

March 2016

INFORMATION AND GUIDANCE – SPECIAL SCHOOLS

Important information for Parents and Carers about how the Council buys placements in **Special Schools (non-maintained and independent special schools) not** managed by the Council, for Children and Young People aged 0 – 25 years.

From February 2016, the Council has changed the way in which we arrange placements for Children and Young People in non-maintained and independent special schools. This includes day placements, weekly and termly boarder placements and full residential placements. This is explained more fully below.

We know that change can cause concern and would like Parents and Carers to know that:

- There will be **no** change to placements for Children and Young People who are **already in** educational settings; changes will only affect new placements made after 1 February 2016 (including where a Child or Young Person is changing school/college).
- Parents, Carers, Children and Young People will continue to have a say in which school or college they would like to attend.
- The new arrangements will still allow Parents and Carers, education, social care and health professionals and the Council to ‘tailor make’ support to meet the individual needs of Children and Young People.
- The changes mean that all settings in future will offer the same quality of learning and support to Children and Young People. Each setting will provide a core offer of services alongside additional services which will meet each individual Child or Young Person’s needs.
- The Council will be implementing systems that allow us to monitor the quality of services provided to Children and Young People and to take Parents’ and Carers’ views into account as part of this process; where things may need improving we will work with settings to make things better.

We still need to offer high quality education to Children and Young People with Special Education Needs and Disabilities (SEND) across the City while ensuring the efficient use of our limited public resources.

You may not be aware that the Council is also required by law to buy services in line with the new Public Contract Regulations 2015 which means we can no longer arrange placements in the way we did before.

We need to do this in the most efficient way possible while ensuring that the needs of Children and Young People are of the utmost priority.

The Council has been working with the other eleven Councils across the North East, our health colleagues, legal colleagues, Special Education Needs (SEN) Managers and Schools and Colleges to ensure we can continue to do this in a way that ensures high quality services whilst spending less; this group is called the NE12+ Collaborative.

What will the new arrangements look like?

From February 2016 the Council will be using a Framework Agreement which is a type of legal agreement (contract) to make placements in Department of Education registered, non-maintained and independent special schools and colleges for Children and Young People aged 0 – 25 years. The Schools and Colleges named on the Framework have shown the Council that they can meet the standards that the Council has set.

We have tried to make this easy to understand so that it can be followed by the Children and Young People as well as the Parents and Carers. These are the steps the Council will take:

- A Child or Young Person's Education, Health and Care Plan (EHC Plan) or Statement of Special Educational Need will identify their needs and what type of support they will need;
- The Council will then send all the information to the Special Schools and Colleges on the Framework and ask them to answer questions to see if they can meet the Child/Young Person's needs and how they would do that;
- If a Parent or Young Person says that they wish to go to a particular Special School or College and the School or College is not on the Framework, we will approach our Framework Schools and Colleges at the same time that we approach the School or College that the Parent or Young Person has chosen.
- The Council will then look at the answers to the questions we have asked and decide which School or College's answers to our questions is best;
- The Council may decide that the School or College that the Parent or Young Person has chosen is not the best place to meet the Child/Young Person's needs. There is a legal test that the Council need to use to make that decision. If the Council decides not to support you to go to the School or College that you have chosen, the Council will discuss that with the Parent/Young Person before making a final decision;
- The legal test is that the Council does not have to make a placement with the School or College that the Parent or Young Person has picked. The Council can refuse to make a placement if that place would not be suitable; or the placement could not manage the Child or Young Person because of the needs of the people already going to that School or College; or the extra cost of the place is so much that the Council cannot agree to spend so much of its money in that way when other Schools or Colleges can offer a service that will meet the Child or Young Person's needs just as well;

- Parents and Carers may decide to ask the Council for some money known as a Personal Budget and work directly with the School or College to buy more services which the Council has said that the Child or Young Person needs but are in addition to the services that every Child or Young Person gets from the School or College and makes sure that the support is right for them. This will be in Section J of the Child/Young Person's Education, Health and Care Plan and will be discussed with you when your Plan is being prepared.

The legal test is set out above in a way that tries to make it easier to understand. The legal test is hard to explain easily and if you would like to know the details of the test the Council can give those to you.

The Council knows that this new process may raise some questions and we are working with local and regional Parents' Forums across the North East region to further brief parents' representatives on the process and to ensure appropriate Parent/Carer representation for the monitoring of these new arrangements.

If you would like more information please do not hesitate to contact:

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