

Royal College of Psychiatrists Consultation Response



DATE: 27 June 2011

RESPONSE OF: THE ROYAL COLLEGE OF PSYCHIATRISTS

RESPONSE TO: Support and aspiration: A new approach to special educational needs and disability

The Royal College of Psychiatrists is the leading medical authority on mental health in the United Kingdom and is the professional and educational organisation for doctors specialising in psychiatry.

We are pleased to respond to this consultation. This consultation was prepared by the Learning Disability faculty at the College.

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Support and aspiration: A new approach to special educational needs and disability

1. Executive Summary

The Royal College of Psychiatrists welcomes these proposals in that they are centred on the family as well as the child and adopt an approach to disability that is primarily educational. It is very encouraging that the paper is aspiring to a world class education for children with special educational needs.

The document sets out a strategy; the success of which depends on the way its proposals are put into operation – they will stand or fall on the detail – much of which is to be worked out in pilot projects. However, we would endorse an approach to disability which encourages closer integration of the work done by the separate services that families encounter, aims to reduce needless bureaucracy, and raises the standards of the service.

The document recognises that it is complimentary to other proposals for change, notably the Education Bill and the changes in health provision, and it must be assumed that any final proposal takes into account this changing landscape.

2. Confidentiality

While the combination of the routine health, education and social service assessments to give a single, binding '*Education, Health and Care Plan*' is to be welcomed, it is unlikely that one assessment process can address the very varied presentations of disability and disorder. The implication is that there will be a common, core process with additional assessments to complement the existing body of knowledge; that the resultant plan will be available to all those who need to understand the child and their circumstances. Given the extraordinary expense of multidisciplinary meetings (which consume a considerable amount of professional time), some thought needs to be given to

how such a joint plan can be arrived in a cost-effective manner for the professionals involved. This will involve a substantial amount of information sharing. At the same time, it is important to recognise that there are circumstances where detail (which may include diagnosis) about the child and family has to remain confidential to them; not all health assessments are to be shared. The issue of confidentiality is dealt with in other areas (including the Department of Health, the General Medical Council and the College's documents) but should be acknowledged here.

3. Disturbance

It is easy to visualise special educational needs as including those with various degrees of physical, sensory or learning disability. It is important not to overlook the extent that these are complicated by emotional and behavioural disturbance and the category of 'behavioural, emotional and social difficulties' does give some indication of the extent of the problem being dealt with by a given school or service. While it is right there should be an emphasis on removing the causes, it is important not to overlook the need to treat/manage the child, something that involves working with the family as well.

It is important to acknowledge the extent to which services such as Community Teams for Learning Disability and Child and Adolescent Mental Health Services are involved in this work and, particularly in the special schools, knit into school-based programmes where they deliver a substantial part of their service. Besides their work with the child and family, these external professionals are essential to helping a school to monitor and develop its practice without getting lost in harmful idiosyncrasy. While this is touched on in the introduction (para34) and there is some reference to this under the early years provision, it must recognise that the demand is substantial in adolescence.

3.1 Exclusions

There needs to be a high importance placed on the obligations that schools have towards their excluded pupil as often support to the excluded pupil fades rapidly and contact is rarely maintained. There needs to be clear guidance given to the parents and children regarding their rights when there is an 'unofficial exclusion' ie when parents are asked not to bring their child into school or are told they can only attend for a few hours a day under specific conditions. In section 3.56 it states that CAMHS should be involved where there is frequent or repeated exclusion. It should be noted that this is outside of the CAMHS currently commissioned service and will need to be commissioned separately.

4. The Local Authority

It is proposed that the Local Authority should shift from a service provider and funding agency to a champion of the child and parent as well as a commissioner who ensures that the appropriate services are developed. An LA can only fulfil this requirement if there is no financial conflict of interest. This may be achieved by giving the family control of funding through the personalised budget and mediation, providing that the LA is not the agency that determines the overall level of funding.

4.1 Individual budgets

Many families struggle with the existing bureaucracy of direct payments and the same confusion may occur with individual budgets. Many parents we work with have their own language, learning difficulties, physical and mental health problems and may also have other children with special educational needs. Therefore there could be additional barriers to them using this new provision. Parents will require specific support to enable them to make use of this resource and this should be provided if required rather than it being an

optional provision. There also needs to be support and monitoring to ensure that the use of the money is both appropriate and effective.

5. The Key Worker

This role is essential to ensure that the new scheme works and that children/families do not suffer in the early stages. Given the breadth of the role, it is important that families can see the key worker as truly independent of funding and providers. It is also going to require that the key worker develops an extensive and up-to-date knowledge of the available machinery. The most straightforward approach might be to extend the role of Connexions to provide this service rather than to seek local, ad hoc solutions.

6. Mediation

Mediation as an alternative to a court/tribunal can only be welcomed. However, some parents will need additional support to make full use of the process and there should be a readiness to adapt the format to individual circumstances. Parents need to be made aware that the mediation will be by an independent and trusted individual as the current process is seen as a conflict situation and highly stressful for those involved. As the Local Authority shifts to championing the child and family, conflict with the school seems more probable, particularly where the school is reluctant to admit/keep a child. The role of mediation might be extended to include resolution of differences with the school.

7. Staff Training

The emphasis on this, for both teachers and support staff, is welcome as in the past the need has been minimised and training dispensed with. It is important to be clear that the commitment to funding is long-term and not just a start-up.

7.1 Therapists and Psychologists

We would fully support the additional training of the Speech and Language Therapists and of Educational Psychologists. It does need to be noted that the current level of provision of both of these professionals into schools only allows for the most severe problems to be addressed. We need to aspire to the principles within this document for intervening early and providing a high quality education for all with SEN.

7.2 Classroom support staff

It would be very positive if training was extended to classroom support staff, as they are often the main contact for 1:1 support for the child and indeed the main provider of education for many children with SEN. While this document states that it should not occur, it will remain the situation until additional teachers are in place. The latter plans for some scholarships for the most able support staff will not address the training needs for the vast majority of this valuable resource within schools.

8. Additional comments

- **Section 34:** This part of the introduction should also include environments for those with visual impairments, severe and profound learning disabilities and those with severely challenging behaviours.
- **Section 53/54 of the Introduction & 1.7:** It should be noted that the parents who have the highest stress levels and higher levels of mental and physical health issues are those living with children with complex needs and severely challenging behaviours. These parents can be denied respite care if their child is too challenging to be cared for safely by respite services. These are the families who also struggle to find leisure

activities and holiday clubs for their children necessitating one of the parents to remain at home and be unable to look for employment. These children are often in one parent families resulting in dependence on benefits and poverty.

- **Section 1.55:** This raises a crucial point about the lack of clarity about criteria for social care and the obligations on social care to provide support in a timely manner. Clear and consistent criteria and expectation would be very much valued.
- **Section 3.52:** This is to be applauded, but this will however, require an attitude change of not just the children implicated in the bullying, but it requires a change in attitude of their parents and indeed in school staff themselves. This remains a difficult area and considerable education within the whole personal, social, health and citizenship education programme of the school will be required.

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