

SPECIAL EDUCATIONAL NEEDS JOINT COMMITTEE

Minutes of the meeting held on 19 September, 2014

PRESENT: Councillor E.Caerwyn Roberts (Gwynedd Council) Chairman
Councillor Llinos Medi Huws (Isle of Anglesey County Council (Vice-Chair)

Gwynedd Council

Councillors Annwen Hughes, Elin Walker Jones, Eirwyn Williams

Isle of Anglesey County Council

Councillors Gwilym O.Jones, R.Meirion Jones

IN ATTENDANCE: Mr Gareth Payne (Principal Educational Psychologist)
Mr Iwan Trefor Jones (Director of Development – Gwynedd Council)
Dr Gwynne Jones (Director of Lifelong Learning, Isle of Anglesey County Council)
Mr Owen Owens (Head of Education – Gwynedd Council)
Mrs Delyth Molyneux (Head of Learning – Isle of Anglesey County Council)
Mr William E.Jones (Senior Finance Manager – Gwynedd Council)
Ann Holmes (Committee Officer)

APOLOGIES: Councillor Beth Lawton (Gwynedd Council), Councillors Derlwyn Hughes, Trefor Lloyd Hughes, Ieuan Williams (Isle of Anglesey County Council)
Mr Rheinallt Thomas (Free Churches)

ALSO PRESENT: Councillor Gareth Thomas (Portfolio Holder, Education – Gwynedd Council), Amanda Hughes (Wales Audit Officer (for item 3)

The Chairman welcomed everybody present to this meeting of the Special Educational Needs Joint-Committee.

1. DECLARATION OF INTEREST

No declarations of interest were received.

2. MINUTES

The minutes of the previous meeting of the Joint-Committee held on 4 July 2014 were submitted and confirmed as correct.

3. THE FINAL ACCOUNTS OF THE SPECIAL EDUCATIONAL NEEDS JOINT-COMMITTEE FOR THE FINANCIAL YEAR ENDING MARCH, 2014

The following papers were submitted for the Joint-Committee's consideration:

- The Joint-Committee's post audit final Statement of Accounts for 2013/14 along with the Annual Governance Statement.
- Report by the Welsh Audit Office outlining the findings of the external audit of the financial statements.
- Letter of Representation.

Gwynedd Council's Senior Finance Manager reported that the pre-audit draft statement of accounts for 2013/14 as submitted to the meeting of the Joint-Committee in July had now been independently audited by the Welsh Audit Office. The minor amendments to the accounts since submission of the pre-audit version are explained in Report ISA 260 by the Welsh Audit Office as the External Auditor. The Chairman of the Joint-Committee and the Head of Finance need to certify the Letter of Representation submitted in Appendix 1 of the Welsh Audit Office's report once the Joint-Committee has considered the documentation and is satisfied with its content. Having received the certified Letter of Representation, the Appointed Auditor will publish the certificate for the accounts by 30 September in accordance with the statutory timetable.

Amanda Hughes, Wales Audit Office, confirmed the independence of the auditors and stated that the Appointed Auditor is of the opinion that the Joint-Committee's accounting statements are a true and fair reflection of the Joint-Committee's financial position at 31 March, 2014 and of its income and expenditure for the year which ended on that date and that they had been prepared in accordance with the UK Local Authorities Accounting Code of Practice 2012/13. The Appointed Auditor intends to publish an unconditional report on the financial statements once a Comments Letter has been provided based on the notes in Appendix 1 of the report. The Officer noted that there are no uncorrected mis-statements in the statements and that the mis-statements corrected by the managers have been noted under Appendix 3 of the report. One matter was highlighted with regard to the qualitative aspect of the accounting practices and the process of submitting financial reports elaborated upon under paragraph 13 of the ISA 260 report. Otherwise, no further issues need to be addressed.

Amanda Hughes and the Welsh Audit Offices were thanked for their work with regard to the accounts.

It was Resolved to accept and approve -

- **The Appointed Auditor's ISA 260 report on the Financial Statements and**
- **The post-audit Statement of Accounts for 2013/14.**

4. WHITE PAPER ON ADDITIONAL LEARNING NEEDS

Submitted for the consideration of the Joint Committee, a report by the Principal Educational Psychologist summarising the main amendments proposed in the Welsh Government's White Paper in relation to the legislation which sets out the arrangements for meeting the needs of children with educational difficulties and their implications for the Special Educational Needs Joint Committee and its method of working.

The Principal Educational Psychologist referred to the most significant changes as follows –

- Principles – emphasis is placed on the importance of providing for the needs of every child
- Terminology – it is proposed to use the term “Additional Learning Needs” rather than “Special Educational Needs”.
- Collaboration and Conflict – to strengthen collaboration processes to ensure less conflict between authorities and users.
- Extension of the Age Range – it is proposed that the arrangements be extended to include every child and young person between 0 and 25 year old identified as having Additional Learning Needs who is receiving or who wishes to receive education or training. The local education authorities will be responsible for this.
- Individual Development Plans to replace the Statement of Special Educational Needs and to include children who are currently following non-statutory Individual Educational Plans within the schools and post-16 plans meaning that Individual Development Plans can be very broad and vary according to age, location and the complexity of the individual's needs.
- New Code of Practice – to be published. It will provide guidance on implementing the changes and will be mandatory.
- The views of the Children and their parents – consultation with the parents and the children themselves and listening to their views.
- Other Agencies – the emphasis is on early engagement and sharing information with other agencies.
- Additional Learning Needs Co-ordinator to be available in every school.

- Right of appeal to be extended to the children and young people themselves and young people we are 16+.
- Cost – with careful planning, the Government is of the opinion that the new system should cost no more than the current one. However, there is potential that further costs will result from appeals with regard to children who are not on a statement and with the establishment of a more comprehensive procedure for resolving disputes.

The Principal Educational Psychologist reported on the likely effect of the White Paper on the Joint-Committee particularly in relation to the increased workload as a result of extending the age range of the children and young people whose special needs the Joint-Committee will be responsible for meeting. He reported that the biggest change will be the requirement to work with further education colleges where the Joint-Committee has no presence currently. It is anticipated that the workforce may have to be increased by 20% which is equivalent to half a psychologist's post and one and a half specialist peripatetic teacher's post in order to support these young people. With regard to the education department, both education departments will be responsible for monitoring the individual education plans of many more children and young people. Although the Joint-Committee has systems in place to do this, formalizing school support and extending this to younger children and further education college students will entail more administrative work in processing applications and determining the validity of programmes and provisions. An increase of at least 20% is anticipated in the time required by the Joint-Committee's administration team which is equivalent to one and a half employees. In addition, it is possible that there will be an increased number of appeals or at least an increase in the number of cases going through the dispute resolution system.

The Joint-Committee considered the information and the Members expressed concern with regard to the effect on the Joint-Committee, its services and workforce on extending the age range of the individuals whose needs will have to be met from very young children on the one end of the scale to young people up to the age of 25 on the other.

The Head of Learning – Isle of Anglesey County Council – stated that the proposals in the White Paper had significant implications for local services with regard to planning, making decisions, joint provision and bearing the costs which are anticipated to be high. The current costs in the Adult Services will need to be re-directed. Perhaps the requirements will entail increasing the workforce to more than half a psychologist's post and one and a half specialist teacher's post as estimated. There are also implications with regard to realigning local budgets to meet the needs.

Gwynedd Council's Senior Finance Manager stated that should the costs be much higher once the White Paper has come into effect next year, then they will have to be assessed since Gwynedd and Anglesey councils will wish to know the level of additional financial commitment the White Paper will entail in the forthcoming financial year.

It was resolved to accept the report and to note its content.

NO FURTHER ACTION

5. EXCLUSION OF THE PRESS AND PUBLIC

It was considered and resolved, in accordance with the relevant legislation, to exclude the press and the public from the meeting during the discussion on the following item for the reasons noted in the Public Interest Test form submitted.

6. STRATEGIC REVIEW OF GWYNEDD COUNCIL'S ADDITIONAL LEARNING NEEDS AND INCLUSION STRATEGY

Submitted – a report for the consideration of the Joint-Committee outlining Gwynedd Council's vision for Additional Learning Needs and Inclusion.

Gwynedd Council's Portfolio Member for Education stated that transforming the services provided for children and young people, particularly the vulnerable, was one of the principal priorities in the Council's Strategic Plan. Planning around the needs of children and young people and their families will be central to any newly developed plans. One of the transformational plans is the Strategic

Review of Additional Learning Needs and Inclusion which addresses a provision which is complex, sensitive and multi-agency.

The Education Portfolio Holder referred to the aim of the review and the context in which it was conducted, which included changes on a national basis such as the White Paper and at a local level such as the programme for building a new special school for children and young people with extra learning needs in the county of Gwynedd. The Portfolio Holder mentioned the type of results that one would wish to see through the review for the individuals as service users and for the authorities as providers and commissioners and he mentioned the engagement process and the conclusions of that the process.

Gwynedd Council's Director of Development reiterated the comments and said that the Extra Educational Needs Service was an area where nearly £15m is invested annually. The intention by conducting a review is to ensure the best results for children in the area who have extra learning needs, so that they attain their full potential. The whole area was looked at in its entirety including children and family services and initial proposals were formulated with a view to improving the service's effectiveness and efficiency in order to ensure best value from the resources in which an investment is made. The work programme at the end of the report summarises the present work streams under the main outcome headings that the review will hopefully fulfil. Amongst the tasks identified were reviewing the function of the Joint Committee as the body from which the provision is commissioned and in light of the proposed legislative changes in the area. Some of the activities within the work programme will be quite common to both authorities.

The Anglesey County Council's Director of Lifelong Learning noted the areas within the work programme of the Strategic Review which the Authority in Anglesey had agreed to and was already moving in the same direction and he noted the activity where Anglesey's approach was different. He agreed that there was a need to be clearer regarding commissioning the services of the Joint Committee but that Anglesey saw that this would happen through extending the Joint Committee and commissioning more thoroughly.

Gwynedd Council's Head of Education said that the Strategic Review had suggested that there was room to consider joining the function of the Education and Inclusion Manager in Gwynedd with the role of educational psychologist in the sense that the post holder would have expertise in the area of educational psychology. The Additional Educational Needs area is broad in relation to the numbers which are within the scope of its services in Gwynedd and it is believed that there is a need for a specific background for the post so that the appropriate guidance can be given to the services in the context of the new legislation and also as regards acting as the chief commissioning officer for the Joint Committee.

The representation from Anglesey on the Joint Committee voiced concern regarding the shortage of qualified bilingual educational psychologists outside the Joint Committee, and that the need for more psychologists could only be met by drawing on the expertise within the Joint Committee and by doing so, would possibly weaken the Joint Committee and the provision across the two counties. It was noted that the Joint Committee had been established to overcome the lack of expertise in the field locally and to work together to ensure a pool of expertise across the special educational needs spectrum within the two counties.

The Gwynedd Council Director of Development said that there was significant public expenditure that supported the Joint Committee and that there was a need to ensure the best value from the investment and the best results for children locally. The provision and the expenditure need to be monitored with clear expectations regarding the Joint Committee's work and it needs to be defined better so that the difference it is making is clear. Because of the financial context and the pressure on public funding and also the new expectations, we need to develop the relationship between providing and commissioning and make it more definite.

Anglesey's Director of Lifelong Learning explained that the Authority in Anglesey had also identified the need to tighten processes and also the Joint Committee's monitoring procedures as regards justifying the expenditure and there was a need to look again at the commission given to the Joint Committee so that control may be tightened in some cases. However, in Anglesey's opinion, that will be achieved through broadening the function of the Joint Committee rather than establishing a

specific post. A discussion is required to identify whether it is practical to include this element within the work of the Joint Committee.

Gwynedd Council's Director of Lifelong Learning said that one element of the transformation programme is the role of the Joint Committee and a number of work streams within the work programme are ones that could be planned and worked on together with Anglesey. As the two clients, it is important that the authorities work together on the brief for the Joint Committee.

The Chairman agreed that there was scope to discuss things further and that the Joint Committee was in agreement regarding achieving the best results for the children of both counties.

Anglesey Council's Director of Lifelong Learning drew the Joint Committee's attention to the fact that every service in Anglesey including the Education Service had been asked to identify savings of up to 10% for 2015/16 and that proposals to that effect were being planned and presented. Amongst the options is reducing the budget of the Joint Committee. The Officer said that he was eager to raise awareness within the Joint Committee of this possibility and to have a discussion on it.

It was decided to accept the report and note its comments.

FURTHER ACTIONS :

- **Gwynedd Council's Director of Development to report back to the next meeting of the Joint Committee regarding the progress with reviewing the way forward for special educational needs and inclusion in the context of further discussions that are to be held.**
- **Anglesey Council's Director of Lifelong Learning to report back on the financial situation and the savings that will need to be achieved.**

7. NEXT MEETING

Noted that the next meeting of the Joint Committee will be held at 10:30am Friday, 21 November 2014 in Llangefni.

**Councillor E. Caerwyn Roberts
Chairman**