



Equality Analysis Assessment

Name of proposal	Complex Needs Review Savings Proposals
Lead officer	Yasemin Aray / Rachael Turner
Other stakeholders	Complex Needs Team
Start date of Equality Analysis	15.3.2012
End date of Equality Analysis	TBD

1.0 Introduction

- 1.1 This Equality Impact Assessment is being undertaken to identify whether budget proposals for a revised structure for services supporting children and young people with complex needs and their families could negatively affect protected characteristics¹ for both staff who are delivering the service and service users. Service users includes disabled children and young people and those with special educational needs (SEN). The proposals seek to establish a service which improves outcomes for children and young people with complex needs and their families or carers. These children, young people and their families are amongst those experiencing the most challenging circumstances.
- 1.2 The proposals follow a management review of services which have been initiated with the publication of Department for Education Green Paper - "Support and aspiration: A new approach to special educational needs and disability". This makes wide ranging proposals to respond to the frustrations of children and young people, the professionals who work with them. The paper proposes:
- a new approach to identifying SEN through a single Early Years setting-based category and school-based category of SEN;
 - a new single assessment process and Education, Health and Care Plan to be introduced by 2014;
 - a local offer to be developed in each area describing services available from local authorities and other services;
 - the option of a personal budget by 2014 for all families with children with a statement of SEN or a new Education, Health and Care Plan;
 - a real choice of school for parents, either a mainstream or special school; and
 - introducing greater independence to the assessment of children's needs.
- 1.3 In the context of these ambitions the Green Paper proposes to explore how to reform the statutory SEN assessment and statement framework through local pathfinders of which Lewisham is one. These will explore the potential for replacing the existing system with an assessment process, a single, joined up 'Education, Health and Care Plan' (referred to as the single plan) and personal budget across education, social care and health, and adult services as appropriate for children and young people from birth to 25 years. In addition pathfinders should explore whether the voluntary and community sector could coordinate assessment and bring greater independence to the process.
- 1.4 Lewisham is driving the improvement of outcomes for children/young people with complex needs and their families through two strategic approaches. The first is direct participation in the testing of the Green Paper proposals through the Lewisham Special Educational Needs and Disability Pathfinder Project. The second approach is to undertake a strategic review of services supporting these children and young people, and their families, to identify the potential to improve their outcomes and experiences, by bringing together services across professional areas, with the potential to achieve efficiencies

¹ Protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, marriage and civil partnership (only in respect of eliminating unlawful discrimination)



without compromising support for children and young people. This second approach was taken forward through a Management Review.

- 1.5 The management review was led by Frankie Sulke, Executive Director for Children and Young People. The objectives of the review were to consider how best to bring services together across the Directorate to:
 - improve outcomes for our children and young people, and their families/carers
 - improve the experiences of our children, young people and their families/carers
 - consider the potential for budget savings, without compromising the quality of services supporting children and families, particularly to look at reducing management costs, reducing the costs relating to assessments and other process costs, and examining the effectiveness and value for money of our support services.
- 1.6 Interviews with relevant Heads of Service and Service Managers were held to consider current service operations and effectiveness, and the potential for service improvements and efficiencies, together with review of service caseloads, budgets and workforce.
- 1.7 The management review considered the following services within the Children and Young People's Directorate:
 - Special Educational Needs Statutory Assessment Service (LBL)
 - Inclusion Services (LBL)
 - Children In Need Services (LBL).
 - Standards and Achievement Service (LBL)
 - Education Development Services (LBL)
 - Commissioning of Short Break services (LBL).
- 1.8 Account is also being taken of the role and contribution of Community Health and CAMHS services including the Community Paediatrician's Medical Service, Special Needs Nursing Service, Community Therapy services.
- 1.9 *Principles underpinning the management review*
The following principles are being applied through the review to develop proposals for new service arrangements:
 - Outcomes for children and young people with complex needs, and their families or carers, should wherever possible be improved through any new arrangements and certainly not be adversely affected by any proposal.
 - The experience of children/young people with complex needs, and that of their families/carers should be improved, with access to services and processes simplified, the complexity of resource allocation processes and panels reduced, and the co-ordination of professional assessments and the delivery of interventions joined-up.
 - Where services are brought together it should result in improved coherence for children and families and reduce duplication

- Any new arrangements should continue to reduce dependency upon Statements of Special Educational Need; and support and challenge schools and settings in relation to the identification and provision for children with Special Educational Needs.

1.10 *Budget 2012/13*

The proposed budget for 2012/13 includes proposals to reallocate resources supporting children and young people with complex needs, to support investment into services and release an overall reduction of £243k in funding arrangements.

2.0 Current situation and proposed changes

2.1 *Current situation*

Council services supporting children and young people with complex needs and their families or carers are provided through the following teams:

2.2 Special Educational Needs (SEN) statutory assessment

2.2.1 The SEN service is based at Laurence House. The service is responsible for the coordination of formal statutory assessment for pupils (2-19) with identified special educational needs, over and above that which can be provided for through normal mainstream resources. The service is also responsible for the monitoring of effective use of resources and effectiveness of special placement, against pupil progress.

2.3 Children in Need Service

2.3.1 The Children In Need Service comprises the following teams:

- Children with Disabilities – provides the assessment and case management function for children with disabilities and provides short breaks services through care packages.
- Meliot Road Family Centre – provides parenting assessments for parents of children in need.
- MAPP – this team supports the Multi-Agency Planning Pathway which provides a package of coordinated services to support those children with complex needs through the model of key workers. During 2010/2011 both the Inter Agency Transition team and Portage have integrated with the MAPP team. Transition has adopted the care co-ordination model to work with young people with additional needs; this model works across all agencies and involves both children's and adults services. Portage provides early intervention/ support to families with newborn or very young children who have additional needs. This complements the MAPP service so that the team is able to provide a service across the age range 0-25.

2.4 Inclusion Service

2.4.1 The inclusion service is situated in Kaleidoscope Centre for Children and Young People and at 25 Bromley Road. It is a multi-agency service organised into 4 locality teams. It consists of the following professional teams: Educational Psychologists, Sensory Specialist Teachers, Communication and Interaction (ASD), Specific Learning Difficulties (Dyslexia), Under 5s Early Intervention, Behaviour Education Support and CAMHS Mental Health Practitioners.



2.5 Standards and Achievement Service

2.5.1 The Standards and Achievement Team provides services to achieve divisional objectives of raising educational standards for all, and closing the attainment gap. The division operates on two main fronts: there is a core focus on the overall effectiveness of all schools, with a drive for constant improvement. Plus, there is a focus on all underachieving groups of pupils across all schools with a drive to accelerate their progress to each age related national levels.

2.6 Education Development Service

2.6.1 The Education Development Service is responsible for the Clienting of educational capital investment programmes into Lewisham schools, the management and delivery of primary and secondary places planning, school organisation delivery and development (such as the development of federations and partnerships); the Borough's 14-19 strategy and its delivery, working closely with 14-19 education providers and employers to ensure young learners in Lewisham are employable, the Borough's NEET Reduction Strategy and finally ICT Services for Children and Young People.

2.7 Commissioning of Short Break Services

2.7.1 The joint commissioning service has responsibility for the commissioning of short break services for disabled children and young people. Services include overnight residential care, day care services and group based activities. A temporary post supports re-commissioning activity until September 2012 (0.5 full time equivalent)

2.8 ***Proposed Structure***

2.8.1 This part of the document sets out the detail of proposals in each of the service areas and how resources will be reconfigured to improve outcomes for, and the experience of children, young people and their families/carers .

2.9 **Consolidation of services supporting children with complex needs**

2.9.1 Bringing those services supporting children with complex needs closer together will improve both the outcomes and the experience of children, young people and their families/carers by simplifying access to services, reducing the need for multiple referrals and assessments, and improving the co-ordination of support and interventions. Identification of need (through integrated assessments) and the delivery of support will in future consider the overall needs of children and young people, and their families whether they be at home, school or other community settings. This is expected to improve outcomes achieved for this cohort of children and is in line with expectations of the single plan.

2.9.2 Rationalising service management arrangements will allow a single manager have oversight for this cohort of children, with particular vulnerabilities and high levels of need.

2.10 **Reconfiguration of the Inclusion service**

2.10.1 There are three aspects to the proposed reconfiguration of the Inclusion service:

- to strengthen the capacity of the Education Psychology Service to support and challenge schools effectively regarding their SEN provision;
- to rationalise services for the 0-5 s;
- to reduce duplication with the new Early Intervention Service;

2.10.2 Education Psychologists (EPs) need to fulfil a role in assessing individual children for statutory assessment of SEN and need more capacity to do this, particularly to ensure that schools have done what would be expected of them to meet need using their resources allocated for SEN. The EPs also need to work to improve schools' capacity generally to teach children with SEN effectively. There could be significant benefits in linking this work more closely to other school improvement work.

2.10.3 A large team within the Inclusion Service provides one to one support to children in private, voluntary and independent (PVI) settings. The EPs provide support in school settings to under 5s providing non statutory services. In many cases the children receiving support have ASD needs and these services use expertise similar to that at Drumbeat. Therefore an enlarged EP team and additional resources to Drumbeat for 0-5s would be appropriate. Some of the savings identified can be used to increase the number of EPs with specific early years expertise and to increase the expertise of Drumbeat to include the early years. Transitional support will be needed to ensure no immediate change to those 0-5s receiving a service currently.

2.10.4 The new and larger Early Intervention Service now includes the work of the BEST team and is able to build on its work in the new team.

2.11. HR Implications

2.11.1 Changes to service configuration and line management arrangements

- The Special Educational Needs (Statutory Assessment) service to be relocated within the new Complex Needs Service, led by the Director of Children's Social Care.
- The Sensory team (Specialist teachers) to be relocated within the new Complex Needs Service, led by the Director of Children's Social Care.
- Posts with responsibility for undertaking Section 139 assessments, and ensuring that young people with learning disabilities do access employment, education and training opportunities to be relocated within the Complex Needs Service.
- The re-location of the function and resources responsible for Resource Base development and places sufficiency to the School Development Service, reporting to the Head of School Development.
- The relocation of the function for the commissioning and contract monitoring of short break services from the Joint Commissioning Service to the Children's Social Care Placements and Procurement Team.



- The Educational Psychologists team to be relocated within the Standards and Achievement Service, led by the Chief Educational Psychologist reporting to the Head of Standards and Achievement.
 - Support for children with complex needs in early years settings (including PVI provision) to transfer from the Inclusion Early Years service to an expanded EP function, benefitting from the skills and expertise of the Standards and Achievement Early Years Improvement team, to strengthen the professional knowledge and expertise available to early years providers and the quality of services provided to children at the front line.
- Resources providing Dyslexia support services to be relocated within the Standards and Achievement Service.
- Additional capacity supporting children and young people with Autistic Spectrum Disorders (ASD) in early years settings, as part of the Drumbeat Service Offer, and continue the development of integrated care pathways across Health and Local Authority services - 1 additional full time post within the Communication and Interaction Team and 2 Early Years workers.
- Resources currently seconded to the Best team from the Child and Adolescent Mental Health Service and Children's Social Care service to be returned to their substantive positions.
- Resources providing mental health support services in schools, commissioned by the Schools Forum, will be relocated to the core CAMHS SLAM service. Decisions regarding funding, commissioning and provision of this service will continue to be provided by the Schools Forum.

2.11.2 Changes to specific roles and responsibilities

HEADS OF SERVICE

The Job description for the following post has been amended to reflect the proposed changes and are subject to a separate consultation process with affected staff:

- * Director of Children's Social Care
- * Head of Access and Support Services for Children
- * Head of Standards & Achievement.

SERVICE MANAGERS

Principal Educational Psychologist

It is proposed that the current Inclusion Service Manager post should be deleted, and that a new Principal Educational Psychologist post will be created. The new post significantly reflects the same strategic responsibilities for Educational Psychology as the current Inclusion Service Manager. It is proposed that the postholder should therefore be automatically appointed to the revised role.

Posts identified for deletion

BEST Team

It is proposed to delete this team. There are currently 2 filled posts in the team:

- the School & Family Co-ordinator (P01),
- Office Manager (scale 6). The Office Manager is proposed to be automatically be appointed to the vacant scale 6 Office Manager post in the Educational Psychology Team as the roles are significantly similar.
- The School & Family Co-ordinator will be in a potential redundancy situation, but will be eligible to apply for the new Early Years Foundation Stage Childcare Development and SEN Manager (P01) in the Early Years Improvement Team as part of the Standards and Achievement Service.

Early Years Team

Subject to the outcome of public consultation it is proposed to delete the Early Years Team. There are currently 17 filled posts in the team: 12 scale 4 staff, 4 P01 staff and a Team Manager. These staff will be in a potential redundancy situation. A new EYFS Childcare Development and SEN Manager post is proposed within the Early Years Improvement Team (see point 3.3 below) . This has been evaluated at P01. Staff are eligible to be apply for a post at the same grade, or up to one grade higher and the P01 Advisors in the Early Years Team will therefore be able to apply for this post.

3.0 Potential Impact:

3.1 On service users

3.1.1 The proposals are expected to yield a positive impact for service users with access to services and processes simplified, the complexity of resource allocation processes and panels reduced and the coordination of professional assessments and the delivery of interventions joined-up. It is also expected that new arrangements will result in improved coherence for children and families and reduce duplication. New arrangements are also expected to reduce dependency upon Statements of Special Educational Need and support and challenge schools and settings in relation to the identification and provision for children with Special Educational Needs.

3.1.2 Bringing services supporting children with complex needs closer together will improve both the outcomes and the experience of children, young people and their families/ carers by simplifying access to services, reducing the needs for multiple referrals and assessments, and improving the coordination of support and interventions. Identification of need (through integrated assessments) and the delivery of support will in future consider the overall needs of children and young people and their families whether they be at home, school or other community settings. This is expected to improve outcomes, school or other community settings. This is expected to improve outcomes achieved for this cohort of children and is in line with the expectations of the single plan.



3.1.3 Rationalising service management arrangements will allow a single manager oversight for this cohort of children, with particular vulnerabilities and high levels of need.

3.2 On staff

3.2.1 The proposals seek to establish a service which improves outcomes for children and young people with complex needs and their families or carers. These children, young people and their families are amongst those experiencing the most challenging circumstances, and are likely to require high levels of support in response to their needs and vulnerabilities.

3.2.2 25 employees are directly affected by these proposals, with 19 at risk of redundancy. There is the potential for four postholders to be recruited into alternative positions. However, anyone unsuccessful in being appointed to a post will be placed in a redundancy situation. The breakdown of the staff affected is:

MEN	5
WOMEN	20
BME	6
WHITE	18
OTHER	1
DISABLED	1

3.3 New posts

New posts will be created to support the work of the Educational Psychology Service. These include:

- Early Years Foundation Stage Childcare Development and SEN Manager x1
- Special Educational Psychologists x2

4.0 Consultations process and outcomes

4.1 Public consultation

4.1.1 A consultation document explaining proposals to change arrangements supporting children with complex needs in private and voluntary nurseries was circulated to all 120 providers on 19 April 2012. Copies were provided for distribution to parents of children currently attending nurseries. The Consultation Document is attached as Appendix A.

4.1.2 The consultation period ran from the 19 April 2012 and ended on 21 May 2012.

4.1.3 A public consultation meeting was held on the 2 May 2012 where parents and those affected by the proposed changes were able to ask question, receive answers and log their comments.

- 4.1.4 A public consultation meeting was held on the 30 April 2012 where nursery providers affected by the proposed changes were able to ask question, receive answers and log their comments.

4.2 Staff consultation

- 4.2.1 Staff consultation commenced on 18 April 2012 and closed on 4 May 2012. Staff were encouraged to communicate their queries/ concerns to the Executive Director for Children and Young People directly. A management response was provided on 10 May 2012 to the queries raised through the consultation.

4.3 Outcomes

- 4.3.1 A full management response was provided to staff on 10 May 2012. This can be provided on request.
- 4.3.2 Responses to the public consultation can be found in the Mayor and Cabinet report titled 'Response to Public Consultation regarding services for children with complex needs in private and voluntary nurseries.' This report was presented to Mayor and Cabinet on 20 June 2012.
- 4.3.3 An action plan can be found in point 7 below identifying actions from both the consultation process and impact assessment.

5.0 Impact Assessment

- 5.1 This is a partial assessment and does not include outcomes from the proposed consultation due to commence Monday 2nd April 2012. Based on employment profile data and a breakdown of the staff information who are affected by the proposals, the suggested revised structure supporting children and young people with complex needs and their families does not cause unlawful discrimination but however, does have a negative impact for women, majority of which who are 45 and over.
- 5.2 In undertaking this analysis, the wider decisions being made in the organisation and more widely in government around budget cuts have been taken into consideration and staff redundancies is impacting negatively on local government workforce and in particular women. Within the London Borough of Lewisham, a high proportion of its workforce are women, a high proportion of which are Lewisham residents and working mothers. The proposed budget cuts would adversely impact on this group, increasing unemployment within the borough as well as adding increased financial pressure on families, which in turn may require more support from public services. This is a factor which should be given due consideration.
- 5.3 It should also be noted that according to our Employment Profile 2010/11 64% of our staff are women and our age profile indicates we have an older workforce and 874 of our female workforce are aged between 45-54 (35% of the council's workforce falls within this age bracket). So the proportionality of the staff affected by proposed job losses is in proportion with the make-up of the Council's workforce as a whole.



6.0 Decision

Please note the decision is subject to change following consultation outcomes.

6.1 Following analysis of data the following decision has been opted for:

6.2 **Continue the proposal**

This analysis has identified that there is potential for adverse impact on the following protected characteristics:

- Sex (Female)
- Age (45+)

6.3 Although the proposed revised structure negatively impacts on the above characteristics, it needs to be noted that these correlate in proportion with Lewisham's workforce profile and would therefore be probable factors for impact in such service re-designs. The outcomes for the service user, who themselves are high risk and vulnerable members of society will be highly beneficial as a result of the proposed service re-design and these benefits outweigh the negative impact on the above identified cohort of staff (please see point 6.2 above).

6.4 It is recommended that where new posts and opportunities are created that staff which have been made redundant are automatically considered and provided priority where possible.

7.0 Action Plan

To ensure negative impact is minimised from the this service reconfiguration and in response to the consultation process the following action plan has been put into place.

Equality and Diversity Action Plan

Issue	Action	By when	By whom
Meeting varying needs of children with complex needs	Services to PVI nurseries should be in line with those services provided to school nurseries and that the Educational Psychology Team will support all settings to help them meet the needs of children in their care. The size of the Educational Psychology Team will expand to meet this provision.	End of 2012	Head of Educational Psychology Team.
Access and Eligibility	The Education Psychology Team will work closely with PVI settings and families to ensure there is full understanding of the service and the support being offered.	By March 2013	Head of Educational Psychology Team.
	We will continue to work closely with schools in the borough to ensure fully inclusive admissions policies and that schools are supported to meet the needs of all pupils.	With immediate effect	Head of Standards and Achievement