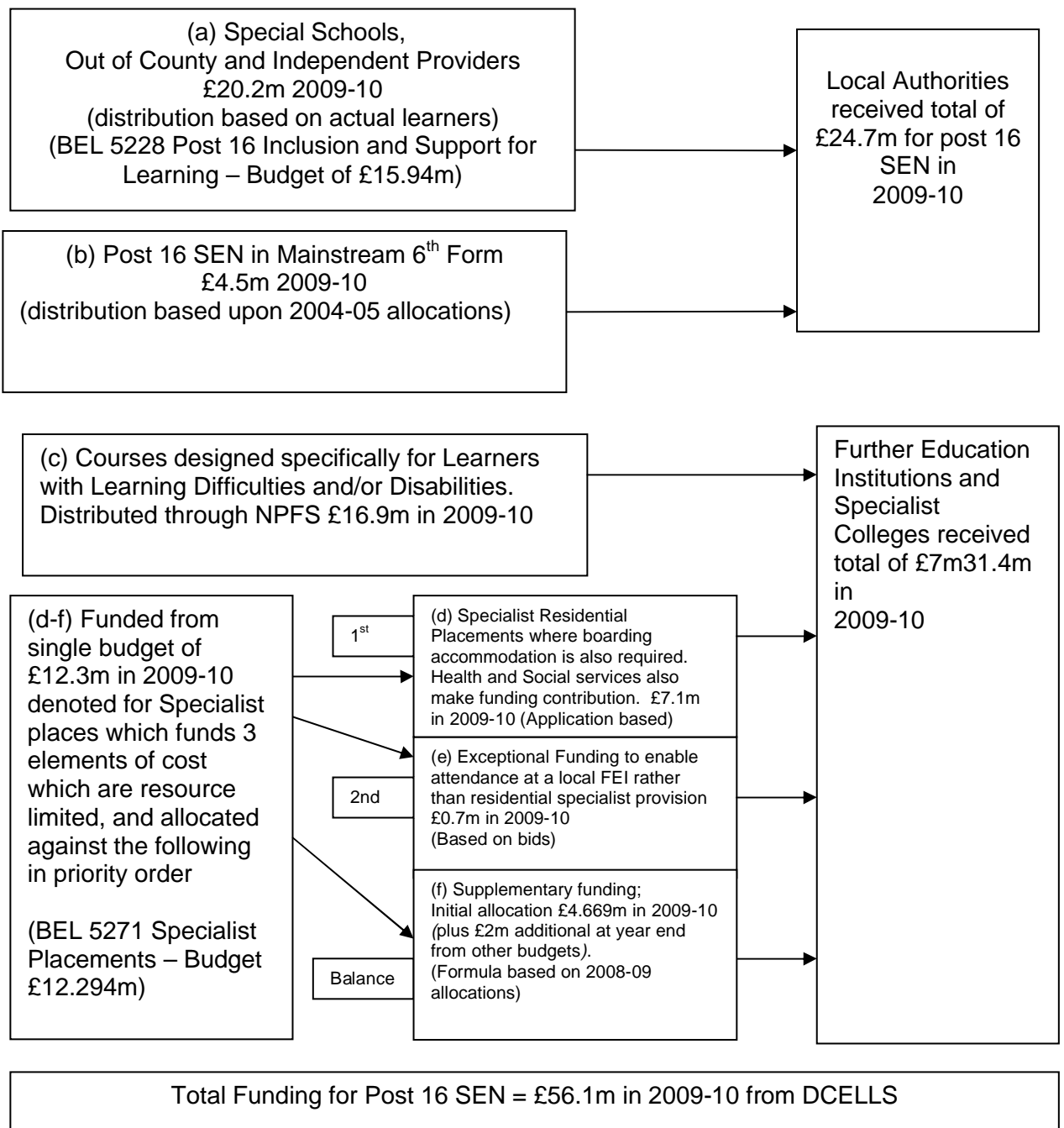
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## **Funding and Collaboration**

45. The findings of the Funding sub-group are attached at annex 3 and were discussed in the main Group discussion. The body of evidence supports the conclusion that the existing funding mechanisms are over complex – see table reproduced below - and the existing structure does not lend itself to enabling value for money, collaborative working or indeed competitive negotiations with providers,



46. SNAP Cymru are increasingly concerned that young people with learning difficulties will continue to have inequitable access to learning and life choices. They conclude that public services personnel and agency staff require up to date information on the needs of each individual achieved via a holistic assessment informed by a comprehensive 14+ transition plan and careers assessment.

47. Comments received from the Association of Directors of Education Wales (ADEW) reiterated the point that young learners were concerned with the limited choices they were offered and, on occasions, the repetitive nature of that learning, primarily independent living skills.

48. The current system divorces decisions on how individual post-16 pupils with ALN are supported in school from the budget responsibility for those decisions. In the case of post-16 special schools and out of county

placements, the responsibility lies with local authorities but the funding is provided by a specific grant from the Assembly Government based on local authority estimates of expenditure.

49. In relation to FE placements, local authorities have a key contribution to make in terms of the social services input - both children's services before placement and adult services afterwards, and are in regular contact with the health funding partners should the individual learner have ongoing medical needs which affect their ability to participate in an education setting. They also have access to the professional expertise of their educational psychologists for assessments. However, decision making on funding the education element of individual cases rests with Welsh Ministers. This is not helpful for long term planning or for the timing of decisions for this vulnerable group of learners. The result is that decisions can be taken too close to the date of the new academic year and places unnecessary strain on the learner, family and the FE placement.
50. The Group recognised that the School Effectiveness Framework and the Transformation agenda in Wales could be used as vehicles for change for this group of vulnerable learners, but it was felt that in addition there needed to be separate and distinct policy to support them, given the complexity of dealing with mainstream schools, specialist schools, FEIs and private sector providers.
51. The use of out of county and out of country placements was considered in some depth by the Group. The phrase 'out of county' placements is often used as a proxy for residential provision. There is a considerable difference in cost between residential and day FE provision. For example, the average placement cost for learners with severe to moderate ALN is under £8,000 in day FE provision compared to around £55,000 in residential provision – although it has to be noted that the residential provision is providing the whole 24 hour costs associated with the placement whereas local FE provision would usually be 9am to 4pm . Currently the Assembly Government pays the majority of the costs of residential placements (around £40,000), with the social care aspects being met by local authorities and, less frequently, the NHS funding health care needs.
52. For some learners, a placement in a residential facility may be the best option to meet their needs and each case is dealt with on its own merits. SNAP Cymru stated it was their opinion that young people and their parents do not necessarily want them to move away from their local community but the choices of staying locally were not of sufficient volume or appropriateness to enable them to consider this as an option. The support an individual may need to stay in local FE provision needs to be secured prior to their making a decision. Moreover, the respite aspects of a residential placement can appeal to hard-pressed parents when, with adequate local provision, particularly at the beginning and end of the day, a more appropriate placement might be available.
53. For the local authority, the first they may be made aware of a proposed residential placement is when a joint funding request is received from the Assembly Government. There is a general absence of planning for placements, both in day and residential provision.

54. In order to reach a position where more local choices are available for learners, the following needs to be in place:

- a transfer to local authorities of financial responsibility for learners post-16 in school and residential FE;
- collaborative working and sharing of expertise between special schools and FE colleges, and between different colleges, based on the successful model of the 'Unlocking the Potential' initiative between special and mainstream schools. This is sometimes referred to as a 'hub and spoke' approach;
- investment by local authorities in capital development and services such as respite care on an 'invest to save' basis;
- consortium commissioning by local authorities, based on the ADEW consortia. This would allow both more competitive purchasing when residential provision was required and the planning of services which met need where appropriate in a local and more cost-effective way. The Group noted that Section 191 of the Education Act 2002 enables the Assembly Government to direct an LEA in Wales to consider regional collaboration for SEN, having regard to guidance.

**Recommendation 4:** Local authorities should take over the responsibility for funding FE specialist placements and the management of the FE Exceptional Funding provision. As part of that responsibility, they should establish and maintain a system for administering and processing applications. The amount of funding to be transferred is a key issue but the close links required with social services (both children and adult services) are key to better transition arrangements, both into and out of FE.

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## **Equipment**

55. Better value in the purchase of equipment could be achieved by consortium working but there is also the possibility of removing the obstacles to transferring equipment from one setting to another when the young person moves, and for the sharing of equipment more generally.

56. The Task and Finish Group also discussed the opportunities that IT had brought for this learner group. Even relatively low technology equipment, such as mobile 'phones, could be used in a supporting role for young people who are learning to be independent by travelling on public buses as they could use the camera on their 'phone to record the various landmarks along the route they had to use.

57. Additionally, the Group were made aware of the Community Equipment Scheme which has resulted in formal partnerships being established between social services and the NHS to ensure equipment is better utilised and



recycled. This has led to cost savings and a much better service. This offered the possibility of the involvement of local authorities, schools, FEIs and specialist providers being included in the partnerships.

**Recommendation 15:** Further work should be undertaken in relation to the purchase and sharing of equipment and this should dovetail into the work already in existence from the development of the Welsh Assembly Government's Community Equipment Scheme. Local authorities should take the lead in this, and the work should include schools, FEIs and specialist schools/colleges.

## **Terms of Reference and Membership**

### *Terms of reference*

The group will consider and make recommendations by September 2010 on options in the following areas:

- establishing an improved and unified system of transition to educational provision in school or FE for young people with additional learning needs (ALN) above the age of 16;
- achieving better value for money in expenditure on post-16 education for young people with ALN, specifically against the context of financial challenge over next 3 years;
- sharing more widely expertise that is currently in special schools and FE colleges in providing for ALN post-16;
- use of out of county and out of country placements
- investment in post-16 school and FE provision for young people with ALN

### *Membership*

- Colegau Cymru – John Graystone/Fiona Hesketh
- North/South Wales Association of Special School Headteachers –Jane Kelly /Kevin Tansley;
- Association of School and College Leaders - Nigel Rees
- Association of Directors of Education – Eirwen Vogler;
- WLGA- Chris Llewellyn/Mari Thomas;
- Association of National Specialist Colleges (NATSPEC) – David Kendall/Andrew Smith/Alison Boulton:
- Welsh NHS Confederation – Jonathan Davies:
- Association of Directors of Social Services – Gary Jones:
- Careers Wales - Steve Hole/Jane Tilley
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**Report to  
Welsh Assembly Government's  
Task & Finish Group  
on  
Funding the Transition of People with Additional Learning Needs from Pre to  
Post 16 Education**

**SNAP Cymru**

**August 2010**

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## Transition

Transition is a time of change. Between the ages of 14 and 25 young people usually have to make important decisions about their education, leaving home, getting a job and starting relationships. These decisions and changes can be both exciting and challenging. But it can be an anxious time for some. Young people may be concerned about what opportunities and services they can expect as an adult, and whether their needs will be fully met.

A successful transition planning process helps to give a clear understanding of what opportunities are available for young people post school, and after 18. Young people can leave school legally at the end of June in the school year, when they reach the age of 16. From here, they can usually make their own decisions about what they want to do. Some will however, need support with making plans. Presently regulations require that a transition plan must be prepared for all young people with a statement of Special Educational Needs (SEN). The SEN code of practice says that the 'Annual Review' in year 9 and any subsequent annual reviews until the young person leaves school must include the drawing up and review of the 'Transition Plan'. This means that any annual review held after year 9 must include information on plans for transition.

The transition plan should draw together information from various people from within and outside of the school who are involved with the young person.

The main Post 16 options are:

- **Staying at school** can provide many opportunities and be a positive choice. Some young people are able to stay at school until they are 19. The adviser from Career Wales can give you detailed information about the courses and qualifications on offer locally.
- **Attending a local college of further education** while living at home is often the next step. Colleges can offer a very wide range and level of courses, both academic and work-related, which can be full or part-time. Many courses are designed to prepare young people for adult life by offering a range of vocational taster courses, the chance to gain qualifications and improve skills in Maths, English/Welsh and communication. Some students remain in their local college until the age of 25.
- **Specialist residential colleges** - Nearly all young people with learning difficulties and/or disabilities can go to their local college. A very small number have needs which their local college cannot meet and, if the learner is aged between 16 and 25, the Welsh Assembly Government may pay for them to attend a specialist college, including residential courses, where appropriate. Where no local college is able to meet a Young Persons needs, the Careers Adviser will have information on how to apply for a place at a specialist college and how to get funding.
- **Higher education** will be an option for some young people whose academic ability enables them to access courses on offer. This could be at university, college or distance learning.
- **Supported Work and Training** - A young person can enter the world of work through supported employment or a training programme. There are a number of

organisations that can help them find opportunities in real work situations. Many of these programmes can lead to nationally recognised vocational qualifications.

- **Employment** - Only a small proportion of young people go straight into employment from school. If this is the most appropriate option the Careers Wales adviser can help with job-seeking skills.
- **Day Service opportunities** may be the most appropriate option for some Young people. These are usually arranged in places where young people with a learning disability can pursue all sorts of interesting day time activities (often out of the day centre and in the local community). Here, they can make new friends, gain their own independence and become a valued member of the community. Day services are usually provided by local authority social services or voluntary organisations.

### **Background to this consultation**

SNAP Cymru was asked to produce a paper setting out the \*experiences of young people with additional learning needs who had been through the transition process gaining information and evidence from Children in Wales, and other specialist agencies. *\*(agenda item 4 point 3 WAG task and finish group on funding the transition of young people with ALN from pre to post 16 education meeting 11/5/10)* This has been achieved by directly consulting with young people and their families to seek their views and thoughts about their individual transition experience.

The consultation questionnaires (*available from SNAP Cymru*) were developed with the help of young people and was widely circulated to organisations and agencies including; SNAP Cymru staff and volunteers, Careers Wales, Children in Wales, RNID, RNIB, Skill, SCOPE, Down's Syndrome Association. Organisations and agencies were asked to circulate the questionnaire and invitation to contribute, as widely as possible to their key contacts, young people and parents.

Copy of the compilation of responses is available by request from [headoffice@snapcymru.org](mailto:headoffice@snapcymru.org)

### **The consultation event**

The consultation has been held during July and August 2010.

During this time it has been possible to consult directly with 120 respondents, mainly young people (with and without their parents) on an individual basis and in small groups led by trained facilitators using the questionnaire format where possible. Some organisations, individuals and agencies also responded separately. Their findings and recommendations are included and their papers annexed to this document.

Below are the consultation findings with recommendations.

May I take this opportunity to thank all of our contributors and facilitators for participating in this important piece of work at such short notice with the usual enthusiasm and good nature.

Denise Inger  
Chief Executive Director  
SNAP Cymru  
August 2010

## Findings and Recommendations

### The Transition Planning Process

- This consultation shows that there is often too little planning and participation of all partners and insufficient engagement of young people, who are often left unprepared to manage the change of premises, personnel, provision and peer groups. Young people leaving school provision and those entering FE or adult services are too often not informed of choices and options, too bewildered, left without timely and appropriate services to meet their individual needs.
- Poor transition planning or the complete lack of transition planning is evident. Ill informed families' and professionals prevent the participation of young people in planning and decision making which affects them;
- A 14+ Transition Plan should be the start of a young person's planned journey through adult life. Despite statutory obligation for young people with statement of SEN, too often transition plans are incomplete and or discarded after their formal education. Sometimes, the planning process does not even begin if the Careers Wales advisor cannot attend the meeting.
- Families of young people age 16+ report frustration and anxiety, young people are often bewildered and distressed leaving formal education. Much of the distress and resulting conflict could be alleviated now with timely and appropriate multi agency person centred planning which focuses on need rather than on diagnosis or services available;
- Young people who were staying on in school (especially those in special schools) reported that there was little or no planning for them post 19 – they reported that there was no transition planning for them as they were staying on in school until they were 19;
- There is evidence of poor planning by statutory and non statutory agencies resulting in inadequate planning for social and health care, housing, employment, training, social activities and respite arrangements for families.
- Young people also need planning and support to help them access leisure and community facilities. Young people need time away from their families and families need time to themselves. Young people reported that this was hardly ever discussed at transition meetings but is extremely important;
- Schools tend not to invite Social Services to the Year 9 annual review unless the YP has an allocated social worker: generally speaking, parents have very little, if any, information regarding the transition protocols and the transfer from children's to adults' social services.
- Nobody seems to take ownership of the transition plan and too often the transition plan only looks at what's happening at school and often in the short term;
- Presently at 16+ there is no statutory obligation. Young people leaving mainstream and special schools 'forfeit' their statement. This includes the transition planning from residential specialist colleges and FE which at best is inadequate and sometimes non-existent;

- If a young person remains in a designated school, the statement is in place until the age of 19. If they move to college the statement is not maintained. There has been confusion and a lack of consistency across Wales. Whilst statutory reform is on going the need for clarity is vital.

#### Recommendations – Transition Planning Process

1. Provide statutory guidance for children and young people with additional learning needs up to the age of 25
2. Provide transition training to schools, parents, young people and professionals working within this field
3. Ensure the active participation of all young people in planning and decision making which affects them
4. Head Teachers (and ultimately the LA where the YP resides) need to take ownership and responsibility of the transition plan, and ensure the process begins on time, at least following the guidance published in the handbook of good practice for children with special educational needs, published by the Welsh Assembly Government;
5. Introduce transition planning at primary age to support transition at Year 6, Year 7 to prepare them for transition to adulthood planning from 14+:
6. Ensure that the Section 140 (Learning and Skills) assessment (Careers Wales led transition plan) is as robust as possible, taking into account the statement, transition plan, updated assessments etc.
7. Bring forward transition planning and recommendations for placement and provision by at least 6 months to allow young people and their families to adjust and allow 16+ providers to plan appropriately for individuals with additional needs;
8. Ensure that the planning looks beyond 16+ and includes planning for independence, housing, and access to leisure, transport and medical needs – transition into adult life;
9. In the era of ‘statutory reform’ clarify a process which is unambiguous and introduced Wales-wide (all 22 local authorities).

#### For those without a statement of special educational needs

- Young People recognised within the SEN system as ‘School Action’ or ‘School Action Plus’ rarely have a transition plan although there is some good practice. For example, a young person with learning difficulties who was illegally excluded from school at age 15 reported that had received intensive help advice and planning from his local Careers Wales advisor through meetings, practical help and telephone contact. This had led to college/work-placement opportunities which he felt had definitely helped him gain long-term full time employment. When asked how they, (Careers Wales), found out about him, the young person reported that through his contact with SNAP Cymru his mum and home tutor had contacted them for help;

- The statement is still too often used as criteria by other statutory and non statutory agencies to access other services including specialist support, Specialist College, transport and benefits. The inconsistencies between local authorities criteria's causes confusion, mistrust and adds to the inequity caused by the post code lottery. As reported in the consultation, this causes some parents to move home or consider specialist residential placements against their own ideals;
- Many young people and adults with additional learning needs do not require or do not have a diagnosis at 16+. They require assessment, support and access to education and other services. Planning must continue for young people up to age 25 into adulthood if we are to make a real difference (or until the young person decides that they no longer need support).

Recommendations - For those without a statement of special educational needs

1. Ensure all young people with additional learning needs are included in a 14+ transition planning process, those with or without a statement of SEN.
2. Remove the 'statement' as criteria for receiving access to services including specialist support, Specialist College, transport and benefits.
1. Ensure that transition plans are monitored to the age of 25 or until the young person decides that they no longer need support.

Statutory Reform

- There has been a steady reduction, particularly since 2004, in the issuing of statements across Wales. The SEN Statutory Reform group recognised inconsistencies in the issuing of statements; the provision specified in statements of SEN; responses to requests for formal assessment. For example Bridgend County Council do not generally issue statements of SEN, although SNAP Cymru case work evidences parents, who are persistent and willing to use Tribunal, may be successful in obtaining a statement;
- SNAP Cymru recognise that the provision to meet need is not dependent on the issuing of a statement. Statutory Reform is likely to further decrease the issuing of Statements of Special Educational Needs.

Recommendations – Statutory Reform

1. Create a shared hub of young people's actual pathway and update this with them by keeping in touch, tracking and monitoring outcomes
2. Develop (or strengthen) and clarify a process which is unambiguous and introduced Wales-wide (all 22 local authorities).



## Post 16 Provision

There is a scarcity of quality provision in some areas causing stress and anxiety for families and conflict within families and between families and local authorities and other agencies. Provision is more than just schooling, training or education. It is about social, physical and emotional well being and therefore should be regarded as a 24 hour, 365 day a year, and cradle to grave, right to entitlement free from discrimination and perverse criteria.

- There appears to be no strategic regional or national planning of provision, this has resulted in gaps and or inadequate limited provision. There is a misunderstanding that provision is about a physical place when it is more about the availability of appropriately trained and qualified staff and safe inclusive places.
- Young people and their parents have a myriad of self planning to ensure the correct provision, equipment and staff are available to meet their needs at the beginning of their HE/FE course. Many are still not prepared for the start of term. Poor planning and lack of communication and collaboration between agencies is the cause of much stress and anxiety for families.
- Parents and professionals understand that FE colleges need funding and training to meet the higher levels of support required for young people with additional learning needs. Resources, equipment and appropriately trained staff need to be in place prior to the start of term. This must be difficult for FE colleges and other providers under the current arrangements;
- Some colleges do not provide appropriate levels of induction, support and monitoring, especially specialist provision, although this will vary from college to college.
- There is also inconsistency in post 16 provision that can sometimes depend upon the location in which the young person is receiving their education. For example In Rhondda Cynon Taff Young people with learning disabilities can stay at special school until they are 19. Unfortunately this does not apply to Young People with autism. None of the 3 special schools has post 16 autism specific provision, leaving parents to battle for out of county placements at least to age 19;
- Other authorities have limited provision. Swansea, for example, has provision up to 19 years within the Maytree Unit at Pen y Bryn School. Special Teaching Facility (STF) provision in Dylan Thomas School can only provide for young people up to age 16, whilst the STF in Gowerton can provide for young people to age 19... Parents of young people attending STF provision (autism and Learning disability) and young people themselves would often choose to stay within the school provision rather than deal with the very limited provision available in local FE Colleges, schools are also of this opinion;
- Bridgend has limited Autism Specific education up to 19 at Heronsbridge School. Parents cannot understand why Heronsbridge is not further developed for young people up to age 25. At 19 young people attending Heronsbridge school leaver's department will be expecting a local college placement or employment and training. This will be a challenge for most of these families as we are informed that local FE colleges cannot meet the needs of many Young People with autism

and learning disability. This situation forces families to consider residential college, often outside Wales.

- SNAP Cymru's experience is that most parents and young people would like the option of having a full time local college or school based 16+ provision that offers a range of opportunities. Part time, changeable timetables will not meet the needs of many young people with Additional Learning Needs;
- From the age of 19+ young people and their parents have little option of support, college, training or employment provision to meet their needs. A high percentage of young people with Additional Learning Needs will require on-going support and/or specialist provision and this needs to dovetail with transition planning. Some young people may not be able to enter full time employment but are able to access further learning with the right support. They need meaningful activities to build their social and life skills to ensure their continued development and well being.
- Some young people reported that although the local college said they could meet their needs, there were 'no places left for this year'. Some of these young people did not know what they would do whilst waiting for a place.

#### Recommendations – Post 16 provision

1. Ensure that there is a minimum timetable for 'full time' courses and 16+ providers are able to fully meet their commitments to young people through regional and national planning;
2. Ensure that there are enough (and a good choice) courses in local colleges and other establishments to meet demand;
3. Invest in education for young people with communication difficulties, including autism. Work toward building expertise in Wales whilst accepting that low incidence needs may require to be met out of country; ending post code lottery for children with additional learning needs in Wales;
4. Involve Colleges and associated agencies in the transition planning process at as soon as possible, so that they can adequately plan, arrange training and resources well in advance;
5. Provide training to college staff to meet the higher levels of support required for young people with additional learning needs;
6. Ensure that resources required are available at colleges before young people start courses (so they can start on time);
7. Provide good quality induction, support and monitoring in all colleges and HE institutions for young people with additional learning needs;
8. For those staying in education - continue a formal transition planning process arranged by the college or university.

#### Listening to young people

- It is important to be aware that young people will not necessarily have the same view as their parents or carers. This can lead to a conflict or misunderstanding of whether it is the needs of the young person that is being met or the wants and needs of the parents or carer. It is important that the needs of the wider family

are considered but that must not be at the expense of the needs and aspirations of young people;

- Young people need support to fully explore options available to them and to understand the consequences of choice and decision making. A person centred planning approach helps ensure this happens. In some cases young people may need access to an impartial friend or advisor, such as SNAP Cymru, who will present all options and ensure the young person fully understands the choices available to them. Our experience is that parents and young people welcome this impartial support.

#### Recommendations – Listening to young people

1. Listen carefully to young people's aspirations for the future. Experience from this survey shows that many are thinking in the longer term and include marriage and families
2. Ensure that young people are confident, offering accurate information, impartial advice and support, and that they are well supported and involved in plans for their future.
3. Ensure all young people with additional learning needs and their families have access to support and advice including transition focused publications, websites, help lines etc.
4. Promote person centred planning for young people with long term illness, SEN and or disability
5. Continue transition planning / monitoring to the age of 25, or until the young person decides that they no longer need support.

#### Transport

- Transport is always an issue whatever the Young Person's need. Some local authorities fund transport for young people in special schools up to the age of 19. Some fund colleges to provide transport, for example, a young person from Neath Port Talbot diagnosed with Asperger's has a placement in Carmarthenshire. Her parents successfully negotiated the placement and the cost of the transport from Neath Port Talbot for 4 days a week. This level of support may not be available to others with similar needs, as some local authorities do not provide any transport funding for out of county provision.

#### Recommendations - Transport

1. Provide appropriate transport and support to access transport as required;
2. Local authorities should work together to improve access to transport. For example some local authorities co-fund transport for rural students travelling in and out of county, whilst others will not consider funding for out of county provision

#### Working together

- SNAP Cymru's experience is that there is willingness amongst professionals from all agencies and disciplines but ineffective last minute planning for post-school transition and a lack of ownership and coordinated effort is the norm. This results in young people given insufficient time to properly explore options to

make informed choices. Poor uncoordinated planning significantly increases stress for families and young people and results in inequitable access across Wales. Within these families there are often siblings and extended family members who are also greatly affected.

- SNAP Cymru is increasingly concerned that young people will continue to have inequitable access to learning and life choices. Public services personnel and agency staff need up to date information on the needs of each individual achieved via a holistic assessment informed by a comprehensive 14+ transition plan and the careers assessment.
- There are developments in local authorities such as the All Children Learning Partnership in Swansea where all agencies have joined together to plan to meet the needs of all children in the county. Three Transition pilot schemes are underway in Wales to help improve transition to adulthood. Good practice may emerge for all children with or without statements and this should result in all children having their needs met. This may happen if there is a policy and practice change enabling post 16 providers to achieve an appropriate, fully resourced supportive learning environment for young people;
- On the other hand case study and this consultation demonstrate panic and confusion for families and inconsistent knowledge and practice within agencies. Young people without statements have little organised support despite their needs being identified. Lack of information and specialist support is limiting their options and choices post 16.
- Many young people and adults with additional learning needs become NEET at 16+; most are capable of achieving qualifications and entering employment. There are excellent Specialist Careers Advisors available but not enough professional resource to advise the numbers of young people requiring specialist support to make a successful transition to adulthood. Success must be measured by meeting the needs and aspirations of young people and this must be monitored by keeping in touch and tracking outcomes up to 25.

#### Recommendations – Working Together

1. Build expertise within Wales regions and within school clusters, rolling out expertise from special schools, special teaching facilities, and individual specialists and agencies;
2. Provide training for all professionals working with young people supporting the transition process;
3. Provide resources to enable the recruitment and retention of specialist careers advisors throughout Wales;
4. Promote and expect collaborative working across local authority boundaries;
5. Ensure all young people with additional learning needs are included in a 14+ transition planning process, those with or without a statement of SEN.

#### Funding

- Funding for residential placement is another issue and another hurdle for families. Placements can be successful however, transition to adulthood for many leaving residential College and returning to live in their community can be

traumatic. It is essential that the transition process continues and includes housing, leisure and community in the process.

- Parents are very badly informed regarding the fact that DCELLS will only fund a place at a specialist placement if the local FE college can demonstrate that it cannot meet the young people's needs. Sometimes parents do not become aware of this until very late in the process.
- There is a clear impression that some local colleges are afraid to say that they can't meet needs because of fears of Disability Discrimination Act claims based on lack of reasonable adjustments - they then get into difficulties when they can't meet the needs. SNAP Cymru have an ongoing case where the college is insistent that they can meet a young person (who has a significant disability)'s needs on the one hand yet they have excluded the young person on a number of occasions and he is basically under the threat of losing his placement. SNAP Cymru also have reports that when colleges have stated that they cannot meet a given young person's needs based on information contained in professional reports (e.g. in one case a clinical neurologist) then WAG return the paperwork and ask them to do it again and base their decision on their educational assessment alone; i.e. WAG tell them that they can't take professional reports into account when they make their decision as to whether or not they can meet young person's needs.
- Families are confused about what 'local' means. For example, a Cardiff family were told to approach Coleg Glan Hafren **and** Coleg Morgannwg **and** Barry College and demonstrate that all 3 cannot meet the needs: in this case colleges in Newport and Bridgend were considered 'local';
- The decision regarding the funding is only taken in the year of transition to college: Career Wales have to forward requests by the end of January and the requests are not processed until after this date even if they are submitted considerably earlier than this. Some parents are then only informed of success or non-success as late as June and July and in extreme cases later. In the latter, this causes huge problems as there is seldom a Plan B. There is an appeal procedure which is administered by SENTW and is based on the same process as a SEN appeal meaning that it takes 3-4 months from an appeal being registered to the parents having a hearing and getting a decision. This means it is impossible for the parents to access to appeal process and get a decision before the start of term and we know of families where both parents need to work and therefore have reluctantly sent the young person to a local college against their wishes as they have no alternative support mechanisms to look after the young person during the day until the appeal is heard.
- Part of the problem is that as part of its contract Career Wales carries out Section 140 (Learning and Skills) assessment during a statemented YP's last year of school on behalf of the Secretary for State – it bases this on existing reports etc. – and DCELLS must have regard to this assessment in making its decision: consequently. DCELLS have in the past said it can't make any decisions earlier.
- Presently only Career Wales can make the application for funding and there is an expectation by WAG that they will only forward applications that have a chance of success but this places Career Wales in a difficult situation where the parents

and young people want to access a specialist placement and/or they themselves doubt that the young people's needs can in fact be dealt with locally. Effectively, if the current system was applied strictly the decision to fund or not would be taken by Careers Wales and not WAG as Careers Wales would screen out all the applications that would fail and only forward those that would succeed for processing;

- Some parents expressed a concern about the quality of applications going forward to WAG

#### Recommendations – Funding

1. Do not include parents or young people in the wrangling of 'funding' responsibilities. These considerations should be internal and decisions presented with transparency;
2. Parents and/or young people must be able to challenge decisions made, through one point of contact, this process must be timely, taking the start of the academic year into consideration;
3. It is crucial that funding decisions are made earlier: If this issue cannot be overcome then the time when the Section 140 assessment is carried out needs to be reviewed and amended if necessary;
4. Review the WAG / Careers Wales process for funding.

### **EXPERIENCE OF TRANSITION**

#### Ryan 16yrs

From year nine it was decided by everyone at the transition meeting that Ryan would go to the local day college. No other options were put forward by the careers advisor for post year 11 provisions. Ryan's first choice would have been to stay on at school, which was the authority's local special school for children with MLD. The school does not have a sixth form, so this was not an option, therefore Ryan and his mother were happy with the decision for him to attend the prevocational course at the local college. The transitions went smoothly and Ryan had three visits before starting at the college. His mother did not view the college prior to Ryan starting there.

#### Andrew 19yrs

Andrew had a statement but was placed in the SEN class at his local main stream comprehensive school. There was a transition plan in place from year nine. The only option given to him was for him to attend the local day college and the transition went smoothly. He did the prevocational course for 1 year before moving on to do gateway to business studies. For 1 year. He would have liked a chance to do a day release from college one day a week but this was not possible due to health and safety. Andrew did not go back to college after doing gateway to business as he got a part time job in a local shop. The job did not work out for him and he is now NEET due to mental health issues.

#### Lauren

As a parent of a severely disabled child every moment since she was born have been a worrying and stressful time, but nothing compares to the worry and stress facing a parent who has to deal with the transition from children's services to adult services and finding a plan that works to meet her needs and makes her happy.

My daughter is unable to communicate how she feels about any of this which adds to the worry of having to make all the decisions for her. She has a social worker who is trying to make things easier for me but she doesn't have the answers to the questions I have at the moment, maybe as it gets closer to her actually leaving school things will be in place and it will all make sense but at the moment there are so many unanswered questions I find it hard to believe it will all be OK!

As my daughter is so vulnerable her safety in an adult environment is one of my main worries, I hope she will have 1:1 supervision but that has not been made clear at the moment. The funding for her services is so complicated as to who pays for what service and what is actually going to be provided in terms of hours and days and suitable day service activities it is hard to understand.

My daughter is a very sociable, popular child and is extremely happy in school despite her severe disabilities, my hope is she will continue to be happy and safe in adult services and there is suitable provision for this.

Nick 19 yrs

My son is now 19yrs old and is Autistic with no speech and learning difficulties. When he was 15 he was not coping with the class he was in, in school so we decided to look at the possibility that a college might be better, we enquired with social services and were referred to a transition worker and careers Wales. For this reason we initiated transition early even though it should have already started, the review meetings in school were always poorly attended and a waste of time.

We quickly realised through extensive research ourselves that we were not going to get a college placement at 16 for Nick as there was no where that would cater for his needs locally.

We then concentrated on looking for a placement for when he was 19yrs old and had to leave Heronsbridge School.

We were given a folder of places to look at but no help and guidance of which would, or could be funded, which were likely to accept him, and what the process was.

We made it very clear that we were looking for a placement for when he left school and were told that the only provision locally was the Autistic day service (not educational).

We felt that Nick's potential to learn was still important and it was agreed by his psychologist that this was the case.

We travelled all over Wales and England to every establishment that we thought might be suitable, Marc (my husband) and myself and sometimes accompanied by the head of the Autistic unit.

Two of these colleges would not even offer Nick an assessment as they said they could not cope with his needs. Three colleges did assess him which meant very confusing assessment days for Nick on which we travelled for hours, and then he was taken off us to be assessed by their teams. To get to this point had taken hours of form filling in, and copying of assessments and sending them off to the relevant colleges.

This was an extremely time consuming and stressful time for all of us. The uncertainty of what would happen if we didn't find a suitable place? How would Nick react to such a strange environment? How would we cope missing him? Etc etc.

One place we visited which was in the folder given to us was not even a college, it was a residential placement run by the National Autistic Society, this was such a shame as it was the place we liked the most.

After Nick being assessed by the 3 colleges only one said they would accept him. This was a private Autism Specific college, but we really didn't like the place. We had decided we would not send him there but it became our only option.

As we didn't like this college we decided to re look at day care provision. This again was not really suitable for Nicks needs.

We decided to go back to the college that said it would take him. We spent a long time there and were persuaded to try it. We informed everyone of our decision.

From the time we decided it took an eternity to actually get the funding agreed and sorted i.e. who was going to pay for what? They had known we were looking for funding well before. Also because it was in Cardiff we were told he would have to be residential. We wanted him to travel daily but were told that this was not an option.

A transition plan was not able to be started because the college would not commit to anything until the funding was agreed; this was not to be until the summer holidays which by then were too late to have any visits, school liaison meetings or any kind of co coordinated plan for Nick.

This was a pure shambles and even involved me writing to Jane Hutt to try and speed things up. The subsequent placement failed badly with Nick not being at all happy, displaying extreme challenging and self injurious behaviour and it being the most upsetting and trying time of our lives.

We are still not happy with the provision but know that there is no educational placement locally or further away that would suit Nick's needs and I am sure many others are in the same situation. We withdrew him from the residence at the college as it was just to upsetting for Nick and there were other issues with their care standards. He is finishing there soon after only one year.

He is travelling daily now which was a hard battle to get transport, but he is much happier but I feel not achieving his potential. The travelling, expensive cost to DCELLS and social services I feel is not worth what Nick is getting out of it. A private company is benefiting from the dire lack of post 16 educational placements available to our children. We only want the same opportunities for them, nothing more nothing less than is available to others, and I hope this will be looked at favourably in a way that will probably save education budgets as they would not be funding expensive out of county placements that are the only but often substandard option for us.

Parental Comment on Transition

I have found the uncertainty the most stressful part of transition. Planning and discussing is all well and good but it is very difficult to get answers. For example as parents of a young person with profound difficulties we would like our son to maximise his time in education by staying at school until 19 and then attending college. The decision about a specialist college place is so late that making alternative plans could be jeopardised. Young people with complex needs that have attended special school cannot access the curriculum in local further education colleges. Shouldn't we look at local meaningful educational opportunities for these young people so that in order to continue with education residential specialist college is not the only option?

I have found caring for a child with a disability restricts me to working around the structure of the school day and year. The prospect of caring for an adult with a disability without this guaranteed structure is very daunting.

Social services have provided information on direct payments and day services.

Transition – post 16

For us transition is still ongoing but so far it is a disappointing experience one full of stress and anxiety – for me that is, my daughter thankfully is fairly oblivious to it all. Yes I have had a specialist careers adviser involved from age 14, yes he gave me lists of potential colleges including residential ones, yes there is a transition plan in



place BUT no one could be positive in saying that my daughter would get the placement that would benefit her the most, that she would most enjoy and want to be at, why – FUNDING.

We have gone from looking at residential colleges where she would have benefitted from a holistic residential curriculum to help not only her education but her independence which would in turn have made her a more able adult to positively contribute to the community in which she chose to live to looking at local colleges who only offer VERY limited courses and always in the same subjects. Local college will say they can meet her needs because she did 'taster' courses there and appeared to enjoy them – which to an extent she did BUT given the same choices as her sister who has just graduated from university would she really choose those courses. It is the old adage when you know no different you accept what you get!! There is the expectation she will access the only local college within her county despite the fact that the neighbouring county's course appears to be more geared to meet her needs and in fact is slightly closer to home! We will be applying for the 'out of county' placement of course BUT the really big sticking point for us will be transport.

How will she get there, who will fund it and how do we apply for it???

There seems to be an assumption that when young people leave special schools they are suddenly able to access public transport – on their own, find their way to and from college – on their own but this doesn't hold true. So do we as parents give up our jobs to stay at home to ensure our young adults can go to college, fill the gap left in their days when courses finish early or are part time etc or if college isn't an option to fill the gaps left by other statutory services – if any are available/suitable?

I have already limited my career despite being lucky enough to find a job which I am able to work around her statutory schooling, how am I supposed to find one which is SO flexible it will work around her post school life whatever that may be, before (MAYBE), she becomes sufficiently independent to access supported housing IF that is available.

Further education provision for those with significant additional needs is at best adequate and at worst insufficient, inflexible, predictable and limiting. It does not give our young people equality of choice be it a course or a college.

So while the transition process for me as a parent hasn't been particularly difficult in relation to accessing information it is and continues to be stressful, emotional, frustrating and anxious in relation to the provision of post 16 provision be it college, day services etc and also TRANSPORT.



## **Task and Finish Group for post-16 funding: Concerns regarding ALN support**

**July 2010**

### **About Us**

**NDCS (National Deaf Children's Society) Cymru** is the national charity dedicated to creating a world without barriers for deaf children and young people. We represent the interests and campaign for the rights of all deaf children and young people from birth until they reach independence.

**RNID Cymru** is the largest charity working to change the world for the 480,000 deaf and hard of hearing people in Wales. We do this by campaigning and lobbying, with the help of our members, raising awareness of deafness and hearing loss, providing services and through social, medical and technical research.

**Skill Wales** works with further and higher education institutions, work-based learning providers, the Welsh Assembly Government and many other organisations to influence policy and practice and promote education, training and employment opportunities for young and disabled people.

### **Background**

NDCS Cymru, RNID Cymru and Skill Wales are grateful for this opportunity to address the new Task and Finish Group on post-16 education and would particularly like to highlight a couple of points with regard to funding of the support required by students with additional learning needs (ALN).

Earlier this year, NDCS Cymru wrote to the Minister for Children, Education and Lifelong Learning to highlight our concerns regarding cuts to both the LLDD Supplementary Fund and special school out-of-county placements. We were pleased that both of these funds have subsequently been boosted, but understand that these funding streams are to be included in the Task and Finish Group's review to establish more economical provision in Wales. Although we recognise that Wales is currently experiencing a difficult financial climate, we urge the Welsh Assembly Government to protect and improve the valuable support that enables disabled students to reach their full potential. We are concerned that young deaf and disabled people already experience barriers in accessing opportunities and employment. Indeed, recent statistics show that young disabled people at 16 are twice as likely to be not in employment, education or training than other young people. By the age of 19, this statistic rises to 3 times more likely, with 50% of all disabled people being

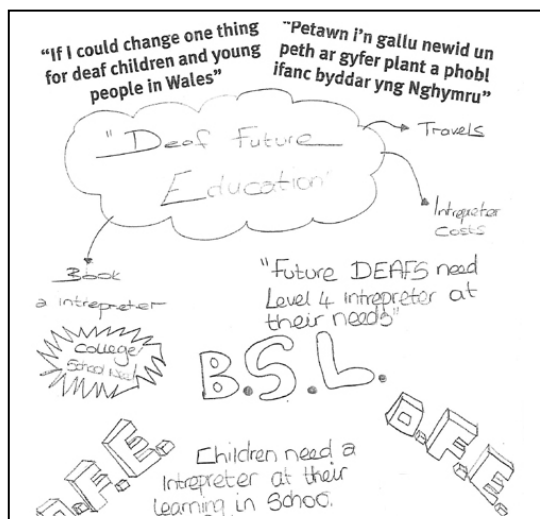
economically inactive.<sup>1</sup> Research by Skill has demonstrated that this 50% unemployment rate reduces in direct correlation to the level of qualification achieved.

This brief paper will outline two of our key concerns regarding the current funding system for post-16 ALN support, which we urge the Group to consider within its review.

While we recognise that there are issues to be considered for a range of students with ALN in accessing post-16 education, this paper will focus on the need to protect and improve funding to support deaf students. The report also includes some case studies, which demonstrate the importance of ensuring that deaf students are able to access specialist support.

We are concerned that at present, the Labour force Survey demonstrates that between 33% and 52% of deaf adults across the UK are unemployed compared to 20% of non-disabled adults.<sup>2</sup> It is important that young deaf students are provided equality of access to further education in order to reach their full potential.

## LLDD Supplementary Fund



There are many deaf students who wish to pursue mainstream further education courses. Deafness is not a learning disability, but it can mean that deaf students have specific access requirements. We understand that many FE institutions require the LLDD Supplementary Fund to provide ring-fenced funding for communication support for deaf learners pursuing mainstream courses.

Deaf students will have different support needs, and the LLDD Supplementary Fund can be used to support many of these diverse needs including equipment and technology, note takers, communication support workers and interpreters. This type of support is essential to ensure that students are able to fully access courses, but can prove to be costly. We consider these costs to be a necessity – without providing such support, colleges would be inaccessible and in breach of equality and disability laws.

Although there are specialist deaf colleges in England, not all deaf students will be suited to this type of provision and others may not be offered a placement at these colleges. Furthermore, not all deaf students would feel comfortable to move away from home and attend a specialist college in England. It is appropriate that students should be afforded the opportunity to attend provision close to their home in Wales. The LLDD Supplementary Fund helps to ensure that students have equality of opportunity and choice.

<sup>1</sup> Disability, Skills and Work; raising our ambitions, 2007; Office for National Statistics (ONS) 2009.

<sup>2</sup> Office for Disability Issues Annual Report 2008: Annex one: Indicators data reported that between 33% and 52% of deaf adults are unemployed (95% confidence intervals) compared to 20% of non-disabled adults. Figures taken from Labour Force Survey. RNID (2006) *Opportunity blocked: The employment experiences of deaf and hard or hearing people* reported that one in five deaf adults are unemployed compared to one in twenty of the UK labour market.

While we urge the Group to consider ways in which this vital resource can be protected, we would also like to highlight areas of the Fund which could be improved.

Under the current system, we understand that colleges do not receive confirmation of the amount of LLDD Supplementary Funding until well after the start of the academic year. We are concerned that this may cause difficulties if colleges are not awarded the required sum and could, potentially, lead to the withdrawal of student support mid-way through their studies. This could have a negative impact on the young person's educational experience and would affect their ability to reach their full potential. For some deaf students, withdrawal of communication support may lead to the student feeling as though they have to drop their course of study. We therefore urge the Group to ensure that proposals for a new funding system for support take account of the need for funding to be confirmed and stable prior to the start of the student's course.

We would also like to take this opportunity to highlight that while we are pleased that the Minister has now boosted funding for the LLDD Supplementary Fund for the past academic year, we understand that these Funds were reflective of the LLDD Supplement Funding requested by colleges in the previous academic year. Student populations change from year to year and we are concerned that some colleges which may have recruited a student with special support needs for the first time in this past academic year may have been short changed. We therefore also urge the Group to ensure that proposals for changes to the funding system take account of the need for funds to be based on current student populations and current levels of need.

### **Special Schools post-16 out of county placements**

Although many deaf students would wish to attend mainstream FE courses, it should be recognised that other deaf students may particularly benefit from attending a specialist placement. Indeed, some students may benefit from studying in an environment which is fully adapted for the needs of deaf students and may also benefit from meeting other young deaf people. For example, a deaf student may choose to attend Exeter Royal Academy for the Deaf if s/he communicates in BSL and wishes to study alongside other young people who speak the same language.

While we recognise that funding for special schools at post-16 has more than doubled since 2003, (which was highlighted in the Minister's written statement of 22 March 2010), we strongly urge that efforts are made to maintain this funding. It is important to ensure that every young person is provided with the appropriate opportunities to reach their full potential. Since there are no specialist deaf colleges in Wales, and because deafness is a low incidence disability, it is inevitable that a number of our members have sought funding from their local authority in order to attend specialist provision across the border.

We accept that the current financial climate renders cuts to services inevitable, but seek assurance that such cuts will not be made at the expense of our most vulnerable learners, who already travel away from their families in order to attend appropriate provision.

## Case Studies

The following case studies demonstrate that every deaf child is different and will require a different type/package of support. We urge the group to consider this diversity of need and to ensure that any new proposed system will enable each individual to access support that is appropriate to their needs.

### 1. Rhian

Rhian, 19, is severely deaf and wears hearing aids. Rhian attended Bridgend College for 2 years, where she studied History, Human Biology and Psychology, achieving an A in Psychology and then went on to study A-levels in Government and Politics and Sociology at Coleg Glan Hafren.

Rhian is now planning to go to Bristol University in September to study a BA Hons in History. In the future, she hopes to become an MP, or to work in politics.

During her time at Bridgend College and Coleg Glan Hafren, Rhian received communication support from a note taker. While at Bridgend College, Rhian also had access to a support worker, who would help to go through Rhian's work with her and ensure that she understand the language and vocabulary. Rhian has worked hard to achieve good academic grades, but says she wouldn't have been able to do it without the communication support she has received at college.

Rhian said: "I wanted to go to Bridgend College because my friends were going there and I wanted to be independent. I didn't want to stay at the school because I had already been there for five years.

"I felt wary of going to college at first, especially after completing five years in a comprehensive school, but I felt that the transition went very well. I felt that the support given to me was excellent and without the support, I would not have achieved my full potential.

"It's hard because you can't lip read and look down to write notes at the same time. Without the note taker I would miss a lot of information, but with the support I was able to ensure that homework/coursework was completed and deadlines were met."

Rhian added: "It is so important to have support for hearing impaired young people. Many young deaf people are intelligent and many deaf people do go on to achieve high class degrees at the top universities, but none of it would be possible without the support given to them during college.

"Hearing impaired young people already face many barriers in life and having another one placed in front of them would put them off education."

## **2. Karthik**

Karthik, 23, is profoundly deaf. Karthik attended sixth form at Alun School in Mold, where he achieved A grades in Maths, Further Maths, Physics and ICT A-levels. Karthik also studied Geology at AS-Level.

Karthik received support from a communication support worker at sixth form, who was able ensure that Karthik had full access to the lessons through total communication (a mixture of communication, including signing and writing).

He said: "Having bilingual education at sixth form [signing and English] meant that I could actually access the full information, which made me more confident and keen to learn, it enhanced my learning."

Karthik added that the Communication Support Worker also helped the teacher to become more deaf aware and understanding of how lessons could be adapted.

Unfortunately, when Karthik attended University, his experience was not so positive. Although Karthik received note-taker support, he was told that he could not have access to a BSL interpreter. Karthik said that his studies were difficult without access to appropriate communication support.

He said: "It was really hard and there were times when I felt like giving up, but I somehow got through. I had support from mates and the deaf community and they are the ones who got me through really."

## **3. Zoe**

Zoe, 19, is profoundly deaf and has a cochlear implant. She attended mainstream school until she was in year 9, when she moved to specialist deaf school Mary Hare, in Newbury. Zoe decided to stay at Mary Hare sixth form to study A-levels in Art, Textiles and Health and Social Care. She is currently waiting for her results and is planning to take a gap year before moving on to university.

Zoe and her family decided to approach their Local Authority to arrange a move to Mary Hare because she was unhappy with her support at her previous school. Zoe also felt isolated at school because there was a lack of deaf awareness.

She said: "It was a big difference going to Mary Hare, it helped to build my confidence up and they gave me the help and support that I needed."

Zoe enjoyed meeting other young deaf people and felt that the lessons at Mary Hare were planned to ensure that deaf pupils were fully included.

She said: "When I was in the other school, I didn't do any work. At Mary Hare they had smaller groups and the positioning of the classrooms was directed towards the pupils. The teachers faced us when they taught and the whole class learnt together at the same time, it's a nice way of learning.

"I found it hard to talk to people in the other school but at Mary Hare it was different, there was no issue about me being deaf. I was much more confident at Mary Hare and wanted to stay there for sixth form."

Zoe's mother, Gail, believes that being in a specialist deaf school has made Zoe much happier.

Gail said: "I would have loved to have had Mary Hare nearer to us. The decision for Zoe to move away was difficult for the whole family, but we had to think about what was best for her. I am so pleased that Zoe did go to Mary Hare, I just can't explain how important it's been to Zoe's life."

#### **4. RNID Cymru Case Study**

For the purpose of this case study, the student will be referred to as B, whilst the colleges involved will also be made anonymous.

B was due to enrol on a joinery course in College X in September 2008. Meetings had been arranged prior to his enrolment to discuss his transition and provision requirements, with particular emphasis on his learning skills plan around his difficulties being a deaf student.

It became apparent around two months after enrolment that a proper assessment had not occurred and B's needs were not fully assessed until October 2008. His school records were not requested until this point in time either. Following this assessment, and despite being allocated a support worker, College X stated that B could not continue on his joinery course due to funding and basic skills difficulties.

During his short time in the workshop prior to the assessment, B's joinery tutors did not have a whole picture of his requirements. In addition, B was not supplied with radio aid, nor was a visual or vibrating alarm installed to notify him of danger.

B's parents said: "We feel that this should have been realised earlier instead of causing the prolongment of his difficulties.....If College X is unable to provide adequate provision for deaf students on construction courses then this should have been made apparent at the beginning..."

After leaving College X, B considered attending specialist provision at Doncaster College for the deaf, or a further education institution in the next county. After visiting Doncaster, B decided to stay near home with his family and friends and football team.

He has now enrolled on a joinery course at Coleg Llandrillo, where he receives support from a Communication Support Worker. He also has funding for a taxi between home and college.

#### **More Case studies**

There are also a number of case studies outlining the experiences of young disabled students in Wales on the Skill Wales website. For more information, please visit <http://skillcms.ds2620.dedicated.turbodns.co.uk/page.aspx?c=280&p=401>.

Thank you for reading this paper. If you would like further information please contact Debbie Green, Policy and Campaigns Officer at NDCS Cymru, at [Debbie.Green@ndcs.org.uk](mailto:Debbie.Green@ndcs.org.uk).

## The voice of young people at the eisteddfod

### **What do you like about school/what would make school better?**

"I like P.E."

"I like Art"

"I like to recycle (recycle?) :)"

"We would like more disabled access in schools. Make all schools disability friendly"

"I didn't get as much help and support as others because the careers advisor didn't enough about my subject."

"careers advisors at school should give us more information about courses in university and give us more options of what to do after leaving school."

"(school would be better if there was...) more fun!"

"careers advisors weren't giving out helpful information. They should focus more on useful things rather than time wasting."

"More career guidance in the gap between college and going to university."

"I'd like to see a resource centre for autistic kids and young adults"

"Love to do child care"

"I needed help with maths in school but the only person who helped me was my dad"

"I always felt the support from the school was very helpful in ensuring I had the best chance to achieve my targets."

"would have liked more help from careers wales – not sure what I wanted to do – was told to keep my options open!"

"more clubs & youth services for young people and disable young people to be able to attend these clubs. Also helpers/carers to take them there"

"Most people are directed to go to university and choose without considering other working opportunities."

"Ethan Pasco – Age 8 – Autistic. Turned down for statementing. Needs support with organisational and social skills"

### **Transition**

"(secondary school is) more pressure :)"

"It is fine when you get used to it after a while :)"

"The transition from high school to university was difficult due to the massive change between the learning method in school and university. Need easier transition to lectures."

"Going to secondary school is scary"

"It's a hard transition moving from year 9 to year 10 because there is so much more work to be done in the GCSE course."

"I wish something was there to help during transition and school as excluded. More choice!"

"Ty Coch special school transition from a main stream (Unit) school a very enjoyable experience. Thank you. James"

"to much attention in 6form about ucas/uni for futcher. Need to look More around aprentship (in our school anyway)"

"there should be more one-on-one communication between teacher and pupils."

"more out of school clubs for children with autism"

"when I moved from secondary school to college I felt that people could have been more supportive because of the pressure from gcse's"

"biggest concern is funding. Not enough information is made available to us about grants/bursaries we have to find it all ourselves."

### **Poverty**

"recicle (recycle?) more, give homeless people free sleeping bags and food."

"More part time job support"



“not enough support to get a part time job”

“young people should have more benefits over car insurance – 17 should become much cheaper!!”

“there should be more things for impoverished children to do for free e.g. the free swimming the ConDems got rid of recently”

“give homeless people free sleeping bags, give homeless people free food”

### **Environment**

“I think writing on paper is bad for the environment”

“I think there should be incentives for recycling e.g a prize or money for bringing in cans or bottles to a supermarket.”

“Recycle (recycle?) MORE Ailgylchi Mwy!!”

“I think recycling is a big problem in wales. We should learn at an early age about how we could have a cleaner environment”

“recycling is easy so there is no excuse not to do it!”

“I think we could recycle more stuff”

“too much pressure on environmental issues recycling, engine emissions etc...”

Recycling is not easy just easier to throw stuff in the bin”

### **Welsh**

“Mae Gormod o tlodi yn y byd. Mae gormod o gwedydd trydydd byd yn mynd heb arian mae angen uewer iawn mwy o help arnyl.”

“Ni does digon o gefnugoeth i myfyrwyr syncymud blwyddyn allan.”

“Ni angen muoy help gyda mynd i brifysgol a y cyfle ar ol duoi wedi gorffen”

“Dylau prifysgol bod am ddim.”

“Cefnogreth Reit Dda ynyr ysgol. Ond efallai gormod o bwysau i fund i brifysgol un syth o'r yesgol, yn lle cynnig mwy o opsiynau eraill e.e. coleg, gwaith a ba”

“Roess E'n ofnys ond cyfroes a bydd pobl yn chwerthyn”

“Roedd yr holb wybaciaeth a oedd yr anghenrheidiol i wneud dewisiadau wrth fwyn o gan i gam yr yr ysgol addysg. Roedd llawer o wybodaeth and cyfleuoedd (Yr enwedig wrth fyrd i Brifysgol) I weld a cael hyd I hell wybodaeth anghenrheidiol”

“Wedi hoffi coed mwy o gyngor am fy nyfodol a'r opsiynau sydd ar gael e.e. nid yr unig yw coleg ar ol gadael ysgol”

“Cafewch i ailgylchu”

“Wedi cael llawer o gyngor ynglyn a'r dyfodol a pa opsiynau sydd yn addas i fi”

“fi eisiau cwrdd a y diagol wrth yfed gwaed rhywon tiawd”

“Cefais ddigon o gufle a gwybodaeth gan fy athrawon yn y chweched a cynrychiolwyr o'i prif ysgolion”

“Mwy O arian I'r Tewlu”

“Mwy O Bes I bobl tlawd, a cren jug o gaed”

“Fel mewn gwledydd tramor, dylai archfarchnadoedol gymryd poteli gwydr yn ol am newid man er mwyn i bobl ifanc eisiau ailgyldun mwy”

“Wedi Caelbywyd ysgol da iawn bed yn brill – dim digon o ddewis o phan pyncau”

“Byddai’n help i oedolion ifanc i wybod fury am bywyd coleg a sut i ddelio gyda materion ariannol”

“amseeroedd arhaliadau yn wynau o fyr mewn rhai prnciau ysgrifennedig”

“roedd en offrun ond roedd on cyfroes feindio ffrindiau newydd”

“cefnogaeth ddo i bobl sydd yu mynei o chweched ddosbaeth? Brifysgol. Ond teimlaf mid oes llawei o gefnogoeth? Myfgrwyr sydd yn cymelyd blwyddyn allan cyn, mynd i’r brifysgol o ran helpu hefo ochs a epsiynou? Bendeveeruy beth wneud yn ustaf eidu blwyddyn allan”

**Post 16 Education for students with Special Educational Needs  
Task and Finish Group  
Report of the Finance Sub Group – September 2010**

## 1. Background

The provision for Post 16 education for learners with Special Educational Needs (SEN) is met through; Special Schools (maintained and Independent), mainstream school 6<sup>th</sup> Forms, Further Education colleges and Specialist colleges.

The task and finish group for Post 16 SEN was initiated to review provision specifically the transition at the age of 16, sharing expertise, and achieving value for money. In addition consideration was given to how longer term investment may be required to change provision for the future, resulting in improved provision and greater value for money.

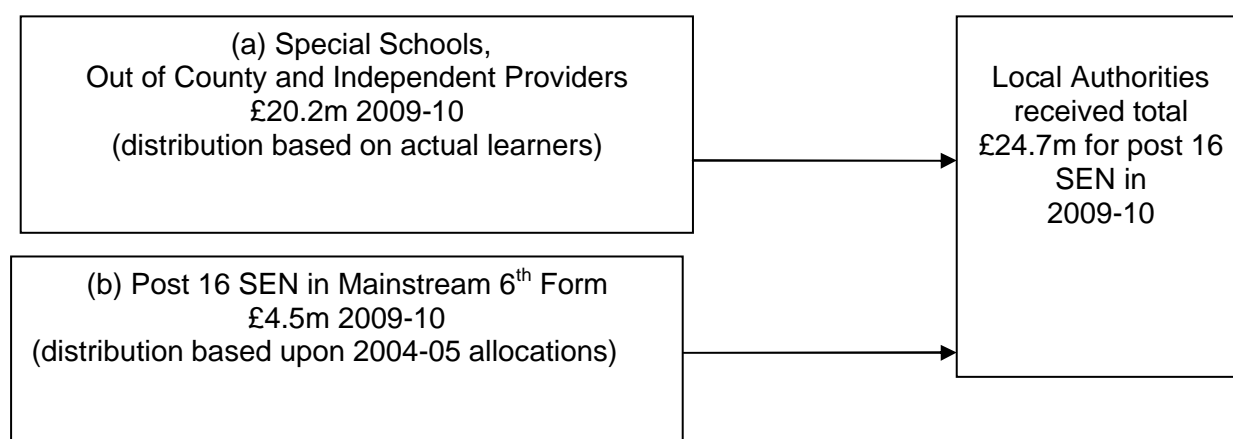
The Finance Sub Group was commissioned to report on the following;

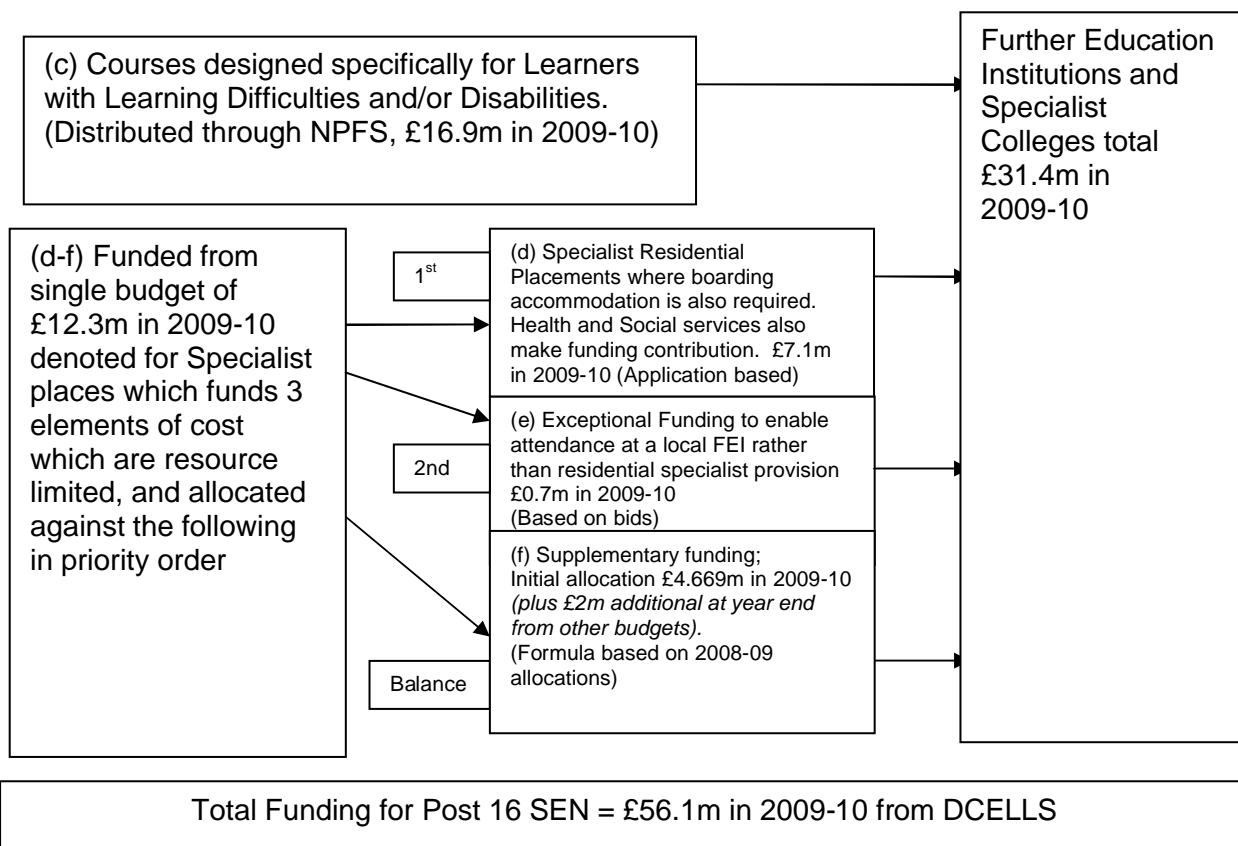
- achieving better value for money in expenditure on Post-16 education for young people with Additional Learning Needs (ALN), specifically against the context of financial challenge over next 3 years;
- use of out of county and out of country placements;
- investment in Post-16 school and FE provision for young people with ALN

The group was chaired by Gwen Kohler, Head of Corporate Planning, Performance and Financial Management Branch, Corporate Services Division. The membership of the Finance Sub Group included representatives from Statistics, Value Wales, and Policy Officials from the Welsh Assembly Government, WLGA - Mari Thomas, Careers Wales - Steve Hole, Derwen College – Andrew Smith,

## 2. Current Funding Streams

Funding from DCELLS is currently to both Local Authorities (LA) and to Further Education Institutions (FEI) as presented in the diagram below;





As demonstrated each funding flow is managed separately, and allocated on different bases. Further information on each is detailed below;

**(a) Post 16 SEN – funding for special schools**

The initial budget transferred from Revenue Support Grant (RSG) in 2002-03 was £7.2m. This has increased significantly and the current budget is £15.9m. However additional funding has been made available over the past years in order to fully fund costs. The LA initial estimate of £24.5m for 2010-11 is an increase of £4.3m (21%) against the revised estimate for 2009-10 of £20.2m. Funding of £20.5m has been agreed for 2010-11.

Historically the revised estimates provided by LAs are lower than the initial forecasts and in previous years following the final accounts a sum of around £1m has been reclaimed. This has resulted in final costs reducing by 10-13% of initial estimates. This is shown in the following table

Post 16 Specialist Schools and out of county placements				
	2007-08	2008-09	2009-10*	2010-11
Initial estimate £m	17.671	20.146	21.264	24.528
Final Estimate £m	16.494	18.443	20.209	
Variance %	-7%	-9%	-5%	
Reclaim £m	-0.540	-0.897	-1.01	
Final Allocation £m	15.954	17.546	19.199	
Variance from initial estimate%	-10%	-13%	-10%	

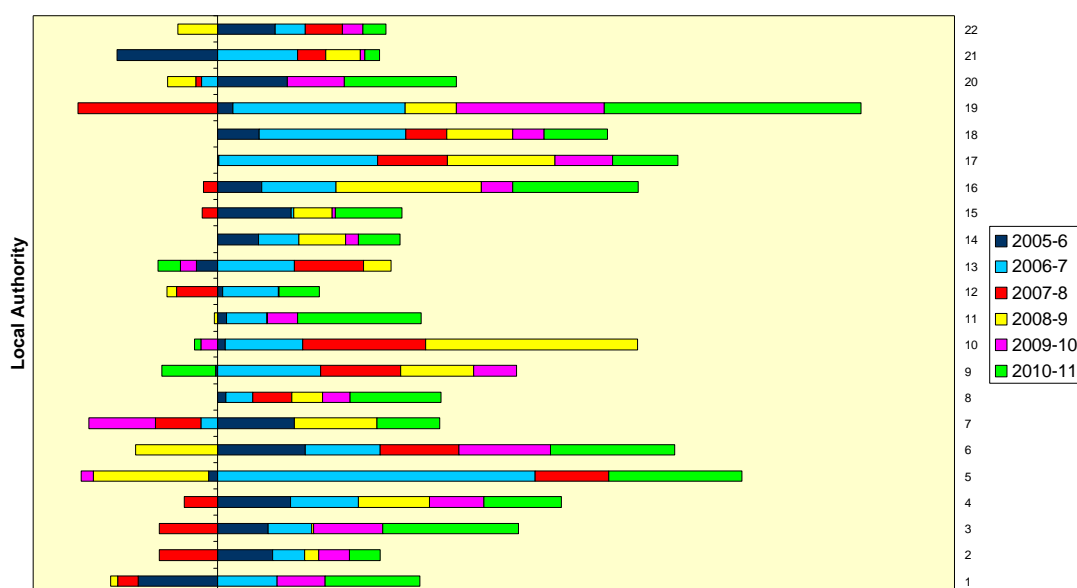
\*Figures in italics are estimated based on previous years

Analysis of the initial estimates for 2010-11 indicates that the increase is attributable both to increased costs and to increased demand. However there is not a consistent increase across all authority areas, with two forecasting a reduction in costs. Similarly there is variance in the type of provision.

Summary Analysis of Increases in Post 16 SEN special schools provision £m				
	Maintained	Out of County	Independent	Total
2009-10	£10.2	£2.9	£7.1	£20.2
2010-11 estimates	£12.3	£3.3	£8.9	£24.5
Variance %	20.6%	13.8%	25.3%	21.3%

The following graph demonstrates the change in costs / estimates by Local Authority year on year from 2004-5 to 2010-11 and demonstrates that there is no clear pattern of variance in any particular area or year. This is not altogether unexpected as costs can be expected to vary with an individual's learning support needs

Variance Year on Year by Local Authority



Preliminary analysis of the 2010-11 initial estimates suggests that there are in the region of 200 providers of Post 16 SEN funded by this allocation, by the 22 Local Authorities. Specifically this highlights potential for joint commissioning, as for example the largest value is for £1.06m, which is attributable to 8 Local Authorities, alongside some very small values. In addition the estimates include values of around £0.5m for mainstream 6<sup>th</sup> form for learners who attend schools outside their Local Authority area.

Whilst this quantifies the financial increase, there has been a corresponding rise in the number of students. The table below indicates the estimated number of students in the academic years 2009/10 and 2010/11, both of which straddle the current financial year. This shows a forecast increase of 211 students, 22% across years 12-14, equivalent to 70 students per year (years 11 and 15 are shown for completeness only and the values represent errors in the initial estimates as funding covers years 12-14 only). Whilst this will reduce once the actual numbers of students continuing into year 12 are confirmed, the increasing demand is evident.

The Finance Sub-Group has discussed but not formed opinion in respect of the reason for the increased incidence of SEN, how this is distributed by level of need, or how this is managed by Local Authorities pre 16.

**Financial Year 2010-11**

Year group@ 2009/10	Number of Students	Apr-10	Aug-10	Move to	Number of Students	Sep-10	Mar-11	Total
		£				£		
		Academic year 2009/10 (5/12)				Academic year 2010/11 (7/12)		
		Apr-10	Aug-10			Sep-10	Mar-11	
11	476*	82,601		12	467	6,045,485		6,128,085
12	386	3,677,309		13	391	5,494,642		9,171,952
13	320	2,786,154		14	312	4,365,211		7,151,365
14	253	2,247,811		15	3 *	35,491		2,283,302
	<b>959</b>	<b>8,793,875</b>			<b>1,170</b>	<b>15,940,829</b>		<b>24,734,704</b>

\* Not included in totals

**(b) Post-16 SEN in Mainstream Schools**

The additional learning support that LAs provide for SEN in mainstream and other related provision is distributed by LAs from the mainstream component of the National Planning and Funding System (NPFS).

In order that this funding is not diluted by the NPFS funding formula across all forms of Post-16 provision, in 2004-05 LAs provided a snapshot of their expenditure in this area. This snapshot formed the baseline for that funding which is reserved as representative of mainstream SEN provision prior to the application of the funding model across the Post-16 sector. This funding is an indicative amount which is not ring fenced and is an identifiable part of the mainstream funding received by LAs for their Post-16 provision. In 2009-10 £4.5m was allocated.

- **Funding for Learners with Learning Difficulties and/or Disabilities (LLDD) funding in FE Colleges**

There are four LLDD funding streams in FE:

**(c) Courses designed specifically for LLDD**

The NPFS has regard for learners with learning difficulties and/or disabilities, by recognising additional resource implications as part of the general allocation for Post-16 learning, in schools, colleges or work based learning. For 2009-10 this is estimated to have been £16.9m for FEI.

**(d) Specialist Residential Placements**

For learners with learning difficulties aged between 16 and 19 the Welsh Assembly Government must provide boarding accommodation where it is satisfied that it cannot make arrangements for an individual which are sufficient in quantity and adequate in quality unless it also secures boarding accommodation.

For those aged between 19 and 25 the Welsh Assembly Government must provide boarding accommodation where it is satisfied that it cannot secure the provision of reasonable facilities for individuals unless it also secures boarding accommodation. The Welsh Assembly Government has a power to secure such provision for those aged over 25.

The duties and powers of the Welsh Assembly Government to fund individual learners at specialist colleges are set out in the Learning and Skills Act 2000.

In 2009/10, 205 learners were funded to attend specialist provision at a cost to the Welsh Assembly Government of £7.1m. This does not include contributions from other agencies. Securing a placement often involves joint/tripartite funding negotiations with local authority social services departments and Local Health Boards. Learners are funded for a maximum of 3 years. Fees are paid directly to the specialist college. Careers Wales advisers are key players in preparing applications, assessing learning options available and collating supporting evidence to underpin recommendations for placements.

**(e) Exceptional Funding**

A local FEI may request funding where an exceptional level of provision is essential to ensuring its provision is accessible to an individual young person, who wishes to attend their local college but whose additional learning needs are such that they would otherwise have been funded to access residential specialist provision. In 2009-10 £675k was allocated in this way in support of 89 learners.

**(f) Additional Learning Support in Mainstream (Supplementary Funding)**

Further Education Institutions (FEIs) may apply annually for a supplementary funding contribution to enable learners with LDD to take part in a mainstream learning environment in the same way and with similar opportunities as other learners. Supplementary funding covers human and technical support. Human support covers note takers, communicators, sign language interpreters etc, whilst technical support may be applied for equipment such as brailers, specialist software and/or laptops. Similar support is also provided through work based learning providers. In 2009-10 a budget of £4.7m was allocated to FEIs, which contributed to the cost of support for over 4,000 learners.

In addition, there are funding streams from other Assembly Government Departments, Local Authorities and Local Health Boards, which contribute to the total resource quantum supporting Post 16 SEN.

The current system of funding does not reflect the actual structure of costs, many of which are fixed, nor does it consider the capacity of maintained provision across Wales, compared to demand. Further the funding for all pre-16 provision is the responsibility of Local Authorities, and whilst this is not within the remit of this review it has relevance in strategic planning.

**Impact of current funding constraints**

Financial settlements are likely to require budget reductions over the next 4 years with Assembly planning assumptions anticipating reductions year on year. Firmer budget information will be available following the Comprehensive Spending Review in October 2010.

**3. Capital Investment in Post-16 School and FE Provision**

DCELLS Baseline Capital Budget for both pre and post-16 can be potentially accessed to support any reconfiguration of specialist SEN provision. All applications for capital funding require business case submissions to the HM Treasury's 5 Case Standard.

In relation for schools, capital funding can be accessed via the 21st Century Schools Programme and would need to form part of an authorities' Strategic Outline Programme (SOP). The SOP requires authorities to provide an overview of the strategies needed to

create school improvement and successful outcomes for children and young people, including a review of approaches to teaching and learning and use of ICT. The SOPs underpin authorities' investment proposals for the creation of high quality school environments of the right size, in the right places and of the right type for young people in their locality. Funding for project(s) will then be approved in a series of waves with each wave covering a three financial year period.

For post-16 (Further Education) capital investment is prioritised in support for the delivery of post-16 transformation. Therefore plans for SEN capital investment would need to demonstrate an alignment to this particular agenda. However, there is no reason why the DCELLS capital budget for post-16 could not consider to support SEN provision; particularly where there were significant efficiencies through reconfiguration and collaboration between FE SEN providers.

A good example of capital investment for SEN is the capital investment programme in the Vale of Glamorgan for the new Penarth Learning Community which incorporates a new SEN school with residential facility in addition to the provision of a new secondary mainstream school. The SEN school will allow for rationalisation of three special schools and will allow for increased educational opportunities due to the closer adjacency of SEN with the secondary school and facilitate the sharing of good practice between the schools. There is also further increased opportunity for efficiencies through the use of shared facilities between the special and secondary schools. From a capital funding perspective investment of this nature could be developed to incorporate post-16 SEN provision as well.

#### **4. Relevant Reports for consideration**

**The following three reports are considered to be directly relevant to the Finance Sub Group**

##### **i. Post 16 funding sub group**

The Welsh Assembly Government set up a task group to identify alternative methods of distributing the funding for Post 16 SEN. The task group was chaired by Stuart Evans (formerly of Neath Port Talbot County Borough Council), and membership included officials from the Department of Children, Education, Lifelong Learning and Skills in WAG and local authority representatives from each of the ADEW consortia. The group identified options to be considered and gathered data from authorities in order to assess each of the options and made the following final recommendations in respect of implementation.

- 1. Any change from the current method of funding SEN provision will result in "turbulence" and this will need to be managed since the funding is based on authorities funding allocations against actual pupils currently receiving the service. The group recommends that any change is phased over three years to allow local authorities time to manage the turbulence.*
- 2. The group agreed that option D (distributing the funding through the current IBA formula for SEN) using the five-nineteen age group would result in the fairest distribution of the funding. It was acknowledged that bringing this funding and the additional age group into the formula may affect the distribution of the pre 16 SEN funding that is currently allocated in this way, but that this would be an issue for DSG to consider. The group recommends that the funding be distributed on the basis of the current standard spending assessment (SSA) formula for SEN indicator based allocation (IBA).*
- 3. This exercise highlights, at both LA & all Wales level, ever increasing costs of out of county placements. The group felt that these costs were of such magnitude as to warrant further work on an all Wales basis, including investigation of alternative service provision models.*



## **ii. Pricewaterhouse-Coopers (PwC) Review of the Cost of Administering the Education System in Wales**

In response to a commission from the Minister for Children, Education and Lifelong Learning, PwC published their report in respect of the costs of administering the education system in Wales. This covered all aspects of the education system. The report includes 10 hypotheses for achieving a shift of funding from support costs to service delivery. In response the Front Line Resources Review has been established.

The Front Line Resources Review is now at implementation stage. Five working groups have been established to take forward the hypotheses and achieve a shift of funding. This work is being overseen by a programme board chaired by the Minister for Children, Education and Lifelong Learning.

The working groups are:

- 1) Local Authorities and Schools
- 2) Further and Higher Education
- 3) Assembly Government Sponsored Bodies and Careers Companies
- 4) Grants and Policy
- 5) ICT Infrastructure, Procurement and Purchasing

The remit of the working group on local authorities and schools includes the design and implementation of an overall national consortium model for local authorities including reviewing the funding and finance arrangements and accountability of local authorities and schools.

The grants and policy working group remit includes the design and implementation of an approach to simplifying grants structures. This work will seek to reduce the number of separate hypothecated grants to local authorities either through use of a smaller number of larger grants, or by increasing the areas funded through the RSG, or through a combination of these approaches.

Working groups 1 and 5 will also seek to streamline access and admissions systems with Group 5 focusing on this primarily from an ICT infrastructure perspective.

## **iii. Welsh Audit Office (WAO) report**

WAO published their report in respect of the use of Resources in Special Schools on 30<sup>th</sup> September 2010. The Finance Sub Group has reviewed this report in draft format prior to publication.

The recommendations contained within the report are extracted below. Whilst this is not restricted to Post 16 SEN, and does not extend to Further Education Institutions and Mainstream SEN provision it is still relevant and many of the recommendations fit within the remit of the task and finish group to promote value for money;

### ***Councils in Wales and maintained special schools should:***

1. *Obtain detailed and accurate information about:*
  - a) *the needs of pupils in special schools, within and outside the authority; and*
  - b) *the provision they receive, and*
  - c) *The full costs of special school provision, including the cost of all services provided for the direct benefit of pupils in special schools, whether or not they are charged to schools' delegated budgets.*

### ***Councils should:***

2. *Use up to date information on needs and comparative costs to inform a fundamental review of the funding for pupils placed in special schools within and outside the authority.*
3. *Work together to secure the effective procurement, where necessary, of places in schools outside their boundaries.*
4. *Work closely with local health boards to develop clear and specific service level agreements for provision of health support services in special schools.*

***The Assembly Government and councils should work together to:***

5. *Ensure that Section 52 statements and Revenue Accounts returns report in a consistent manner in a clear and accurate account of all planned expenditure on special schools, and compare this data with other councils.*
6. *Bring together data on current needs and provision, and use it to inform the strategic planning of special school places across Wales.*
7. *Draw on the good practice highlighted in this report to promote and support reviews of special school funding, including the funding for Post-16 pupils, in order to secure a range of provision that consistently meets pupils' needs and gives value for money.*
8. *Foster collaboration between councils and, where appropriate, the introduction of regional arrangements for special school provision.*
9. *Promote better collaboration between councils and Local Health Boards in order to provide a consistent level of health support for pupils in special schools throughout Wales.*

**5. Initial findings of the Finance Sub Group**

There are currently a number of different mechanisms for funding Post 16 SEN, linked currently to the transition choices made, either to special schools, mainstream, Further Education, or Specialist Colleges. A total of £56m was spent by DCELLS against these budgets in 2009-10. (It should be recognised that this forms only part of the total quantum of expenditure on SEN which is currently not quantified).

The Minister for Children Education and Lifelong Learning has accepted the recommendation of the Post-16 funding sub-group that the budget for Post 16 SEN special schools be incorporated into the Revenue Support Grant. The agreed methodology for distribution to local authorities was on the basis of the current IBA formula for SEN. It was proposed that this would occur over a 3 year transitional period. Whilst local government is supportive in principle they would need to be engaged in further discussion with regard to the quantum of the transfer.

It is evident that against a context of reducing budgets the current trends of increasing costs are not sustainable, and there has been an increasing reliance on independent placements. The cost effectiveness of this provision will need to be reviewed alongside local authority equivalents.

The level of demand across Wales and capacity of provision within local authority areas is variable and increasing. The causes of this needs to be understood in order to be able to develop effective SEN provision for the future.

Capital investment has potential to reduce costs particularly where there is reliance on out of country provision.

There are three recent reports, from which the Financial Sub Group can draw relevant information to support analysis and to inform recommendations for the Task and Finish Group.

## **6. Recommendations of the Finance Sub Group**

The Finance Sub Group makes the following recommendations to the Task and Finish Group;

**To achieve better value for money in expenditure on Post-16 education for young people with ALN, specifically against the context of financial challenge over next 3 years.**

There needs to be improved collaboration between Local Authorities to enable more effective commissioning, and to promote greater efficiency within the commissioning process. There should be direct alignment with pre-16 provision, to enable strategic service and capacity planning which can accommodate and respond to evident changing levels of demand across Local Authorities. Specifically;

- a) That following the recommendations of the Post 16 funding task group, the funding for Post 16 SEN for special schools, out of county, and independent provision is transferred to RSG, on the basis of the current IBA formula for 5-19 SEN. The level of spend in 2009-10 was £20.2m. (funding source (a))*
- b) That the element of funding which is distributed to Local Authorities for SEN provided in Mainstream 6<sup>th</sup> forms is also considered for transfer to RSG. This was £4.5m in 2009-10. (funding source (b)).*
- c) That in accordance with the ongoing Front Line Resources Review, Local Authorities develop arrangements to plan and commission provision for both Pre and Post 16 SEN within special schools, mainstream 6<sup>th</sup> forms, and independent providers jointly. This can be achieved either through existing forums, such as the WLGA Regional Partnership Boards, the existing regional education consortia or through specific consortia.*
- d) The underlying increase in demand needs to be examined to gain an understanding of the reason for the increased incidence of SEN, how this is distributed by level of need, and how this is managed within each Local Authority Area.*
- e) Planning should extend to capital investment which should take a strategic approach, which meets demand and also identifies potential savings.*

### **The use of out of county and out of country placements**

Out of county provision can simply mean that learners cross local authority boundaries to attend either Maintained Special Schools, or Main Stream 6<sup>th</sup> Forms. Therefore the costs should not be inflated from provision within their host Authority, and as such the recommendations in relation to value for money would apply equally to this element. However, where learners attend provision out of country there needs to be greater consideration, at an individual learner level, whether this could be provided within Wales. The reasons for the placement may be due to a highly specialised need, or as a continuation of existing placements pre 16.

Collaborative commissioning will enable the use of independent provision to be reviewed, alongside maintained provision, both in respect of value for money, and also capacity.

### **Investment in Post-16 school and FE provision**

Analysis of current estimates presents a picture of increasing, and variable demand across Wales, but that demand is not consistent in respect of trends within each Local Authority area. The current arrangements separate distribution of funding for Post 16 School and FE provision between Local Authorities, FE Colleges, and Independent Colleges, each with a different basis of allocation.

In order to establish improved transition arrangements at the age of 16, there needs to be simplified funding arrangements which promote efficient planning and enable strategic decisions to be made in respect of all Post 16 SEN provision.

The Finance Sub Group recommends that this could be through;

- f) FEI contribution to collaborative working with Local Authorities and the Welsh Assembly Government to create a holistic strategy for the future provision of Post 16 SEN;*
- g) Exploring potential for funding of residential college placements to be managed by Local Authorities. Currently these are funded through tri-partite agreements in respect of individual applications, between the Welsh Assembly Government, Social Service Departments, and Local Health Boards. £7.1m was spent on this provision in 2009-10. (funding source (d))*

The overall conclusion reached by the Finance Sub Group was that current funding arrangements are complex, and do not promote strategic resource planning for Learners with SEN in Wales set against a context of financial constraint. Whilst recommendations to simplify funding mechanisms may enable some efficiency, the potential for both financial and service benefits are far greater through joint working and collaborative procurement.

## **Report of the Post-sixteen SEN funding task group on future arrangements for post-sixteen Special Educational Needs (SEN) funding**

### **Purpose**

This report sets out the findings of the Post-sixteen Special Educational Needs (SEN) funding task group and will be used to inform the Minister for Education, Children and Lifelong Learning. It outlines the work that the group has undertaken and sets out the group's conclusions as to a preferred way forward on post-sixteen SEN funding.

### **Current arrangements**

The funding for post-sixteen SEN provision was removed from the Revenue Support Grant (RSG) in 2002-03 along with the other post-sixteen education funding in order to transfer the budget to Education and Learning Wales (ELWa). Since then authorities have received funding for post-sixteen SEN in mainstream through a grant in addition to the ELWa National Planning and Funding System (NPFS) formula. Funding for post-sixteen special schools and out of county placements is also through a grant mechanism. These arrangements have continued after the amalgamation of ELWa into the Welsh Assembly Government (WAG).

The grant for post-sixteen special schools and out of county placements is based on actual pupil numbers and actual local authority funding allocations on a per pupil basis provided by each authority to WAG through manual data returns twice a year. In the time since these arrangements began, the expenditure on both areas, and out of county placements in particular have risen dramatically, particularly since 2007/08, when the budget initially identified by WAG was not sufficient to cover the total cost of the first or second estimate returns from local authorities. In order to manage its budget WAG gave each authority an allocation of 90% of its first estimate. Since 2007/08 this initial allocation has consisted of the WAG budget for this provision plus funding extracted from elsewhere in the wider CELLS budget. When the second estimate was returned it was lower than the first estimate (due to greater clarity over which pupils remained within local authority education provision), and higher than the initial 90%. Towards the end of the year WAG was able to secure unspent funds from elsewhere in the CELLS budget which allowed WAG to fund 100% of authorities own allocations. Similar issues have been experienced each year since then.

The original budget transferred in 2002-03 was £7.2 million. This budget provision has increased due to rising demand until 2006-07 when it reached £15.9 million. In 2006-07 there was a significant rise in authority estimates, particularly in out of county placements arising from the policy decisions taken by local authorities. From 2007-08 an increasing proportion of the total allocation has been funded by transfers from other budgets within the Department for Children, Education Lifelong learning and Skills (DCELLS). The first estimate submitted by local authorities for 2010-11 is in the region of £24 million.

In effect the current system means that authorities estimate their requirement for post-sixteen SEN in special schools and out of county placements and WAG has aimed to meet that requirement as far as available funding has allowed.

## **Reasons for change**

The current system divorces policy decisions on how individual pupils with SEN are supported once they reach sixteen from the budget responsibility for those policies. Funding allocations per pupil vary significantly from authority to authority depending on the systems they have in place. This raises the question of fairness for individual pupils but also means that there is no incentive for authorities to consider alternatives once pupils reach the age of sixteen. The current methodology also inhibits local authorities from moving to a more inclusive education model for post-sixteen SEN pupils.

Given the extent of year on year increases in expenditure and future restrictions on public spending, there was recognition within both WAG and local government that this system was not sustainable in the longer term.

## **Post-sixteen SEN Task Group**

WAG set up a task group to identify alternative methods of distributing the funding for post-sixteen SEN. The task group is chaired by Stuart Evans (formerly of Neath Port Talbot County Borough Council), and membership includes officials from the department of children, education, lifelong learning and skills in WAG, local authority representatives from each of the ADEW consortia, WLGA and the local government finance branch of WAG. The terms of reference and the core principles of the group are attached (Appendix 1 and 2).

The group has met on six occasions to date. The group has agreed the terms of reference, core principles, identified options to be considered and gathered data from authorities in order to assess each of the options. The group has also received a guide to transferring post-sixteen SEN funding into the RSG detailing the involvement of the Distribution Sub Group (DSG), distributional issues (turbulence) and phasing.

Although the group was originally set up to consider post-sixteen SEN funding for special schools and out of county placements, it was felt that the work also needed to consider the element of funding for SEN that is within post-sixteen mainstream provision. This funding, which amounts to £4.5 million is based on a “snapshot” of the amount allocated by LEAs for SEN in mainstream in 2004-05, uplifted for inflation each year.

## **Managing expenditure**

In the paragraph headed “Current Arrangements” above the budget, expenditure growth and provision is explained.

It became evident to the Group during this exercise that the main reason for the continued growth in local authority expenditure is large increases in the numbers and costs of out of county placements. In many of these cases, the pupils have many; very complex needs that go beyond simply educational needs. Expenditure on these placements is often shared between Health, Social Services and Education, but the fact remains that the costs of this provision can be very difficult to control (only the education element is met from this grant). Further work is needed to investigate how expenditure on this provision might be better managed and alternative ways in which services could be provided.

Whilst future management of policies and budgets will be for local authorities themselves, the Group suggests at the end of this paper that the significant upward budget pressures from out of county placements warrants further investigation at an all Wales level.

## **Consultation with other bodies**

Briefings on the work of the task group have been given to the Association of Directors of Education in Wales (ADEW), its Finance sub-group and to the Society of Welsh Treasurers (SWT). A draft paper will be presented to the Distribution Sub Group (DSG) for consideration in January 2010 and to the WLGA Coordinating Committee which encompasses the leaders of each local authority.

### **Distribution options considered**

Each of the following five options are being modelled based on 2007-08 data and funding levels in order for the exemplifications to be compared. The eventual aim is to return the funding to the RSG and as such the option chosen now would be an interim step in that process.

#### **A. Status quo**

To continue with the current methodology, but acknowledge that WAG cannot guarantee to fund 100% of the cost in future. This could continue indefinitely or could be used to fix allocations prior to transferring the funding into RSG.

##### **Advantages**

- Reflects the individual pupils for which the service is provided
- Local authorities and WAG are familiar with the system
- No turbulence at this stage as no change from current system

##### **Disadvantages**

- Divorces policy decisions on how individual pupils with SEN are supported once they reach sixteen (made by local authority) from the budget responsibility for those policies (WAG)
- Does not encourage authorities to develop alternative policies
- Would not smooth the transition into RSG
- Requires authorities and WAG to complete and analyse detailed returns at least twice a year
- WAG cannot guarantee that it will continue to be able to fund provision at 100% of cost
- Lack of parity between authorities as costs and funding per pupil vary significantly from authority to authority

#### **B. Uplift of original transfer out of RSG in 2002-03**

The current budget would be distributed pro rata to the SEN share of the original transfer out of RSG in 2002-03, to use as a basis for transferring the funding into RSG as an interim measure before it becomes distributed on the SSA formula for SEN.

##### **Advantages**

- Relatively simple
- Easy to explain
- The current budget would be returned to local authorities in proportion to the amounts they handed back in 2002-03

- Would encourage LAs to consider policy direction

#### Disadvantages

- Historical, other than the amount, this does not reflect changes since 2002-03
- Lack of confidence in the consistency of methods used by authorities
- Would result in greater turbulence in that there would be two sets of distributional changes, one now and one when the funding is returned to RSG;

Overall, this was not considered to be a feasible way forward by the task group.

#### C. Population / Census

To distribute the current budget in proportion to population shares of the sixteen-nineteen age group, again as an interim measure for transferring the funding into RSG to be distributed on the SSA formula for SEN.

#### Advantages

- Simple
- Easy to explain
- Objective basis of distribution
- Does not favour / reward any one policy direction over others
- Would move the distribution towards that of RSG

#### Disadvantages

- Takes no account of other factors that may affect the relative need or cost of provision such as deprivation or rurality
- Would not reflect the actual costs of provision within any one authority
- Bears no relation to the individual pupils to which services are being provided
- Potential to be skewed by large student populations

#### D. Current Standard Spending Assessment (SSA) formula for SEN Indicator Based Allocation (IBA)

To distribute the current budget on the basis of the SSA formula for SEN, using the five-nineteen age group.

#### Advantages

- Objective basis of distribution
- Does not favour / reward any one policy direction over others
- Takes account of factors related to dependent children in:
  - lone adult households;
  - out of work families;



- households where the head is in National Statistics socio-economic classification (NS-SEC) categories 6,7 or 8 (low occupational classification)
- Also takes into account the additional costs more dispersed authorities may incur due to the spread of their population by including a factor for the population outside of settlements of more than 40,000
- Is currently being used to distribute £225 million for special education for the pre-sixteen age group.

#### Disadvantages

- Would not reflect the actual costs of provision within any one authority
- Bears no relation to the individual pupils to which services are being provided

In terms of modelling different age groups, the group concluded that it would not be possible to defend the use of the five-sixteen age group in distributing funding intended for post-sixteen provision. While the sixteen-nineteen age group fits best with the group that the funding is for, the five-nineteen age group is a closer fit with the distribution through RSG, and also dilutes any potential for student populations to affect the distribution.

#### E. Banding

To identify a range of bands (currently five based on the SEN code of practice) encompassing varying degrees of SEN and weighting these accordingly, based on staffing levels needed for each band. Each authority's allocation would be based on its actual pupil numbers falling within each band. The total funding would remain constant regardless of the numbers of pupils identified. This method could continue indefinitely or be used to fix allocations prior to transferring the funding into RSG.

#### Advantages

- Captures every child within each authority's own special schools
- Closest to reflecting "reality" in terms of costs related to provision through special schools as it reflects required staffing levels
- More easily explained
- Least amount of turbulence of all options based on the 2007-08 figures

#### Disadvantages

- Only relates to provision through special schools, would not be possible to use it for out of county placements
- The allocation of children to each band is a subjective decision taken by each authority
- There is potential for perverse incentives with regard to band allocation
- Does not encourage authorities to develop alternative policies
- Would require a possible change to PLASC data requirements

## Conclusions and Recommendations

4. Any change from the current method of funding SEN provision will result in “turbulence” and this will need to be managed since the funding is based on authorities funding allocations against actual pupils currently receiving the service. The group recommends that any change is phased over three years to allow local authorities time to manage the turbulence.
5. The group agreed that option D (distributing the funding through the current IBA formula for SEN) using the five-nineteen age group would result in the fairest distribution of the funding. It was acknowledged that bringing this funding and the additional age group into the formula may affect the distribution of the pre-sixteen SEN funding that is currently allocated in this way, but that this would be an issue for DSG to consider. The group recommends that the funding be distributed on the basis of the current standard spending assessment (SSA) formula for SEN indicator based allocation (IBA).
6. This exercise highlights, at both LA & all Wales level, ever increasing costs of out of county placements. The group felt that these costs were of such magnitude as to warrant further work on an all Wales basis, including investigation of alternative service provision models.

**POST-sixteen SEN FUNDING TASK AND FINISH GROUP:****TERMS OF REFERENCE****Remit**

The group will, by December 2009, consider and recommend options for changing the current method of funding LEAs for their post-sixteen SEN provision.

**Membership**

The group will comprise a core made up of representatives from each of the four ADEW consortia, WLGA and the Welsh Assembly Government, with others attending on occasion as required. The group will be chaired by Stuart Evans (WLGA) and facilitated by Bethan Cowan (WAG). A list of members is attached.

**Role and Responsibilities**

The group will consider and recommend options for changing the current method of funding LEAs for their post-sixteen SEN provision. To do this the group will undertake activities including:

- determining core principles;
- identifying options for change;
- recommending a preferred option;
- identifying, collecting and disseminating data from all LEAs for modelling purposes;
- modelling of options;
- considering implications of options;
- identifying wider related issues, such as role of other agencies, recoupment, FE etc;
- identifying timescales and means of implementation; and
- communicating information to other LEAs in the consortia.

**Meetings**

The group will be convened by the Head of Support for Learners and serviced by the Support for Learners branch. The group will meet at least three times between July 2009 and December 2009. Additional meetings or consultation by correspondence between meetings may be necessary on occasion to maintain progress.

**Membership**

Stuart Evans (Chair)	
Mair Watkins	Head of Support for Learners Division (WAG)
Bethan Cowan	Support for Learners Division (WAG)
Rachel Andrews	Local Government Finance Division (WAG)
Mari Thomas	WLGA
Colin Coles	South East Consortium
Jason Brown	South East Consortium
Gareth Jones	South West and Mid Consortium

Gaynor Myers  
Catrin Edwards

North Consortium  
Central South Consortium

## **POST-SIXTEEN SEN FUNDING TASK GROUP**

### **CORE PRINCIPLES**

The following principles underpin the work of the Post-sixteen SEN Funding Task Group.

- a funding method common to all local authorities;
- a definition of special educational needs and special educational provision consistent with the SEN Code of Practice for Wales; and
- transition arrangements will apply.

### **FEATURES OF SIXTH FORM SEN PROVISION**

Provision for learners with learning difficulties and/or disabilities in school sixth forms is complex and surrounded by legal duties and Codes of Practice. Under the Education Act 1996 local education authorities (LEAs) have a legal duty to provide special educational provision for pupils with a statement of educational need (SEN).

A statement of educational needs is drawn up by the LEA in accordance with a national SEN Code of Practice for Wales. The issuing of a statement follows a multi-professional assessment of a pupil's needs and the statement is reviewed by the LEA every year in accordance with the SEN Code of Practice for Wales. Every LEA must, by law, provide the educational support detailed in each pupil's statement of educational needs. Unless a statement lapses, is amended or ceased by the LEA in accordance with the SEN Code of Practice for Wales, a statement will remain in place until the end of the academic year in which the pupil reaches nineteen years of age.

As LEAs must, by law, provide the educational support detailed in each pupil's statement of educational needs, LEAs manage their limited resources to ensure that the needs of young people with statements of educational needs are prioritised.

There are four main types of provision for SEN in schools:

- i) LLDD in mainstream;
- ii) LEA Designated Resourced Provision within mainstream schools;
- iii) Special Schools; and
- iv) Specialist placements ('out of county' placements).