

States of Jersey  
States Assembly



États de Jersey  
Assemblée des États

# Education and Home Affairs Scrutiny Panel



States  
of Jersey



## Social Inclusion Mont-à-l'Abbé

Presented to the States on 10th October 2008

S.R.11/2008

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## 1. INTRODUCTION

- 1.1 The draft proposals for the 2009 Annual Business Plan, released in April 2008, indicated a spending pressure facing Mont-à-l'Abbé School. The Education and Home Affairs Scrutiny Panel had previously been advised of the pressure by Senator M.E. Vibert, Minister for Education, Sport and Culture, (hereafter referred to as 'the Minister') and had agreed to examine it as part of an intended review relating to social inclusion.
- 1.2 The Panel established Terms of Reference for its review (see Appendix 1); undertook initial research; visited the school; and searched for a potential expert advisor. However, in May 2008, the Minister advised that the spending pressure had been resolved and that a departmental review of social inclusion in general would take place in 2009. The Panel subsequently discussed these matters with the Minister at a Public Hearing on 24th June 2008. Taking his advice into account alongside other topics that had come to bear on the Panel's work programme the Panel agreed to curtail its review although it was noted that the work due to be undertaken by the Department in 2009 would not preclude the subsequent Education and Home Affairs Panel from considering the matters at hand.
- 1.3 As some evidence had been gathered, the Panel agreed to produce a report that would record the Panel's work and highlight the key issues that had become apparent. A list of the evidence considered by the Panel is contained in Appendix 2.
- 1.4 The report begins with brief descriptions of Mont-à-l'Abbé School and the concept of social inclusion. Subsequently, consideration is given to the four areas examined by the Panel: the particular spending pressure; more general matters surrounding the funding of Mont-à-l'Abbé School; the Minister's policies for social inclusion; and, finally, cross-departmental work in this area.
- 1.5 Given the curtailment of the review, the Panel did not gather sufficient evidence for firm conclusions and recommendations to be made in relation to the Terms of Reference that had been established. However, the report concludes with the Panel's indication that, based upon the information and advice that was received, funding formulae and transition arrangements are key issues that need to be considered.

## 2. BACKGROUND INFORMATION

### 2.1 Mont-à-l'Abbé School

2.2 Mont-à-l'Abbé School is a special school, the purpose of which is “*to provide education for pupils with severe learning difficulties and profound and multiple learning difficulties aged 3 to 18+.*”<sup>1</sup> The Panel was advised that the school is essentially unique and that, in the United Kingdom, perhaps two to three schools in an area would perform the rôle undertaken solely by Mont-à-l'Abbé School in Jersey.<sup>2</sup>

2.3 The school incorporates two sites. The secondary school site is located on the same campus as Haute Vallée Secondary School and was completed in 2007. The primary school site is a short drive away on La Grande Route de St Jean. In late 2008, construction work will begin on the demolition and upgrade of the older part of the primary school site, to be replaced with new buildings that reflect the standards of previous extensions. This work is intended to enable the school to meet the accommodation and curriculum requirements of its younger pupils.

### 2.4 Social Inclusion

2.5 During its initial research, the Panel learnt that, in itself, the term ‘social inclusion’ can cover a wide sphere and can relate to the ‘inclusion’ of any number of groups, for example ethnic minorities.

2.6 The review due to be undertaken by the Panel would have focussed on social inclusion in education (also referred to as inclusive education) and, in particular, the inclusion of children and young people with learning difficulties. The Panel was provided with a series of definitions for social inclusion in this context, including the following:

*“Inclusion is the process of increasing the participation of students in, and reducing their exclusion from, the cultures, curricula and communities of local schools.”*<sup>3</sup>

2.7 Inclusive education was promoted through a statement made in June 1994 by the UNESCO World Conference on Special Needs Education: Access and Quality. Known as the ‘Salamanca Statement’, this effectively set out an overarching theory for the management of inclusive education. The Panel is aware that different ideas exist as to how this inclusion can practically be achieved. In Jersey, social inclusion was included in the vision of the *Strategic Plan 2006 – 2011*:

*“We are an inclusive society where everyone has equality of opportunity and access to the services they need.”*<sup>4</sup>

<sup>1</sup> Special Educational Needs Policies and Procedures (Department of Education, Sport and Culture), Section 4

<sup>2</sup> Transcript of Public Hearing, 24th June 2008, page 13

<sup>3</sup> Centre for Studies on Inclusive Education: Index for Inclusion, 2000 (revised 2002)

### 3. RESOLUTION OF THE SPENDING PRESSURE

- 3.1 The spending pressure facing Mont-à-l'Abbé School was described in the draft proposals of the 2009 Annual Business Plan as being “*both unavoidable and volatile.*”<sup>5</sup> The proposals indicated that increasing demands at the school required further funding of £370,000 and listed a number of reasons for this situation.<sup>6</sup> The funding could not be found within the Department’s budget and, whilst the Council of Ministers regarded the spending pressure as a high priority, the proposals described it as a pressure “*with no alternative funding currently identified.*”<sup>7</sup>
- 3.2 The Panel was advised by the Minister, in correspondence dated 27th May 2008, that the spending pressure had been resolved. Following this advice, the Panel sought to understand how it had been resolved and how the additional funding would be used.
- 3.3 At the Public Hearing, the Minister stated that budgeting was a complex issue and explained that the funding had come from within the States cash limit (although not from within his own Department’s limit).<sup>8</sup> He also suggested that the Panel ask the Minister for Treasury and Resources for more information on the provenance of the funding.
- 3.3 In response to written questions from the Panel, the Minister for Treasury and Resources clarified how it had been possible to fund the spending pressure of £370,000:

*“Revised inflation assumptions following the release of the March 2008 RPI [Retail Price Index] figure created savings which the Council of Ministers were able to prioritise among the spending pressures identified in their provisional proposals in March. The prioritisation resulted in Mont-à -l’Abbé, along with a small number of other projects, being able to be proposed within the approved spending proposals.”*

The allocation of the additional funding was confirmed in *Draft Annual Business Plan 2009* (P.113/2008). In his correspondence, the Minister for Treasury and Resources also stated that there would not be a resultant increase in the overall States cash limit and that no other service would therefore lose funding as a consequence of additional funding being provided to the school.<sup>9</sup>

- 3.4 The Panel understood that there were three areas where the identified shortfall in Mont-à-l'Abbé School’s budget would effectively have been felt: transport; staffing matters; and

<sup>4</sup> *Strategic Plan 2006 – 2011*

<sup>5</sup> A copy of the documentation from the draft proposals for the 2009 Annual Business Plan is included as Appendix 3 to this report.

<sup>6</sup> 2009 Business Plan – Provisional Cash Limits and Draft Proposals from the Council of Ministers (March 2008), page 60

<sup>7</sup> *Ibid*, page 58

<sup>8</sup> Transcript of Public Hearing, 24th June 2008, page 4

<sup>9</sup> Written Submission from the Minister for Treasury and Resources, 14th July 2008

the social inclusion of students. At the Public Hearing, the Panel was advised of how the funding would assist in these areas.

- 3.5 The Panel was told that the school makes its own arrangements for the transportation of pupils to the school. Pressure had been felt in this area in a number of ways. For instance, an increasing number of wheelchair users meant that, in terms of space, an additional vehicle had become necessary.<sup>10</sup> At the Public Hearing, the Headteacher of Mont-à-l'Abbé School advised that:

*“Some of the bus routes were very long, and some children were being picked up at 7.30 a.m. in the morning to get to school for 9.15 a.m. and they would be very tired, and it was not the best way to start the school day.”<sup>11</sup>*

Subsequently at the Hearing, the Panel was advised that the additional funding of £370,000 had addressed these transport issues: an additional bus had been purchased and two extra part-time staff had been employed.<sup>12</sup> This advice suggested that at least some of the funding had already become available, a source of confusion given the Panel's understanding that the Minister had sought £370,000 of additional funding for 2009 (i.e. the future).

- 3.6 The additional £370,000 was also to ensure that staffing levels at the school were appropriate.<sup>13</sup> For example, it had become possible to employ lunchtime staff.<sup>14</sup> The Headteacher advised the Panel that staff would currently work through breaks and take other such measures to ensure that children's needs were well met. The additional funding would help to resolve the issue.<sup>15</sup> It would also potentially address the training requirements of staff (another area that had been under pressure).<sup>16</sup>
- 3.7 Finally, the Panel was advised that the funding would not only be used in the areas of transport and staffing but also to *“enhance the service and to contribute to the broader inclusion agenda.”* As such, funding would be provided to support an outreach service into mainstream schools.<sup>17</sup>

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<sup>10</sup> 2009 Business Plan – Provisional Cash Limits and Draft Proposals

<sup>11</sup> Transcript of Public Hearing, 24th June 2008, page 16

<sup>12</sup> Ibid, page 18

<sup>13</sup> Ibid, page 22

<sup>14</sup> Ibid, page 18

<sup>15</sup> Ibid, page 12

<sup>16</sup> Ibid, page 24

<sup>17</sup> Ibid, page 19

## 4. FUNDING OF MONT-A-L'ABBE SCHOOL

- 4.1 Beyond the specific spending pressure of £370,000, the Panel examined general matters surrounding the funding of the School. A number of issues were explored by the Panel as it sought to learn whether the spending pressure was likely to re-occur.
- 4.2 It was apparent that Mont-à-l'Abbé School had faced spending pressures prior to the draft proposals for the 2009 Annual Business Plan. For 2008 the Department had reprioritised and taken funding from other services in order to address the pressures facing the school. For example, to assist counteracting a £200,000 shortfall that faced Mont-à-l'Abbé School at that time, £60,000 was provided from the budget that had been initially allocated to the Youth Service.<sup>18</sup>
- 4.3 The Panel was also aware of previous budgetary difficulties having read the report of a financial audit undertaken in March 2005 by Mr Alvin Jeffs (the 'Jeffs Report'). The report addressed matters that the Panel would most probably have covered if it had proceeded with its review and indicated that, in 2005, the school and Department of Education, Sport and Culture had had different estimates of the funding required to address the needs of the children and young people attending the school.<sup>19</sup>
- 4.4 At the Hearing, consideration was consequently given to the funding mechanism that was used for the school. The Director of the Department of Education, Sport and Culture advised the Panel that *"for special needs we are funded as a cash-limit. So, a growth in demand as far as special needs is concerned does not translate into a growth in funding."* This differed to the mechanism used for funding mainstream primary and secondary schools (where funding would be based upon pupil numbers) and indeed to the mechanisms used in other jurisdictions for special needs; in other jurisdictions, funding would be attached to the individual child and follow that child through the education system. The Panel was advised that the Department would talk to the Department of Treasury and Resources about the possibilities of such a funding mechanism being implemented in Jersey.<sup>20</sup>
- 4.5 The Director further advised the Panel of the difficulties in establishing a funding mechanism for the school:

*"There is a complexity with special needs funding in that it is not just about additional numbers; it is about levels of need and it is difficult to predict."*<sup>21</sup>

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<sup>18</sup> Ibid, page 4

<sup>19</sup> Mont-à-l'Abbé School : a financial audit report (April 2005), A. Jeffs, page 12

<sup>20</sup> Transcript of Public Hearing, 24th June 2008, page 7

<sup>21</sup> Ibid, page 9

- 4.6 The Minister subsequently explained that Headteachers were allowed certain devolved responsibilities with regard to financial management that helped them to respond to such circumstances.<sup>22</sup>
- 4.7 Bearing in mind this advice, the Panel asked the Minister whether the spending pressure facing the school could indeed arise the following year. The Minister advised that it would be necessary to wait and see: it would depend on *“the number of the children, their need and also developments in the education of special needs children which [...] has changed considerably over the years for the better.”*<sup>23</sup> The Headteacher had previously touched upon this point, highlighting that developments in special needs education could mean that the ‘luxuries’ in one year could soon become the ‘essentials’ of the next and thereby cause more budgetary pressure.
- 4.8 The Panel was advised that charitable funding could in general be put towards ‘luxuries’.<sup>24</sup> The draft proposals of the 2009 Annual Business Plan stated that *“the school has had to rely on the goodwill and co-operation of staff and local charitable organisations, which can no longer be sustained.”*<sup>25</sup> However, it was confirmed at the Hearing that charitable funding would not be used for core services such as staffing. The Headteacher also advised that such funding would no longer be used for transport costs.<sup>26</sup> One example of a ‘luxury’ was the sensory room that had been supplied (at a cost of £12,000) through charitable funding.<sup>27</sup> The Department’s Director made the following statement in this regard:

*“The important differentiation here is that the school should be in a position to benefit from additional resources provided by charitable organisations, but the school should not have to depend on charitable organisations for the essential provisions for staff and children.”*<sup>28</sup>

- 4.9 The question of ‘essentials’ also arose during the Panel’s examination of another statement in the draft proposals of the 2009 Annual Business Plan:

*“The headteacher at Mont a l’Abbe (sic) school has attempted to continue to operate the school within minimum acceptable standards, however the cumulative impact of the factors detailed [...] have begun to impact on the level of special needs provision at the school.”*<sup>29</sup>

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<sup>22</sup> Ibid, page 20

<sup>23</sup> Ibid, page 16

<sup>24</sup> Ibid, page 19

<sup>25</sup> 2009 Business Plan – Provisional Cash Limits and Draft Proposals

<sup>26</sup> Transcript of Public Hearing, 24th June 2008, page 17

<sup>27</sup> Ibid, page 25

<sup>28</sup> Ibid, page 26

<sup>29</sup> 2009 Business Plan – Provisional Cash Limits and Draft Proposals



4.10 The Panel sought to understand the implications of this statement. The Headteacher of Mont-à-l'Abbé School described the essentials of such standards as *“spacious classrooms, the children have adequate resources for their learning, that they have adequate staff to meet their needs and that we can fulfil the curriculum.”*<sup>30</sup>

4.11 The Director of Education, Sport and Culture told the Panel that:

*“I would say that there are some areas in which in some ways in which the school is operating which we feel that in the past are not necessarily conducive to best supporting the staff who work there.”*<sup>31</sup>

However, he subsequently advised that the *“the school is doing an excellent job, and it maintains a very, very high standard of education and support for the children and young people there.”*<sup>32</sup>

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<sup>30</sup> Transcript of Public Hearing, 24th June 2008, page 25

<sup>31</sup> Ibid, page 11

<sup>32</sup> Ibid, page 24

## 5. POLICY RELATING TO SOCIAL INCLUSION

5.1 The Panel questioned the Minister on his general policies for social inclusion and what services, beyond Mont-à-l'Abbé School, were provided by his Department.

5.2 The Panel was made aware that the Minister had a statutory responsibility to provide appropriate support to pupils with special needs between the ages of 2 and 19 and that his policies in this area stemmed from the *Education (Jersey) Law 1999*. The overarching policy, from which all other policies flowed, was described to the Panel as follows:

*“It is the policy of the States of Jersey Department of Education, Sport and Culture that for everyone in a school community, barriers to learning and participation are reduced to allow inclusion; pupils are placed in the education environment which best meets their needs, taking into account the views of all concerned and the effective and efficient use of resources, and where possible, pupils with special education needs are educated within mainstream schools.”<sup>33</sup>*

5.3 The Panel was provided with a copy of the Department’s policies for special educational needs. They covered matters such as reducing disaffection; assessment procedures and set out the responsibilities of the parties involved in the delivery of education (i.e. teachers; headteachers; governing bodies; and the Department itself). Advice on this matter was also provided at the Public Hearing when an explanation was given of the graduated responses followed by the Department to the individual needs of individual children.<sup>34</sup>

5.4 The documents provided to the Panel also indicated that, in terms of special educational needs generally, the Department offered a number of provisions. For example, a number of mainstream schools included specialist provisions. At the Public Hearing the Panel was advised of the inclusion work undertaken within the Youth Service and was told that a special needs youth officer was employed.<sup>35</sup>

5.5 The Director of Education, Sport and Culture advised that the Department’s social inclusion policies also applied to Highlands College. However, whilst some funding was currently provided to the College, work was ongoing on reviewing the overall funding model, a review that would lead to a formalisation of the arrangements for special needs funding at the college.<sup>36</sup> This review was reflected in the Department’s Key Objectives as outlined in the Draft Annual Business Plan 2009.

5.6 The current arrangements for Highlands College involved reviewing the needs of those entering the College, as the Director explained:

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<sup>33</sup> Ibid, page 28

<sup>34</sup> Ibid, page 32

<sup>35</sup> Ibid, page 37

<sup>36</sup> Ibid, page 30

*“What will happen is our principal educational psychologist, through her team, will assess the needs of individual youngsters going through to the college and agreeing with the college the level of support that needs to be provided. Some of that support may be provided within the college’s existing budget, its own budget. There may be a requirement for some additional funding to go in, but is, in a sense, associated with the child rather than Highlands College.”<sup>37</sup>*

- 5.7 As previously indicated, a review of social inclusion is due to be undertaken in 2009 by the Department of Education, Sport and Culture. At the Public Hearing, it was apparent that this review was in the process of being planned. The Panel was informed, however, that it was intended to be an in-depth examination of provision and would involve some input from outside the Island.<sup>38</sup> Consideration was also given to the involvement the successor Education and Home Affairs Scrutiny Panel could have in the review.
- 5.8 The proposed review of social inclusion was also reflected in the departmental key objectives outlined in *Draft Annual Business Plan 2009* (P.113/2008). Objective 6 of the Department of Education, Sport and Culture was given as follows:

*“To review and develop initiatives and programmes designed to promote social inclusion and equal opportunity.”*

The sixth success criterion provided for this objective referred to a review of *“inclusive educational practice [...] in primary schools, secondary schools and Highlands College.”<sup>39</sup>*

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<sup>37</sup> Ibid, page 31

<sup>38</sup> Ibid, page 40

<sup>39</sup> Draft Annual Business Plan 2009 (P.113/2008), page 18

## 6. CROSS-DEPARTMENTAL WORK

- 6.1 The remit of the Panel covers education and home affairs. However, the draft proposals of the 2009 Annual Business Plan included other spending pressures relating to services provided by the States for people with learning disabilities. For example, pressures were identified in relation to the Jersey Employment Trust and the introduction of vocational day services and employment for people with special needs.
- 6.2 The second of these two matters was covered in *Strategy for Inclusive Vocational Day services and employment* (P.102/2008) that was approved by the States Assembly on 10th July 2008. Lodged *au Greffe* soon before the Panel's Public Hearing with the Minister, the Panel noted that approval of the proposition would require the Minister to liaise with his colleagues from Health and Social Services and Social Security. It was also noted that approval would potentially have an impact on the process of transition from education to training and / or employment. This was acknowledged by the Minister at the Public Hearing who stated that Mont-à-l'Abbé School "*would have a very close relationship with that provision so that we would have a seamless transition.*" Again, the Department's Key Objectives within the Draft Annual Business Plan 2009 reflected this intention for there to be "*new arrangements in place to support the employment of young people with learning difficulties post 19 years.*"<sup>40</sup> The Minister also advised that there would be implications for the Skills Executive.<sup>41</sup>
- 6.3 Notwithstanding these other matters, however, when scoping its review on social inclusion, the Panel agreed to consider the financial liaison that occurred between the Department of Education, Sport and Culture and the Department of Health and Social Services. Information was received from both Departments on the joint working that occurred, for example in relation to assessments. However, the key issue which the Panel explored was how decisions were made with regard to the funding of services provided to those who attend Mont-à-l'Abbé School.
- 6.4 The Minister expressed the view at the Public Hearing that whilst matters could always be improved, agencies had to ensure that the best interests of the child remained at the centre of the work. The Director of the Department indicated that there would at times be disagreements between the two Departments over which should provide the funding in a given instance. However, discussions were usually constructive and the appropriate arrangements were put in place.<sup>42</sup> This was also the view provided to the Panel by the Department of Health and Social Services.

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<sup>40</sup> Ibid, page 16

<sup>41</sup> Transcript of Public Hearing, 24th June 2008, page 42

<sup>42</sup> Ibid, page 35

6.5 It was explained to the Panel that decisions on which Department should provide funding were generally made on the following basis:

*“The broad premise really is that the Education, Sport and Culture Department will fund the educational needs of the child and Health and Social Services would fund the medical or care needs of the child.”<sup>43</sup>*

A similar idea was expressed in the advice received from the Consultant Paediatrician in the Department of Health and Social Services:

*“Defining what falls under the remit of health or education is a constant area for debate. In my opinion, it is perhaps simplest for education to enable a child to access learning and for health to ensure a child has the optimum physical and mental health to receive it.”<sup>44</sup>*

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<sup>43</sup> Ibid, page 35

<sup>44</sup> Written Submission from Department of Health and Social Services, 15th July 2008

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## 7. CONCLUSION

- 7.1 The Panel's initial decision to undertake a review relating to Mont-à-l'Abbé School and social inclusion came from the possibility that the school might not be provided with the appropriate level of funding to deliver its services; the decision was not taken due to any evidence or concern regarding the standard of those services themselves. On 2nd June 2008, the Panel visited Mont-à-l'Abbé School and was able to witness for itself the work undertaken by both pupils and staff. It was extremely encouraged by what it saw and congratulates all those involved on the excellent work undertaken there. Consequently, the Panel was supportive of the funding of £370,000 that had been located to address the pressures facing the school.
- 7.2 As stated in the introduction to this report, firm recommendations and findings are difficult to make given the amount of information and evidence received. Indeed, the report does not cover all areas in detail and the Panel would encourage those with an interest to read the transcript of its Public Hearing with the Minister and other documents received (available to read on the Scrutiny website).
- 7.3 From the initial work undertaken, however, the Panel has concluded that there are evidently some matters which need to be borne in mind, particularly regarding funding formulae and transition arrangements. The Panel recognises that many of these matters are reflected in the departmental Key Objectives within the 2009 Annual Business Plan. The Minister is therefore seemingly aware of them and they may well be addressed in the review due to be undertaken in 2009. These matters, which the Panel highlights below as a matter of record, could also form the basis of future discussions between the subsequent Minister and the Education and Home Affairs Scrutiny Panel:
1. The Panel noted from the Public Hearing that funding appeared to have been used already to address the issues facing Mont-à-l'Abbé School. However, the Panel had understood the funding was sought for 2009 and that, effectively, it would not therefore be possible to address these matters until the funding had been provided within the 2009 Annual Business Plan. There is the potential for confusion, particularly for Scrutiny Panels not involved directly in the business planning process, and the Panel therefore recommends that the Minister for Education, Sport and Culture clarify this matter.
  2. It would appear that a key issue regarding the funding of special educational needs and therefore inclusive education is that of the funding mechanism used. The Panel was advised that this area was being considered by the Minister and his Department. It is therefore recommended that the Minister continue this work and make

arrangements for his Department to work with the Department of Treasury and Resources to establish an appropriate funding mechanism.

3. During the drafting of this report, the Panel was aware of reports in the media of parents who had concerns as to what would happen once their child left full-time education. This reflected the need for cross-departmental work on transition issues to be undertaken, a need that was identified in the draft 2009 Annual Business Plan and in *Strategy for Inclusive Vocational Day services and employment* (P.102/2008).

## **8. APPENDIX 1**

### **8.1 Panel Membership**

8.2 The Panel undertook all work referred to in this report as a full Panel, the membership of which was as follows:

Deputy Deidre Mezbourian, Chairman

Deputy Juliette Gallichan, Vice-Chairman

Connétable Graeme Butcher

Deputy Shona Pitman

### **8.3 Terms of Reference**

8.4 The Panel agreed the following Terms of Reference for the review on 12th May 2008:

1. To consider the rôle played by Mont-à-l'Abbé School in the policies and objectives of the Minister for Education, Sport and Culture relating to social inclusion in education.
2. To examine the funding pressure facing Mont-à-l'Abbé School identified in the draft proposals of the 2009 Annual Business Plan.
3. To examine the possible implications for Mont-à-l'Abbé School of any shortfall in its budget, with particular reference to the following:
  - a. Transport
  - b. Staffing matters
  - c. Social inclusion of pupils
4. To consider the financial liaison between the Department of Education, Sport and Culture and the Department of Health and Social Services in relation to the provision for those who attend Mont-à-l'Abbé School.
5. To examine any further issues relating to the topic that may arise in the course of the Scrutiny Review and which the Panel considers relevant.



## 9. APPENDIX 2: EVIDENCE CONSIDERED

### Documents:

1. *Education (Jersey) Law 1999*
2. *2009 Business Plan – Provisional Cash Limits and Draft Proposals from the Council of Ministers* (March 2008)
3. *Strategy for Inclusive Vocational Day services and employment* (P.102/2008) (lodged *au Greffe* by Deputy I.J. Gorst on 17th June 2008 and approved by the States Assembly on 10th July 2008)
4. *Draft Annual Business Plan 2009* (P.113/2008) (Lodged *au Greffe* by the Chief Minister on 15th July 2008)
5. Special Educational Needs Policies and Procedures, provided by the Department of Education, Sport and Culture
6. Definitions of Social Inclusion, provided by the Department of Education, Sport and Culture
7. Guidelines: Records of Need
8. Mont-à-l'Abbé Funding 2008, produced by the Department of Education, Sport and Culture (19th October 2007)
9. Mont-à-l'Abbé School Prospectus
10. *Mont-à-l'Abbé School, Jersey: Review commissioned by the Department of Education and carried out by Mr T. Richardson, 15th – 19th November 2004*
11. *Mont-à-l'Abbé School: a financial audit report* (April 2005), Alvin Jeffs
12. *Mont-à-l'Abbé School: Key Stage Two Review Report – Spring / Summer Term 2006*
13. *Policy: Transition Planning for Young People with Special Needs moving from Education to Adult Services*, provided by the Department of Health and Social Services
14. Salamanca Statement of the UNESCO Conference on Special Needs Education: Access and Quality (June 1994)
15. *Feedback from Scrutiny Special Educational Needs Consultation Meetings with Parents: A Report from Overview and Scrutiny* (9th October 2007), Children and Education Overview and Scrutiny Committee, Birmingham City Council

### Written Submissions

- |   |                |
|---|----------------|
| 1. Senator T.A. Le Sueur, Minister for Treasury and Resources | 14th July 2008 |
| 2. Department of Health and Social Services                   | 15th July 2008 |

### Site Visits:

- |                         |               |
|-------------------------|---------------|
| 1. Mont-à-l'Abbé School | 2nd June 2008 |
|-------------------------|---------------|

**Public Hearings:**

1. Senator M.E. Vibert, Minister for Education, Sport and Culture,  
Mr M. Lundy, Director – Education, Sport and Culture,  
Ms J. Forrest, Operational Manager – Special Educational Needs,  
Mrs S. Eddie, Headteacher – Mont-à-l'Abbé School

24th June 2008

## 10. APPENDIX 3: BUSINESS PLAN DOCUMENTATION

### Significant Funding Pressures – 2009 Business Plan

<p><b>Department: Education, Sport and Culture</b></p> <p><b>Description of Funding Pressure:</b></p> <p style="text-align: center;"><b>Social Inclusion/Mont a l'Abbe School</b></p> <p>The funding pressure which is both <u>unavoidable</u> and <u>volatile</u>, is due to:-</p> <ul style="list-style-type: none"> <li>• An overall increase in the complex needs of children due to increased neo-natal survival of children with profound and multiple handicaps, resulting in increased staffing needs;</li> <li>• An increasing number of pupils are wheelchair users, each taking up the equivalent of 3 minibus places. An additional vehicle, with associated driver and escort staff has become necessary;</li> <li>• An increase in the statutory age of education to 19 for children with special needs. As a result, pupils remain in the school for an additional year, with associated staffing needs, which also involves supported work placement;</li> <li>• More parents of children with special needs request that their children be educated in a mainstream environment to allow for integration into the local community, in line with the States of Jersey policy of promoting social inclusion. This requires support from Mont a l'Abbe staff to help mainstream colleagues extend their expertise in differentiating to greater individual learning needs;</li> <li>• Families arriving in the Island whose children already have statements of special need support from the UK (eg a Year 9 student requiring individual support due to extreme physical fragility)</li> <li>• Acquired needs due to trauma (eg a Year 5 pupil who is a blind wheelchair user rehabilitating following a medical accident, requiring individual support)</li> </ul> <p>It should be noted that Jersey educates all children with profound and multiple learning difficulties on Island, which is more cost-effective provision compared to Guernsey and most UK Local Authorities where severe cases are educated in independent UK special schools at costs which can well exceed £100,000 a year per pupil.</p> <p><b>Why not included in 2008 Business Plan:</b></p> <p>The headteacher at Mont a l'Abbe school has attempted to continue to operate the school within minimum acceptable standards, however the cumulative impact of the factors detailed above have begun to impact on the level of special needs provision at the school. The immediate and unpredictable demands caused by the last two factors in particular, have placed considerable pressure on the school in an environment where the complexity of need is increasing. The school has had to rely on the goodwill and co-operation of staff and local charitable organisations, which can no longer be sustained.</p> <p>A thorough review of the special needs requirement of the pupils at Mont a l'Abbe has been carried out within a banded funding methodology based on levels of need, and a shortfall has been calculated at £370,000.</p> <p><b>Link to Strategic Plan Objective:</b></p> <p>Vision – “We are an inclusive society where everyone has equality of opportunity and access to the services they need”</p> <p>Commitment Three: “ We will promote a safe just and equitable society”</p> <p>Commitment Six: “We will ensure that States services are necessary, efficient and of good quality”</p>
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<p><b>Impact of Funding Pressure not being introduced:</b></p> <ul style="list-style-type: none"> <li>▪ Transport not available for children who need it and buses overcrowded - Absence / lateness due to family difficulties in getting children to school. Health &amp; safety issues – risk of injury to pupils / escort / driver;</li> <li>▪ Teachers supervise instead of taking lunch break / preparing for afternoon lessons - Breach of employment law. Overtired staff leading to increased sickness absence. Inadequate preparation for lessons;</li> <li>▪ Staff not trained in physical handling (restraint) techniques - Injuries to staff / pupils. Breach of Health &amp; Safety regulations. Potential legal implications;</li> <li>▪ Staff not trained / kept up to date in specialist educational interventions - Children's special educational needs specified on Records of Need not addressed. Difficulties in recruiting and retaining high quality staff;</li> <li>▪ Management deployed for class cover and crisis management - No school representation at Child Protection Case Conferences or other multi-agency meetings. Class teachers unable to attend pupil Annual Review (RoN) meetings. No school development planning;</li> <li>▪ No personnel 'front of house' at Haute Vallee site - Security issues. Staff required to leave their class. Reduced availability for educational duties / overwork leading to sickness absence;</li> <li>▪ Reduced quality of educational experience, pupils cannot access school activities and children's educational needs not met;</li> <li>▪ Children excluded from local school communities - Social inclusion compromised leading to parental complaints;</li> <li>▪ Pupils denied access to educational programmes not available at Mont a L 'Abbe. Mont a L'Abbe students discriminated against - Pupils do not gain qualifications they are capable of. Adult independence compromised. Social inclusion compromised. Parental complaints / politically sensitive;</li> <li>▪ Mainstream schools unsupported and unable to differentiate curriculum appropriately, reluctant to include pupils with complex learning difficulties - Children's special educational needs not met. Children vulnerable to behaviour difficulties / suspension. Parental complaints.</li> </ul>											
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<p><b>Manpower Implications (FTE): 2 x 0.5 Teachers / 5 x Teaching Assistants</b></p>											
<p><b>Other financial or resource considerations: (impact on other depts?)</b></p> <p>Children unable to develop independence and ability to communicate with mainstream peers will become dependent adults who will impact on services for the duration of their lives;</p> <p>Children who do not have the opportunities to experience college/supported work placements are less likely to become employable;</p> <p>Mainstream children who have minimal contact with special needs are unlikely to develop an understanding as they become the workforce of tomorrow.</p>											
<p><b>Options for Funding within Department:</b></p> <p>The Management Team at ESC recognised this as an immediate priority and was able to divert a sum of £200,000 to meet the shortfall in 2008 on a short term basis, by agreeing to delay certain planned initiatives:</p> <ul style="list-style-type: none"> <li>▪ a one year delay in a number of initiatives associated with the implementation of the Youth Service Strategy,</li> <li>▪ a planned delay in recruitment to posts within the Projects and Planning Division which will be required to meet the demands on formulating a five year Strategy and in progressing a number of essential projects (eg due to demographic</li> </ul>											

changes);

- a change in the book purchasing policy at the Public Library which can only be sustained for one year;
- by diverting income generated from the Active Card Membership Scheme which will leave a shortfall in the funds required for programmed equipment replacement, which can only be sustained for one year without impacting on the quality of the Scheme.

*It is essential that the budgets are replaced from 2009.*

**Contact Officer: Mario Lundy**

## 11. APPENDIX 4: MINISTERIAL RESPONSE

11.1 In accordance with Paragraph 11.7 of *Code of Practice for Scrutiny Panels and the Public Accounts Committee*, the Panel's draft report was despatched to all those cited within the report in order that they might comment. The Minister for Education, Sport and Culture provided the following response on 16th September 2008. It was subsequently agreed with the Minister that it would be appended to the Panel's report for the sake of completeness.

### EDUCATION & HOME AFFAIRS SCRUTINY REPORT ON MONT-a-L'ABBE SCHOOL

#### RESPONSE FROM THE MINISTER FOR ESC

##### **Introduction:**

I am grateful for the work done by the Education and Home Affairs Scrutiny Panel in relation to Mont-a-L'Abbe School and Social Inclusion. The review was undertaken following indications that the school would face unanticipated funding pressures in 2009. At the time of the review, the funding pressures had been resolved. As indicated in the introduction to the report, the Scrutiny Panel, following a Public Hearing on 24<sup>th</sup> June 2008, determined to curtail its review.

This report is therefore a record of the work undertaken up until that point and is a fair and unbiased reflection of the issues. My comments relate to the three matters which the Panel highlighted as a matter of record in its conclusion to the report.

Section 7.3.1: 'The Panel noted from the Public Hearing that funding appeared to have been used already to address the issues facing Mont-a-l'Abbe School. However the Panel had understood the funding was sought for 2009 and that, effectively, it would not therefore be possible to address these matters until the funding had been provided within the Annual Business Plan. There is the potential for confusion, particularly for Scrutiny Panels not directly involved in the business planning process and the Panel therefore recommends that the Minister for Education, Sport and Culture clarify this matter.'

*The Panel referred to this in Section 3.5. The funding pressures faced by Mont-a-L'Abbe became evident during 2008. It was anticipated that an additional £370,000, on going revenue funding would be required to enable the school to sustain appropriate levels of provision and meet the needs of its pupils. As indicated to the Panel and noted in section 4.2 of the report, the Department reprioritised across services during 2008 to find additional funding of £200,000 for the school for that year. This enabled the headteacher and her staff to begin addressing some of the issues that it faced.*

Section 7.3.2: 'It would appear that a key issue regarding the funding of special educational needs and therefore inclusive education is that of the funding mechanism used. The Panel was advised that this area was being considered by the Minister and his Department. It is therefore recommended that the Minister continue this work and make arrangements for the Department to work with the Department of Treasury and resources to establish an appropriate funding mechanism'.

*This work is underway and my Department will be seeking an opportunity to discuss the key issues with the Treasury Department as soon as possible.*

Section 7.3.3: 'During the drafting of this report, the Panel was aware of the reports in the media of parents who had concerns as to what would happen once their child left full-time education. This has reflected the need for cross-departmental work on transition issues to be undertaken, a need that was identified in the draft 2009 Annual Business Plan and in *Strategy for Inclusive Vocational Day Services and Employment*'.

*This issue will be considered during the debate on the Annual Business Plan. An amendment has been proposed which, if supported, would provide additional funding for this purpose.*

### **Conclusion:**

The Education and Home Affairs Panel has been both helpful and constructive in its review of Mont-a-l'Abbe School. Whilst, the issues around inclusion are complex, I appreciate the recognition by the Panel of the tremendous work done in by dedicated staff in this area.

Senator Mike Vibert