
29 January 1998

CIRCULAR

**THE
FURTHER
EDUCATION
FUNDING
COUNCIL**

**ARRANGEMENTS FOR
STUDENTS WITH LEARNING
DIFFICULTIES AND/OR
DISABILITIES REQUIRING
PROVISION IN 1998-99**

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To

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Heads of higher education
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Chief education officers
Principals of specialist colleges
outside the sector
Heads of careers services
Directors of social services

Circular type

Guidance

Summary

Arrangements for students with
learning difficulties and/or
disabilities requiring provision in
1998-99

Supersedes

Circular 97/01

Reference number: 98/03

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98/03

ARRANGEMENTS FOR STUDENTS WITH LEARNING DIFFICULTIES AND/OR DISABILITIES REQUIRING PROVISION IN 1998-99

INTRODUCTION

- 1 This circular sets out:
 - the arrangements for students with learning difficulties and/or disabilities requiring provision in further education sector colleges; and
 - the arrangements by which the Council will secure provision for students with learning difficulties and/or disabilities at specialist colleges outside the sector.

BACKGROUND

2 The Council's arrangements for students with learning difficulties and/or disabilities have been in place since 1993-94. They were first outlined in Circular 94/03. Since then a circular has been published annually detailing the arrangements for the following teaching year. The arrangements enable the Council to fulfill its legal duties under the *Further and Higher Education Act 1992* (the Act).

CONTENTS OF THE GUIDANCE

3 The guidance in this circular remains largely unchanged from that of previous years. Any changes are marked in the margin. The Council is, however, currently reviewing its internal arrangements for considering placement recommendations. This review will be completed by early March 1998. It will include an assessment of the Council's procedures in the light of its statutory duties and an identification of the appropriate roles of the Council and other agencies in the placement process. This may result in changes to the placement process from September 1999 onwards. The Council intends, therefore, to issue further information on the arrangements by which the Council will secure provision for students with learning difficulties and/or disabilities at specialist residential colleges in autumn 1998, which will outline any changes to the placements procedure for 1999 and beyond.

- 4 This guidance comprises:
 - Part 1 Legal background
 - role and responsibilities of the Council
 - role and responsibilities of local education authorities (LEAs)
 - Part 2 Provision for students at sector colleges
 - Part 3 Provision for students at a specialist college outside the further education sector.

There are 13 annexes to this circular:

- Annex A — the Council's regional offices and corresponding LEAs
- Annex B — schedule 2 to the *Further and Higher Education Act 1992* and the Council's associated criteria
- Annex C — the Council's criteria and factors for consideration for provision at a non-sector specialist college
- Annex D — effective transition
- Annex E — status of non-sector establishments
- Annex F — agreement between the Council and the local government association
- Annex G — non-sector specialist colleges at which FEFC-funded provision has been graded 3 or higher
- Annex H — schedule for the inspection of FEFC provision in non-sector specialist colleges, 1997-98
- Annex I — recommendation form: new student
- Annex J — recommendation form: extension.
- Annex K — sector college assessment report
- Annex L — specialist college initial assessment report
- Annex M — careers service report
- Annex N — specialist college review report

The forms at annex I and annex J may be photocopied. They are also available on disk. To request a disk, please contact Beverley Burgess at the Council's Coventry office.

PART 1 LEGAL BACKGROUND

Role and Responsibilities of the Council

5 The *Further and Higher Education Act 1992* (the Act) places a range of duties upon the Council to secure facilities for further education which are:

- sufficient for the needs of full-time students aged between 16 and 18
- adequate for the needs of full-time students aged 19 and over and part-time students aged over 16 where the course of study falls within the scope of schedule 2 to the Act.

6 Schedule 2 to the Act sets out a range of courses which lead to vocational or other recognised qualifications, either directly or indirectly. A copy of schedule 2 is attached at annex B, together with the Council's criteria and guidance on interpreting aspects of the schedule. Colleges are reminded that programmes of literacy, numeracy, ESOL and those for students with learning difficulties and/or disabilities are not required to have external accreditation. Colleges, however, are expected to retain rigorous evidence of progression for students whose programmes fall within schedule 2(j).

7 The Council also has the duty, when securing facilities for further education, to avoid disproportionate expenditure; to make the most effective use of its resources; and to have regard to any similar provision made by LEAs, grant maintained schools, non-maintained special schools, city technology colleges and city colleges for technology of the arts.

8 When discharging the general duties outlined above, the Council is required under the Act to have regard to the requirements of students with learning difficulties and/or disabilities. The Act states that a person has a learning difficulty if they have a significantly greater difficulty in learning than the majority of persons of their age; or they have a disability which prevents or hinders them from making use of facilities of a kind generally provided by colleges within the further education sector for people of their age. The Act also states that a person should not be taken to have a learning difficulty solely because the language or form of language in which he or she will be taught is different from that which has at any time been spoken in their home.

9 The Act states, in section 4(3), that the Council shall secure provision at a specialist college outside the sector for a student with learning difficulties and/or disabilities for whom adequate facilities are not available at a college in the sector, where this is in the student's best interests. This duty applies to students up to the age of 25.

10 The Council's duties under the Act towards students with learning difficulties and/or disabilities and the ways in which these should be discharged have been further outlined in the secretary of state's letter of guidance to the Council, published in Circular 92/08. This asked the Council to ensure that wherever possible, learning difficulties should be no bar to access to further education. The secretary of state also emphasised the importance of assessing a student's educational needs and of inter-agency collaboration in contributing to arrangements that would meet those needs.

11 In the light of these responsibilities, the Council has agreed criteria by which it will fund students to attend specialist colleges outside the sector. These are shown at annex C, together with the factors it will take into account in making funding decisions. The criteria and factors are unchanged from 1995-96.

12 The Council is not permitted, by section 5(4) of the Act, to give funds to LEA maintained schools, grant maintained schools, city technology colleges and city colleges for technology of the arts. This means that it cannot pay funds to specialist colleges outside the sector where those funds are subsequently paid to such an institution, for example, via a subcontracting arrangement. This prohibition relates to section 4 of the Act, whereby the Council may secure provision for students with learning difficulties and/or disabilities because such students cannot be provided for at a sector college.

13 Further information on the law governing the provision of further education to students with learning difficulties and/or disabilities is available in *Duties and Powers: The law governing the provision of further education to students with learning difficulties and/or disabilities* by Beachcroft Stanleys, solicitors. It is available from The Stationery Office (formerly HMSO), price £13.95.

Role and Responsibilities of Local Education Authorities

14 The DFE Circular 01/93, issued on 5 January 1993, outlines the continuing responsibilities of LEAs after colleges were given corporate status on 1 April 1993. These responsibilities cover:

- pupils over the age of 16 attending secondary schools
- where it is considered necessary, the provision of transport for students attending courses of further education
- the power to provide discretionary awards to students in further education.

15 Local authorities also have extensive duties and powers in respect of young people with learning difficulties and/or disabilities under other recent legislation including the *Children Act 1989*, the *Disabled Persons (Services, Consultation and Representation) Act 1986* and the *Education Act 1996*.

16 LEAs continue to offer considerable expertise and support to young people with learning difficulties and/or disabilities as they reach the end of their compulsory schooling and where they are considering embarking upon further education. Local authorities provide equipment, guidance and advice to young people and their families.

17 The *Trade Union Reform and Employment Rights Act 1993* (TURER) changed the basis on which careers guidance is provided. It places a duty on the secretary of state for education and employment to secure the provision of services to certain persons in full- and part-time education. When making arrangements, the secretary of state is required by the TURER to 'have regard to the requirements of disabled people'. The following client groups are eligible persons for the purposes of TURER and entitled to careers services free of charge:

- people in full-time education at any educational institution other than an educational institution within the higher education sector
- people in part-time education at any educational institution, other than an educational institution within the higher education sector, which is education commonly undertaken by people in order to fit them for employment

- people aged under 21 who have left education (other than higher education), or full-time training, up to two years earlier.

18 There is no age or time restriction in respect of people with disabilities, including learning difficulties. They remain part of the client group of the careers service until they are settled in their career intention.

19 The services provided by careers services and the standards which apply to them are specified in the document *The Requirements and Guidance for Careers Services*. Copies will be available at the end of February 1998 from DfEE Publications Centre, telephone 0845 6022260. *The Requirements and Guidance for Careers Services* is given effect through contracts with careers service providers. These include the requirement, when placing or referring clients to making representations on behalf of disabled or disadvantaged eligible persons and providing other relevant support and assistance where appropriate to enable eligible persons to secure suitable education, training or employment. (*Careers Services Contract 1997*). 'Eligible persons' is defined in paragraph 17 above.

20 The arrangements which LEAs must make for pupils with learning difficulties and/or disabilities who have a statement of special educational need were altered by the *Education Act 1996*. The arrangements include a tribunal to consider complaints against LEAs over the drawing up of a statement and in the delivery of the appropriate provision for a pupil. They also place new emphasis on the annual review of a statement, particularly at the age of 14, and on the development of transition plans and transition planning arrangements to ensure that young people can make an effective transition from school to further education.

21 The *Education Act 1996*, the *Education (Special Educational Needs) Regulations 1994* and the *Code of Practice on the Identification and Assessment of Special Educational Needs* set out the procedures to be followed by LEAs and schools for young people who have special educational needs, including those who do not have a statement. Copies of the *Code of Practice* are available from the DfEE. The *Code of Practice* came into effect from 1 September 1994. This means that for all young people covered by the code and considering leaving school in summer 1998, the LEA should now be

putting in place a transition plan. Colleges' attention is particularly drawn to the advice at annex D to this circular on arrangements for securing effective transition when young people reach the end of their compulsory schooling. LEAs are encouraged to contact local sector colleges to help them review the further education opportunities for individual young people and to contact the Council's regional offices to discuss their transition planning arrangements. LEAs are encouraged to forward copies of review reports and transition plans to the Council for those young people for whom a decision might need to be taken about specialist college provision outside the further education sector.

22 Where pupils over 16 years of age with learning difficulties and/or disabilities also have statements of special educational need, they are the responsibility of their home LEA and not the Council. This includes pupils whose statements require provision to be made for them in an independent school. As defined in legislation, a school includes an establishment which provides secondary education for children below the statutory school-leaving age. Further information is included at annex E.

23 The Council understands that the local authority spending settlement for 1998-99 will be informed, as in previous years, by LEA spending responsibilities, including those for pupils over the age of 16 attending schools.

24 The Council has not been put in funds to provide for students who are enrolled full time in a school and wish to follow part of their programme in a further education establishment during school hours. In such circumstances, this provision should be treated as link provision and it is expected that the school will meet the costs of the provision.

Other Relevant Legislation

Children Act 1989

25 The secretary of state has made an order to bring sector colleges within the scope of sections 27 and 47 of the *Children Act 1989*. Sections 27 and 47 of the *Children Act 1989* place duties on a number of agencies to provide assistance to local authority social services departments acting on behalf of children in need or investigating allegations of child abuse.

26 The DfEE's guidance to the education service on child protection procedures is set out in Circular 10/95: *Protecting Children from Abuse: The role of the education service*. The DfEE has asked the Council to remind schools and colleges that they have a role to play in identifying cases of suspected or alleged abuse and referring them to the appropriate investigating agency, usually the local social services department as well as co-operating with subsequent investigations. The guidance refers to all children, not just those with disabilities and/or learning difficulties who may have needs within the terms of the *Children Act 1989*. It is important, therefore, that all schools and colleges should have a member of staff with designated responsibility for liaising with other agencies and that local Area Child Protection procedures are known and followed. A 'child' is defined as a person below the age of 18.

Disabled Persons (Services, Consultation and Representation) Act 1986

27 Colleges are asked to note sections 91 and 92 of schedule 8 to the *Further and Higher Education Act 1992*. This amends the *Disabled Persons (Services, Consultation and Representation) Act 1986* in respect of duties towards students who are leaving full-time education. The Act requires college governing bodies to notify the local social services department when a disabled student for whom it is making provision will be leaving full-time education up to the age of 19.

Disability Discrimination Act 1995

28 The *Disability Discrimination Act 1995* amends the *Further and Higher Education Act 1992* to place a duty on the Council to:

- require sector colleges, as a condition of Council funding, to publish disability statements (containing information about the college's facilities for education for people with learning difficulties and/or disabilities); and
- produce an annual report to the secretary of state on its progress during the year and future provision for students with learning difficulties and/or disabilities.

29 The Council had received a copy of each college's first disability statement by January 1997. The statements were analysed in the light of advice from the DfEE. All of the statements comply with

the legislation and therefore met the Council's condition of funding in 1996-97. A more detailed analysis of the statements is under way. The Council is currently receiving copies of colleges' second statements which were produced by 1 October 1997. Students who consider that the college has not delivered further education in accordance with the statement will be able to make a formal complaint to the college. Complaints will be referable to the Council in the same way as complaints under the *Charter for Further Education*.

30 The DfEE has asked the Council that colleges' attention also be drawn to statements made by Lord Henley, Minister of State, Department for Education and Employment, during the passage of the *Disability Discrimination Act 1995* in respect of students's expectations. Speaking in the House of Lords on 18 July 1995, Lord Henley stated that once accepted by a college, students will be entitled to expect that they will enjoy the access and support necessary to pursue their studies.

Education Act 1997

31 The *Education Act 1997* contains the following provisions:

- colleges are required to provide appropriate access for students to guidance materials and a wide range of up-to-date information on careers education and careers opportunities
- colleges are required to work with careers services, providing reasonable access to students and to the information on students required by careers services to carry out their statutory duties.

32 Whilst this legislation does not currently apply to specialist colleges, the Council expects that appropriate careers education and guidance will be available to all Council-funded students.

PART 2 PROVISION FOR STUDENTS AT SECTOR COLLEGES

Funding Methodology 1998-99

33 The Council intends to publish the booklet *Funding Guidance 1998-99* in February 1998. This will give detailed information on the application procedures for funding for sector colleges and external institutions. The Council expects that colleges' funding applications will take account of an

analysis of the need for further education in their area through their strategic planning. Colleges which are planning to increase significantly the number of students requiring additional support are asked to contact their FEFC regional office. Colleges' links with LEAs and, in particular, information from transition plans should properly inform part of that analysis and will assist in colleges' planning of their applications for funding in 1998-99. The Council expects to attach the following condition to its funding:

- the institution shall endeavour to provide for at least the same number of students with learning difficulties and/or disabilities as it did in 1996-97 and at least to maintain the proportion of such students in its overall enrolment total
- as required by section 30(3) of the *Disability Discrimination Act 1995*, colleges shall publish a disability statement, as described in the *Education (Disability Statements for Further Education Institutions) Regulations 1996*.

Additional support

34 As part of their application for funding, colleges may claim additional funding units for direct costs associated with the support needs of individual students. As in 1997-98, there will be seven additional support cost bands.

35 Where a college wishes to claim additional support units, it should complete the standard additional support costs form published in *Funding Guidance 1998-99*. This should be retained by the college. The funding booklet will also include guidance on how to complete the form; on how additional support activities might be costed by colleges; and on audit evidence. Whilst the actual equipment costs cannot be included as additional support, a depreciation charge for the equipment may be included. It should be calculated by dividing the actual cost of the equipment by the estimated number of years of its useful life.

36 The number of additional support units that may be claimed in 1998-99 will be set out in the guidance booklet. To identify the number of units that may be claimed, the college should calculate, using the standard additional support assessment form, the additional costs incurred in the year in question to meet the additional needs of the particular student and thereby identify the

appropriate support band. Students for whom additional support units are being claimed will be required to sign the additional support costs form to ensure that they are involved fully in the assessment process.

37 Each student or their advocate should sign the learning agreement prepared by the college. The agreement should specify the additional support required by the student. The college is expected to deliver additional support to the student at the level costed, unless the learning agreement is revised.

Sector College Links with Specialist Colleges

38 Some sector colleges offer provision on a part-time or full-time basis to students who are funded by the Council to attend specialist colleges. In such cases, the specialist college is expected to pay an agreed fee to the sector college for the student's educational programme. No funding units, including units for additional support, may be claimed by the sector college for such students, as they are already funded by the Council at the specialist college. Individual details of such students should not be recorded on the sector college's statistical returns to the Council. However, an aggregate number should be returned on form ISRCOLLPIN of the individualised student record (ISR). The Council would not expect sector colleges to charge a fee to the specialist college which exceeds the level of funding the college would have calculated for the student had it included the relevant units within its funding application to the Council.

39 Sector colleges may purchase additional support for a student with learning difficulties and/or disabilities from, for example, a specialist college outside the sector, if appropriate.

PART 3 PROVISION FOR STUDENTS AT NON-SECTOR SPECIALIST COLLEGES

40 The Council has established its arrangements for securing provision for students at specialist colleges outside the sector in the context of the legal background described in part 1 of this circular. The arrangements therefore reflect the respective roles and responsibilities of the Council and LEAs. The formal agreement between the Council and the local government association (LGA) will remain in operation, subject to review of its operational details as appropriate. The next meeting of the LGA will be asked to ratify the minor amendments to the

agreement shown at annex F. The agreement recognises the important contribution made by local authorities particularly in:

- assessing the educational needs of young people with learning difficulties and/or disabilities
- supporting their effective transition to further education, where that is appropriate.

Assessment of Educational Needs and Recommendations Made by Local Authorities

41 The agreement referred to in paragraph 39 is attached at annex F. The purpose of the agreement is to bring about a thorough assessment of a student's educational needs. This enables the Council to take appropriate decisions about a student who may require further education provision at a specialist college outside the sector. The assessment will underpin the recommendation made to the Council by the student's home local authority where it considers that, on the basis of the assessment, their educational needs cannot be met at a school or sector college. Under section 4 of the *Further and Higher Education Act 1992*, the Council can only secure provision for a student outside the further education sector if facilities within the sector are not adequate. Therefore, LEAs are requested to contact local sector colleges at an early stage in the transition planning process. The Council would normally expect sector college consultation to involve a visit by the student to the sector college (or colleges) for interview and assessment. The sector college is requested to forward a report to the LEA which would then be included with any recommendation to the Council. Colleges may find the form attached at annex K useful in providing the information required by the Council. Such a report would usually include the following information:

- background information on any previous involvement the college has had with the student including, for example, college link courses
- details of the arrangements made for the interview and assessment and the outcome of the assessment of the student's educational needs and additional support needs in the light of the student's educational and career aspirations

- a judgement as to whether the college can offer the student a place at the college with appropriate support, details of the programme and the additional support the college can provide
- if provision is not available, the college should give reasons why not, for example, whether the programme or the learning support was not available. It would be helpful to know whether the college could provide for the student at some future date, for example, in six, 12, or 18 months' time, and what conditions would need to be satisfied for the student to be supported at the college.

42 As well as informing the Council about a student's educational needs, a thorough assessment is important as a way of helping the student identify her/his preferences and of describing an appropriate further education learning programme with clear objectives and support needs.

43 A recommendation should be made only where the student's assessment includes a report of a visit to, or stay at, the student's first choice of specialist college shown in the recommendation. The Council expects that specialist colleges will include the cost of any assessments carried out by the establishment within their overall fee structure. Colleges may find the form attached at annex L useful in providing the information required by the Council. The Council will not normally consider recommendations which do not specify an alternative establishment. Where an alternative establishment is not given on the recommendation form, the referring agency should explain why this is not appropriate.

44 Further details of what comprises a thorough assessment of educational needs are included at paragraphs 14 to 16 of the agreement at annex F. Recommendations should be made on a recommendation form: new student or a recommendation form: extension, as appropriate. These forms are at annex I and annex J respectively of this circular and may be photocopied. They are also available on disk. To request a copy of the disk, contact Beverley Burgess at the Council's Coventry office.

45 The agreement indicates which agency would normally be expected to originate a recommendation to the Council. This would usually be the LEA but in

certain circumstances it might be the social services department or careers service. Where the careers service is producing a report as part of a recommendation, it may wish to refer to the form at annex M. Where the originating agency is not the LEA, a relevant senior member of the LEA is asked to sign the recommendation form. This will confirm that:

- the LEA has agreed to another agency assuming the lead role in the recommendation process and is satisfied that the recommendation process is soundly conducted and supports the recommendation
- the information on the recommendation form is consistent with that held by the LEA and the authority has had the opportunity to consider the extent of the continuing involvement proposed in the recommendation, for example, from the social services department.

46 Where a student or their parent/advocate wishes provision to be made in a specialist college but the LEA, after considering all the circumstances, does not believe that such provision is appropriate, the LEA is asked to complete the recommendation form and return it to the Council stating that it does not support the recommendation and making clear the reasons why it does not. The LEA should advise the student/parents accordingly. The Council will then consider the student's or parents' application. Students or parents with queries on this paragraph may be referred to the relevant regional office by the LEA.

Scope of the Agreement

47 The agreement between the Council and the LGA covers students who wish to attend a specialist college outside the sector:

- for whom the local authority currently has a responsibility
- for whom local sector provision is not adequate
- who come within the scope of the Council's legal duties.

48 Full details are given within the text of the agreement.

49 For students covered by paragraph 13(a) and 13(c) of the agreement, the local authority will usually have a full range of information on which to base an assessment and recommendation. Most of these students will previously have had a statement of special educational need underpinned in turn by extensive expert information on the student's educational needs. Increasingly, this will have been recently updated under the terms of the *Code of Practice* issued by the DfEE to implement the *Education Act 1996*. A record of the student's review meeting and transition plan, together with a record of any subsequent review meetings, should be forwarded with the recommendation.

50 For students covered by paragraph 13(b) and 13(d) of the agreement, the local authority may have less comprehensive or up-to-date information, although it will probably have some information which could assist a thorough assessment. When the Council receives a recommendation for such a student, it may contact the student's local authority to establish the extent of the available information. It may then make arrangements for assessing the student's educational needs on an individual basis. Where a student who requires the provision offered by a specialist college comes to the attention of a college in the sector, a local authority or specialist college outside the sector, the head of the Council's regional office in the area in which the student lives should be contacted in order to identify whether a new assessment of educational need is required. With the exception of any costs of assessment which are incurred by the specialist college, and which should be incorporated into the fee structure, the Council will be prepared to consider contributing towards the cost of an assessment of such a student's educational needs. Such an assessment will be required to be objective and sufficiently comprehensive to inform the Council's decision. The relevant regional office should be contacted first.

Extended Provision at a Specialist College

51 Some students currently at a specialist college outside the sector on a course which falls within the Council's duties may wish to extend their placement beyond the duration originally agreed by the Council. For example, the student may wish to have a longer period at college to complete their course as a result of illness. To make a decision the Council will require:

- a summary of the progress made by the student
- an assessment of the student's achievements against the original objectives
- a detailed explanation of why the student requires extended provision, indicating, among other things, the new objectives to be achieved and why the proposed provision is in their best interests
- evidence that sector college provision has been considered. Paragraph 41 outlines the information required from sector colleges.

52 Annex J to this circular contains a form for recommendations on behalf of students seeking an extension to their Council funding. This form allows the specialist college initially to complete the relevant parts. The form should then be sent to the local authority to be completed and forwarded to the Council. For students currently funded by the Council for a period shorter than that originally sought, the Council and the local authority should be sent a review report about the student's educational progress with a justification for extended funding by the end of the penultimate term funded by the Council. Only if information in the review report is not adequate to enable the Council to make a decision using its criteria, will an extension form be requested. Colleges in doubt should contact the relevant regional office. Only in exceptional circumstances (for example, prolonged or unexpected illness) would the Council consider an extension request where a final year of funding had previously been specified.

53 It is unlikely that information from the specialist college alone will be sufficient to enable the Council to reach a decision about students seeking an extension. The views of careers advisers and, where appropriate, social workers, may also be required. Attention is drawn in annex C to the criteria and factors for consideration by the Council in order to reach a decision about extension recommendations. The Council is concerned that, for a significant number of students during 1997-98, no alternative arrangements appear to have been considered for young people whose funding was to be concluded and no other agencies appear to have been involved to support the necessary transition from the specialist college. Specialist colleges are strongly encouraged to make early contact with

appropriate agencies to support students completing their programmes. It is expected that extension requests will be forwarded to the Council as early as possible before the start of the course extension or new course. The extension form should show, in particular, that the student has been able to consider a range of options and that local sector colleges have been consulted to see whether provision is available suitable to the requirements of the student. The Council would usually expect the student to have had the opportunity to visit relevant sector colleges.

54 Students currently funded by another agency whose funding period is coming to an end, but now wish to be funded by the Council, are covered by the arrangements for new students as they will be new to the Council.

Council Considerations and Procedures

55 In reaching a decision about a recommendation for a new student or about an extension for a student currently funded by the Council, the Council will have regard to:

- its legal duties under the *Further and Higher Education Act 1992*
- the criteria for decisions and factors to be taken into account.

56 Recommendations received by the Council will be considered by the relevant regional office. The Council also has in place procedures for moderating decisions, in order to ensure consistency and equity.

57 In the light of its legal duties, the Council may wish to agree to joint funding for a student, for example with the social services department, health authority, local education authority or other body. Whilst it is difficult to prescribe in advance the precise circumstances, experience to date and the duties of other agencies indicate that joint funding is likely to be applicable where:

- the Council considers that the student and/or the proposed course of study falls only partially within the scope of its legal duties. For example:
 - where a student who is 19 or over wishes to pursue a full-time programme where only some of the components fall within schedule 2 to the Act;

- the Council considers that the student and/or their proposed course of study falls partially within the scope of the legal duties of other agencies, for example, social services, because:
 - i. the reasons for residential further education do not arise predominantly from educational needs; for example, a student who has to live away from home for domestic reasons
 - ii. the student is already a client of another agency, such as social services, and has a care plan which includes educational provision as part of an overall package to which other agencies are contributing
 - iii. the student receives social security benefits and allowances which might reasonably contribute to the overall costs of their provision, particularly the residential component.

58 To this end, the recommendation forms include reference to funding from, and the responsibility of, other agencies. The Council would expect that, wherever possible, funding decisions can be taken by the relevant agencies before the recommendation form is forwarded to it. Local authorities are encouraged to make early contact with the relevant regional office in the event of possible queries. In 1997-98, 593 students from a total of 2,034 funded at specialist colleges are having part of their fees met from a source other than the Council. About 70 per cent of these students are over 19 and in nearly all cases their funding is met in part by their social services departments or their social security benefits.

59 The Council's consideration of its legal duties and the recommendations received may also lead it in the first instance to agree a shorter period of funding than originally requested.

60 A list of specialist colleges at which Council-funded provision has been judged to have at least a balance of strengths and weaknesses; that is, a grade 3 or above, is attached at annex G. In April 1997 the Council notified principals of specialist colleges, heads of careers services and chief education officers that it is not prepared to consider recommendations for placements at colleges where

Council-funded provision has been graded 4 or 5 until such time as provision has been reinspected and judged to have at least a balance of strengths and weaknesses. The Council is prepared to consider extensions to the placements of existing students at colleges where Council-funded provision has been graded 4 or 5 if the student wishes to continue in the placement and the referring agency believes the placement is in the student's best interests. An alternative placement must, however, be specified. The list at annex G may not include the names of a small number of colleges where placements have recently been agreed by the Council and where an inspection visit is to be arranged during 1998-99. Referring agencies are asked to contact Beverley Burgess at the Council's Coventry office if they have any queries.

61 Referring agencies are requested to make early contact with regional offices if a proposed placement is at an establishment where the Council has not previously funded provision. The regional office should be contacted before a recommendation is forwarded to the Council. The Council will contact the proposed establishment and its enquiries may mean that a decision cannot be reached within six weeks of its receipt. As with all recommendations, an alternative choice establishment must be specified. The Council currently funds a range of specialist provision nationally for students with learning difficulties and/or disabilities and does not expect to receive a significant number of recommendations for provision at new establishments.

62 Completed recommendation and extension forms should be forwarded to the appropriate regional office listed in annex A. Referring agencies are also asked, at the same time, to obtain permission from the student and send a copy of the completed form to the specialist college for which the recommendation has been made.

63 For 1998-99, the Council will communicate its decisions to the student, their parents or advocate, the specialist college, the sector college or colleges involved in the assessment and the referring agency at the same time. Where the Council agrees to fund a student's placement, a schedule and purchase order will be issued to the college. This should be checked by the college to ensure that it accurately reflects the student's learning programme. Colleges are requested to contact the relevant regional office as soon as possible after receipt of the schedule and

purchase order, if any amendments are necessary. Colleges should forward to the Council a review of the student's progress at the end of the first term and at the end of each subsequent year of agreed Council funding. Colleges may find the form at annex N useful for this purpose. Where the Council decides not to fund the student's placement, it will explain its reasons in the light of its legal duties and the criteria and factors set out at annex C.

Reviews of Decisions

64 Where the student and their parents or advocate are not content with the Council's decision, they may request, by writing to the head of the relevant regional office, that it is reviewed. The review arrangements remain unchanged for 1997-98. They provide for:

- a request from the Council for additional information which might lead the Council to a different decision. This information should address the considerations shown in annex C, which will be set out in the letter informing the student of the decision. This additional information will be considered by staff at the regional office and a decision will be communicated to the student and their parents or advocate
- the student and their parents or advocate, should they remain dissatisfied with the decision, to request that the decision is reviewed by an independent appeals panel.

The independent appeals panel comprises persons from outside the Council's staff. The student and their parents or advocate will be invited to attend the appeals panel. The panel will be able to commission additional expert advice where it considers this necessary.

Payments

65 Payments to specialist colleges will be made termly. As in 1997-98, colleges will be required to verify enrolment and payment details as set out in the enrolment lists provided by the Council at the start of the college year. The returned enrolment lists will form the basis for calculating the termly payments. Fees will be paid at the start of each term subject to confirmation of students' continued attendance at college. Colleges are reminded not to

forward invoices or any other form of payment request to the Council.

66 As for the last five years, payments are subject to a general agreement between the Council and the specialist college, copies of which are available on request. Colleges should note in particular the requirement to forward their audited accounts to the Council within six months of their financial year-end. In the event that accounts are not received, payments may be suspended.

67 The Council notified colleges in April 1997 of the fees for Council-funded provision in 1997-98. The Council has commissioned independent consultants to inform its future decisions on fees for provision at specialist colleges. It is expected that the report of the consultancy team will be received by April 1998. The report will inform the Council's decisions on fees for 1999-2000.

68 The Council is considering its arrangements for fees in 1998-99 in the light of the government's decisions on funding for further education made at the end of November 1997. Colleges will be notified of the funds the Council is prepared to make available for student placements in 1998-99 by April 1998. Placements agreed by the Council for 1998-99 will be funded at the approved fee level for 1998-99. Colleges are expected to make appropriate provision for students within this fee level.

69 A small number of requests were received in 1997-98 for additional funding for individual student placements above the approved fee. The Council does not expect to receive requests for additional funding once a student's placement has been agreed. The Council will only agree to consider additional funding requests for new placements in the most exceptional circumstances. In such cases, referring agencies are requested to contact the relevant regional office before forwarding a recommendation form as the Council will only consider such requests where:

- there is evidence, as a result of the college's assessment of the student, that the student's learning support requirements are exceptional and significantly higher than those of other Council-funded students at the college
- there is evidence that alternative provision has been investigated but is unavailable or inappropriate.

European Social Fund

70 Council funding for students with learning difficulties and/or disabilities provides a gross fee to fund all aspects of a student's placement. For the purposes of the European social fund (ESF), this provision should be regarded as fully funded by the Council. Council funding for these students should not, therefore, be used to match fund applications for ESF support. If colleges have any queries concerning ESF, they should contact Scott Winter at the Council's Coventry office.

Quality of Provision

71 The Council is concerned to ensure that all the students for whom it secures placements at specialist colleges benefit from educational provision which is of a high standard and which meets their educational needs. During 1997-98, a small team of specialist inspectors are continuing with a programme to inspect the quality of the provision funded by the Council at specialist colleges. This inspection covers the general quality of the educational context within which learning takes place and the individual learning programmes of students funded by the Council. Colleges are encouraged to address any weaknesses identified in the inspection report in an action plan. The inspectorate's findings will influence future decisions about the funding of placements for students at individual colleges. The reports arising from the inspection visits are not published but made available to the specialist college. Each college is encouraged to respond to requests for copies from interested parties. Referring agencies are strongly encouraged to refer to the inspection report, where provision has been inspected, when considering recommendations. Referring agencies which experience difficulties obtaining copies of recent reports should contact the Council. The timetable of inspection visits for 1997-98 is attached at annex H.

Timetable

72 The Council requires a minimum period in which to give full and proper consideration to the recommendations it receives. It would normally expect to reach a decision within six weeks (30 working days) where the recommendation contains all the information that is needed for the decision to be made. Incomplete recommendation forms, and those where supplementary information

has not been attached, delay decisions. In 1997-98 60 per cent of recommendations forwarded to the Council did not include all the information required to make a decision. The Council is concerned that, for a significant number of students wishing to commence their programmes in 1997-98, recommendations were received in the period from June to August 1997. For placements starting in September 1998, referring agencies are, therefore, requested to forward recommendations as soon as possible and in any event, before mid-May 1998. The Council cannot guarantee that recommendations received after May, particularly where they do not include adequate information, can be determined by the end of the summer term.

ENQUIRIES

73 Please address enquiries about this circular to the relevant regional office in the first instance. Telephone numbers and addresses are given at annex A.

David Melville

THE COUNCIL'S REGIONAL OFFICES AND CORRESPONDING LOCAL EDUCATION AUTHORITIES

<i>Regional office</i>	<i>LEA</i>
Eastern Region Regional director Martin Lamb 2 Quayside Bridge Street Cambridge CB5 8AB Tel: 01223 454500	Bedfordshire Buckinghamshire Cambridgeshire Essex Hertfordshire Luton Milton Keynes Norfolk Peterborough* Southend-on-Sea* Suffolk Thurrock*
East Midlands Regional director Christine Anderson Frost Cheylesmore House Quinton Road Coventry CV1 2WT Tel: 01203 863000	Derby City Derbyshire Leicester City Leicestershire Lincolnshire Northamptonshire Nottingham City* Nottinghamshire Rutland
Northern Region Head of regional office Susan Bickerton Clough House Kings Manor Newcastle upon Tyne NE1 6PA Tel: 0191 211 2200	Darlington Durham Gateshead Hartlepool Middlesbrough Newcastle upon Tyne North Tyneside Northumberland Redcar and Cleveland South Tyneside Stockton Sunderland
Greater London Head of regional office Celia Cohen Metropolis House 22 Percy Street London W1P 0LL Tel: 0171 312 4100	Barking and Dagenham Barnet Bexley Brent Bromley Camden City of London Croydon Ealing Enfield Greenwich Hackney Hammersmith and Fulham Haringey

Regional office	LEA
	Harrow
	Havering
	Hillingdon
	Hounslow
	Islington
	Kensington and Chelsea
	Kingston upon Thames
	Lambeth
	Lewisham
	Merton
	Newham
	Redbridge
	Richmond upon Thames
	Southwark
	Sutton
	Tower Hamlets
	Waltham Forest
	Wandsworth
	Westminster
South West	Bath and North East Somerset
Head of regional office	Bournemouth
Catherine Christie	Bristol
Kempton House	Cornwall
Blackbrook Park Avenue	Devon
Taunton	Dorset
TA1 2PF	Gloucestershire
Tel: 01823 444404	North Somerset
	Plymouth*
	Poole
	Somerset
	South Gloucestershire
	Swindon
	Torbay*
	Wiltshire
South East	Bracknell*
Regional director	Brighton and Hove
Marilyn Frampton	East Sussex
3 Queens Road	Hampshire
Reading	Isle of Wight
RG1 4AR	Kent
Tel: 01734 554200	Medway*
	Oxfordshire
	Portsmouth
	Reading*
	Slough*
	Southampton
	Surrey
	West Berkshire*
	West Sussex
	Windsor and Maidenhead*
	Wokingham*

Regional office	LEA
West Midlands	Birmingham
Head of regional office	Coventry
Patrick Rooney	Dudley
Cheylesmore House	Herefordshire*
Quinton Road	Sandwell
Coventry	Shropshire
CV1 2WT	Solihull
Tel: 01203 863000	Staffordshire
	Stoke on Trent
	Telford and Wrekin*
	Walsall
	Warwickshire
	Wolverhampton
	Worcestershire*
Yorkshire and Humberside	Barnsley
Regional director	Bradford
Julia Lacey	Calderdale
1 Blenheim Court	City of York
Blenheim Walk	Doncaster
Leeds	East Riding of Yorkshire
LS2 9AE	Kingston upon Hull
Tel: 0113 245 2644	Kirklees
	Leeds
	North East Lincolnshire
	North Lincolnshire
	North Yorkshire
	Rotherham
	Sheffield
	Wakefield
North West	Blackburn with Darwen*
Regional director	Blackpool*
Emily Thrane	Bolton
10 Brindley Road	Bury
City Park Business Village	Cheshire
Cornbrook	Cumbria
Manchester	Halton*
M16 9HQ	Knowsley
Tel: 0161 877 3811	Lancashire
	Liverpool
	Manchester
	Oldham
	Rochdale
	St Helens
	Salford
	Sefton
	Stockport
	Tameside
	Trafford
	Warrington*
	Wigan
	Wirral

**from 1 April 1998*

SCHEDULE 2 TO THE FURTHER AND HIGHER EDUCATION ACT 1992 AND THE FEFC'S ASSOCIATED CRITERIA

<i>Schedule 2 paragraph reference</i>	<i>Summary description of course</i>	<i>Criteria for eligibility for funding by FEFC</i>
a.	vocational qualification	approved by the secretary of state
b.	GCSE or GCE A/AS level	leads to an examination by one of the GCE/GCSE examining boards
c.	'access' course preparing students for entry to a course of higher education	approved by the secretary of state
d.	course which prepares students for entry to courses listed in (a) to (c) above	<p>i. primary course objective is direct progression either to a specific vocational course, GCSE, GCE A/S level or an access course as outlined above, or to a group of such courses; and</p> <p>ii. course includes external accreditation which entitles students to progress to courses (a) to (c)</p>
e.	basic literacy in English	provides students with basic literacy skills
f.	teaching English to students where English is not the language spoken at home	improves the knowledge of English for those for whom English is not the language spoken at home
g.	basic principles of mathematics	course designed to teach the basic principles of mathematics
h.	courses under this part of schedule 2 (courses for proficiency of literacy in Welsh) will be the responsibility of the Further Education Funding Council for Wales	
j.	independent living and communication for those with learning difficulties which prepare them for entry to courses listed in (d) to (g) above	<p>i. primary course objective is progression to a course which prepares students for entry to courses listed in (d) to (g) above; and</p> <p>ii. course includes college accreditation which enables the student to progress to courses (d) to (g); or</p> <p>iii. evidence of progression to courses (d) to (g) can be provided to the Council</p>

Notes

The following notes may be of assistance in determining whether or not a course falls within the scope of schedule 2.

Paragraphs (a) and (c) An updated list for 1998-99 of the vocational qualifications and access courses approved by the secretary of state is available from the Department for Education and Employment. Copies have been sent to chief education officers.

Paragraph (d) Only qualifications which are externally accredited are recognised for funding purposes in 1998-99.

Paragraph (j) The Council will expect evidence of assessment procedures to be available; acceptable evidence of a course ensuring a progression route to courses which fall under paragraphs (d) to (g) includes student destination data or the student's achievement of a qualification which enables progression.

Paragraph (f) The Council's duty extends to the home population of England.

THE FEFC'S CRITERIA AND FACTORS FOR CONSIDERATION

The Council will take decisions regarding funding for an individual student based on the recommendations of local authorities and in the context of its legal duties. Before reaching a decision the Council will consider whether or not the individual and the proposed course of study fall within the scope of those duties. In reaching a decision the Council will take account of the following criteria and factors which are unchanged from 1995-96:

Criteria

- the student's educational needs have been adequately assessed, in particular that the individual and his/her advocate have been involved in the process and that up-to-date professional advice is available
- that the facilities available in the sector are not adequate to meet the individual's needs
- that the recommended placement is in the student's best interests
- that appropriate educational provision cannot be secured for the individual either in the sector or through an alternative placement which would represent better value for money.

Factors

- the qualification/progression aim of the course and the extent to which this meets the educational needs and aspirations of the student
- the additional or specialist learning support required by the student to complete the course
- the arrangements in place for recording and reviewing the student's progress
- the physical suitability of buildings, including residential facilities
- the availability of additional or specialised personal and/or physical support and care arrangements
- opportunities for social and recreational activities

- travelling requirements
- joint funding of the placement with other agencies has been considered in the light of the above criteria
- reasonable account has been taken of the student's expectations of a further education placement
- the schedule 2 content of the course where appropriate
- the likely educational benefits to the student and the costs of the proposed provision.

EFFECTIVE TRANSITION

Much recent debate about education provision for young people with learning difficulties and/or disabilities has focused on the key role that effective transition can play in enabling the young person to make educational, social and personal progress. The emphasis in the *Code of Practice* published by Department for Education to underpin the *Education Act 1996* (formerly part of the *Education Act 1993*) reflects this view. As an aid to colleges within and outside the sector and to those working with young people as they approach the end of their compulsory schooling, an extract from DFE evidence to the learning difficulties and/or disabilities committee is reproduced below. For its part, the Council is considering how it can best contribute to the objectives set out in the *Code*, in addition to publishing the DFE's evidence.

Extract from *The Code of Practice: Paper for FEFC Learning Difficulties and/or Disabilities Committee* – Department for Education

POST-16 EDUCATION PROVISION

24 *A crucial aspect of the provision made by schools and LEAs for pupils with special educational needs (SEN), both with and without statements, is the regular review of each child's needs, progress and provision. For children without statements, this may take the form of a regular review of the child's individual education plan. Children with statements must have those statements reviewed at least once every twelve months. Such reviews should be thorough and comprehensive. Their conduct is now, for the first time, prescribed by Regulations. The review at 14+ is therefore an appropriate place for the question of the child's transition to adult life and post-16 educational provision to be considered.*

25 *Thus, as the impact of the Code of Practice is felt, further education colleges and all agencies concerned with transition to post-16 provision may expect to receive much fuller information about a young person with SEN, whether or not that young person has had a statement. All schools must set out in their SEN policies the arrangements they make to facilitate transition for young people with SEN. So far as the individual without a statement is concerned, schools will have full records of the action they have taken and the progress the young person has made. Those records may include an informal transition plan. All young people with statements will have formal Transition Plans,*

drawn up at the review following their 14th birthday and updated thereafter.

26 *The agreement of a Transition Plan by all parties should help to curtail if not eliminate problems which sometimes arise when a young person with a statement reaches 16 and there remains dispute between the LEA and the parents, or the LEA and the FEFC, as to the young person's future placement and responsibility for the funding of that placement. The work of the Tomlinson committee and discussions between DFE, the LEAs and the FEFC will clearly be important in resolving any remaining uncertainties as to the bodies responsible for young people at the boundaries of school and FE provision.*

Children without Statements

27 *Paragraphs 6:61 and 6:62 of the Code of Practice deal specifically with the transition of students without statements but with SEN. Advice elsewhere in Part 6 of the Code is also relevant. Particular features of the Code's guidance are that schools should:*

- *draw up policies on transition, setting out those policies in their published SEN policy and reporting annually on their implementation. Those policies may entail the development of informal transition plans*
- *foster close links with local further education colleges. Link provision can provide opportunities for integration, extending the curriculum and offering an introduction to the adult environment of further education*
- *consult all other relevant agencies, such as the careers service and ensure that students have appropriate help and guidance*
- *seek and take into account wherever possible the views of young people themselves and*
- *ensure that all relevant information, including, for example, Records of Achievement, are transferred, with the young person's consent, to FE colleges.*

28 *At the same time, LEAs and colleges should provide schools with information on transition to the FE sector and with details of local and national voluntary organisations which may be able to help students and their families.*

Children with Statements

29 Under the 1981 Act, LEAs were required to make a further statutory assessment of all young people with statements around the time of the 13th birthday. Under the 1993 Act, that 13+ reassessment is no longer obligatory. The more rigorous annual reviews required by the regime should ensure regular reflection on the child's needs and provision. Moreover, the 1993 Act introduces a new system, designed specifically to facilitate transition to post-16 provision, to the FE sector or elsewhere.

30 All annual reviews prior to the child's 14th birthday must, henceforth, be convened by the child's head teacher, who will also write the review report (the head teacher can, of course, delegate any of his duties to another teacher at the school). However, at the 14+ review, the LEA will take responsibility for convening the review and producing the report. The LEA must invite representatives of agencies which will play a role in the child's life following his or her transfer from school to adult life. Such agencies will include social services and the careers service and may also include representatives of a further education college which the child may wish to attend.

31 The 14+ review and all subsequent reviews, will produce a Transition Plan, which will draw together information from a range of individuals within and beyond the school in order to plan coherently for the young person's transition. The Plan will build on the conclusions reached and targets set at previous reviews, and should focus on areas of strength and weakness, covering all aspects of the young person's development. As well as addressing the young person's own hopes and aspirations, it will also allocate clear responsibility for different aspects of development to specific agencies and professionals. This Plan will be updated at all subsequent reviews until the young person leaves school. It is to be hoped that local FE colleges will seek to be involved in this process, preparing both themselves and the young person for his or her transfer to the sector.

32 LEAs should ensure that, with the young person's consent, a copy of the statement, together with a copy of the most recent annual review (including the Transition Plan), is transferred to the social services department and the FE college that the young person will be attending. Where a decision might need to be taken by the FEFC about the placement of a student in a specialist college outside the FE sector, a copy of the Transition Plan should be sent to the FEFC.

Other Significant Legislation

33 The Transition Plan is to be drawn up at the first annual review after the young person's 14th birthday in part to ensure close cooperation between LEAs and social services departments in fulfilment of their duties under the 1993 Act and the Disabled Persons Act. Sections 5 and 6 of the latter Act require LEAs to seek information from social services departments as to whether a child with a statement is disabled and may require services from the local authority when leaving school whether at 16 or later. The LEA must inform the appropriate and designated officer of the relevant social services department of the date of the child's first annual review after his or her 14th birthday and must similarly inform the social services department – if it is agreed that the child in question is disabled – between eight and twelve months before the expected school leaving date. Social services departments must be invited to attend the review at which the Transition Plan is first drawn up so that any parallel assessments under the Disabled Persons Act, the NHS and Community Care Act and the Chronically Sick and Disabled Persons Act can contribute to and draw information from the review process and the Transition Plan.

34 The Children Act 1989 and the NHS and Community Care Act 1990 require social services departments to arrange a multi-disciplinary assessment and provide care plans for children and adults with special needs. This may include the provision of further education facilities. This process of assessment may proceed in tandem with the review process under the 1993 Act. Any additional information will be valuable to FE institutions, and should be transferred with the young person's consent.

CONCLUSION

35 The 1996 Act (formerly part of the Education Act 1993), its associated Regulations and the Code of Practice seek to build on principles established by the 1981 Act, while addressing some of the practical problems associated with that Act. The legislation brings difficult questions into the open and in doing so, promotes greater clarity of responsibility, greater partnership and more systematic thinking on the part of all concerned. This should ensure not only that the pupils moving to further education have received more effective provision, but that the colleges to which they move are better informed and so in a better position to make their own contribution to the young person's progress.

DEPARTMENT FOR EDUCATION

September 1994

STATUS OF NON-SECTOR ESTABLISHMENTS

1 Pupils over 16 years of age who have learning difficulties and/or disabilities are the responsibility of their home LEA and not the Council where they have statements of special educational need. This includes pupils whose statements require provision to be made for them in an independent school.

2 Independent schools are required to register with the Department for Education and Employment (DfEE) under the *Education Act 1996*.

Non-maintained special schools catering for students with learning difficulties and/or disabilities are required to register with the DfEE under the *Education Act 1996*. If a non-maintained special school approved under section 342(1) of the 1996 Act wishes to reduce its upper age limit from, for example, 19 to 16 it must seek the approval of the secretary of state. This requirement also applies to those independent schools approved under section 347(1) of the *Education Act 1996* to cater for students with statements of special educational need.

3 The redesignation of the age range of a school from, for example, 11 to 19 to 11 to 16 by the DfEE does not necessarily mean that the post-16 component of the school automatically acquires the separate legal status of a college. The Council will look, on an individual basis, at any requests from schools for their post-16 unit to be regarded as a separate establishment. There are certain characteristics which the Council would expect to see to indicate that a further education unit may be considered a separate legal entity. These may include the following:

- a separate constitution, for example, separate arrangements in place to record and regulate how the college is managed, how it occupies its premises, employs its staff, separate curriculum
- a separate charity registration, if applicable
- a separate governing body
- separate accounts.

4 Any non-maintained or independent special school planning such a change of status is encouraged to contact the Council's Coventry office before formal proposals are sent to the Department for Education and Employment.

AGREEMENT BETWEEN THE FEFC AND THE LOCAL GOVERNMENT ASSOCIATION

The next meeting of the Council and the local government associations (LGAs) will be asked to ratify the minor changes to this agreement.

Assessing the educational needs of students with learning difficulties and/or disabilities wishing to attend specialist colleges outside the further education sector.

INTRODUCTION

1 The purpose of this agreement is to set out formally the respective roles of local authorities and the Further Education Funding Council (the Council) in respect of students with learning difficulties and/or disabilities for whom provision may be secured by the Council at a specialist college outside the further education sector under section 4 of the *Further and Higher Education Act 1992* (the Act).

Background

2 Local authorities play a vital part in securing an effective transition for young people with learning difficulties and/or disabilities as defined by the Act from school to further education. This will include, in appropriate circumstances, offering advice about courses, location of study, additional support that may be required, equipment and other aspects relevant to the student's choices at 16 plus and beyond. The work of local authorities in this context means that they continue to be well placed to assess the educational needs of those students with learning difficulties and/or disabilities for whom further education provision needs to be secured outside the further education sector. Since 1994, it has been the duty of the secretary of state to provide impartial careers information, advice and guidance. This is carried out by a network of careers services.

3 The Council has to take decisions about individual students with learning difficulties and/or disabilities on the basis of a thorough assessment of their individual educational needs in the light of its legal duties.

4 Accordingly, the Council and the LGA have reached an agreement which formally recognises the Council's needs and the continuing duty and role of local authorities. This agreement takes account of

the role of local education authorities (LEAs) under the Act and the *Education Act 1996*, of social services departments and of the careers service under relevant legislation. The purpose of the agreement with the association is to ensure that the best possible advice is given both to individual students and the Council. The arrangements required by the *Education Act 1996* are set out in the *Code of Practice* published by the Department for Education and Employment.

5 For 1998-99, the agreement has the following components:

- role of local authorities
- role of the Council
- scope of the agreement
- assessment arrangements
- information to be provided to the Council
- communications.

Role of Local Authorities

6 Local authorities are asked for each student who comes within the scope of the agreement and for whom a placement at a specialist college is considered appropriate:

- to make available to the Council advice on the educational needs of the individual student and the supporting assessments carried out by the LEA in meeting its statutory duties, arising particularly under the *Education Act 1996*
- to identify, in the context of that advice and assessment, where possible, to what extent the required provision and support is unavailable at a sector college
- to recommend to the Council, in the context of that consideration, a placement which will meet the student's needs at an institution outside the sector.

7 In considering the recommendation, the local authority will take account of the student's own views. This will normally be available from their most recent annual review. Under the terms of the *Education Act 1996* this will be addressed in the student's transition plan.

8 In most cases the appropriate lead agency within the local authority will be the education department. It is open to the LEA to agree that the careers service acts as lead agency in the completion of the recommendation form. If it is the careers

service which takes the lead, the recommendation must have the support of, and be signed by, the LEA.

Role of the Council

9 The Council's role under this agreement is to:

- receive recommendations in respect of individual students based on an assessment of their educational needs
- reach appropriate decisions about such recommendations against published criteria and in the light of its legal duties
- communicate these decisions appropriately and, wherever possible, in good time.

10 The Council will also play its part in securing effective transition arrangements for individual students, in securing sufficient and adequate facilities for further education; and in continuing to work with local authorities to these ends, within the context of its legal duties.

11 It is also necessary to make arrangements for those few cases where an LEA does not wish to make a recommendation and is challenged by the student and/or their parent/advocate. In such cases the student/parent/advocate should discuss the situation with the LEA, inviting it to forward a completed form to the Council and making it clear that the recommendation is not supported. If the LEA is not willing to do this it is requested to contact the relevant regional office. Where a student challenges the Council's decision on a recommendation received from the student's local authority, the Council's review procedures will apply. These will be explained to the student appropriately.

Scope of the Agreement

12 The agreement between the Council and the LGA extends to students wishing to attend a specialist college outside the further education sector for whom the local authority currently has a responsibility, for whom no sector provision is appropriate and who come within the scope of the Council's legal duties. The agreement will apply largely to students whose educational needs were previously covered by a statement under the *Education Act 1996*. In some exceptional cases it will also apply to students whose educational needs are not covered by a statement, but whose educational needs nevertheless require provision to be secured for them at a specialist college outside

the sector, where this is the recommendation of the student's local authority.

13 The scope of the agreement is as follows:

- a. students rising 16 or otherwise approaching the end of their schooling: recommendations to be received from their home LEA;
- b. older students and/or those who have had a break from education: recommendations to be received from their home LEA if possible. In other cases it might come from another agency within the authority or from the careers service and the Council might reasonably seek advice or information from the LEA and/or commission an independent assessment of the student's educational needs;
- c. students already attending specialist colleges outside the sector and currently supported by an LEA: recommendations to be received from their home LEA;
- d. students already attending specialist colleges outside the sector and originally placed by the Council: the Council might reasonably seek the views of the student's local authority social services department and/or the careers service. The LEA might be able to confirm historic information, or provide professional expertise if this was specifically invited.

Assessment Arrangements

14 In accordance with recognised best practice, the Council and the LGA consider that a thorough assessment of a student's educational needs will be based on:

- the young person and their parent/advocate receiving a full range of advice and information from the LEA regarding post-16 education and training choices, to inform their decision, as indicated in the parent's charter and *Charter for Further Education*. The careers service has a particular set of responsibilities towards such students in this context and will often take the lead in offering advice and information
- the involvement of the young person and their parent/advocate in the assessment process
- the advice, wherever possible, of a range of professionals to ensure expert guidance and a thorough knowledge of the

student's educational needs and how these might best be met. These professionals might include educational psychologists, specialist or other careers officers, or other specialist professionals with expert knowledge who have worked with the student during their earlier education.

15 Where the student has previously been the subject of a statement of special educational needs under the *Education Act 1996* it is likely that there will be extensive information available to the local education authority about their educational needs and how these can best be met. In any exceptional cases where a student has not had a statement, it is possible that the information readily available to the local authority will be less extensive. Nonetheless, in order to reach a decision, the Council will need a thorough assessment to be made so that it can take a soundly based decision in respect of that individual student. In certain circumstances, the Council may be prepared to commission additional information to supplement any information available from the local authority.

16 The Council expects that assessment arrangements made by specialist colleges outside the sector to assess whether they can appropriately provide for students wishing to attend them will be managed, as currently, by the specialist college. Wherever possible it would not expect a recommendation to be received or determined where the student has not visited the specialist college and had their educational needs assessed.

Information to be Provided to the Council

17 The Council and the local authority associations are aware of the need to ensure confidentiality of information and the student's views and, where appropriate, those of their parent/advocate must be sought before the information is offered to the Council. This can be particularly important where the recommendation arising from the assessment of educational need involves information being passed on from a previous phase in the student's education.

18 Local authorities are asked to collate information relating to the student with learning difficulties and/or disabilities who requires provision to be secured for them at a specialist college outside the further education sector to meet their particular educational needs. The information should be

drawn from statutory assessments prepared under the *Education Act 1996*; a transition plan, reviews of the student's progress; records of achievement; as well as advice from the careers service, teachers, and others who have worked with the young person. For a decision about its funding, the Council wishes the information provided to be only that which is relevant to the student's educational needs, although in cases where joint funding may be appropriate, medical or other information may also be necessary to inform a full decision.

19 The subsequent recommendation to the Council should include information about the student; their learning difficulty and/or disability; the resultant educational needs; the appropriate course and specialist college, and comments from the LEA.

20 Under the agreement, for students described in paragraphs 13(a) and 13(c), local authorities are asked to attach to the recommendation the following documents where they are available:

- a report from the student's current or most recent school
- a report from an educational psychologist who has worked with the student
- a report from the specialist, or other, careers officer who has worked with the student
- the assessment report from the specialist college at which a placement is recommended
- a copy of the student's transition plan, where applicable.

Communications

21 The Council will inform the student, their parent/advocate, the local authority and the recommended specialist college of the outcome of its consideration. Where the Council does not agree to secure the recommended provision, reference will be made to the relevant criteria.

NON-SECTOR SPECIALIST COLLEGES

FEFC-funded provision has been graded 3 or above at the following non-sector specialist colleges. A description of the FEFC grading system appears at the end.

Advantage Enterprises
Ashleigh College
Banstead Place
Beaumont College
Birkdale School for Hearing Impaired Children
Bridge College
Coleg Elidyr
David Lewis College
Derby College for Deaf People
Derwen College
Dilston College of Further Education
Doncaster College for the Deaf
Dorincourt Educational and Residential Centre
Dorton College of Further Education
Fair Oaks College
Fairfield Opportunity Farm
Fortune Centre of Riding Therapy
Green Laund
Henshaw's Society for the Blind
Hereward College of Further Education (incorporated college)
Hinwick Hall College of Further Education
Homefield College of Further Education
Kisharon Senior Centre
Langdon College
Lindeth College of Further Education
Loppington House Further Education Unit
Lord Mayor Treloar College
Lufton Manor College
Meldreth Manor School
Minstead Training Project
Nash Further Education Centre
National Star Centre
Paduan House
Pengwern College of Further Education
Pennine Camphill Community
Portland College
Queen Alexandra College for the Blind
Royal National College for the Blind
Royal School for the Deaf, Manchester

Royal West of England School for the Deaf

Ruskin Mill Further Education Unit

RNIB Vocational College

RNIB Condoover Hall

RNIB Redhill College

RNID Court Grange

SENSE East College

Sheiling School

South Hill College

St Davids Care in the Community Ltd

St Davids College

St Piers, Lingfield

Strathmore House

The Interact Centre

The Mount Camphill Community

The West of England School for Children with Little or No Sight

Thorngrove Centre

Toynton Hall Further Education College
--

Weelsby Hall Further Education College
--

Wentwood Education

William Morris Camphill Community

Please note:

- this list of establishments includes primarily colleges and in a few instances, schools making post-16 provision
- inclusion in this list does not guarantee Council funding for new placements. Each recommendation will be considered against the requirements of individual students and the Council's legal duties and criteria
- this list does not include a small number of colleges where Council-funded provision will be inspected in 1998-99. Referring agencies with queries are advised to contact Beverley Burgess at the Council's Coventry office.

Grade Descriptors

- grade 1 – provision which has many strengths and very few weaknesses
- grade 2 – provision in which the strengths clearly outweigh the weaknesses
- grade 3 – provision with a balance of strengths and weaknesses
- grade 4 – provision in which the weaknesses clearly outweigh the strengths
- grade 5 – provision which has many weaknesses and very few strengths.

INSPECTION SCHEDULE FOR FEFC-FUNDED PROVISION IN NON-SECTOR SPECIALIST COLLEGES, 1997-98

<i>College</i>	<i>Date</i>
Paduan House	Sep 1997
National Star Centre	Oct 1997
Beaumont College	Nov 1997
SENSE East College	Oct 1997
Royal School for the Deaf, Manchester	Nov 1997
Derby College for Deaf People	Nov 1997
Ruskin Mill Further Education Unit	Nov 1997
Lufton Manor College	Dec 1997
Henshaw's Society for the Blind	Jan 1998
Westgate College	Jan 1998
Coleg Elidyr	Feb 1998
Derwen College	Feb 1998
The Mike Rogers College	Feb 1998
Toynton and Weelsby	Mar 1998
Hinwick Hall College of FE	Mar 1998
Queen Alexandra College	Mar 1998
David Lewis College	Apr 1998
Dilston College of FE	May 1998
RNIB Redhill College	Jun 1998

CONFIDENTIAL

**THE
FURTHER
EDUCATION
FUNDING
COUNCIL**

**RECOMMENDATION FORM: NEW STUDENT –
FUNDING AT A SPECIALIST COLLEGE
OUTSIDE THE FE SECTOR 1998-99**

For completion by the referring agency. Please read Circular 98/03 and refer to the notes at the end of this form before photocopying and completing it. Please complete a form for each student for whom a recommendation is made and return to the regional director of the relevant regional office, listed at annex A on page 15. A copy of this form should also, with the permission of the student, be forwarded to the specialist college for which the recommendation is made.

Cheylesmore House
Quinton Road
Coventry CV1 2WT
Telephone 01203 863000
Fax 01203 863100

SECTION 1 (see note 1)	Name of agency
1(a) LEA or referring agency	Address

	Contact name

	Position

	Tel _____ Fax _____
1(b) Student details	Name

	Student's address

	Postcode

	Date of birth

	Name of parent/advocate

	Relationship to student

	Address if different from above

	Postcode

	Tel _____

SECTION 2 (see note 2)

2(a) Description of student's learning difficulty/disability

Medical condition (*if appropriate*)

2(b) Description of student's additional support requirements arising from their learning difficulty/disability

Describe the assessment procedures used to arrive at this recommendation

2(c) Statement information

Has the student been the subject of a statement of special educational needs? (*please tick*)

yes no

If yes, date of statement

_____ / _____ / _____

Date of most recent annual review

_____ / _____ / _____

Date of final review

_____ / _____ / _____

SECTION 3 (see note 3)

3(a) Course or programme

Does the student have a long-term career/vocational/educational objective? If yes, please describe briefly

Course or programme title and description

Progression aim/qualification aim (if the student is over 19, please specify under which section of schedule 2 the proposed programme falls)

3(b) Provision available locally

Do local FEFC-funded colleges provide the course or programme recommended in 3(a) above or an appropriate alternative programme at an equivalent level? (*please tick*) yes no

If yes, explain why this provision is not considered adequate

Name of FEFC-funded college(s) and people consulted

SECTION 4 (see note 4)

4(a) Recommended specialist college. The Council will not normally consider recommendations which do not include an alternative choice of college

First choice

Name

Address

Postcode

Tel

Fax

Principal

Alternative choice

Name

Address

Postcode

Tel

Fax

Principal

4(b) For the first choice specialist college only

Has the student been interviewed? (*please tick*) yes no

Has a place been offered? (*please tick*) yes no

What is the programme start date? _____ / _____ / _____

What is the programme end date? _____ / _____ / _____

Is the placement residential? (*please tick*) yes no

What is the duration of the residence? (weeks a year)

Would the placement at the second choice college differ significantly from the first choice college? *(please tick)* yes no

If yes, please describe

If an alternative choice of college has not been given, please give reasons

4(c) Additional support facilities at first choice specialist college

Please describe how the first choice specialist college will provide the additional support required by the student to enable him/her to follow his/her chosen course or programme, and explain how the facilities are suitable

4(d) Provision at a sector college

Will the student's educational programme be provided solely at the specialist college or will all or part of it be provided at a sector college?

If so, which sector college will the student be attending?

What course or programme will the student be following?

How many days each week will the student be attending the sector college?

Name of sector college contact

4(e) Fees

If the Council agrees the placement for 1998-99 it will be funded at the approved fee level. The college will be notified of this.

Where there is more than one fee band for provision, please identify the appropriate fee band for the student.

Contributions to this placement from other agencies

Name of agency

Is the other funding confirmed or provisional? (see section 5 parts b) and c) *(please tick)* confirmed provisional

Amount of funding

4(f) Benefits

Is the student currently in receipt of social security benefit(s)? *(please tick)* yes no

If yes, what benefits does the student receive?

If the student is not currently in receipt of benefit(s) does the college intend to apply for benefits on behalf of the student once the student has started the course? *(please tick)* yes no

If yes, please specify which benefits are to be applied for

SECTION 5 (see note 5)**5(a) Information on current and most recent school/college**

Name of student's current or most recent school/college

Address

Postcode

Tel

Fax

Head/principal

Type of school/college

Student's start date

____ / ____ / ____

Student's completion date

____ / ____ / ____

Was the attendance residential? *(please tick)*

yes no

If the student is not currently in education, please give details of current activities

5(b) Social services

Has the local authority social services department been involved in preparing this recommendation? (*please tick*) yes no

Has it been asked to contribute to the cost of the provision? (*please tick*) yes no

Has it agreed to provide for this student? (*please tick*)

financial support	<input type="checkbox"/> yes	<input type="checkbox"/> no
other support	<input type="checkbox"/> yes	<input type="checkbox"/> no

If yes, please state amount and duration of social services department contribution

£ _____

Does this amount include the student's benefits? yes no

Will this contribution continue throughout the duration of the student's programme? yes no

Please describe the nature and level of social services involvement with this student, for example, whether a care plan has been drawn up

Please state name and address of contact in social services department

Name

Address

Tel

Fax

5(c) Health authority

Has the relevant health authority been involved in preparing this recommendation? (*please tick*) yes no

Has the relevant health authority been asked to contribute to the cost of the provision? (*please tick*) yes no

Has the relevant health authority agreed to provide for this student? (*please tick*)

financial support	<input type="checkbox"/> yes	<input type="checkbox"/> no
other support	<input type="checkbox"/> yes	<input type="checkbox"/> no

If yes, please state amount of health authority's contribution

£ _____

Is the funding confirmed or provisional? (*please tick*)

confirmed provisional

Please state name and address of contact in health authority

Name

Address

Tel

Fax

5(d) Transport

Does the recommendation require the LEA to provide transport? (*please tick*) yes no

If yes, has the LEA agreed to meet the costs of transport? (*please tick*) yes no

If no, describe other arrangements which have been made

5(e) Agreement of relevant parties

The recommendation has the support of (*please tick*)

- | | | |
|----------------------|---------------------------------------|-----------------------------|
| i) the student | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| ii) parent/advocate | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| iii) social services | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| | <input type="checkbox"/> not relevant | |
| iv) health authority | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| | <input type="checkbox"/> not relevant | |

If no, or not relevant to any of the above, please give reasons

5(f) LEA comment

Please comment further on any relevant aspects of this recommendation

SECTION 6 (see note 6)

6 Documentation

Please indicate which of the following documents are attached

- i) assessment outcomes
- ii) care plan/other relevant social services documentation
- iii) careers report
- iv) confirmation letter from specialist college
- v) consent letter signed by student and by parent/advocate
- vi) medical report (*if relevant*)
- vii) psychologist's report
- viii) most recent school report
- ix) sector college consultation
- x) statement of special educational needs and annual reviews
- xi) transition plan
- xii) confirmation letter of social services or other agency funding

Other (*please list and label*)

SECTION 7 (see note 7)

7 Signature

(The recommendation should be signed by a senior authorised officer of the local education authority)

I confirm that this recommendation has the support of the LEA

Signature

Name (*please print*)

Position

Date

Please return this form to the regional director of the FEFC regional office. Regional office addresses are at annex A.

NOTES FOR COMPLETION OF RECOMMENDATION FORM: NEW STUDENT 1998-99

Please read Circular 98/03 before completing the form, paying particular attention to paragraphs 7 to 31 setting out the scope of the Council's legal duties. If you are still unsure about these, please contact your FEFC regional office, details of which are set out in annex A. The recommendation form should be used for a student who has not previously been funded by the Council. Please return the form to the relevant regional office.

1(a) The referring agency will normally be the student's home LEA. However, the recommendation form 1998-99 may be forwarded by a social services department or a careers adviser. The view of the LEA will always be sought whatever the source of the form because the Council's arrangements are based on recommendation received from the LEA. Please see also notes 5(f) and 7 below.

2(a) Please avoid using medical or other labels as a substitute for a full and accurate description.

2(b) Please describe the student's learning needs. Please ensure that recent and relevant documentation about the assessment is attached and that the documentation is dated. This might include correspondence/reports from:

- sector colleges
- schools
- psychologists
- social workers
- staff from educational establishments
- careers service
- health authority.

2(c) Documentary evidence of the student's current statement or formal cessation must be provided.

3(a) Please describe the student's long-term objectives to which the proposed course or programme will contribute. Give information on the various aspects of the course programme shown in this section, as they relate to the named student, including agreed objectives.

3(b) It is essential that evidence of consultation with FEFC-funded colleges (that is, colleges within the

further education sector) is provided, for example, a letter confirming that the college cannot offer adequate provision.

4(a) The principal's name is requested so that initial contact can be made with him/her. An alternative choice college must be included.

4(b) Please enclose confirmation of the offer of a place for the student at the first choice college. It is important that accurate start and completion dates are given. Where the second choice college differs significantly (for example, offers day rather than residential provision) please indicate this. If an alternative choice is not given, please explain why.

4(c) Please set out clearly the specific suitability of the college and its facilities to meet the student's needs and provide the additional support described in section 2(b).

4(d) Please provide details of sector college provision.

4(e) In all cases, the fee payable by the Council will be the approved fee for 1998-99. Where another contribution will meet part of the fee, please indicate the amount and whether this contribution is confirmed or provisional. (See section 5(b) and (c).)

4(f) Please provide details of the student's current social security benefits if known (it is not necessary to give the amount received). The Council may expect some benefits to be used to contribute towards the approved gross fee.

5(a) Please attach a copy of the student's most recent school report and a report from the sector college if the student is on a link programme. Where he/she currently is not at school, please describe the student's current activities, for example day centre placement.

5(b) Involvement at any level, not only financial, should be recorded. If the student has a care plan please provide a copy. If joint funding has been agreed, please attach documentary evidence, for example, from the student's social worker.

5(c) Again, involvement at any level, not simply financial should be recorded. If joint funding has been agreed, please attach documentary evidence.

5(d) Please ensure that if transport is required it is secured before the recommendation is sent. The responsibility for transport does not fall within the Council's duties.

5(e) It is essential that the student and his/her parent/advocate have been fully involved in the assessment leading to the recommendation.

5(f) The local education authority is invited to comment on any aspect of the recommendation. Comment is particularly important where the recommendation originates from another agency within the local authority (see also note 7).

6 Please ensure that all supporting documentation is clearly labelled and securely attached. The aim of the recommendation process is to build on the local education authority's existing work with and knowledge of the student, not to require a substantial original assessment. It is therefore anticipated that the majority of these documents will be readily available for the majority of students. It is unlikely that a student will be funded by the Council to attend a specialist college without persuasive supporting documentation. Failure to provide appropriate supporting information is likely to result in a delay in the Council's decision.

The Council wishes to ensure that the student and his/her parent/advocate are content for information to be made available to it about his/her educational needs.

7 The recommendation will not be accepted without a signature. The Council expects that recommendations will be signed by a senior member of staff of the local education authority to confirm that:

- the LEA has agreed to another agency assuming the lead role in the recommendation process and is satisfied that the recommendation process is soundly conducted and that it supports the recommendation
- the information on the recommendation form (new student) is consistent with that held by the LEA and the authority has had the opportunity to consider the extent of the continuing involvement proposed in the recommendation, for example, from social services.

CONFIDENTIAL**RECOMMENDATION FORM: EXTENSION –
FUNDING AT A SPECIALIST COLLEGE
OUTSIDE THE FE SECTOR 1998-99****THE
FURTHER
EDUCATION
FUNDING
COUNCIL**

For completion by the referring agency and specialist college.
Please read Circular 98/03 and refer to the notes at the end of
this form before photocopying and completing it. Please complete
a form for each student for whom a recommendation is made and
return to the regional director of the relevant regional office,
listed at annex A on page 15.

Cheylesmore House
Quinton Road
Coventry CV1 2WT

Telephone 01203 863000
Fax 01203 863100

(Sections 1 and 2 are to be completed by LEA or referring agency)

SECTION 1 (see note 1)Name of agency
_____**1(a) LEA or referring agency**Address

_____Postcode
_____Contact name
_____Position

Tel

Fax

1(b) Student detailsName
_____Student's address

_____Postcode
_____Date of birth
_____Name of parent/advocate
_____Relationship to student
_____Address if different from above

_____Postcode

Tel

Fax

SECTION 2 (see note 2)

2(a) Description of student's learning difficulty/disability

Medical condition *(if appropriate)*

2(b) Description of student's additional support requirements arising from his/her learning difficulty/disability

Describe the assessment procedures used to arrive at this recommendation

2(c) Statement information

Has the student been the subject of a statement of special educational need?
(please tick) yes no

If yes, date of statement _____ / _____ / _____

Date of most recent annual review _____ / _____ / _____

Date of final review _____ / _____ / _____

(Sections 3 to 5 may be completed by the student's current specialist college)

SECTION 3 (see note 3)

3(a) Original placement

Start and completion dates of original placement

_____ / _____ / _____

_____ / _____ / _____

Achievement/qualifications gained

Placement secured and funded by

3(b) Course programme details for extension

Does the student have a long-term career/vocational/educational objective? If yes, please describe briefly

Start and completion dates of proposed extension

_____ / _____ / _____

_____ / _____ / _____

Programme aim/qualification aim for extension

Please give details of schedule 2 content

3(c) Provision at a sector college

Will the student's educational programme be provided solely at the specialist college or will all or part of it be provided at a sector college?

If so, which sector college will the student be attending?

What course or programme will the student be following?

How many days each week will the student be attending the sector college?

Name of sector college contact

SECTION 4 (see note 4)**4 (a) Details of specialist college at which extension is sought**

Name

Address

Postcode

Tel

Fax

Principal

4(b) Fees

If the Council agrees to the extension, the placement will be funded at the approved fee for 1998-99

Other funding body contributing to the approved fees for the student for fee year 1998-99 (*please name*)

Where another funding body is contributing to the total annual fee please indicate whether this contribution is definite or provisional and whether it has changed from the fee year 1997-98 (*please tick*)

- definite
- provisional
- changed

Amount

What is the duration of the residence? (weeks a year)

SECTION 5 (see note 5)

5(a) Background information

Please provide details of the student's progress to date against his/her original objectives and attach a copy of his/her most recent review. This should include details of progress at a sector college, if relevant.

5(b) Please summarise the needs which led to the original placement

5(c) State the reasons for seeking an extension to the previously agreed placement

5(d) State the learning objectives to be achieved during the period of the extension. How will the extension contribute to the student's long-term career/vocational/educational objective described in section 3?

5(e) What alternatives have been considered for the student, other than the extension now sought, at the end of their current placement?

5(f) Which local sector colleges have been consulted about future provision for the student beyond the current placement?

Do local FEFC-funded colleges provide the course or programme recommended in 3(a) above, or a similar programme at an equivalent level to that sought at the specialist college?
(*please tick*) yes no

Which sector colleges have been consulted?

What were the outcomes of the discussions? Please explain why this provision is not considered adequate

(Sections 6 to 9 to be completed by LEA or referring agency)

SECTION 6 (see note 6)
6(a) Social services

Has the local authority social services department been involved in this recommendation? (*please tick*) yes no

Has it been asked to contribute to the cost of the provision? (*please tick*) yes no

Has it agreed to provide financial or other support for this student? (*please tick*) yes no

If yes, please state amount of social services department contribution

£ _____

Will this contribution continue throughout the duration of the student's programme? (*please tick*) yes no

Please describe the nature and level of social services involvement with this student, for example, whether a care plan has been drawn up

Please state name and address of contact in social services department

Name

Address

Postcode

Tel

Fax

6(b) Benefits

Is the student currently in receipt of social security benefit(s)? *(please tick)* yes no

If yes, please identify the benefit(s)

If the student is not currently in receipt of benefit(s) does the college intend to apply for benefits on behalf of the student once the student has started the course? *(please tick)* yes no

If yes, please specify which benefits are to be applied for

6(c) Health authority

Has the relevant health authority been involved in this recommendation? *(please tick)* yes no

Has the relevant health authority been asked to contribute to the cost of the provision? *(please tick)* yes no

Has the relevant health authority agreed to provide financial or other support for this student? *(please tick)* yes no

Is the funding confirmed or provisional?

(please tick)

- confirmed
 provisional

If yes, please state amount of health authority's contribution

Please state name and address of contact in health authority

Name

Address

Postcode

Tel

Fax

6(d) Transport

Does the recommendation require the LEA to provide transport? (please tick)

- yes no

If yes, has the LEA agreed to meet the costs of transport? (please tick)

- yes no

If no, describe other arrangements that will apply

6(e) Agreement of relevant parties Please indicate whether the recommendation has the support of:

- i) the student yes no
- ii) parent/advocate yes no
- iii) LEA yes no
- iv) social services yes no
- not relevant
- v) health authority yes no
- not relevant

If no or not relevant to any of the above, please give reasons

SECTION 7 (see note 7)
7 Documentation

Please indicate which of the following documents are attached:

- i) care plan/other relevant social services documentation
- ii) careers report
- iii) consent letter signed by the student and his/her parent/advocate
- iv) medical report (*if relevant*)
- v) progress report/review (this should include a progress report from the sector college where appropriate)
- vi) sector college consultation report
- vii) transition plan (if applicable)
- viii) confirmation letter of social services or other agency funding

Other (*please list and label*)

SECTION 8 (see note 8)
8 LEA comment

Please comment further on the degree of progress achieved by the student to date and the relevance of continued attendance or on any relevant aspects of this recommendation

SECTION 9 (see note 9)
9 Signature
(The recommendation should be signed by a senior authorised officer of the local education authority)

I confirm that this extension request has the support of the LEA

Signature

Name (*please print*)

Position

Date

Please return this form to the regional director of the FEFC regional office. Regional office addresses are at annex A.

NOTES FOR COMPLETION OF RECOMMENDATION FORM: EXTENSION 1998-99

Please read Circular 98/03 before completing this form. Please pay particular attention to paragraphs 7 to 31 setting out the scope of the Council's legal duties. If you are still unsure about these you should contact your FEFC regional office, details of which are set out in annex A. The extension form should be used for a student currently funded by the Council except where the student is changing establishment. In this case use the recommendation form: new student (annex I). Please return the form to the relevant regional office.

1 The referring agency will normally be the student's home LEA. Sections 1, 2, 6, 7, 8 and 9 should be completed by the LEA or referring agency. Sections 3, 4 and 5 may be completed by the college. The view of the LEA will always be sought whatever the source of recommendation because the Council's arrangements are based on recommendations received from LEAs. Please see also notes 8 and 9.

2(a) Please describe the student's learning needs. Please avoid using medical or other labels as a substitute for a full and accurate description of the educational implications of a particular condition or disability.

2(b) Please describe the student's additional support requirements which arise from his/her learning difficulty/disability.

3(a) and (b) Please make clear the distinction between the original course of study and the proposed extension in the context of the student's long-term career/vocational/academic objectives. A detailed individual programme showing the courses or modules to be taken should be attached. For details of schedule 2 content, please refer to annex B of this circular. See also note 5(c) and (d).

4(b) Please indicate whether other contributors are meeting part of the Council's approved fee and whether the position in respect of other contributions has changed since the fee year 1997-98. If so, please explain reasons for the change.

5 This section should be fully completed to provide evidence of the need for the extension.

5(c) and (d) The referring agency may wish to make reference to how the extension will enable the student to progress beyond their current placement

and why the student cannot achieve their aspirations without the extension now sought.

5(e) and (f) Evidence of involvement with statutory bodies will be important to demonstrate that forward planning for support beyond the current placement has taken place. It is important that full consideration has been given to a range of options for the student other than the extension now sought. This should include consultation with sector colleges, probably in the student's home locality.

6(a) and (b) Involvement at any level, not simply financial should be recorded. If joint funding has been agreed, documentary evidence should be attached.

6(c) Please provide details of the student's current social security benefits. (It is not necessary to give the amount received.)

6(d) Please ensure that if transport is required it is secured before the recommendation is submitted. The responsibility for transport does not fall within the Council's duties.

6(e) It is essential that the student and his/her parents/advocate have been fully involved in the work leading up to a request for extended provision.

7 Please ensure that all supporting documentation is clearly labelled and securely attached. It is anticipated that the majority of these documents will be readily available for the majority of students. It is unlikely that the Council will fund an extension without persuasive supporting documentation. Failure to provide appropriate supporting information is likely to result in a delay in the Council's decision.

The Council wishes to ensure that the student and his/her parent/advocate are content for information to be made available to it about his/her educational needs.

8 The local education authority is invited to comment on any relevant aspect of this recommendation.

9 Recommendations for an extension will not be accepted without a signature from a senior officer of the local education authority, in particular to confirm that the authority has had the opportunity to consider the extent of the continuing involvement proposed in the recommendation, for example, from social services, and that it supports the recommendation.

SECTOR COLLEGE ASSESSMENT REPORT

This checklist is to help you compile the information the Council would expect to see in a sector college assessment report. The information you return based on this checklist must be signed and dated.

Name of college

Student details

Student name

Date of birth

Referred by

Assessment details

Date of assessment

Where held

Carried out by

Position

Brief description of nature of assessment

Learning support needs

How were the learning support needs assessed?

What was the outcome?

What facilities are available to provide that support?

Are support facilities already available?

yes

no

If not, can they be bought in?

yes

no

If both educational and support needs can be met, can the college offer a place now?

yes

no

If no, at what point could a place be offered and why?

Programme

What is the requested programme?

What is the duration of the programme?

Can the college offer it or a similar programme at equivalent level?

yes

no

Is it appropriate to the ability and aspirations of the student?

yes

no

Does the programme fall within schedule 2? (where applicable)

yes

no

Conclusion

Has the student been offered a place?

yes

no

Start/finish dates

SPECIALIST COLLEGE INITIAL ASSESSMENT REPORT

This checklist is to help you compile the information the Council would expect to see in a specialist college assessment report. The information you return based on this checklist must be signed and dated.

Name of college

Student details

Student name

Date of birth

Referred by

Give details of student's past educational history and past achievements

What are the student's aspirations and educational objectives?

Assessment details

Date of educational assessment

Name of person making assessment or contact name

Brief description of the nature of the assessment of learning needs

Learning support needs

Assessment of learning needs and details of how these will be met

Does the student have health and/or social needs? yes no

Is the requested placement residential? yes no

What evidence is there of the need for a residential placement?

Programme

What is the requested programme?

What is the duration of the programme?

Give details of the programme elements identifying schedule 2 content if appropriate

Please attach an outline programme, showing the proportion of time to be spent on each element of the educational programme

Give details of any part of the programme to be provided at a sector college

Fee band requested and justification

Which agencies will receive a copy of this assessment?

CAREERS SERVICE REPORT

This checklist is to help you compile the information the Council would expect to see in a careers service report. The information you return based on this checklist must be signed and dated.

Name of college

Student details

Student name

Date of birth

Current school or college

Assessment details

Name of careers adviser

How long have you known the student?

Give details of the student's aspirations and educational objectives

Dates of meeting(s) and assessment(s) of the student with observations

Give details of the assessment of the student's educational needs and learning support requirements

Give details of the educational/training options considered by the student before a placement recommendation to the Council

Give evidence that sector college provision has been considered.

Why is the provision not considered adequate?

Comment on the suitability of the recommended placement.

SPECIALIST COLLEGE REVIEW REPORT

This checklist is to help you compile the information the Council would expect to see in a review report. The information you return based on this checklist must be signed and dated.

Name of college

Student details

Student name

Duration of Council-funded placement

Programme title

Details of any additional support specified in schedule and purchase order, for example, physiotherapy, and details of how this requirement has been met

Review of progress

Is the student following the course identified in the schedule and purchase order?

yes

no

If no, detail the changes and explain them

If yes, describe the student's achievement against the Council-funded programme, that is, progress to date against objectives and modules or units still to be gained

List the objectives for the period up to the next review report against which the student's progress can be measured (for example units or modules, and timescales for completion)

Give a brief comment on the student's self-assessment of progress and views on progression

Future arrangements

Are the original placement objectives likely to be met?

yes

no

If yes, please list the student's achievements

If no, will an extension be requested?

yes

no

If yes, please give reasons for the extension, and list the new objectives

Please give evidence that sector college provision has been considered

Published by the
Further Education Funding Council
January 1998