

EAST AYRSHIRE COUNCIL

GOVERNANCE & SCRUTINY COMMITTEE : 19 JUNE 2009

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 Council's use of outwith placements up to 31 March 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 When the separate departments of education and social work were merged in 2000, one of the main reasons was to secure better integrated working. One of the key areas where this is both important and practical is in the management of outwith placements.
- 2.2 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.
- 2.3 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 Authority 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:

Social Work	Education
Montgomery Place Kilmaurs Children's Unit Sunnyside, Auchinleck Looked After/Looked After and Accommodated	Park School Witchhill School Woodstock School Hillside School Mainstream Supported Learning Centres Youth Strategy

The children's houses do not provide educational provision. For this service there is reliance on mainstream schools or access to specialist resources outwith the Authority.

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 needs either increase or are assessed as increasing that access is granted to resources at higher levels, and by implication cost.

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, and a Senior Social Work Manager (Children and Families), and finance managers. Consideration is currently being given to inviting representation from NHS Ayrshire and Arran. 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 authority resources.

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

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:

44 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
Additional Support for Learning Aux/Classroom Support	10
Additional Support for Learning Day	12
Additional Support for Learning Residential	19
Secure	3

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

5.2 There are currently 59 children in outwith placements, as at 31 March 2009:

Category	Number of Children
ASL Aux / Classroom Assistant	15
ASL Day	15
ASL Residential	24
Secure	5 (5 funded by EAC and 1 funded by Scottish Government)

- The highest number in any single establishment is 3 children/young people

5.3 The number of children who have been placed outwith the Authority during 2008/09 or whose placement has ceased during this period:

	Category	Number of Children
Carried Forward Placements	ASL Aux / Classroom Assistant	9
	ASL Day	14
	ASL Residential	24
	Secure	5 (3 funded by EAC and 2 funded by Scottish Government)
New Placements	ASL Aux / Classroom Assistant	9
	ASL Day	6
	ASL Residential	11
	Secure	12 (11 funded by EAC and 1 funded by Scottish Government)
Placements Ceased	ASL Aux / Classroom Assistant	3
	ASL Day	5
	ASL Residential	11
	Secure	12 (10 funded by EAC and 2 funded by Scottish Government)

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 2008/09, the costs for a single outwith placement ranged from £1,900 to £271,002. There were 25 placements in excess of £50,000 each. (These amounts do not include associated costs such as transport.)

7.2 For 2008-2009 the budgeted financial resource available and outturn was:

Type of Placement	Financial Resource Available	Outturn
Residential/Day/Classroom Assistant	£3,380,380	£3,598,852
ASL Secure	£550,060	£731,229

7.3 For 2009-2010 the budgeted financial resource is:

Type of Placement	Financial Resource Available
Residential/Day/Classroom Assistant	£3,818,640
ASL Secure	£731,559

7.4 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	Overall Charge As at 31 March 09
Glasgow City Council	Classroom Assistant Recharges	£62,890.00
Glasgow City Council	Placement Recharges	£128,890.00
Renfrewshire Council	Placement Recharges	£10,430.00
North Ayrshire Council	HI Unit Recharge	£215,020.00
South Ayrshire Council	Special School Recharge	£60,290.00
South Ayrshire Council	Classroom Assistant Recharges	£37,530.00
TOTAL		£515,050

- Costs to be charged to other authorities for LAAC children in our special schools has not yet been calculated as some figures are based on 2008/09 outturn and others on 2009/10 estimates which have not yet been finalised.

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. RISK MANAGEMENT

9.1 The management of outwith placements is a high risk area. On one side the costs associated with such placements are high. However, this must be balanced against the risks arising from the high tariff needs of individual young people and sometimes to the wider community.

10. RECOMMENDATIONS

10.1 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

KG/TW/JW
19 May 2009

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

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

IMPLEMENTATION OFFICER : GRAHAM SHORT