

Report To	Executive Director for Children and Young People	Item No	
Report Title	Decision re School Effectiveness Related Services – reference J 1		
Ward(s)	None		
Contributors	Head of Resources and Performance (CYP)		
Class	Part 1	Date	21 January 2015

1. Purpose of the Report

- 1.1. To seek the approval of the Executive Director for Children and Young People to reduce the Education Psychology Service budget by £300k, and to fund Place Planning Project management costs from capital grant resources and the management of the free entitlement for 2,3, and 4 year olds to the Dedicated Schools Grant..
- 1.2. This decision forms part of the 2015/16 savings proposals (reference J1) as presented to Mayor & Cabinet on the 12 November 2014. The Mayor delegated this decision to the Executive Director for Children and Young People.

2. Policy Context

- 2.1. The Council has four core values and ten enduring corporate priorities. This report provides recommendations. In particular, they relate to the Council's priorities regarding *young people's achievement and involvement*, including *inspiring and supporting young people to achieve their potential*, the *protection of children and young people* and *ensuring efficiency, effectiveness and equity in the delivery of excellent services to meet the needs of the community* and the tenth priority of 'inspiring efficiency, effectiveness, and equity'.

3. Recommendations

- 3.1. The Executive Director for Children and Young People is recommended to:
 - 3.1.1 Note the anticipated impacts of these budget reductions on the Education Psychology Service, the Place Planning Project team and the management of the free entitlement for 2, 3, and 4 year olds;
 - 3.1.2 Fund the School Places project team from capital resources
 - 3.1.3 Fund the management of the free entitlement offer for 2, 3, and 4 year olds from the DSG.

4. Background

- 4.1. The Council's Education Psychology Service covers the costs of supporting statements/ Education and Health Care Plans (EHC), a funded core offer for each school, building capacity case work in schools and an amount for management and administration. The team currently earns income via an SLA from schools for the provision of advice on the strategies for the management and support of children with special needs.
- 4.2. The Pupil Places Project Management team undertakes the assessment of need for school places across the borough, identifies options to meet the assessed need within resources available and oversees the delivery of the agreed projects.
- 4.3. The Early Years Places sufficiency team is responsible for ensuring payments to providers of the two, three and four year old free entitlement places, assessing the balance of places and demand and then seeking to prompt new providers to increase the overall provision of places in the borough.

5. 2015/16 proposal

Education Psychology Service

- 5.1. The proposed savings of £300,000 from the base budgets in 2015/16 will be achieved by the extension of scope of the education psychology support that is traded with schools. The budget remaining will only support the work of statutory assessment to support the production of a statement or EHC.
- 5.2. If the level of income achieved does not reach the £300k level then it will be necessary to undertake an exercise to reduce staffing levels to one that can be supported by the income achieved. At this point no staffing reductions are proposed. The service currently earns £228k and has a good track record in developing business with schools.
- 5.3. It is not felt possible to reduce funding below the level for statutory work as this would involve schools paying for the assessments and there is a concern that in that relationship schools will expect a report that meets their perceived expectations rather than one that meets the needs of the LA to meet its obligations.

Pupil Places Project Management

- 5.4. The proposal is that the funding of this team should be transferred to capital grant rather than funded from the Council's general fund resources. Project management is an eligible cost for charge against capital grant resources. The amount involved is £200k
- 5.5. The consequence of the change in accounting practice is that there is a reduction in the resources available to provide actual accommodation or building schemes. A

sum of £200k would provide for one very inexpensive temporary expansion project each year.

Early Years Places sufficiency

- 5.6. The team works with the private and voluntary independent sector to try and ensure a match of places with demand for the 2, 3, and 4 year old child care free entitlement. The team seeks to secure an expansion of places across the borough to match the demand for the free offer. The team also works with potential new providers to advise on the production of business cases to demonstrate viable provision and supports access by such providers to the Council's property services teams to secure the rental of appropriate Council premises. The team also ensures the payments to providers for free entitlement places take up.
- 5.7. The proposal is to fund this work from the dedicated schools grant (DSG). This expenditure is eligible as DSG spend. There is capacity within the early years funding block of the DSG to accommodate this expenditure.
Consultation
- 5.8. These proposals have been consulted upon with the schools forum which was supportive of the changes.

6. Financial Implications

- 6.1. The net budget for these services in 2014/15 is £1,138k. The proposals set out in this report will enable a saving of £751k to be achieved against these budgets for 2015/16 as part of the overall package of proposals required to balance the Council wide budget for 2015/16. The saving will be achieved through a switch of funding for education psychology from Council funds to income from school and accounting changes

Equalities Legislation

- 7.1. The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.2. In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.

7.3 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

7.4 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

7.5 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

- 1 The essential guide to the public sector equality duty
- 2 Meeting the equality duty in policy and decision-making
- 3 Engagement and the equality duty
- 4 Equality objectives and the equality duty
- 5 Equality information and the equality duty

7.6 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

7.7 The EHRC has also issued guidance entitled “Making fair financial decisions.” It appears at Appendix XX and the Mayor’s attention is drawn to its contents.

7.8 There are none arising directly from this report.

8 Legal Implications

8.1 The Report sets out the implications of the proposed reductions in budget. It also confirms that the work undertaken by the Education Psychology Service which is required by statute will continue and in relation to other work.

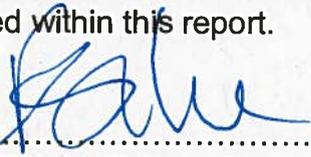
7. Conclusion

- 7.1. The proposed budget reduction of £300,000 to the Education Psychology service — will reduce the impact of this service in support of the Council's objectives. Core statutory work on EHCs and statements will continue.
- 7.2. The level of impact on schools will be mitigated, by measures to focus the remaining in SLAs that are traded with schools.

If there are any queries on this report, please contact Alan Docksey, Head of Resources and Performance (CYP) on extension 48490 or at alan.docksey@lewisham.gov.uk

Decision:

Acting in accordance with Standing Orders, I hereby agree to the recommendations contained within this report.



Date..... 16/1/15

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1.1. Franke Sulke – Executive Director for Children and Young People

