

Date: 25/11/14

Title of the Report: Update on Special Educational Needs and Disabilities Reforms and the Review of Special Educational needs

Ward(s) All

Portfolios: Cllr B.Cassidy- Children's Services

Executive Summary:

There are two areas of connected work currently in progress relating to Special Educational Needs and Disabilities (SEND). These are the implementation of the National SEND Reforms and a local review of SEND in Walsall.

This briefing provides an update on reports previously considered by the Scrutiny Panel in the 2013/14 Municipal Year. This includes progress and outcomes from the work streams identified above.

The SEND Reforms came into statutory effect on September 1, 2014. The reforms, underpinned by the Children and Families Act 2014 and the resulting updated Code of Practice, require Local Authorities to work in new ways to improve outcomes for children with special educational needs and disabilities. The report identifies the key principles underpinning the reforms and then considers progress in relation to implementation of the Local Offer, Education, Health and Care Plans, the 0-25 agenda, and the Communication Strategy.

The second part of the report outlines progress with the Review of Special Educational Provision in Walsall. It considers the purpose and context of the Review before describing the process to date and the next steps. The options to inform consultation are provided.

Reason for scrutiny

The Panel considered reports in January and April, 2014. As a result of discussion at each meeting, it was recommended that an update of arrangements in place, and further work planned, be considered by the Panel in the 2014/15 Municipal Year.

Recommendation:**That:**

The panel notes progress to date.

Background Papers

Reports to Children's Scrutiny and Performance Panel held in January and April, 2014

January, 2014

<http://www2.walsall.gov.uk/CMISWebPublic/Meeting.aspx?meetingID=2060>

April, 2014

<http://www2.walsall.gov.uk/CMISWebPublic/Meeting.aspx?meetingID=2062>

Resource and legal considerations:

SEN reforms place a requirement for collaborative working and joint commissioning between health, social care and education. Close collaboration between children's services and adult services is required. Parents, carers and young people will have access to redress through special educational needs and disability tribunal.

Current statements of special educational need will be reviewed and where appropriate converted to education health and care plans, this will have implications for staff time with a timeframe of 3 years for conversion of all plans in line with statutory guidance.

Citizen impact:

Integrated, more timely assessment and single education, health and care plans will mean children and young people with special educational needs and disability have their needs identified in a person centred way. Families and children and young people will be better engaged at individual and strategic levels and will help shape services so they meet local needs.

Performance management:

Failure to develop processes and professional roles, and train the workforce would risk Walsall not implementing the reforms effectively and could mean failure to meet statutory requirements under the Children and Families Act 2014. There is a risk that key multi-agency partners fail to commit to the reformed process. Failure to strengthen the continuum of provision could result in gaps and insufficiency in appropriate provision to meet the range of special needs experienced by children and young people in Walsall. Performance is monitored by operational and strategic multi agency groups.

Equality Implications:

The Special Educational Needs and Disabilities reforms are designed to ensure that children with SEND are given the help and support they need in a timely and personalised way.

Consultation:

Consultation regarding the SEND reforms is on going with children, young people and families through the Local Offer group and the Parent Participation Group and the Parent/Carer Forum. This is discussed further in the report. The consultation process is central to the SEN Review. This is discussed in the report.

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Report

Special Educational Needs and Disabilities Reforms

1. Key principles

The key principles behind the reforms are **co-production**, that is parents and young people working in full partnership with professionals and being given the opportunity to take control of support packages eg personal budgets, and **personalisation** meaning that support is tailored to meet the needs of the individual child/young person. The reforms recognise the importance of taking the views of children, young people and their families into account and involving them fully in decision making. The reforms recognise the importance of early identification of need and integrated assessment.

2. Key Developments

In Walsall the Multi Agency Manager's Group oversees the implementation of the SEND Strategic Plan with monthly meetings informed by the SEN Steering Group which has an operational remit. There are sub groups linked to the developments detailed below.

3. The Local Offer

The Local Offer detailing services for children with SEND and their families went live in September 14 following consultation with young people, parents and professionals which met the statutory requirement. The Local Offer is information that sets out the education, health and social care provision that the Local Authority expects to be available for children and young people with SEND. It is under regular review through the Local Offer Working Group. Further consultation work with young people and their families is on-going. The Local Offer can be accessed through the Council website and it includes a feedback link. Further development work will include social media links.

4. Education, Health and Care Plans

4.1 Education, Health and Care Plans (EHCP) came into effect on 1 September 14. These replace statements of special educational needs with a focus on person centred work and outcomes. The new process should facilitate children and families telling their stories once only and with a reduced timescale for completion (20 weeks).

4.2 Training across schools, health and social care was carried out as detailed in the previous reports. All new requests for statutory assessment of need will be completed under the new system. For all children and young people who currently have Statements of Special Educational Needs there is a plan in progress to transfer them all to the new plans over the next three years with an initial focus on children in transition stages.

- 4.3 Staffing in the SEN assessment team has been increased to meet the demands of this transfer process. The work of the SEN assessment team is under review in terms of adherence to the reforms and further training and development work will continue.
- 4.4 The DFE has signed off the Walsall EHC plan forms as compliant with the statutory guidance (see Appendix 1).
- 4.5 A Local Offer in terms of Personal Budgets linked to the EHC Plans is being developed through collaboration with commissioning services. Local authorities must prepare a personal budget for children and young people who have an EHC plan, if the child's parent or the young person requests one. A personal budget is an amount identified as available to secure provision that is required as set out in the plan. A personal budget can take the form of a direct payment which the family can spend themselves as cash, a notional budget which can be held by the Local Authority and spent on their behalf, or a combination of both approaches.

5. The 0-25 Agenda

- 5.1 The SEND reforms place a commitment on Local Authorities to provide services from 0- 25 years to support early identification of children and young people's needs and early intervention to support them. A key objective is successful preparation for adulthood, including independent living and employment.
- 5.2 A Whole Life Planning group including representatives from adult services, health and children's services has been working on improving joint approaches with a focus on reducing the stress of the transition from child to adult services historically linked to changes of worker and alterations to the support that is offered.
- 5.3 The post 16 project is a new multi agency team of four workers, consisting of a children's social worker, an adults social worker, a nurse and a career's adviser. This team has been given the task of identifying local packages of education and training support so that young people with significant and often complex needs can remain in their own communities rather than having to attend out of borough provision when reaching transition stage. The team is working with young people and their families to consider their views, assess needs and confirm the outcomes required. Local resources including Walsall College are being promoted where appropriate in plans.
- 5.4 It is recognised that children and young people with special educational needs placed in out of Borough schools have increased vulnerability. The Quality Assurance group which includes representatives from commissioning and the SEN teams, is reviewing the process for multi-agency monitoring of these placements.

6. Communications Strategy

- 6.1 In terms of the Communications Strategy, professionals and parents of children with SEND share and receive information at the now well established monthly Parent Participation Group. The Parent/Carer Forum also allows for engagement with parents. Presentations on the reforms have been made to these groups.
- 6.2 The bi monthly SEN Newsletter is disseminated to parents and to schools. Special Needs Coordinators (SENCO) are key teaching staff in terms of implementing the SEN reforms: at the SENCo forum information, support and training relating to the reforms has been given to Special Needs Coordinators by SEN team managers and educational psychologists. The Local Offer is now live as already noted.

Walsall Review of Special Educational Provision

7. The context

The SEN review is set within the context of other initiatives currently in progress particularly the development of an Inclusion Strategy, the School Improvement programme and the Behaviour and Attendance Strategy. An Inclusion Strategy will be developed over the coming months. Improved outcomes for children with special educational needs will be linked to effective implementation of these key strategies.

8. Why is the review necessary?

- Provision has not been reviewed since 2004 – so it is a timely review
- We need to check that we have the right children in the right place receiving the right provision
- We need to be certain that we identify all SEN needs in a timely way

9. What is the aim of the review?

The aim is to establish a continuum of special education provisions that:

- Meets the needs of children with special educational needs and/or disabilities in the context of legislative regulations in SEND and Education
- Secures outstanding provisions for children and young people
- Incorporates a range of provisions – including inclusive mainstream schools, additionally resourced provisions and units, and special schools that cater for a range of complex high need pupils
- Maximises the use of school to school support collaboration and outreach provision

10. Some of the issues to be considered in the review

- We identify SEN well but fewer and fewer children are placed in mainstream schools when they receive a statement
- We have no designated provisions for secondary age pupils with Autistic Spectrum Disorder (ASD)-who are working at expected level but need a different learning environment and approach
- We do not have sufficient speech and language specific provision
- We need to consider what we must do to give our schools the confidence and the resources to deliver what pupils need

11. The process to date

- Half day workshops with stakeholders held in 2014 to consider where we are now and to identify key issues. The stakeholders involved at these initial meetings were special school Head Teachers, Head Teachers of schools with Additionally Resourced Provision, providers of support services to schools and pupils, finance and school admissions
- Briefings for mainstream Head teachers and SENCos held in March 2014 to inform and obtain initial views
- Special JNC meeting June 2014 for information sharing
- Report tabled at Cabinet CMT July 2014 resulted in agreement to widen consultation
- Two Special School leaders have been seconded to work with the Local Authority to assist with the SEN review
- Informal consultation with all Special School Head Teachers and chairs of governors/ parents/ school councils completed in November 14
- Discussion at Secondary, Primary, Nursery and Special School Forum
- Three mainstream primary school heads are supporting the SEN review team from November 14
- Informal consultation with mainstream schools including parents, staff and governors to be completed by the end of November 14

12. Next steps

- Mainstream schools have been given until the end of December to provide feedback on options considered through informal consultation.
- Following analysis of the data the reporting process will then commence in January 15 prior to formal consultation.
- The planned implementation date is 01/09/15.

13. Types of need to be covered

- Severe Learning Difficulties/ Profound and Multiple Learning Difficulties (SLD/PMLD)
- Social Emotional and Mental Health (SME)
- Moderate Learning Difficulties (MLD)
- Communication & Interaction (Autism and Specific Language Impairment)
- Specific Learning Difficulties (Dyslexia) (SpLD)

- Physical Disability (PD)
- Hearing Impaired



Children's Services

Education Health and Care Plan (0-25 years)

Date of Plan

This plan belongs to: _____

Prefers to be called: _____

Date of birth: _____ Gender: _____



CONTENTS

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Section A**Personal Information**

Parents/carers: _____

Home Address: _____

Parents/carers address: _____

Contact numbers: Home: _____ Mobile: _____

Main point of Contact: _____

Emergency Contact: _____

Ethnicity: _____ Religion: _____

First language: _____

Email address: _____

Child in Need Yes/No

LAC Yes/No

Social Worker Name: _____

Social Worker Address: _____

Accommodation Type
(e.g. supported living,
residential) _____

School/Setting/
Day Activities(post school)
is: _____

Next of Kin (name and
address) _____

GP (name and address) _____

Primary Special Need is: _____ Other Special Needs: _____

Family/main carers:-**2**

Name	Address and contact details/e-mail address	Relationship	Parental responsibility Yes or no

**Other people/professionals who can give information about
(insert name):**

3

Name	Address and Contact details/ e-mail address	Role/Relationship

History

Date Completed _____

Completed by: _____

[illegible]

What is important to me now?

5

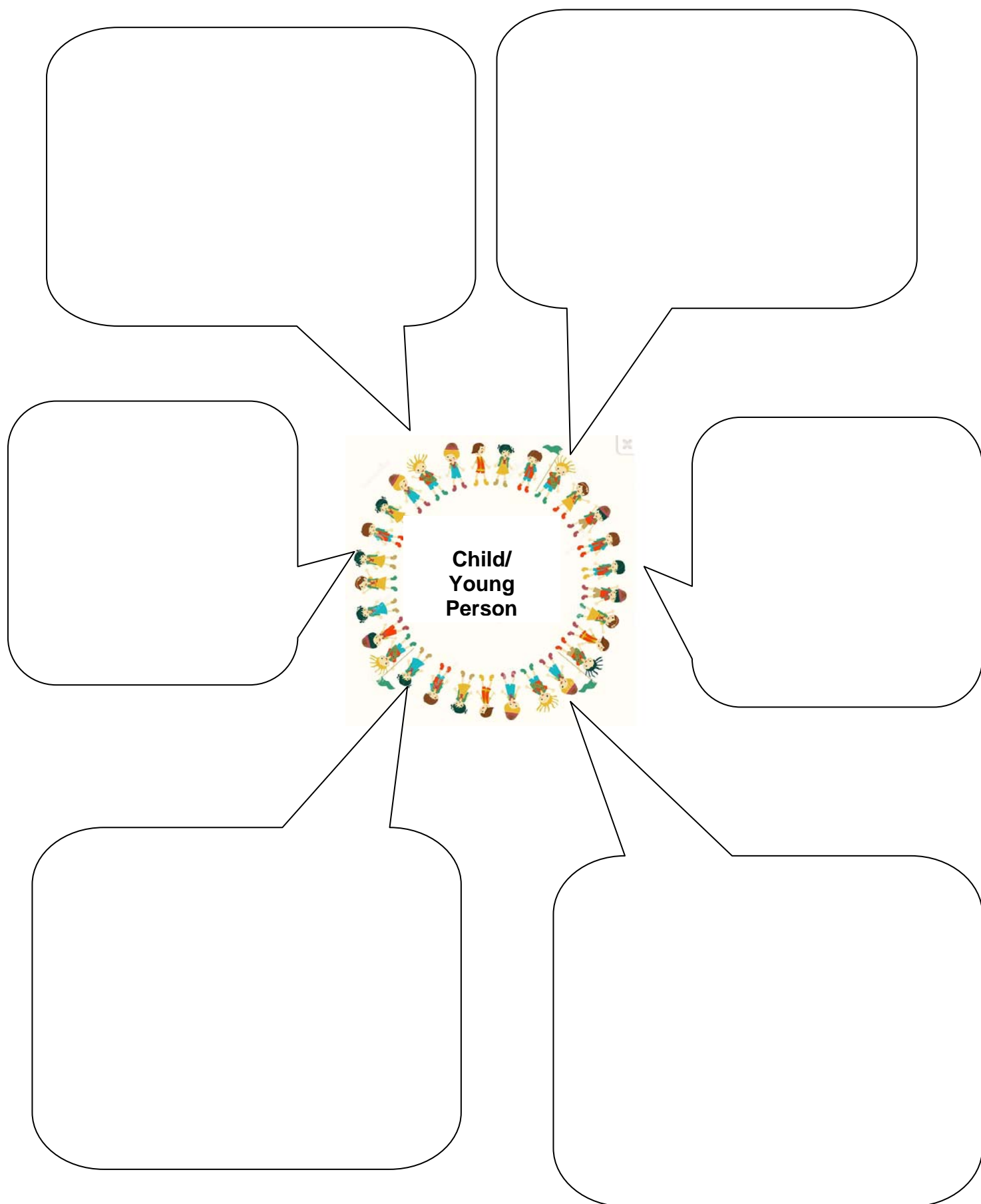
Completed by: _____

What my family think is important to me

What are my aspirations for future?

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This image shows a full page of blank white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page, providing a template for writing or drawing. There are no margins, text, or other markings present.



Section B

**Special Educational Needs (if you have no needs in an area, say 'no needs'
(National Curriculum/P Levels and Early Years goals if relevant)**

Education and Learning for life (Cognition and Learning)

Social, Emotional Wellbeing and Behaviour

Sensory/Physical

Speech/Language/Communications

Independence and personal care needs

Making friends, relationships and being part of my community

Leisure and Work

Section C

Health needs including diagnosis

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Section D

Social Care Needs

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What implications will these (section B-D) have for education and learning for life (including risks)

What implications will these (section B-D) have for leisure and work (including risks)

What implications will these (section B-D) have for life at home (including risks)

Section E: Outcomes to be achieved (for next stage in my life)

What is working towards: e.g. Education and Learning (for life and work)

Outcomes to be achieved	Target Date

Section F: Special Educational Provision required

Steps to achieve outcomes in Section E.	What help do I need to achieve this?	Who will provide this help?	How often? Target Date	Additional Resource Implications (time/cost) Budget?	Date of Review

Section G: Health Provision required

Steps to achieve outcomes in Section E.	What help do I need to achieve this?	Who will provide this help?	How often? Target Date	Additional Resource Implications (time/cost) Budget?	Date of Review

Section H1: Any social care provision which must be made from section 2 of the Chronically Sick and Disabled Persons Act 1970

Steps to achieve outcomes in Section E.	What help do I need to achieve this?	Who will provide this help?	How often? Target Date	Additional Resource Implications (time/cost) Budget?	Date of Review

Section H2: Any other social care provision

Steps to achieve outcomes in Section E.	What help do I need to achieve this?	Who will provide this help?	How often? Target Date	Additional Resource Implications (time/cost) Budget?	Date of Review

Section I – Placement and Support

School/college:

Other comments:

Section J – Where will the resources for the plan come from i.e personal budget/charging policy(if applicable)/other resource

Education				
6-12 month outcome needing additional resource	Education Support Arrangements	Funding Source	Proposed Allocation	Date of Agreement
Personal Budget				
		Total	£	

Health				
6-12 month outcome needing additional resource	Health Support Arrangements	Funding Source	Proposed Allocation	Date of Agreement
Personal Budget				
		Total	£	

Social Care				
6-12 month outcome needing additional resource	Social Care Support Arrangements	Funding Source	Proposed Allocation	Date of Agreement
Personal Budget				
		Total	£	

Family support needs:

How will this support be provided:

Section K- Appendices – The information used in this plan

What information was used?	Who wrote it?	When was it written?

Section L

Arrangements for reviewing this plan:

This plan will be reviewed every year.

The next review of this plan will
take place by: _____

Agreeing the plan

I have been involved in completing this plan and my views have been listened to and recorded. I understand that the information in this plan will be shared with relevant parties on a need to know basis.

	Name	Signature	Date
Name			
Parent/Carer			
Plan co-ordinator			
Other Local Authority and health providers			

Section M

Legal Information:

The Children and Families Act 2014 received Royal Assent on 13 March 2014 and started in September 2014. The Act amongst other things, introduces a number of significant changes to the system for children and young people with SEN or disability. One of the key changes introduced by the Act, is that Statements of SEN and Learning Difficulty Assessments have been phased out and replaced by Education, Health and Care Plans (EHCP).

This joint Education Health and Social Care Plan is made for the child/young person whose details are on the front cover. This plan contains the information that would previously have been included in a Statement of Special Educational Needs. It will give the child/young person the same rights as they would have had with a Statement. It will also place the same duties on the Local Authorities, schools and other agencies who work with the child/young person.

As in the past with a Statement, parents will have the right to appeal about the contents of the plan. The plan will also need to be reviewed and updated at least once a year.

In making and maintaining the Single Plan, Walsall LA will ensure that no child/young person is disadvantaged in comparison to those who still have a Statement of Special Educational Needs.

Complaints:-

If you are not happy with the assessment and planning process, in the first instance please contact the SEN Assessment Team who will address your complaint and discuss this with other services/agencies if applicable.

You may wish to make use of formal mediation. This is an independent and confidential service, which is free of charge. It is intended to help resolve SEN disagreements. Using this service does not affect your right of appeal to the SEN Tribunal. Please contact the SEN Assessment Team if you wish us to arrange this service on your behalf.

If you are not happy with the content of the EHCP, including the school named, you have a right of appeal to the Special Educational Needs and Disability Tribunal, HM Courts & Tribunals Service, 1st Floor, Darlington Magistrates Court, Parkgate, Darlington, DL1 1RU. Tel: 01325 289350 or e-mail sendistqueries@hmcts.gsi.gov.uk Any such appeal should be made within two months of the date of the final EHCP. If you are considering making such an appeal you may find it useful to contact the Parent Partnership Service they will be able to offer you information and advice about the appeals procedure. You can contact the Parent Partnership Service by telephone on 01922 650330 or email parentpartnership@walsall.gov.uk.

If you wish to appeal to SENDIST you will need to evidence that you have considered mediation.

The Parent Partnership Service is available to all parents of children with special educational needs, it aims to give parents of children with special educational needs access to confidential and impartial information, advice and support so you can make appropriate informed decisions. The Parent Partnership Service can assist you in writing letters and reports to the LA about your child's special educational needs and advise you on how to resolve your disagreement with the LA and avoid what can be lengthy Tribunal hearings. They can also provide you with access to an Independent Parental Supporter.