

EAST AYRSHIRE COUNCIL

GOVERNANCE & SCRUTINY - 15 JANUARY 2010

OUTWITH PLACEMENTS

Report by the Executive Director of Educational and Social Services

1. PURPOSE

- 1.1 To provide Elected Members with a summary of the Department of Educational and Social Services use of outwith placements up to end November 2009.
- 1.2 This report is not intended to consider the specific cases of secure placements made in relation to the Children's Hearing and Criminal Justice System, nor the cases of children educated outwith the authority as a result of Looked After and Accommodated arrangements. Both of these are administered under different arrangements.

2. BACKGROUND

- 2.1 On behalf of the Council, the Department of Educational and Social Services purchases placements for children and young people in establishments outwith the management of East Ayrshire. These placements can be very expensive, and sometimes are a considerable distance from the child's home. It is the Council's policy to educate both within a mainstream setting and to do this as close as possible to the child's home community. For these reasons an outwith placement is therefore only considered when a child's needs cannot be met adequately within the Council's own resources. Some children may be placed externally as a specific outcome of a Children's Hearing.
- 2.2 In its simplest form an outwith placement can result from one of two causes:

Additional Support Needs: a child may have particular additional educational needs requiring specialist support that lies outwith either the skills and experience of East Ayrshire staff, or the accommodation and resources available. Examples include children who are both hearing and visually impaired, or those who have an extreme autistic spectrum disorder. These placements are traditionally funded out of the Education budget.

Social, emotional and behavioural difficulties: these placements arise from children experiencing difficulties in the community. Often they have come via the Children's Hearing system. Such difficulties may arise from the child's family or social situation, but equally may originate in a diagnosed behavioural disorder

such as attention deficit hyperactivity disorder. These placements were traditionally funded jointly from Social Work and Education budgets.

3. HOW THIS PROVISION IS MANAGED

- 3.1 So far as possible, the central aim is to make provision for children within their own community. To this end, the establishment-based resources within the Department are:

Establishment
Montgomery Place Kilmaurs Children's House Sunny Side Children's House Park School Witchhill School Woodstock School Hillside School Supported Learning Centres Youth Strategy

- 3.2 The Department uses a system which is known as "staged intervention". In summary this gives children and families access to resources in a structured and considered way. In other words, the start point is low level resource, near to the community. As the assessed needs of children and young people either increase the intensity of support, or access to greater specialist support is considered and by implication costs can increase.

This system is mirrored in the assessment arrangements. Initially, assessments are carried out by a school assessment team (SAT). As the child needs access to wider resources, a community assessment team (CAT) becomes involved with education, social work and health staff as well as parents and the young person. This system has evolved over the years and has been proven to be successful.

When a child's needs go beyond those potentially available to a CAT they are considered by a Prioritisation Group. This includes the Principal Psychologist, Quality Improvement Officer (ASN), Youth Strategy Manager, Service Manager Corporate Parenting and Departmental Finance Managers.

Since the last report to Governance and Scrutiny Committee, a representative of NHS Ayrshire and Arran routinely attends.

The Prioritisation Group:

- Consider cases referred to them by the CAT;
- Consider cases that arise from a direct referral;
- Monitor the children currently on an outwith placement;
- Monitor the re-integration of children's return from outwith placements to East Ayrshire.

When a child is approved for an outwith placement by the Prioritisation Group a form is submitted for consideration and authorisation by the Executive Director, Department of Educational and Social Services. Each individual placement is therefore subject to high levels of scrutiny.

- 3.3 Over the last 6 months the Departmental Commissioning officer has been actively engaged in negotiations with service providers in order to ensure clarity in terms of the service being purchased and also ensuring that best value principles are applied at all times.

4. THE ISSUES

- 4.1 The pressure on financial resources in relation to outwith placements is extreme. This results from:

- the absolute cost of the placements;
- the fact that the providers of placements have increased their charges well above annual inflation rates;
- the increased statutory rights of parents and young people through placing requests;
- the well-documented increases in the support needs of particular groups of children in terms of volume and intensity; and
- there is no reliable way of predicting the changes in the profiles of needs of children or families and therefore to predict demand.

Taken together these factors mean that the resources to meet outwith placements are unlikely to match the need. This feature of the management of finances has regularly appeared in the budget reports presented by Educational and Social Services.

- 4.2 Over time it has become increasingly apparent that the old distinctions between categories of children as reflected in paragraph 2.2 are outmoded. This is perhaps best illustrated by the abandonment of the term "special educational needs" and the adoption in new legislation of the term "additional support needs". This shift recognises that in practice very few children have learning difficulties that can be solely addressed in school. Equally, very few children experiencing problems in the community are able to take full advantage of their learning

opportunities. The distinction is therefore artificial and therefore requires to be managed in a more integrated way.

5. THE CURRENT POSITION

5.1 The main features of provision in this area of service are:

33 separate establishments outwith East Ayrshire are used. These are run either by local authorities or the private and voluntary sector.

Category	Current Number of Establishments in use
ASL Aux/Classroom Support	7 (mainstream or EA specialist provision)
ASL Day (including classroom support in some)	9
ASL Residential	15
Secure	2

- Most placements are in the old Strathclyde area, but three are over 200 miles from East Ayrshire.

5.2 There are currently 51 children in outwith placements, as at November 2009:

Category	Number of Children
ASL Aux / Classroom Assistant	9 (mainstream or EA specialist provision)
ASL Day	14
ASL Residential	25
Secure	3 (2 funded by EAC and 1 funded by Scottish Government)

- The highest number in any single establishment is 4 children/young people (Towerlands – ASL Day Placements)

5.3 The number of children who have been placed outwith the Authority during 2009/10 or whose placement has ceased during this period:

	Category	Number of Children
Carried Forward Placements (at 1 April 2009)	ASL Aux / Classroom Assistant	9
	ASL Day	13
	ASL Residential	24
	Secure	5 (4 funded by EAC and 1 funded by Scottish Government)
		Sub Total: 51

	Category	Number of Children
New Placements (since 1 April 2009)	ASL Aux / Classroom Assistant	3
	ASL Day	7
	ASL Residential	13
	Secure	8
		(7 funded by EAC and 1 funded by Scottish Government)
		Sub Total: 31
Placements Ceased	ASL Aux / Classroom Assistant	3
	ASL Day	6
	ASL Residential	12
	Secure	10
		(8 funded by EAC and 2 funded by Scottish Government)
		Sub Total: 31

5.3 It should be noted that the numbers of young people accommodated in a range of outwith resources has generally reduced since the last report in April 2009. This does not necessarily translate into budgetary savings at this time as the per capita costs of placements have risen and can vary considerably reflecting assessed need.

6. POLICY/LEGAL IMPLICATIONS

6.1 The Council is under statutory obligations through the Education (Scotland) Act 1980, the Education (Additional Support for Learning) (Scotland) Act 2004 and the Children (Scotland) Act 1995 to make provision which meets the needs of individual children.

7. FINANCIAL IMPLICATIONS

7.1 In financial year 2009/10, the costs for a single outwith placement ranged from £1,000 to £266,160. There were 32 placements (including Secure) in excess of £50,000 each. (These amounts do not include associated costs such as transport.)

7.2 For 2009/10 the budgeted financial resource available and projected outturn is:

Type of Placement	Financial Resource Available	Outturn
Residential/Day/Classroom Assistant	£3,818,640	£4,112,740
ASL Secure	£731,559	£810,164

Based on the most recent figures available as of 30 November the projected overspend on budget for all Outwith Placements (excluding Secure Placements) will be **£294,100**.

The projected overspend on the Secure Placements Budget is estimated at **£78,605**

These projected overspends should be considered against the projected Income stream from other Authorities making placements within East Ayrshire. This amounts currently to **£459,610**. Details of this income stream are outlined below in paragraph 7.3.

- 7.3 Figures available show charges due to East Ayrshire Council which can be seen as income to offset against expenditure, for children placed in this authority is as follows:

Authority	Payment Type	Actual Charge As at Nov 09	Projected Income 09/10
Glasgow City Council	Classroom Assistant Recharges	£20,190	£79,280
Glasgow City Council	Placement Recharges	£36,390	£143,030
Renfrewshire Council	Placement Recharges	£3,390	£11,595
North Ayrshire Council	HI Unit Recharge	£37,340	£146,260
South Ayrshire Council	Special School Recharge	£16,880	£43,070
South Ayrshire Council	Classroom Assistant Recharges	£13,290	£36,375
TOTAL		£127,610	£459,610

- Costs charged to other authorities for LAAC children in East Ayrshire specialist provision is shown on appendix 1.

8. COMMUNITY PLANNING IMPLICATIONS

- 8.1 This aspect of provision makes a significant contribution to the Improving Community Safety and Improving Opportunities themes of the Community Plan.

9. RECOMMENDATIONS

- 9.1 It is recommended that Members:

- (i) ask the Executive Director of Educational and Social Services to provide future reports at 6 monthly intervals on this aspect of provision;
- (ii) ask the Executive Director of Educational and Social Services to take whatever action is necessary to ensure that available resources are matched to established needs in this provision and;
- (iii) otherwise note the contents of this report

Graham Short
Executive Director of Educational and Social Services

GRS/GRS
December 2009
(Enc. 1)

LIST OF BACKGROUND PAPERS

1. An Overarching Strategy on Inclusion, Social Work and Education Committee, 2005
2. Pathways to inclusion, Social Work and Education Committee, 2002
3. Budgetary reports to committee.
4. Education (Additional Support for Learning) (Scotland) Act 2004

Members requiring further information should contact Graham Short, Executive Director of Educational and Social Services, Tel: (01563) 576017.

IMPLEMENTATION OFFICER: GRAHAM SHORT

APPENDIX 1

EAST AYRSHIRE COUNCIL											
Department of Educational and Social Services											
Section 23 Inter Authority 2009/2010											
Establishment	Hillside	Park	Witchhill	Woodstock	Barshare Unit	Cumnock Unit	Grange Deaf Unit	Patna Supp. Learn	Crosshouse Comm Centre	Doon Acad SEN Base	Loudoun Acad SEN Base
Pupil Roll Sept 2008	22	91	5	27	22	21	10	6	18	16	12
Establishment Budget	643,949.00	975,382.00	218,726.00	564,427.00	165,897.00	323,594.00	176,959.00	103,310.00	235,105.00	148,648.00	203,710.00
Establishment Unit Cost	29,270.41	10,718.48	43,745.20	20,904.70	7,540.77	15,409.24	17,695.90	17,218.33	13,061.39	9,290.50	16,975.83
Central Allocations											
Teaching Cover	3,184.00	21,890.00	1,791.00	5,609.00	4,378.00	9,950.00	0.00	3,980.00	0.00	0.00	0.00
Non Teaching Cover	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Speech Therapy	13,651.51	19,502.15	1,950.22	15,601.72	7,800.86	0.00	12,871.42	7,800.86	23,402.58	7,800.86	23,402.58
Audiology / Mobility Charge	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Central Unit Cost	765.25	454.86	748.24	785.58	553.58	473.81	1287.14	1963.48	1300.14	487.55	1950.22
Combined Unit Cost	30,035.66	11,173.34	44,493.44	21,690.29	8,094.36	15,883.05	18,983.04	19,181.81	14,361.53	9,778.05	18,926.05
8% Management Charge	2402.85	893.87	3559.48	1735.22	647.55	1270.64	1518.64	1534.54	1148.92	782.24	1514.08
Total (before inflation)	32,438.51	12,067.21	48,052.92	23,425.51	8,741.91	17,153.69	20,501.69	20,716.35	15,510.45	10,560.30	20,440.13
3.0% Inflation	973.16	362.02	1441.59	702.77	262.26	514.61	615.05	621.49	465.31	316.81	613.20
Total Placement Cost	33,411.67	12,429.23	49,494.51	24,128.27	9,004.16	17,668.30	21,116.74	21,337.85	15,975.77	10,877.11	21,053.34
ADDITIONAL CLASSROOM ASSISTANT SUPPORT											
2009/2010 Hourly Rate Charge - £9.99 (inc. on costs)											