

# EDUCATIONAL NEEDS JOINT COMMITTEE

## Minutes of the meeting held on 16 October, 2012

**PRESENT:** Councillor R. Dylan Jones (Isle of Anglesey County Council)  
(Chairman)  
Councillor Caerwyn Roberts (Gwynedd Council) (Vice Chairman)

### **Gwynedd Council**

Councillors Elin Walker Jones, Beth Lawton, Peter Read,  
Gareth Thomas, Eirwyn Williams

### **Isle of Anglesey County Council**

Councillors Mrs Fflur Hughes, Gwilym O.Jones, Eric Roberts,  
P.S.Rogers

**IN ATTENDANCE:** Principal Educational Psychologist (Mr Gareth Payne)  
Head of Education – Gwynedd Council (Mr Dewi R.Jones)  
Director of Lifelong Learning – Isle of Anglesey County Council (Dr  
Gwynne Jones)  
Special Educational Needs Officer – Isle of Anglesey County Council  
(Mrs Mair Read)  
Senior Educational Accountant – Gwynedd Council (Mrs Kathy Bell)  
Committee Officer (Ann Holmes)

**APOLOGIES:** Councillor Annwen Hughes (Gwynedd Council); Councillors  
G.O.Parry, MBE , Clive McGregor (Isle of Anglesey County Council)

**ALSO PRESENT:** Mr Trebor Roberts (Interim Chief Executive of Cwmni Cynnal)

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### **1. CHAIRMAN**

Councillor R.Dylan Jones from Isle of Anglesey Council was elected Chairman of the Joint Committee for the next two years.

Councillor R.Dylan Jones thanked his fellow members for their trust in him and expressed his appreciation of the work and contribution of Councillor Selwyn Griffiths from Gwynedd Council as his predecessor in the Chair. He welcomed the new members to the Joint Committee. The Gwynedd members of the Joint Committee mentioned that Councillor Selwyn Griffiths had been unwell recently and had spent some time in hospital. On behalf of all the members of the Joint Committee ,the Chairman extended his best wishes to Councillor Selwyn Griffiths for a full and speedy recovery.

Councillor G.O. Jones referred to the bereavement suffered by Councillor R Dylan Jones in the loss of his mother. He extended his deepest sympathy to Councillor Jones and his family in their bereavement and was joined in those sentiments by the remaining members of the Joint Committee.

### **2. VICE CHAIRMAN**

Councillor Caerwyn Roberts from Gwynedd Council was elected Vice Chairman of the Joint Committee for the next two years.

### **3. DECLARATIONS OF INTEREST**

No declaration of interest was received.

### **4. MINUTES**

The minutes of the previous meeting of the Joint Committee held on 30<sup>th</sup> March 2012 were submitted and confirmed as correct.

Matter arising –

The Special Education Officer of Isle of Anglesey County Council reported that the School Counselling Service, whose long term sustainability had been the subject of concern at the last meeting in March, had been restructured and that the team currently has a full complement of 5.5 counsellors working during the term in the secondary sector.

### **5. SPECIAL EDUCATIONAL NEEDS JOINT COMMITTEE**

The Chief Executive of Cwmni Cynnal gave the Members a visual presentation on the functions of the Joint Committee and the Special Educational Needs Provider Unit and the role of the members of the Joint Committee in holding the Provider Unit to account. In his presentation, the officer referred to the matters noted below –

- The background to the establishment of the Joint Committee in 1996 and how its administrative functions had been divided between both counties.
- The principal duties of both Councils in the area of Special Educational Needs namely -
  - developing and implementing an inclusive SEN strategy
  - planning provision to meet the needs of pupils with special educational needs in mainstream schools and, where appropriate and where parents so desire, in a special school
  - Addressing the SEN Code of Practice, 2002
  - Ensuring that special educational needs are identified and assessed at an early stage so that pupils receive appropriate interventions at an early stage
  - Managing the statutory assessment process and monitoring statements
- The Services of the Provider Unit encompassing the Educational Psychology Service, the Specialist Teacher Service and the Administrative Section responsible for managing the assessment process and data production.
- Procedures are implemented through a Service Level Agreement and daily contact is maintained with both Councils through the client officers.
- The work of the Provider Unit is reported to the Joint Committee every term for scrutiny purposes and to ensure prudent use of resources.

A discussion ensued on the content of the presentation and Members asked several questions. The main subjects of discussion included the following –

- How it is ensured that the needs of children taught at home by their parents are met, particularly if they have special educational needs.
- The prospects for the continuation of the arrangements upon which the Joint Committee is based, where services are provided jointly, particularly in light of the increasing emphasis on devolving funds to schools and collaboration on a wider regional basis.
- The split of the Provider Unit's services between both counties.
- The provision for children with autism and whether there is a specific strategy/direction to that end.

The Head of the Education Service of Gwynedd Council reported that the direction of work in Gwynedd will see the Hafod Lon Centre being established as a centre of excellence for the whole county. As part of the centre's provisions, it will provide appropriate support for autistic children and a Welsh medium provision; this development is seen as one that sets an innovative direction. As part

of the Hafod Lon development it is hoped that two residential units will also be established. The Special Educational Needs Officer of Isle of Anglesey County Council stated that two teachers within these specialist teachers service specialize in autism and communication difficulties and that both have drawn up an educational strategy that feeds into the autism strategy. They also work with special schools to develop the provision in the area of autism.

## **6. THE SPECIAL EDUCATIONAL NEEDS PROVIDER UNIT**

6.1 A report was submitted outlining the work of the Provider Unit during the Spring term 2012.

The Principal Educational Psychologist referred to the following matters –

- Staff changes. In connection with the 3\* Co-ordinator, the Officer elaborated on the 3\* system and what it entailed.
- The day to day operation of the Specialist Childrens Service in terms of the number of school visits held; the guidance given and the reports and reviews produced across the specialist areas.
- The meetings attended including some local and multi-agency meetings, together with meetings in relation to national and regional professional networks, as well as the presentations and training sessions that staff had attended as participants.
- Opportunities for continuing professional development.
- The situation of the Educational Psychology Service including staff changes and the services' activities throughout the period.
- Data reflecting the workload of the Joint Committee in processing statutory assessments and drawing up statements over the past four years. Although the number of final statements published in 2011 has fallen in both counties, figures show that the number of statutory assessments have increased considerably in Gwynedd (57 in June 2012 compared to 18 in June 2011), but they have remained constant in Anglesey (21 in June 2012 and 17 in June 2011).
- Information on the number of final statements issued within the statutory timetable of 26 weeks in 2011 and performance against national performance indicators. In Gwynedd, the number of statements issued has fallen from 75 in 2010 to 44 in 2011 and the percentage issued within 26 weeks (including exceptions) has increased from 86.7% to 90.9%. Great efforts had been made in the Provider Unit to improve performance and the time taken to receive medical advice had reduced. In Anglesey, the number of statements issued had fallen from 41 in 2010 to 27 in 2011 and the percentage issued within 26 weeks (including exceptions) had increased considerably from 43.9% to 70.4%. Once again, efforts have been made within the Provider Unit to improve performance.

The Officer was thanked for the report and the presentation and the following matters were raised in the ensuing discussion on the content of the report –

- Expenditure per head on children with special educational needs in Anglesey.
- Producing new criteria documents and the possibility that doing so would place more responsibility on schools and teachers.
- The nature and breadth of the collaboration with other agencies such as Barnardos.

The Director of Lifelong Learning of Isle of Anglesey County Council confirmed that expenditure per head on children with special educational needs in Anglesey is high, and this is partly to be attributed to increased demand as a result of earlier identification of children's needs and because of individuals moving into the area who frequently have special needs. In addition, there are a number of smaller schools in Anglesey and provision is made for special educational needs in every school. This means that assistants are needed in all of the schools which leads to higher expenditure. The model in Anglesey is based on providing support for children in their communities. In terms of the implications for schools of revising the criteria, the Special Educational Needs Officer of Isle of Anglesey County Council stated that it is the individual school's responsibility to teach every child accepted at the school and that it is the Authority's responsibility, through the services of the Joint Committee, to provide support and guidance for the schools to enable them to deliver in this respect.

**It was resolved to accept the report and to note the information.**

6.2 A report was presented outlining the work of the Provider Unit during the Summer term 2012.

The Principal Educational Psychologist stated that the report on the Summer term's activities followed the same pattern as the report on the Spring term as regards the considerations and matters referred to within. The Officer referred specifically to the practice introduced by the Educational Psychology Service where every psychologist makes a judgement on the effectiveness of every school with regard to a number of aspects of their work within the service by means of a traffic light system. Five colours were used (blue, green, yellow, orange and red with the 3 first colours denoting a positive performance) to give an opinion on aspects such as how well does the school prepare specialist work to help a pupil, assessing the attainment level and proposing ideas to improve the situation etc. It was judged that 98% of the schools were in the blue, green or yellow category.

**It was decided to accept the report and note the information.**

## **7. CONSULTATION: "FORWARD IN PARTNERSHIP FOR CHILDREN AND YOUNG PEOPLE WITH EXTRA NEEDS"**

The Anglesey Special Educational Needs Officer gave a visual presentation to the Members which summarised the above consultation document which outlines the proposals for amending the legislative framework for special educational needs upon which the Joint Committee has been based. The Officer referred to the main considerations within the proposals in the consultation document as follows –

- The context including the fact that SEN legislation is by now over 30 years old.
- In 2007, Welsh Assembly Government noted its intention to legislate in the Additional Learning Needs area. This followed a review and an SEN report in 3 parts by the previous Education Lifelong Learning and Skills Committee. Pilot schemes were established including four pilot schemes regarding quality assurance, acute and complex needs, the role of the SEN coordinator and less acute needs.
- These changes are intended to be of an evolving rather than a revolutionary nature and there is a connection between the proposals and the schools improvement agenda along with the proposals incorporated in the Social Services Measure (Wales).
- According to the Education Minister's statement, the purpose of the proposal is to ensure that the system in Wales is more inclusive and that there are better outcomes for the most vulnerable children and young people in Wales.
- The proposed amendments include the following:
  - Introducing the concept of Additional Needs which will replace what have been labelled as Special Educational Needs with a view to establishing a procedure based on a full partnership between education, health and social services. The present situation where the education services are considered to be the lead body will come to an end.
  - Integrated planning – in order to simplify the present situation, integrated assessing and planning processes will be introduced. An Individual Development Plan bringing together all the contributions of the relevant agencies will be formed for the child/young person which will replace or integrate every other individual plan for the individual. The process will be coordinated by a person appointed as Support Coordinator and resources will be available on the internet which will be developed for the IDP so that all the relevant agencies can make a contribution.
  - Multi-agency work – multi agency support panels will be established to assess and agree on the package of services to be provided for children with the greatest needs. Working in regional consortia will be encouraged.
  - Extended age range – extending the age range from birth to 25 years in the case of children with serious and/or complex needs. The Early Support model should be adopted for children under 5 years old. Extending the age range for which individual development plans are relevant to 25 years old will improve transition arrangements be they transition arrangements to further education, higher education or adult services..
  - Dealing with concerns and grievances – the emphasis will change from dealing with grievances and complaints to a strategy of reducing concerns and grievances and their early resolution. It is intended is to include parents and carers throughout the process.

- Appeal to a Tribunal – the right to appeal to a Tribunal will remain but individuals will have to go through the process of resolving grievances in the first place. Extending the remit of the SEN Tribunal to include health and social services is being considered and the child or young person will also have a right of appeal.
- Family Partnership Services – it is proposed to extend the Parent Partnership Service to include children and young people with additional needs and their parents/carers.
- Quality Assurance – there will be a duty on Welsh Ministers to introduce an Additional Needs Code of Practice and there will be a provision mapping system which will be introduced in order to track results for learners, resources provided and parent and pupil feedback.
- Post 16 specialist placements – a proposal that local authorities should be responsible for assessing the need for a specialist further education provision and for ensuring that provision and its financing arrangements.

The Special Educational Needs Officer for Anglesey said that the full consultation document was available on the internet and that she would be providing a full response to the document on behalf of Anglesey whilst the Senior Educational Manager in Gwynedd would be providing a response on behalf of Gwynedd. Partners had already been consulted and schools had also been invited to present their views. The organisation SNAP conducted a consultation with parents. She also stated that members of the Joint Committee were welcome to present any comments either through her or through Gwynedd's Senior Educational Manager. The intention in this meeting was to raise the Joint Committee's awareness of the proposed changes in the field.

The Members recognised that there were aspects of the legislative changes which had far reaching implications and in the ensuing discussion on the matter, the following points were raised –

- That they were very concerned regarding how the authorities would finance the provision for specialist post 16 further education, especially in a climate where budgets are under pressure in the authorities.
- The document did not offer any guidance regarding a Welsh medium provision.
- They were concerned that moving to an all-inclusive additional needs system would mean losing sight of the educational dimension within special needs.
- It was very important that they as members of the Joint Committee disseminated the news regarding the changes which are afoot and their implications.

In response to comments by Members, the Officers said that the consultation document does not give any practical guidance regarding how it is intended to move into the new procedure. However, it is expected that the new terms of reference will expand on the requirements and there will be an opportunity to consult on the contents of the Code. As regards the proposal to lay the responsibility for funding post 16 specialist educational placements on the authorities, it was noted that the funding available for post 16 education is already tight, and finding the resources for meeting the need for specialist post 16 placement will be a huge challenge for local authorities. The Head of Education of Gwynedd Council stated that the changes, on the other hand, offered an opportunity for authorities to review and better understand what they are doing in relation to those children requiring additional help particularly with regard to matters such as training the workforce in the field and especially assistants who support the inclusive process. In Gwynedd, part of this work is being developed through a strategic review and, to run alongside the review, preparations are in hand for the new legislation. The final package will be a substantial one since the budget for this service area is considerable. One significant change under the proposals is to introduce a joint funding system between agencies and there will be a need for the three main agencies – Education, Health and Social Services, to have a joint discussion regarding the funding of the provision.

**It was decided to note the information and to thank the Officer for the presentation.**

## 8. FINANCIAL MATTERS

8.1 A report was provided by the Financial Manager of Gwynedd Council's Development Department including the Joint Committee's final accounts for 2011-12 the financial year.

Gwynedd County Council's Senior Education Accountant had reported to the Joint Committee in March 2012 that the Joint Committee's balances would be maintained at a level of circa £55,000 by the end of the 2011/12 financial year. The final accounts show savings of £17,267 on the 2011/12 budget, mainly to be attributed to additional income. The main variances between the budget and the final accounts are as follows –

Underspend against the budget :

- £17,302 : Psychologists – maternity leave, vacant posts and savings
- £17,313 : Support teachers – staff turnover and savings
- £ 6,637 : administrative staff – staff turnover
- £27,539 : income considerably higher than expected (work for Anglesey)

Overspend against the budget :

- £14,891 : 3\* Scheme Co-ordinator planned through using balances
- £10,334 : redundancy costs
- £ 2,144 : post – bulky reports but fewer than the past

The Senior Education Accountant summarised the situation by reporting that the SEN Joint Committee balances stood at £55,028 on 31 March, 2011 (which was 4.7% of the budget). The 2011/12 savings of £17,267+ bring the total balances on 31 March, 2012 to £72,295 (which is 5.9% of the budget). The main issues were staffing and the changes that occurred over the last financial year.

**It was decided to accept the report and the 2011/12 accounts.**

8.2 A report was presented by the Head of Finance, Gwynedd Council reviewing the current budget for 2012/13.

The Senior Education Accountant – Gwynedd Council reported that the report reflected the current position in relation to the Joint Committee's Accounts for 2012/13. He drew attention to the fact that staff turnover had led to a significant reduction in employment costs as per the following figures –

- -£39,610 : Psychologists– supply arrangements and unpaid periods
- -£ 2,500 : Support teachers – supply arrangements
- -£9,790 : administrative staff, vacant posts and supply arrangements
- -£51,900 : current estimate of staff savings for 2012/13
- +£14,840 : continue to employ Scheme 3\* Coordinator from balances/savings

The Senior Education Accountant reported that no big variances are anticipated in the Joint Committee's budget by the end of the present financial year. If the staffing savings are realised in their entirety, then the Joint Committee's balances would stand at around £109,000 by 31 March, 2013. The main issue that emanates from this information and requires consideration, is the effect on schools; if the Joint Committee can deliver a cheaper provision, would there be any side effects as regards the supply.

The Chief Executive of Cwmni Cynnal stated that the report suggested that the Joint Committee's financial situation was healthy but it should be borne in mind that this situation had arisen due to staff turnover during the 3 previous years and one of the reasons for the positive financial situation is that the organisation at times is dependent on staff in providing cover during periods of absence and in bridging any gaps. It is believed that it would be worthwhile to carry out a piece of work to identify the turnover trends in order to ensure that the level of provision is planned in accordance with those trends.

The Senior Education Accountant asked whether the report actually conveys the message that the Joint Committee wishes it to convey, i.e. is there a risk that the authorities, when they see that the provision can be delivered for less, will consider this area as one where further cuts could be earmarked. He stressed that the financial situation of the Joint Committee as presented above had arisen due to unique circumstances.

**It was resolved to accept the report and note that there is a case for undertaking work to look at the trends in relation to staff turnover over the last few years with a view to tailoring the level of the provision to correspond with those trends.**

#### **9. NEXT MEETING OF JOINT COMMITTEE**

**It was noted that the next meeting of the Joint-Committee would be held at 10.30am on Friday 15 March 2013 in Llangefni.**

Gwynedd's Head of Education Gwynedd welcomed the good attendance and representation at this meeting of the Joint Committee.

**Councillor R.Dylan Jones  
Chair**

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