

Overview and Scrutiny

Spotlight Session
Developing a Special Educational Needs and Disability Strategy

14th September 2017



Report of: Christine McInnes

Agenda Item:

New Strategy for Children and Young People with SEND: proposed consultation update

Lead Member	Cllr Amy Whitelock-Gibbs
Originating Officer(s)	Christine McInnes
Wards affected	All wards
Key Decision?	Yes

1. Executive Summary

1.1. An external review of SEND last year identified some support for children and young people with special needs and disabilities is good but there were significant areas in urgent need of review and improvement. Benchmarking showed the demand for Education, Health and Care Plans in Tower Hamlets to be relatively high and growing whilst national funding is relatively static. The development of a new SEND strategy is needed to provide a clear and transparent framework to support the difficult decisions we need to make to ensure good value for money, fairness and equity. This paper provides

- Data on children and young people with SEND and available funding
- The rationale for the development of a new SEND strategy
- The proposed structure of the draft strategy and an outline of the development process
- Proposed governance of SEND.

1.2 The strategy is being produced jointly between LBTH Children's Services and Tower Hamlets CCG.

1.3 Definitions:

Special educational needs and disabilities (SEND) is defined as where a child or young person who has a learning difficulty or disability which calls for special educational provision to be made for him or her (DfE 2015). A child or young person of compulsory school age has a learning difficulty or disability if he or she:

- has a significantly greater difficulty in learning than the majority of others of the same age, or
- has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions. (DfE 2015)

2. DETAILS OF REPORT

2.1 **Data on children and young people with SEND**

National prevalence of SEND

There are 1,244,255 children and young people with SEND attending schools / colleges in England, 14.4% of the pupil population. Of these 11.6% have been assessed by schools as having a need for SEN support and 242,185 (2.8%) have been assessed as needing a statement of SEN or an EHC plan (DfE 2017). In England (see Fig 1) the most frequent primary need of pupils assessed as requiring a statement or an EHC plan is autistic spectrum disorder (ASD) whilst for those at SEN support the largest groups are those with moderate learning difficulties (MLD) and speech, language and communication needs (SLCN), respectively. Professionals anticipate that, over time, the proportion of these with an EHC plan with MLD will reduce, as their needs are predominantly met in mainstream.

2.2 Fig 1 Percentage of pupils by primary SEND need who are identified at SEN support or with an EHC plan (national prevalence)



Source: Schools census, January 2017

2.3 Local prevalence of SEND

There are 46,680 pupils attending school or college from Tower Hamlets and 9,576 (16.4%) of these children and young people are identified as having SEND. Of those with SEND 2,257 have an EHC plan (about 4.8% of all pupils). Fig 2 shows that the largest group of those with an EHC plan, by primary need, is those with speech, language and communication needs (SLCN), at 28.6%, and then those with autistic spectrum disorder (ASD), at 24.3%. The proportion of pupils with an EHC plan continues to increase and is the second highest proportion across local authorities in England.

2.4 Of children and young people identified at SEN support the largest group is also those with speech, language and communication needs (SLCN), about 39.9%,

and then those with social, emotional and mental health needs (SEMH) who make up 22.2% of the total.

2.5 Overall, the ethnicity profile of children and young people with an EHC plan mirrors that of the school-aged population in Tower Hamlets (see: fig 3). The two main groups for whom there is a higher proportion with SEND are white British and black British: Somali.

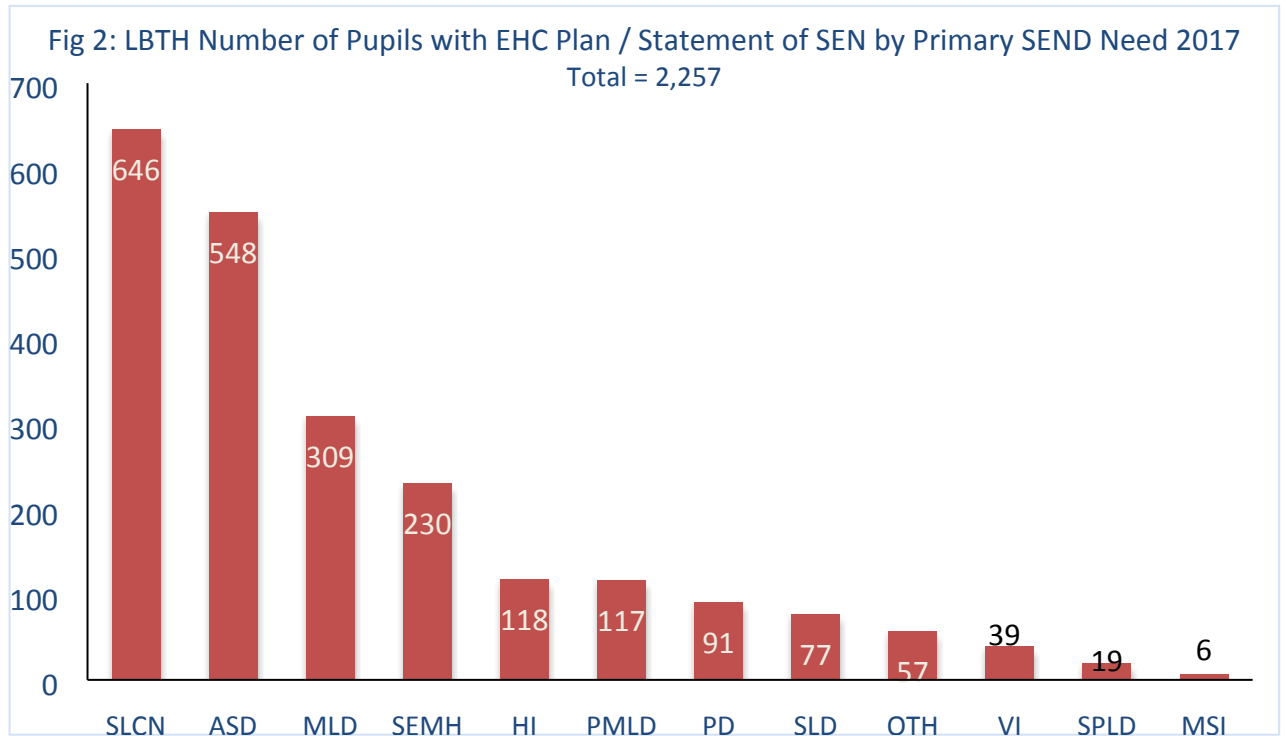
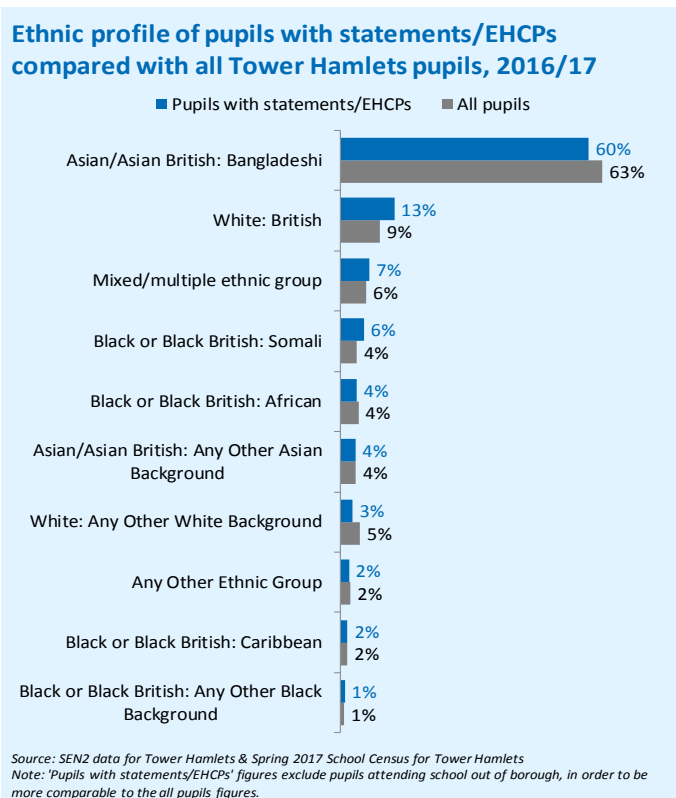


Fig 3.



2.6 In 2017 there are about 800 children and young people who have been assessed to receive short-break support from the Children with Disabilities Team and a further 145 young people between 18 and 25 in receipt of support from the community learning difficulties service. Although between 40 and 50 of these young adults have been assessed to meet thresholds for supported accommodation, there are less than a hand-full of units available within the Borough, so most are accommodated outside Tower Hamlets.

2.7 Finances

- High needs funding block (from the DfE), in 2017-18, is about £44.5 million. Over 90% of this is allocated to schools in the form of top-up payments for additional support for children and young people with an EHC plan. Last year this budget was overspent by about £1.3 million;
- Children's social care CYP with SEND: £4.6 million; including short breaks, respite and complex care packages.
- TH CCG (NHS) estimates it commissions over £2.1 million of health care for CYP with an EHCP or statement. There is further NHS support commissioned for those at SEN support.

2.8 **The rationale for developing a strategy**

The Children's Services SEN Review which reported early in 2017 found that though school provision is largely good or outstanding, there was an urgent need for transformation of the system, (a summary of the Review is included as Appendix A). These findings were confirmed by the outcomes of an audit of the SEN service and concerns raised by the DfE around performance.

2.9 The need for a new strategy to provide the framework for the transformation process was identified by the review. Initial development work on the vision, principles and priorities for a strategy were used in an early community engagement process during June and July and feedback confirmed strong support for a strategy from professionals, parents/carers and young people. A summary of the engagement process and its outcomes can be seen in Appendix B. Feedback from this work has been used to inform the draft strategy.

2.10 **The proposed structure of the draft strategy and an outline of the development process.**

The strategy will set out the borough's direction for 2018 to 2022 and aims to establish a flexible and responsive SEND system for children and young people with SEND aged from 0 to 25 years of age and their families. The strategy will include particular focus on educational achievement, together with vital social care and health care support, and the processes that assist children and young people to learn and achieve and lead full lives. The Strategy will be led by the London Borough of Tower Hamlets (LBTH) and Tower Hamlets Clinical Commissioning Group (THCCG).

2.11 Feedback from the early engagement work has been used to shape the draft vision and proposed list of principles which will be used to draft the strategy. Our proposed vision is:

‘for all Tower Hamlets’ children and young people with special educational needs and disabilities to lead fulfilling lives and achieve independence, through being supported to learn, thrive and achieve by their families, services and their local communities.’

2.12 The draft principles will be presented as charter in the draft strategy.

Across Tower Hamlets we are committed to:

- *All services providing high-quality education and care.*
- *Education, health and social care services that work together well and share accurate information in the best interest of the child and their family.*
- *Children and their parents / carers helping to plan and make choices about their support as much as possible.*
- *Funding and support that is shared out fairly and openly.*
- *Young people with SEND being helped to be as independent as possible.*
- *Identifying SEND as early as possible and provision that is available locally to the family within supportive communities.*

2.13 The agreed draft priorities for the strategy are as follows:

2.13.1 ***Leadership and accountability:*** *a strategically-led, evidence-based system that is overseen and reports to a new Children and Young People’s SEND Board. This section would also include oversight of planning for specialist place numbers and the workforce to deliver the future SEND system. Lead accountability for budgets that support children and young people with SEND would be identified and leadership offered to a Tower Hamlets approach to personal budgets.*

2.13.2 ***Outcome-driven pathways for learning and support:*** *including developing ‘life course’ pathways for key groups of children and young people with SEND; a new outcome-framework that is disseminated and monitored through annual reviews and revised curricular offers; maintaining high standards for children and young people with SEND across schools in LBTH and for those in out-of-area schools.*

2.13.3 ***Timely identification and assessment (for children and young people with SEND):*** *overhauling the EHC / AR processes to provide effective and efficient needs assessment together with implementing changes to early years identification of SEND. Streamlining assessment and review processes so, as much as possible, parents / carers can tell their story once.*

2.13.4 ***Involvement and clear information:*** active engagement with parents / carers throughout the SEND system; continuing improvements to communication with parents / carers including via the Local Offer website; effective information-sharing systems between health - social care - education. Community engagement: dialogue with identified communities to address myths about SEND and encourage supportive attitudes to families with a child with SEND.

2.13.5 ***Good transitions:*** strong focus on improving transitions across education-health-social care for young people from age 14; a significant increase in the opportunities for supported work experience / employment and training pathways to reach these; partnership to increase access to housing for young people with SEND; improvement in coverage of EY health screening and support for school preparedness.

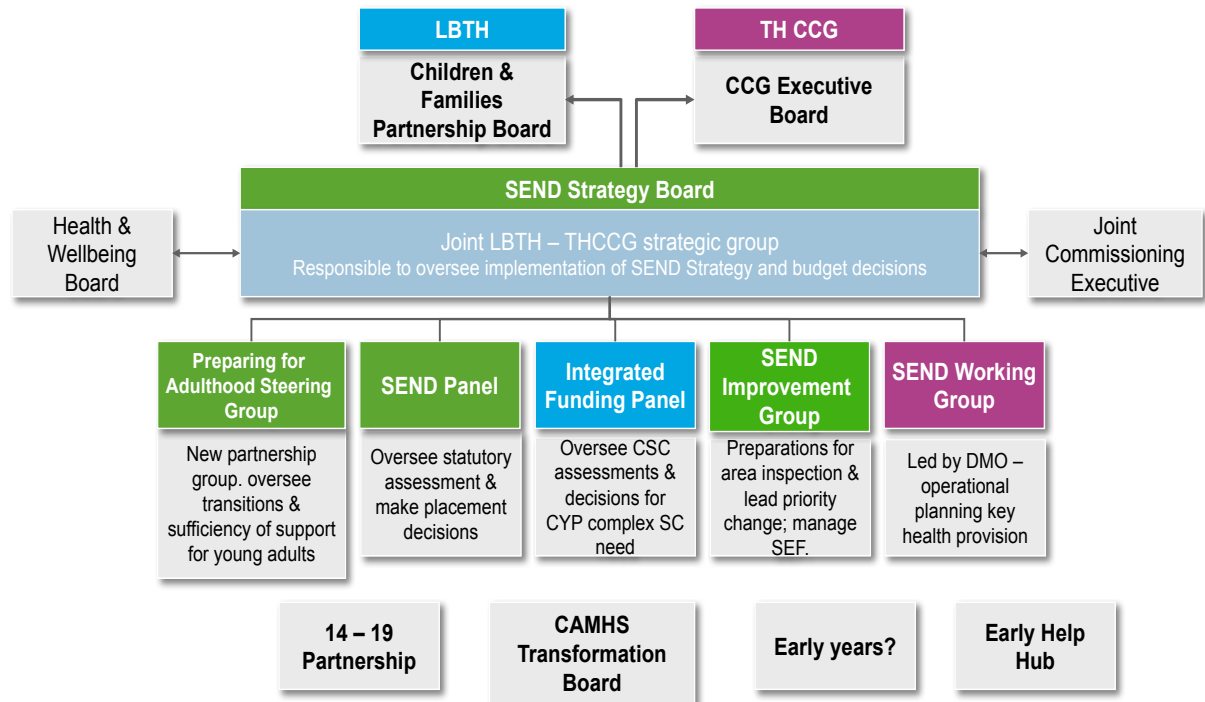
2.14 The draft strategy will be consulted on from mid-October in parallel with a review of the High Needs Funding block conducted in collaboration with an advisory group of headteachers representing both mainstream and special schools.

2.15 The intention is to publish the final strategy, informed by the outcomes of the consultation before the beginning of the new financial year.

2.16 Proposed accountability structures for the SEND strategy

Below is a draft proposal for structures to provide the leadership and accountability to a new SEND Strategy. The proposal is for a strategic board made up of senior service managers and headteachers, together with representation from parents / carers and the community and voluntary sector. This SEND Board would be accountable to the Children and Families Partnership Board and to the THCCG Executive Board. There would be clear lines of communication and reporting to the Health and Wellbeing Board and to the Joint Commissioning Executive too.

Draft SEND accountabilities



2.17 The proposal sets out a number of existing groups, such as the health-led SEND Working Group and the SEND Panel, reporting to the Strategy Board. The SEND Improvement Group would have some flexible membership in order to be tasked by the Board to drive forward key improvement challenges. A Preparing for Adulthood group would be new and is proposed in order to respond to the important and complex challenges for services and support for young adults with SEND.

3. FINANCIAL IMPLICATIONS

- 3.1** The financial context for the SEND Strategy is determined by the funding provided by the Government through the Dedicated Schools Grant (DSG). This is a ring-fenced grant provided by the DfE to fund all education provision. Like many aspects of the public sector this has experienced recent changes in the approach and will no doubt be subject to further change. However, for the purposes of the SEND strategy it is important to have clarity about the available funding because if the Strategy is to realise its aims, then there will be financial implications and they will need to be achieved within the available resources and agreed by the Schools Forum.
- 3.2** Previous meetings of the Schools Forum acknowledged the increasing pressure on the DSG and in particular in relation to funding for SEN and High Needs pupils in maintained schools and special schools, If there are revenue changes that schools may wish to explore, there would need to be a consultation in the Autumn Term, to implement with effect from April 2018.
- 3.3** There are no current financial implications to council funding as a result of this strategy.

4. LEGAL COMMENTS

4.1 The Council has a statutory duty to make appropriate educational provision for children and young people under 25 with special educational needs under the Children and Family Act 2014.

4.2 A review and overhaul of the current SEND strategy will assist in ensuring that the Council meets its statutory obligations appropriately and could reduce the number of legal challenges by parents to the Council's decisions in this area. It will also assist the Council to meet its Best Value duty

5. ONE TOWER HAMLETS CONSIDERATIONS

5.1 The vision is for all Tower Hamlets' children and young people with special educational needs and disabilities to lead fulfilling lives and achieve independence, through being supported to learn, thrive and achieve by their families, services and their local communities.

6. BEST VALUE (BV) IMPLICATIONS

6.1 A new SEND strategy will set the framework for future budgeting decisions for the, in excess of, £44.5 million annual SEND budget. Due to increased demand, this budget is under pressure and the strategy proposes that fairness should be a key principle underpinning decisions support and resources to enable this.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

7.1 None

8. RISK MANAGEMENT IMPLICATIONS

8.1 The consultation for a new SEND Strategy is built on the recent SEN Review and its local evidence to inform proposed change and development. There will need to be key messages identified and concerted and coordinated steps to effectively communicate these to stakeholders to rebuild trust and co-production across the SEND arrangements.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

9.1 None

10. SAFEGUARDING IMPLICATIONS

10.1 Children and young people with SEND are a key group of vulnerable members of Tower Hamlets' communities. The SEND Strategy will support increased consistency through establishing vision for all services across the Borough and to make the identification and assessment processes are timelier, resulting in better multi-agency support for some of the most vulnerable families.