

TELFORD & WREKIN COUNCIL

CABINET - 24 JULY 2014

SPECIAL EDUCATIONAL NEEDS & DISABILITY (SEND) REFORMS

REPORT OF ASSISTANT DIRECTOR: CHILDREN'S SAFEGUARDING & SPECIALIST SERVICES

LEAD CABINET MEMBER: CLLR PAUL WATLING

PART A – SUMMARY REPORT

SUMMARY OF MAIN PROPOSALS

The SEND reforms have been an outcome from a national consultation relating to the needs of children and young people with Special Educational Needs and/or Disability. The Consultation and Pathfinder evidence resulted in the SEND reforms becoming enshrined in legislation through Royal Assent, March 2014 - Part 3 of the Children & Families Act 2014 (Act).

The aim of the reforms is to improve the life chances of children and young people through promoting early identification and intervention, bringing together the services needed to support the holistic needs of the children/young people 0-25, through a single assessment process, which co-ordinates existing assessments and leads to an appropriate plan. For those whose educational needs are more complex, this would be an Education, Health and Care Plan (EHCP). The aim is to promote choice and personalisation of provision with children, young people and their families at the centre of the process.

The legislation is due to be implemented in September 2014, when new requests for Statements of Special Educational Needs will be met through Education Health and Care Plans (EHCP). There is also the expectation that all existing Statements and 139A assessments, post 16 learning Further Education assessments, are reviewed and converted to EHCP within 3 years.

Robust governance arrangements are in place to support the delivery of the main aspects of the reforms. A meeting of key staff with a DfE SEN and Disability Professional Adviser on 26th June 2014 came to the shared agreement of reasonable confidence that the reforms will be delivered on time. However there is recognition that there is a significant amount of work to be done over the next 12 – 18 months, regarding the embedding of the systems, transition between existing service provision to the new systems and processes, and more importantly the need for culture change for staff, services and agencies.

2.0 RECOMMENDATIONS

- a) That progress towards readiness for implementation of the SEN reforms be noted**
- b) That the Director of Children and Family Services be granted delegated authority, following consultation with the Cabinet Member for Children Young People and Family Services to approve and implement revised SEN policies to meet the requirements of the Children and Families Act 2014.**

3.0 SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Priority Plan objective(s)?	
	Yes	1. Putting Children and Young People first 2. Vulnerable Children and Adults Protected
	Will the proposals impact on specific groups of people?	
	Yes	Children & Young adults 0-25 year with additional needs, special educational needs and/or complex health/disability needs.
TARGET COMPLETION/ DELIVERY DATE	Implementation to commence from 1 September 2014	
FINANCIAL/ VALUE FOR MONEY IMPACT	Yes	<p>The 2014/15 revenue budget for SEND is £2.642m. In addition to this there are also budgets within Safeguarding and Skills and Delivery which part fund SEND services and further work needs to be undertaken to identify the exact proportion within these areas that relates to SEND.</p> <p>For 2014/15 Telford & Wrekin council also has a non-ring fenced one off SEND Reform grant of £0.398m. This grant can either be used to fund associated additional costs associated with SEND reform or on costs meeting local need.</p> <p>For 2015/16 an indicative amount of £31.7m SEND grant will be available nationally to local authorities. Based on previous allocations of national SEND grant an estimated £0.099m may be received by T&W.</p> <p>Additional costs, of either a one off or ongoing nature, associated with the implementation and embedding of these reforms must be contained within the existing SEND budget and one off grant available.</p> <p>GS/TAS 02.07.14</p>
LEGAL ISSUES	Yes	<p>Department for Education (DfE) advice for local authorities and health partners about implementing the 0 to 25 Special Educational Needs and Disability system from 1 September 2014 was published on 9 December 2013.</p> <p>This advice sets out the changes being made to the Special Educational Needs (SEN) system and what organisations need to do to implement the system. The advice was updated on 8 April 2014 and on 10 June 2014</p> <p>On 11 June 2014, the DfE published a draft statutory special educational needs and disability (SEND) code of practice (0 to 25 years) for approval by Parliament.</p> <p>The Children and Families Act 2014 received Royal Assent on 13 March 2014 and from 1 September 2014 Part 3 of the Act places new statutory responsibilities on local authorities. Most importantly, local authorities will have to:</p> <p>Work with health and social care colleagues jointly to commission services to deliver integrated support for children and young people with SEN aged 0-25.</p> <p>Consult children, young people and their parents, and cooperate with a range of local providers across education, health, social care and voluntary sector partners to deliver the new system, including post-16 education providers such as further education colleges and training providers.</p>

		<p>Work with local partners, parents and young people to co-produce and publish a local offer of SEN services and provision to assist young people in finding employment, obtaining accommodation and participating in society.</p> <p>Provide a coordinated education, health and care assessment for children and young people aged 0-25, and new Education, Health and Care (EHC) plans that will replace the two existing systems of SEN statements (in schools) and Learning Difficulty Assessments (in further education and training).</p> <p>Offer those with EHC plans the option of a personal budget. Consider the transition from children's to adult services and whether to use a new power to provide children's services to young people over 18 to smooth their transition.</p> <p>KF 27.06.14</p>
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	<p>Opportunities;</p> <p>To develop best practice across the Borough, based on principles of inclusion, and community based services.</p> <p>To train staff to better meet the holistic needs of families, reducing duplication</p> <p>To bridge gaps across Social Care, Education and Health</p> <p>To identify and developing 'in house' services and interventions, which are fit for purpose and best value</p>
IMPACT ON SPECIFIC WARDS	No	Children who will benefit from the SEND reforms live in all parts of Telford and Wrekin

PART B) – ADDITIONAL INFORMATION

4. BACKGROUND

The SEND reforms have been an outcome from a national consultation relating to the needs of children and young people with Special Educational Needs and/or Disability. The Consultation and Pathfinder evidence resulted in the SEND reforms becoming enshrined in legislation through Royal Assent, March 2014 - Part 3 of the Children & Families Act 2014 (Act).

The need for reform was identified in the 2006 Education Select Committee Report and Brian Lamb's report 2009. These reports highlighted that parents felt that the existing SEN processes were overly bureaucratic and frustrating, resulting in them feeling the need to 'battle' through every step. In addition children were subjected to multiple assessments, with resources being misdirected, resulting in poorer outcomes for children and young people. There were concerns about the effectiveness of arrangements to meet the needs of young people who were at the life stage of transition into adulthood, as by the time they left school those who had special educational needs/disability were more than twice as likely to be out of education, training or employment.

The aim of the reforms is to improve the life chances of children and young people through promoting early identification and intervention, bringing together the services needed to support the holistic needs of the children/young people 0-25, through a single assessment process, which co-ordinates existing assessments and leads to an appropriate plan. For those whose educational needs are more complex, this would be an Education, Health and Care Plan (EHCP). The aim is to promote choice and personalisation of provision with children, young people and their families at the centre of the process.

The consultation set out the aims of having a system that was less stressful for families, provided increased, personalised choice and was more cost effective. There was a strong emphasis on full participation of children/young people and their families with an emphasis on mediation, robust commissioning and transparency of service provision.

To test the vision of the proposals the Department of Education set up 20 trials with 31 Local Authorities, these Pathfinder Authorities have provided information and training to inform the changes. These proposed changes challenged the existing practice with radical expectations of transference of power to front line professionals and community services to work more directly with parents, carers, children and young people. It was anticipated that this approach would increase families' confidence in services, giving them more control and supporting better outcomes for their children. In the current phase of the development (April 2014 – March 2015) Telford & Wrekin are partners in a consortium of West Midland Local Authorities as one of 11 Pathfinder champions.

Telford & Wrekin council showed considerable foresight, through the 2011/ 2012 re-structure, in bringing together key Local Authority services to meet the SEND requirements; these formed the Children's Specialist Service (CSS). The CSS have the remit to work across agencies, service and team structures to assess and co-ordinate the appropriate support for children and young people with additional needs, special educational needs and disabilities.

To support the delivery of the duties and expectations of the Act and the specific requirements of the revised Code of Practice the service has recently been further restructured. This was in order to re-align the separate teams that are managed through CSS into a model of delivery based on multi-disciplinary working, through a matrix management approach.

Through the re-structure consultation has involved staff across the Council, partners, including providers of education across the age range, health professionals, the Clinical Commissioning Group and the voluntary sector. We have engaged in close working relationships with parent's forums as well as with specific parent groups and individuals who have contributed through a co-production model of developing the processes and systems to support the changes. We have also engaged in a programme of culture change with staff, which will be supported by a robust training programme, as this is key to improving outcomes for our children and young people.

The re-structure provided an opportunity to develop posts that will support the culture change through an integrated model based on systemic practice. The 'new way' of working has been piloted through focusing on defined groups of children. We have evidence of improved outcomes for children, young people and their families through developing and contributing to changes in provision, with significant cost savings in some cases.

The legislation is due to be implemented on 1 September 2014, with the expectation that we review all existing Statements of Special Educational Needs and 139A assessments, post 16 learning Further Education assessments, and convert them to EHCP within 3 years, with identified priority groups. The Government has recognised that this will result in 'an additional burden' on the Local Authority and has provided 3 separate Grants to support the costs of change.

Our task and finish groups, which report to the “Aiming High for Disabled Children and SEN Commissioning Group (which in turn reports to the Children Young People and Families Board, which is accountable to the Health & Well Being Board and) have focused on specific key elements of the legislative changes:-

- Developing the assessment and planning processes, being piloted through an Early Years pilot.
- Personalisation, developing systems to support personal budgets, including a Resource Allocation System (RAS)
- Local Offer development group, working across services and agencies.

In addition we have a Communication strategy to engage partners.

The work of these groups identifies positive progress, and we would expect to be compliant with the legislation from the 1 September 2014. However there is recognition of a significant amount of work over the next 12 months, regarding the embedding of the systems, transition between existing service provision to the new systems and processes, and more importantly the need for culture change for staff, services and agencies. It is likely that there will be high expectations of the changes from September that may not be immediately met. We would expect to be compliant with the legislation from the 1 September 2014 and will continue to contribute and learn from the work of the Pathfinder Champions.

5. PREVIOUS MINUTES

Not applicable

6. BACKGROUND PAPERS

Not applicable

Report prepared by Diane Partridge, Service Delivery Manager, Children’s Specialist Services.