

Young People's Education and Skills Operational Sub-Group

Proposal to restructure the Young People's Education and Skills Learners with Learning Difficulties and/or Disabilities Groups

Item: 8

Date: 8 February 2013

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Summary

Significant Special Educational Needs and Disabilities (SEND) funding and policy reforms are imminent and will impact on local authorities and educational institutions. The funding reforms were discussed in some detail at a High Needs Student Funding event held on 8 November 2012 for London local authorities, colleges and Independent Specialist Providers (ISP).

Based on feedback at the event a number of themes for further discussion and potential work emerged (see paragraph 1.2).

At their meeting held on 29 November LLDD Working Group members discussed:

- the output from the 8 November event;
- the implications of the wider SEND reform programme;
- the need for a more strategic pan-London response to the reforms.

The Working Group recommended a move to a strategic regional group which meets less frequently and that is supported by task and finish groups to drive operational work on the ground. Members considered that this change will better reflect the longer-term SEN changes and will provide Young People's Education and Skills with the opportunity to tap into a broader range of colleagues to undertake regional work, and achieve greater returns for boroughs.

This paper therefore discusses:

- restructuring the LLDD Strategic Partners Group;
- winding up the LLDD Working Group;
- establishing task and finish groups appropriate to operational need.

Recommendation

Members are asked to approve the following recommendations:

- a) the re-structure of the LLDD Strategic Partners Group as described in paragraph 2.

And subject to approval of the above recommendation:

- b) the termination of the LLDD Working Group;
 - c) the revised terms of reference for the Regional Strategic Group (see Annex B) subject to any changes suggested by members.
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1 Background

- 1.1 The Young People's Education and Skills Team held a High Needs Student Funding event on 8 November 2012 for London colleagues from local authorities, colleges and Independent Specialist Providers (ISP).
- 1.2 Based on the feedback from the table discussions held at the event the following themes for further discussion and potential work emerged:
 - Commissioning and a banded funding framework.
 - Colleges, developing provision and the local offer.
 - Student assessment, monitoring and review (quality assurance and timelines).
 - Developing provision to meet the needs of young people with autistic spectrum conditions.
 - A London implementation plan: phase one to September 2013 (funding reforms and cross-borough working); phase two to September 2014 (wider SEND Green Paper reforms).
- 1.3 The LLDD Working Group agreed to work with the Association of Colleges (AoC) London Region to establish how best to set up a small number of task and finish groups for the above themes or look to utilise existing groups.
- 1.4 At the LLDD Working Group meeting held on 29 November members discussed the output from the 8 November event and the implications of the wider reform programme.
- 1.5 The Working Group recommended a move to a strategic regional group which meets less frequently and that is supported by task and finish groups to drive operational work on the ground. Members considered that this change will enable London Councils Young People's Education and Skills to better support local authorities to implement the changes necessary to ensure the reforms deliver real benefits to young people with SEND and their families, and achieve greater returns on investment for boroughs.
- 1.6 The Groups opinion was that membership of the strategic group should comprise strong local authority representation from education, health and care disciplines but also partners e.g. college and ISP representation.
- 1.7 The LLDD Working Group also highlighted and discussed the more pressing job of setting up a task and finish group to consider the impact and implications of the changes to High Needs Student Funding from April 2013.
- 1.8 This proposed change in structure was presented to the LLDD Strategic Partners Group on 13 January for discussion and endorsement. Members endorsed the recommendation to re-structure the LLDD Strategic Partners Group and to terminate the LLDD Working Group. The proposal is consequently presented to members of OSG for formal approval under the Young People's Education and Skills governance arrangements.

2 Regional Strategic Group

- 2.1 It is suggested that the LLDD Strategic Partners Group be replaced by a new Regional Strategic Group, the primary purpose of which will be to lead the implementation and development of the Government's proposed reforms for young people with SEND, with a specific focus on meeting the needs of young people aged 16 to 25. It is proposed that the Regional Strategic Group should be based on an expansion of current membership of Strategic Partners Group and that its terms of reference are re-drafted to reflect an enhanced membership and revised remit (draft terms of reference are at Annex A).

- 2.2 The Regional Strategic Group will hold overall leadership of a programme of work, but will establish task and finish groups to deliver the aims and outputs of that programme. The regional group will monitor success and risk indicators identified by those groups and terminate groups as appropriate. With the wider-ranging membership, it will also be responsible for identifying and encouraging suitable representatives to join groups. A draft of the scope for task and finish groups is at Appendix 2 of Annex B.
- 2.3 Should particular areas of work cross into the remit of other sub-groups the Chair will 'commission' activity from the appropriate sub-group. For example, a scoping exercise to examine the data and management information required to review the impact of the funding changes might be better placed with the Data Advisory Group. This arrangement would be reciprocal between all the sub-group Chairs.

Composition

- 2.4 Representation on this group should be comprised of senior/middle tier officers. Members will need to have sufficient seniority to influence their own organisations both upwards and downwards and, where members operate in a representative capacity, across organisations. It is intended that members of the new group should have executive or managerial involvement in commissioning for SEND as members will need to understand:
- the implications of the proposed Government reforms;
 - the implications and potential impact of any recommendations the group makes.

- 2.5 The following membership is therefore proposed:

- ALDCS appointed representative	1
- Association of Colleges (AoC) London	1
- Association of National Specialist Colleges (NATSPEC)	1
- Chairs of the task and finish groups	No. of groups
- Education Funding Agency (EFA)	1
- Health representative (possibly London Health & Wellbeing Board)	1
- Jobcentre Plus	1
- Local authority Head of SEND	1
- Local authority Social care representatives (children and adult)	2
- London Councils Young People's Education and Skills	1

- 2.6 It is further proposed that local authority representation will take account of the sub-regional arrangements that currently exist; officers from the North London Strategic Alliance, the West London Alliance and East London Solutions should be invited as observers.
- 2.7 Under the current Young People's Education and Skills governance arrangements this group will be chaired by a local authority officer. To provide some continuity into the new arrangements, it is recommended that the current Chair of the LLDD Strategic Partners Group, Helen McNulty (Head of SEN, Hackney) is appointed to chair the Regional Strategic Group for its inaugural meeting at which time a chair will be selected.

3 High Needs Student Funding Task and Finish Group

- 3.1 The purpose of this group will be to consider the issues that need to be addressed under the new funding regime and make appropriate recommendations for what needs to be done to ensure we are ready for these changes from April 2013 and August 2013.
- 3.2 Significant subjects impacted by the changes are principally the relationship between commissioner and commissioned (provider), finance, contracting and assurance - both

financial and individual (i.e. the delivery of Individual Education Plans and progress of students).

Composition

- 3.3 The group's composition needs to reflect the task at hand and needs to be able to tap into existing groups that are already, or have the potential to, address the issues on the ground. As this group needs to influence at a senior level, the group's members need to have similar assets to the Regional Strategic Group members i.e. organisational seniority; the ability to influence both upwards, downwards and cross-organisations; involvement (executive or operational) in special educational needs commissioning.
- 3.4 The following composition is therefore proposed:
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| - ALDCS appointed representative | 1 |
| - AoC London | 1 |
| - EFA | 1 |
| - Local authority finance representative | 1 |
| - Local authority SEN representatives | 2 |
| - London Councils Young People's Education and Skills | 1 |
| - NATSPEC | 1 |
- 3.5 Under the current Young People's Education and Skills governance arrangements this group would be chaired by a local authority officer. To provide continuity into the new arrangements, it is proposed that Debi Christie (16-25 Commissioning Manger, Bromley) is appointed to chair the task and finish group for its inaugural meeting at which time a chair will be selected
- 3.6 As this task and finish group was agreed under the current LLDD Working Group structure, and there was some urgency in bringing the group together, a small group of officers comprised a search committee - Yolande Burgess, Strategy Director YPES; Helen McNulty, Chair SPG; Debi Christie, Chair LLDD Working Group - and sought appropriate members for the group in December 2012/early January 2013.
- 3.7 If the restructure proposal is approved, this task and finish group will sit under the Regional Strategic Group.

4 Conclusion

- 4.1 The current regional structure for LLDD was established over two years ago in a very different environment. The Strategic Partners Group responded swiftly in 2010 to the Government's announcement of significant changes to arrangements for 14-19 education and training and, through the LLDD Working Group, led and promoted consistency across London with regard to the commissioning of provision for 16-25 year old learners with LDD.
- 4.2 Regional leadership, particularly with regard to consistency will still be much needed, but our activities need to reflect the changes that will come into effect through the SEND reforms. The work involved in considering policy and procedure across the many aspects of the SEND reforms will obviously still require the input of colleagues knowledgeable in SEN and LLDD however, we will need the input of a broader range of colleagues to ensure we understand and appropriately respond to officers support needs.
- 4.3 The proposed expanded membership of the strategic group will better reflect the longer-term SEND changes e.g. the introduction of Education, Health and Care Plans; joint commissioning with health; direct commissioning for resident high needs children and young people aged 0-25; improving the long-term outcomes for young people with SEND.

- 4.4 Establishing task and finish groups to consider particular aspects of the changes, as opposed to continuing with a standing working group, provides us with the opportunity to tap into a significantly broader range of colleagues, from across the spectrum of organisations represented on the LLDD Regional Group, to undertake pieces of work. It also provides those who agree to commit their time and expertise to a group with a known/reasonable limit to that commitment.
- 4.5 The membership of task and finish groups should also bring addition capacity in the form of relationships and links with existing groups so as not to duplicate efforts e.g. a senior local authority finance officer with a direct link to the London local authority Finance Directors group would be a essential member of the High Needs Funding task and finish group.

5 Recommendation

5.1 Members are asked to endorse the following recommendations:

- 5.1.1 the re-structure of the LLDD Strategic Partners Group as described in paragraph 2.

And subject to approval of the above recommendation:

- 5.1.2 the termination of the LLDD Working Group;
- 5.1.3 the revised terms of reference for the Regional Strategic Group (see Annex B) subject to any changes suggested by members.

Young People’s Education and Skills Board

Operational Sub-Group

Data Advisory Group	Improving Choices for Young People Group	External Funding Group
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Regional LLDD Strategic Group
(Implementation Plan)

Themed task & finish groups

High Needs Student Funding	The Local Offer	Employment Pathways
Banded funding	Data review to identify gaps in the market	Facilitating borough engagement
Commissioning processes	Market positioning statement	Troubleshooting support (relationships, referral processes, eligibility etc.)
Local, sub-regional and regional cluster groupings	Facilitating the marketplace	Cluster/project based cross-borough approaches
	Quality and monitoring of provision	



Young People's Education and Skills Learners with Learning Difficulties and/or Disabilities (LLDD) Regional Strategic Group

Terms of Reference

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1 Background

- 1.1 London Councils Young People's Education and Skills (YPES) operates on behalf of the 33 London local authorities in accordance with the London proposals for 14-19 education and training agreed with the Department for Children, Schools and Families (now the Department for Education). It is subject to London Councils governance.
- 1.2 The YPES Board has agreed a formal sub-group structure that operates under the guidance of the Operational Sub-Group (OSG).
- 1.3 The OSG co-ordinates the work of the other sub-groups as required and oversees work-strands as directed by the Board. It reports directly to the Board via the YPES Director and operates in accordance with the Board's constitution (attached at Appendix 1).

2 Role of the LLDD Regional Strategic Group

- 2.1 Lead the implementation and development of the Government's proposed reforms for young people with Special Educational Needs and/or Disabilities (SEND)^{1&2}, with a particular focus on meeting the needs of young people aged 16 to 25.
- 2.2 Lead and promote consistency across London with regard to the commissioning and funding of provision for 16 to 25 year old learners with LDD and collaborative planning for transition to services post-25:
 - 2.2.1 formulate pan-London strategy and policy for the implementation of high needs student funding reforms from April 2013 and the introduction of SEND reforms from 2014;
 - 2.2.2 establish such task and finish groups as considered necessary to carry out responsibilities for young people with LDD, monitor success/risk indicators identified by those groups and terminate said groups as appropriate;

¹ [Support and aspiration: A new approach to special educational needs and disability - progress and next steps](#)

² [School funding reform: Arrangements for 2013/14](#)

- 2.2.3 keep under review the development of London-based 16-25 year old education provision for young people with LDD;
 - 2.2.4 enable suitable communication and consultation with London local authorities and strategic partners as appropriate.
- 2.3 *Accountabilities:*
- 2.3.1 The LLDD Regional Strategic Group will agree an annual work plan with the OSG and shall provide to the OSG a report, on a bi-monthly basis, on the progress being made to implement the work plan.
 - 2.3.2 The LLDD Regional Strategic Group remains accountable to all local authorities through the YPES Board.
- 2.4 *Identity and competence:* The LLDD Regional Strategic Group is a sub-group of the OSG and is empowered to advise and recommend to the OSG. The LLDD Regional Strategic Group is not a decision-making body in its own right and does not have a delegated budget other than project specific budgets agreed by the YPES Board.

3 Membership of the LLDD Regional Strategic Group

- 3.1 The membership of the SPG-LLDD will comprise:
- 3.1.1 Association of London's Directors of Children's Services (ALDCS) appointed representative
 - 3.1.2 YPES
 - 3.1.3 Chairs of task and finish groups
 - 3.1.4 Local authority Head of SEN
 - 3.1.5 Health representative
 - 3.1.6 Social care representative (children and adult) (*maximum 2*)
 - 3.1.7 Association of Colleges (AoC) London Region
 - 3.1.8 The Association of National Specialist Colleges (NATSPEC)
 - 3.1.9 Education Funding Agency (EFA)
 - 3.1.10 Jobcentre Plus
- 3.2 The Chair of the LLDD Regional Strategic Group will be a local authority representative.
- 3.3 The LLDD Regional Strategic Group may co-opt advisers permanently or to attend all or any part of any meeting or sequence of meetings. Chairs or other officers of working groups or temporary task groups may be similarly invited by the Chair.
- 3.4 The Chair of the LLDD Regional Strategic Group or YPES may appoint observers to the LLDD Regional Strategic Group.
- 3.5 Substitutes are at the discretion of the Chair.
- 3.6 Current post-holders shall be published on the YPES website.

4 Key Responsibilities of LLDD Regional Strategic Group Members

- 4.1 Members have a responsibility to provide guidance, advice and information germane to their areas of expertise and in a representative capacity as nominated members of the bodies noted at 3.1.

- 4.2 Members must declare any interest they have in any matter being discussed at any meeting of the LLDD Regional Strategic Group and shall comply with the direction of the Chair in that respect (such direction may be to withdraw from discussion or from the room whilst the discussion takes place or for the interest to be noted in the minutes). For the avoidance of doubt, the definitions of “interests” shall be as set out in the relevant London Councils corporate protocols and policies.

5 Frequency of Meetings and Secretariat Function.

- 5.1 As far as may be practicable, the LLDD Regional Strategic Group shall meet quarterly not later than one week in advance of a scheduled meeting of the OSG (in order to agree recommendations that shall be put to the OSG) and no later than three weeks after each scheduled meeting of the OSG (to ensure that the work-plan is updated appropriately).
- 5.2 The Chair of the LLDD Regional Strategic Group may as appropriate establish Task and Finish Groups to carry out detailed work on specific topics or issues that affect local authorities. The scope of the Task and Finish Groups is provided at Appendix 2.
- 5.3 The Secretariat Function for the group will be provided by the YPES Director within the resources agreed by London Councils Leaders Group.

1 Purpose

- 1.1 The role of YPES is to provide pan-London leadership for 14-19 education and training provision in relation to the current and future needs of learners and employers, support local authorities in undertaking their statutory functions, and assist other stakeholders in planning, policy and provision
- 1.2 The key tasks of YPES are to:
 - 1.2.1 develop the strategic vision of the market for 14-19 provision in London, influencing and shaping sufficient diversity and specialism to promote full participation;
 - 1.2.2 lobby for the best resources for London's young learners;
 - 1.2.3 in partnership with the LSEB/LEP, develop a clear picture of the changing jobs landscape and skills needs in London to help shape the development of provision;
 - 1.2.4 contribute to the production and analysis of data, including demographic data, to inform planning at a provider level;
 - 1.2.5 promote consistent scrutiny of 16-18 provision, challenging poor quality and championing excellence across the capital;
 - 1.2.6 support local authorities and other stakeholders with the provision of high-quality impartial information for all London's young people;
 - 1.2.7 alert London providers to regionally unmet need and gaps in the market;
 - 1.2.8 support local authorities and providers to operate in the collective interest of London, particularly in addressing the needs of vulnerable learners;
 - 1.2.9 co-ordinate the development of specialist education and training across London - including both provision of learners with learning difficulties and disabilities and specialist vocational provision; and
 - 1.2.10 undertake any other tasks as directed by London Councils Leaders' Committee.
- 1.3 In pursuing these ambitions it is recognised that there may be the need to undertake specific commissioning activities at a regional level on behalf of local authorities, based on clear business cases.

General Scope for all Task and Finish Groups

- 1 Task and Finish Groups (TFGs) may be established by the Chair of the LLDD Regional Strategic Group for the purpose of carrying out detailed work on specific topics or issues that affect local authorities.
- 2 TFGs will be time-limited groups of local authority officers and external stakeholders appropriate to the task who will work together to fulfil a specific brief.
- 3 TFGs are empowered to advise and recommend to the LLDD Regional Strategic Group; they are not decision-making bodies in their own right and do not have a delegated budget other than project specific budgets agreed by the YPES Board.
- 4 The Chair of the LLDD Regional Strategic Group will nominate a member of the Group to Chair a TFG; they will:
 - 4.1 comprise the search committee for TFG members;
 - 4.2 define the purpose of the TFG.

Key responsibilities of group members

- 5 Members of a TFG will:
 - 5.1 have worked as practitioners/managers in the field of LLDD or Special Educational Needs (SEN) with a significant proportion of their workload related to post-16 LLDD/SEN, and be regarded as a lead officer or expert in these disciplines;
 - 5.2 commit to contribute to the achievement of the LLDD Regional Strategic Group's aims and objectives;
 - 5.3 agree to consult with their wider networks to further the work of a TFG and share their expertise for the good of LLDD/SEN in London.

Key responsibilities of groups

- 6 A TFG in exercising its function, particularly when recommending a course/s of action should seek to:
 - 6.1 improve the lives of young people with LLDD/SEN;
 - 6.2 enhance value for money and long term returns on investment for the public purse;
 - 6.3 reduce the bureaucracy associated with the management and administration of SEN/LLDD processes;
 - 6.4 adhere to the principles of transparency, simplification and accountability.
- 7 At the inaugural meeting of a TFG members will agree its main tasks and key outcomes in light of the agreed purpose; the frequency and intervals of its meetings in order to achieve its purpose and main tasks; and all other timescales relating to the work of the group.
- 8 A TFG shall be responsible for keeping the LLDD Regional Strategic Group and other TFGs informed of progress, including through the production and publication (via the London Council website) of notes of meetings.

Limits of authority

- 9 A TFG will be responsible only for formulating recommendations on a range of actions (or 'options') to address identified issues. Recommendations of a TFG will be discussed and endorsed by the LLDD Regional Strategic Group.