

HERTFORDSHIRE COUNTY COUNCIL

ENTERPRISE, EDUCATION AND SKILLS CABINET PANEL

FRIDAY 13 MARCH 2015 AT 10.00

EDUCATION SUPPORT TEAM FOR MEDICAL ABSENCE (ESTMA)

Report of the Director of Children's Services

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Executive Member/s:- Chris Hayward - Executive Member - Enterprise, Education & Skills

1. Purpose of report

To inform Cabinet Panel on the proposal to return the ESTMA Service to the direct management of the Local Authority within Integrated Services for Learning (ISL) and invite the Panel to agree the proposed direction and action.

2. Summary

Cabinet Panel is asked to:

- (i) note and comment on the issues detailed below
- (ii) acknowledge the proposed direction and action

3. Recommendation/s

Cabinet Panel is recommended to agree the proposed direction and action.

4. Background

4.1 The role of ESTMA is to provide support to Hertfordshire schools which have pupils who are temporarily unable to attend school full time for medical reasons. This provision is a duty of the Council and the work of ESTMA is underpinned by statutory guidance to 'ensure a good education for children who cannot attend school because of health needs' (Statutory Guidance for Local Authorities January 2013).

4.2 ESTMA is **not** alternative provision. It provides educational support whilst pupils temporarily cannot attend school because of health needs.

- 4.3 The service is funded from Hertfordshire's High Needs funding and the ESTMA budget 2014-15 is approximately £1m.

5. Purpose of the Service

- To minimise the interruption and disruption to the pupil's schooling by continuing education as normally as the child's condition permits and working towards reintegration into school as soon as possible
- To work closely with the school to ensure continuity of each educational provision
- To provide as far as possible a relevant curriculum, which reflects that of the school and the requirements of the National Curriculum.
- To work in partnership with pupils, parents/carers, schools, medical and all Children's Services colleagues to ensure the best possible outcome for each young person.

6. Service Provision

The service provides a continuum of provision according to need ranging from advice and support to schools, families and pupils through to direct teaching provision. The service provides support to reintegrate pupils into school as soon as they are able. All referrals to the service are accompanied by a letter from a medical practitioner, such as a Consultant Paediatrician or member of a CAMHS team. Evidence is required to explain the impact the medical condition has on the pupil's ability to access education in school.

7. Management of ESTMA

- 7.1 When Integrated Services for Learning (ISL) was formed in 2011 the Education Support Centres (ESCs) became part ISL and were integrated into the 5 Area teams and directly managed by the ISL Area Managers.
- 7.2 ESTMA had been a centrally managed service until that point but a decision was taken to devolve the funding and management of ESTMA from September 2011 to 5 of the ESCs, each of which has managed a local ESTMA team. In each of the 5 Areas the ESTMA team mainly comprises of a Senior Teacher and a Lead Teacher; administrative support and sessional teaching staff. Since the devolution to the ESCs there has been no central management or co-ordination of the ESTMA service.

8. Context and Reason for Change

- 8.1 When the decision was taken to devolve the management of ESTMA to the ESCs the context was very different. ESCs were part of the Council's Integrated Services for Learning teams and managed by the ISL Area Managers. Because of national requirements affecting Pupil Referral Units (PRUs) and Alternative Provider Academies the status

of the ESCs (which are formally registered as PRUs) has significantly changed. They are now required to have fully delegated budgets and their governance is now more akin to schools. The Management Committees are required to operate like a governing body. The ESCs are no longer part of ISL or directly managed by the Council.

- 8.2 In addition the ESCs provide alternative provision unlike ESTMA which is a statutory provision for pupils temporarily unable to attend school for medical reasons. The national direction for Pupil Referral Units and Alternative Providers is now for schools to become the commissioners of alternative provision rather than the Council Hertfordshire has been part of the DfE Exclusions Pilot and has been trialling a 'school commissioning approach' with partnerships of schools in three areas of the county. This involves schools having more responsibility for commissioning alternative provision and the Council passing on funding to schools for this purpose so that schools can purchase the alternative provision that best meets the needs of their pupils.
- 8.3 The future direction for alternative education providers such as ESCs is therefore very different from what it was 3 years ago unlike the ESTMA service which remains a statutory Council provision.
- 8.4 In addition a lack of county level co-ordination and management of ESTMA has resulted in difficulties in overall consistent oversight of outcomes, monitoring, use of resources and financial management of this statutory service.

9. Impact on Service Delivery

Whilst it is proposed that the management arrangements of ESTMA will change, no immediate change to service delivery or impact on service users is planned.

10. Summary and Proposed Next Steps

- 10.1 Because of the significant change in context, status and management of ESCs, the direction of travel nationally and locally for the commissioning of alternative provision and the lack of consistent countywide monitoring it has been proposed to work towards returning the ESTMA service to the direct management of the Council by September 2015.
- 10.2 Whilst there are some different views and natural anxiety across ESC headteachers and ESTMA staff about the change there is general agreement about a need for overall co-ordination of the service. There is also an agreed need to retain the benefits of effective working relationships at local level across services. The intention is for ESTMA staff to remain based locally but with a central co-ordinator. Indeed some ESTMA teams remained based in the local ISL offices despite being managed by the ESC.

10.3 A meeting was held with ESC Headteachers in December and a further meeting with the ESC Headteachers and the ESTMA leads was held in January to discuss the transfer and a list of the issues to be considered to prepare for this was agreed. A further meeting with the ESTMA leads is taking place in March to focus on and plan the practical issues of the move and steps required between now and September 2015.

11. Equalities Implications

11.1 When considering proposals placed before Members it is important that they are fully aware of, and have themselves rigorously considered the equalities implications of the decision that they are taking.

11.2 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the County Council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.

11.3 The Equality Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief, sex and sexual orientation.

11.4 There are no direct equalities implications.

12. Financial Implications

There are no direct financial implications resulting from this report.