



Young People's
Learning Agency

This is the response of the Young People's Learning Agency (YPLA) to the Green Paper: Children and Young People with Special Educational Needs and Disabilities – Call for Views

The response is based on our current experience (and informed by the experience of our predecessor body, the Learning and Skills Council) of funding provision for young people with learning difficulties and/or disabilities (LDD) across the post 16 sector. Our response also takes account of the development work (in preparation for handing over the funding for this provision to local authorities in 2012/13) that the YPLA is undertaking to simplify the funding system and to enable greater flexibility to respond to the needs of the learner thus enabling their participation and attainment. These developments respond, therefore, not only to the coalition government's recent commitment to increasing participation in learning but also to its agendas for simplification and devolution.

The current range of assessments, undertaken at different stages in a young person's life, including statements of special educational need (SEN) and s139a learning difficulty assessments, appear to be a major contributor to the apparent lack of transparency for parents and learners about responsibilities, provision and funding. Our proposal is that by replacing the current range of assessments with one life-long system, this would achieve a number of the benefits (as outlined below) but would, above all, provide **greater transparency for parents and learners**.

Our suggestion is that all children/young people with substantial¹ additional needs should be the subject of a person-centred, single, holistic assessment which follows them throughout their education and onward journey to adult life, identifying their aims and aspirations and the learning required to achieve them.

This process should have a nationally consistent approach developed as part of a shared statutory duty across education, health and social care. As the young person continues their educational journey, other government departments such as Department for Work and Pensions should be involved to ensure appropriate work experience/placements to enable the learner's employment goals as appropriate. This approach will ensure **public services are centred on the needs of the family and the child**. One of the agencies involved should be the identified lead to co-ordinate the ongoing assessment which will result in a clear statement of the individual's aims and aspirations and the support they need to achieve these ambitions. **Parents and their children would be involved in decision making** during the lifetime of the assessment framework which will be subject to regular review and updating, particularly at key transition points and when circumstances change. This will ensure ownership by the learner and their advocate and a shared statutory accountability across the relevant agencies.

Our suggestion is that the YPLA Learning for Living and Work (LfL&W) Framework could be developed further to help shape this assessment from an early age. Currently, the LfL&W Framework is a planning document to support transition, providing objective information about a young person and the support they need to

¹ See suggested hierarchy of need for definition of substantial
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participate and achieve in learning or training. The effectiveness of the LfL&W framework was recognised by the Department for Children Schools and Families through the S139a guidance² (paragraph 6.4), whereby it is recommended as a tool to ensure consistency and effective holistic assessment and planning for the learner from a range of agencies.

The assessed needs of the learner should determine the nature and type of provision to be put in place and should not be constrained by the funding stream. Our suggestion is that the work currently being undertaken by the YPLA to develop a single equitable national system for the funding of learners with LDD should be considered as a possible option to extend for pre-16 provision.

The development work seeks to combine the current three separate funding systems of 16-18 SEN in schools, high cost (over £5,500), additional learning support (ALS) in mainstream further education provision and the budget for placements of learners with LDD at Independent Specialist Providers (ISPs). The programme of work is not new. Following a range of independent research from 2007, conducted by the LSC, the YPLA has been working to develop a fit-for-purpose funding system that is learner-focused, equitable across all areas of the further education (FE) system and provides appropriate levels of support for learners with LDD and/or SEN, over the age of 16, so that learners achieve their full potential in life through learning and work.

In order to increase the **involvement of learners and their parents in decision making** and empower them to choose where and how they access education and training, young people and their parents/advocates could be allocated a notional individual budget (calculated through use of a national framework), built upon the personalised budget concept, by their local authority. Such a notional individual budget should have an element assessed for 16-25 year olds for commissioning education and training provision associated with the agreed outcomes for the learner, which in turn would relate to independence and employability. It is expected that the local authority would have a role in ensuring relevant high quality provision was available, as local as possible, to achieve the agreed outcome. It is suggested that the YPLA Allocation System (part of the development work described above), could be adapted as it identifies and calculates an individual funding level based on the support required to meet the educational needs, health and care support which have been identified by the LfL&W framework.

A simplified and single assessment and funding system, as described above, would ensure the system remains simple to navigate, reduces bureaucracy and provides **greater transparency and choice for parents and learners**.

It is also our view that in order to avoid removing young people from their local support network and **to make most effective use of limited resources**, provision should be local wherever possible but we also recognise that some learners will require specialist provision which might not be local. Specialist providers should be encouraged to act as specialist hubs providing expertise, specialist staff and equipment to other providers to build capacity and share expertise to enable local

² Assessments relating to people with learning difficulties; Guidance to Local Authorities. Published by the Department for Children, Schools and Families in November 2009
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access and delivery, in addition to making highly specialist provision for learners where this is the best option. Arrangements need to enable better integration of specialist and general further education provision, with collaboration to improve choice, flexibility, outcomes and value for money.

There should be a clear and equitable process for securing education and training placements across all providers, determined by the needs of the learner. Clear and consistent independent information advice and guidance provides **greater transparency for parents** and learners and should be available from early years through to adult life and clearly linked part of the assessment process to inform the provision and steps necessary to achieve the learner's aims, aspirations and their identified goals and outcomes. Thus, independent information advice and guidance should provide clear information on the range of provision available at all stages of the learner's journey.

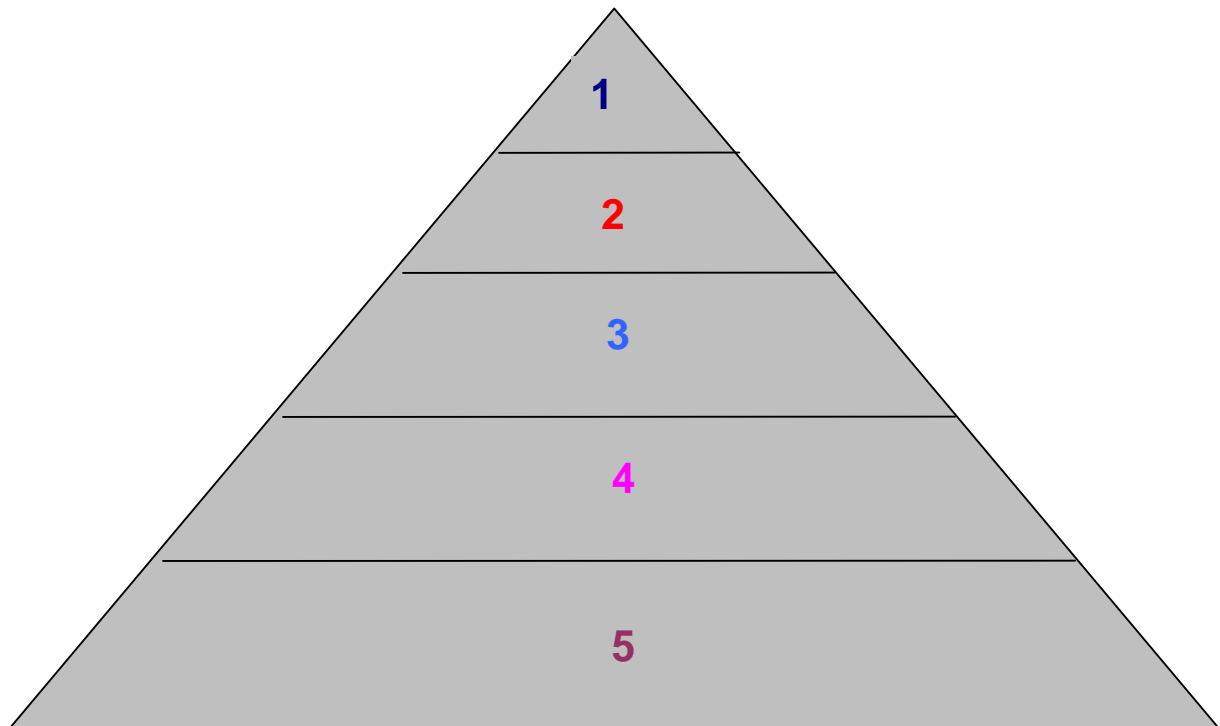
Learning provision and support should focus on equipping the learner with the skills and qualifications to enable their future employment and independence as appropriate. Providers should plan to achieve this through an appropriate mix of Functional Skills, Personal and Social Development and Vocational Learning.

In addition, provision should be quality assured and that process should take account of the educational value added in terms of the young person and their advocate's satisfaction and progression to positive outcomes. Inspection should consider and report in greater detail on the quality of transition planning and outcomes. Such quality assurance systems again provide **greater transparency for parents and improve the life chances and outcomes for the learner**.

The letter from the Secretary of State to the Local Government Association in July 2010 makes it very clear that 'Local Authorities have a crucial role in securing provision for learners with learning difficulties and/or disabilities'. To ensure public services are centred on the needs of the family and the child, local authorities should be empowered to, and be accountable for, planning and securing a programme of learning and support for young people designed to enable their ambition through to adult life. They should therefore also be accountable for the budget for provision for all learners aged 2 to 18 and up to 25 for those assessed as having substantial additional educational needs. The overall system should include health components.

To ensure local authorities can plan the learner's journey, we propose a system where commissioning is primarily local against a national framework with collaboration between local authorities. However, in order to ensure simplicity of approach and reduce bureaucracy as well as ensuring we **make most effective use of limited resources**, our suggestion is that there should be a single contract, contact point and payment arrangements for all providers

Suggested Hierarchy of Additional Support Needs



- 1 Learner has substantial additional support needs. Learner is likely to have been subject to a statement of SEN/s139a learning difficulty assessment and needs significant intervention and support
- 2 Learner likely to require equal access to curriculum and extended services/activities. Likely to require specific reinforcement and specialist teaching and therapies and multi agency support
- 3 Learner likely to have more specific learning difficulty/disability and may need small group or individual intervention and differentiated learning materials
- 4 Learner likely to have more general learning difficulties/disabilities. May require some specific reinforcement or skills development activities and differentiated materials
- 5 Learner subject to a universal service and has no additional support requirements

The diagram relates to the level of funding it is expected would be associated with learners who have support requirements relating to each of the descriptors. For example, it is expected that those learners at levels 4 and 5 would be accessing mainstream funding, and those learners at levels 2 and 3 may be accessing low level ALS. It is likely that the learners whose support needs reflect the descriptor in level 1 would need to access Health and Social Care funding as well as higher levels of educational support.