


<p>Non-Executive Report of the:</p> <p>Children and Education Scrutiny Sub-Committee</p> <p>9th May 2024</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Steve Reddy, Interim Corporate Director of Children's Services</p>	<p>Classification:</p> <p>Unrestricted</p>
<p>Report Title: Draft Special Educational Needs, Disabilities and Inclusion Strategy: 2024-2029</p>	

Originating Officer(s)	Lisa Fraser, Director of Education
Wards affected	All wards

Executive Summary

The draft Special Educational Needs, Disabilities and Inclusion Strategy 2024 – 2029 sets how the partnership, led by the SEND Improvement Board, will secure the improvements needed so that we deliver the right support at the right time for children and young people with SEND and their families in Tower Hamlets. The strategy is due to be published for public consultation, prior to revision and approval later in 2024.

Recommendations:

The Children and Education Scrutiny Sub-Committee is recommended to :

1. Review the strategy in order to inform discussion for the Children and Education Scrutiny Sub-Committee meeting.

This is a partnership strategy and includes commitments from services beyond the SEND system which have a key role to play in improving the lives of children and young people with SEND.

1. REASONS FOR THE DECISIONS

- 1.1 The current SEND Strategy (2020 – 2024) is set to expire shortly. A new strategy will be developed to ensure a clear vision and priorities for the partnership, aiming to deliver sustained improvements in support for children and young people with SEND and their families.

2. ALTERNATIVE OPTIONS

- 2.1. The current SEND Strategy (2020 – 2024) could be allowed to lapse. However, as part of the SEND area inspection anticipated in 2024, the partnership is expected to demonstrate shared outcomes that leaders will collectively work to achieve for all children and young people with SEND, as well as how partners will collaborate to attain these outcomes. An agreed-upon strategy is a crucial element in this process.
- 2.2. While the option of extending the current SEND Strategy (2020 – 2024) with a very light-touch refresh exists, it was initially considered at the beginning of the strategy development process and subsequently rejected. The prior strategy was formulated before several key developments: the Covid pandemic, the 2021 SEND Area Inspection, rapid increases in the number of children and young people with SEND, and the launch of the national government’s SEND and Alternative Provision reform programme. Consequently, the decision was made that a new strategy is necessary.

3. DETAILS OF THE REPORT

- 3.1. The partnership’s new Special Educational Needs, Disabilities and Inclusion Strategy describes the steps we will take as a partnership to realise our vision of Tower Hamlets as a child-friendly borough, where children and young people of all abilities and from all backgrounds thrive, are listened to, achieve their best, and have opportunities. The strategy – to be delivered by the SEND Improvement Board – sets out six priorities that we believe will provide the appropriate support at the right time for children and young people with special educational needs and disabilities, as well as their families.

Policy context

- 3.2. The duties of local authorities, health bodies, schools, and colleagues to provide for children and young people with special educational needs are set out in the Children and Families Act 2014 and described in greater detail in the 2015 Statutory Special educational needs and disability code of practice: 0 to 25 years.
- 3.3. The Government’s SEND and Alternative Provision Green Paper was published in 2022 and echoed the widely held view that the 2014 reforms failed to achieve the goal of improving provision for children with SEND. In March 2023, the Government set out an improvement plan addressing national standards, preparation for adulthood, accountability, and financial sustainability. A clear timeframe for legislation has not been established yet.
- 3.4. This strategy sets out how the partnership will work at pace to deliver our statutory responsibilities. At the same time, we set out the ways that we will work together and with families to build confidence in the SEND system, to provide earlier support, to improve the sustainability of the SEND system, and

to ensure wider opportunities in our borough are inclusive for children and young people with SEND.

Local context: children and young people with SEND in Tower Hamlets

- 3.5. In common with other areas, Tower Hamlets has seen an increase in children and young people with SEND needs since the Children and Families Act 2014.
- 3.6. There have been substantial increases in the number of children and young people with SEND needs receiving support.
- 3.7. Between 2015/16 and 2022/23:
 - The total number of children and young people aged 0 to 24 years resident in Tower Hamlets with EHC plans increased from 2066 to 4111. Some of this increase resulted from 20-25 year olds becoming eligible for EHC plans for the first time through the 2014 reforms. However, there were steady increases across all age groups with the exception of pre-school children. (Source: Statements of special educational needs (SEN) and education, health and care (EHC) plans, gov.uk)
 - Amongst pupils in state-funded schools in Tower Hamlets, pupils with an EHC plan increased from 1850 to 2889 (from 4% to 5.9% of all pupils) and pupils with SEN support increased from 5870 to 6038 (12.6% to 12.4% of all pupils). (Source: Special educational needs in England)

In the two years since the Covid pandemic, there has been a particularly steep growth in new requests for EHCP assessments. In the academic year 2022/23, there were 780 requests compared to 465 in the 2020/21 academic year. Much of the increase has been for assessments for young children, for Autistic Spectrum Disorder, and for Speech and Language assessments, with assessment referrals for Attention Deficit Hyperactivity Disorder also growing.

- 3.8. The SEND Joint Strategic Needs Assessment (to follow) will provide a detailed picture of the needs and experiences of children and young people with SEND in the borough. The most common primary SEND needs amongst pupils in Tower Hamlets schools receiving SEN support are speech, language and communication needs and social, emotional and mental health needs. Amongst children with EHC plans in Tower Hamlets schools, Autistic Spectrum Disorder is the most common primary need, followed by Speech Language and Communications needs. Many children with SEND have multiple needs which are not reflected in the 'primary needs' data.
- 3.9. Projections developed as part of the borough's SEND Sufficiency Review (2023) point to a likely growth in the number of EHCPs up until 2030. The three main areas of need are likely to be Speech Language and Communication; Autism; and Social, Emotional and Mental Health. This increase in need, combined with a declining school-age population will mean that children with SEND will make up a growing proportion of the school-aged cohort.

Local context: the partnership's support for children and young people with SEND

3.10. Improving the timeliness and quality of the support that children and young people with SEND and their families receive is a priority for the partnership. The previous SEND Strategy (2020–24) had 5 priorities:

- Leading SEND
- Early identification and assessment.
- Commissioning effective services to respond to local needs
- Good quality education provision for all children
- Supporting successful transitions and promoting independence.

3.11 There are many strengths in education support for children and young people with SEND in Tower Hamlets. 96.7% of pupils attend schools rated Good or Outstanding, with 3 out of 5 Special Schools rated outstanding. Attainment for children with EHCPs or SEN support exceed the national average at Key Stage 1, Key Stage 2 and GCSE levels. Rates of absence, exclusions, and suspensions for children with SEND are also better than average.

More than 9 in 10 children with SEND are educated in mainstream schools, and a lower percentage of them are in long term alternative provision in Tower Hamlets than nationally. Our recent SEND sufficiency review (2023) has identified priorities for expansion of specialist provision – now and in the future – to meet the educational needs of children with SEND in the borough.

3.12 In 2021, a SEND Local Area Inspection by Ofsted and the CQC found that leaders had a good understanding of what worked well and what does not. It noted improvements in SEND provision but identified significant weaknesses. These are the focus a SEND Improvement Plan, underpinned by a Written Statement of Action to address the quality and oversight of EHC plans and annual reviews; lengthy waiting times for ASD assessment and diagnosis; fragmented speech and language therapy; and weaknesses in communication between area leaders and parents.

Progress has been supported with additional investment: an extra £1.1 million in council funding and £870,000 from the NHS. Further resources have been earmarked in the council's new Medium Term Financial Strategy for SEND Services and SEN Transport.

3.13 In 2023, a Local Government Association SEND Peer Challenge assisted the partnership to take stock of progress. The challenge recognised the commitment across the partnership to drive better outcomes for children and young people with SEND. It highlighted the need to continue to improve the timeliness and quality of Education, Health and Care Plans and Annual Reviews, improve information sharing, and to develop a common and widely understood graduated response for children with different needs across the partnership, supported by a clear, concise strategy and strong governance through the SEND Improvement Board.

- 3.14 Alongside our commitment to improvement, the partnership has been exploring how to sustain high quality SEND support whilst the High Needs Block allocation (funding to support costs of pupils with additional education needs, across mainstream and special schools as well as the associated support costs) fails to keep up with growing levels of need. Through its participation in the Delivering Better Value Programme, Tower Hamlets will provide an improvement programme designed to meet children's needs earlier, bringing together multi-disciplinary teams to support children with SEND in mainstream education settings, and to rationalise financial top-up bandings and what support children should expect to receive at each level.

The implementation of the SEND Sufficiency Review recommendations will also contribute to financial sustainability, by increasing the number of children who have their educational needs met in local state-funded schools, reducing the number of higher cost independent and out-of-borough placements.

SEND and Inclusion Strategy development process

- 3.15 The starting point for the strategy is the Tower Hamlets Partnership Plan 'A Tower Hamlets for All', supported by the Accelerate! Children and Families Partnership Strategy (2024-2029) They include the partnership's ambition that Tower Hamlets should become:
- 3.16 A child-friendly borough where children and young people from all backgrounds thrive, are listened to, achieve their best, and have opportunities.
- 3.17 Young people, families and partners have requested a concise SEND strategy which clearly sets out the main things the partnership will do to support children and young people with SEND and their families. Although the strategy document itself is short, it is underpinned by engagement with stakeholders and residents, by the ongoing SEND Joint Strategic Needs Assessment, and survey and analytical work conducted for the SEND Sufficiency Review and Delivering Better Value Programme.
- 3.18 The draft strategy has been informed by consultation with young people, families, and professionals, including:
- an in-person discussion with the Our Time all ability youth forum to find out about the issues that matter most to young people with SEND (November 2023)
 - online surveys with partner representatives and Special Educational Needs Coordinators in schools (November to December 2023)
 - an online workshop to map initial challenges and issues (November 2023)
 - an in-person workshop attended by 50 people to which partners, parents and young people were invited, with a focus on developing practical strategy actions (January 2024)
 - analysis of recent consultation and engagement conducted as part of the Delivering Better Value in SEND programme – including survey responses from more than 100 parents and carers (2023 – 24)
 - Feedback from families attending Let's Talk SEND events.

3.19 The strategy has six priorities:

- **Priority 1** - Timely, effective, and well-coordinated support for children and young people with SEND - focuses on delivering continued improvements in the support provided for children and young people with SEND and their families in a context of increasing need for support.
- **Priority 2** - User-friendly services for children and young people with SEND and their families - reflects feedback from families and professionals that services are hard to navigate, and not sufficiently designed with children and families' needs in mind.
- **Priority 3** - Early identification and support for the under-fives - is part of our broader commitment to early identification and support. Providing early evidence-based support without delay can support children's development, avoid problems escalating and in some cases will mean that statutory assessment and plans are not required.
- **Priority 4** - A great education and support for every school-age child with SEND – includes wide-ranging commitments to ensure that more children's needs can be met within mainstream schools, whilst expanding supply of local specialist placements within the state-funded sector for children who need them.
- **Priority 5** - Opportunities and support for young adults with SEND – includes the development of more education, training, and employment opportunities for young adults.
- **Priority 6** - A borough that welcomes and celebrates children and young people with SEND and supports them to thrive – responds to calls from children and young people with SEND to make Tower Hamlets a genuinely accessible and inclusive borough, with opportunities for friendship, enjoyment, and activity for young people of all abilities.

3.20 Following review and feedback by the Health and Wellbeing Board, a consultation with children, young people, parents and professionals is planned on the draft strategy in May and June 2024. A final strategy, taking their feedback into account, will be agreed in late 2024.

4 EQUALITIES IMPLICATIONS

4.10 An initial equality analysis is attached. The issues identified will be explored further through the complete SEND Joint Strategic Needs Assessment, consultation and engagement on the draft strategy, and additional actions incorporated into the final strategy if required.

4.11 The strategy has potential to have a positive equality impact, by enhancing the opportunities, life chances and outcomes for children and young people with disabilities and promoting a child-friendly borough where services and facilities are inclusive for disabled children and young people.

4.12 There are significant potential equality considerations in developing a strategy for SEND. These will be addressed through a full Equality Impact Assessment:

- In some cases, prevalence of different needs and disabilities can vary by age, sex, and/or ethnic background, and needs are affected by poverty and deprivation.
- Children with some characteristics may be more likely to have SEND identified than others.
- Children and families' experiences of accessing services and receiving support may vary according to their background.

5 OTHER STATUTORY IMPLICATIONS

5.10 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.
- Data Protection / Privacy Impact Assessment.

6 COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 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. 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.

7 COMMENTS OF LEGAL SERVICES

7.1 Section 27 of the Children and Families Act 2014 requires local authorities to keep under review the educational provision, training provision and social care provision made for children and young people for whom the local authority is responsible who have special educational needs or a disability.

7.2 Section 30 of the Children and Families Act 2014 requires local authorities to publish information about the local offer for children and young people in their area who have special educational needs or a disability.

7.3 Statutory guidance, SEND and disability code of practice 0-25 (2015) sets out the requirements on local authorities relating to children and young people with a disability.

7.4 The matters set out in this report demonstrate the Council's compliance with the above requirements.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Draft SEND and Inclusion Strategy 2024 – 29
- Children and Young People with SEND: an overview
- Initial Equality Impact Assessment

Background Documents – Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012.

- NONE

Officer contact details for documents:

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