

**Education & Children's Services  
Overview & Scrutiny Committee**

**23 February 2016**

**Update on the Special Educational Needs Review**

**Ward(s)** All

**Portfolios:** Councillor C Towe, Learning, Skills & Apprenticeships  
Councillor E Hughes, Care and Safeguarding

**Executive Summary:**

This report provides an update on reports previously considered by the Education and Children's Services Overview and Scrutiny Committee. The report includes what has been achieved to date since the Panel met in November 2014 and an explanation of the key steps which need to be undertaken in the short and medium term to improve the quality of provision and outcomes for children with Special Educational Needs and Disabilities (SEND) in Walsall.

**Reason for Scrutiny:**

The report sets out the national and local context for SEND, the changes and improvements that have been made in Walsall and the priorities for further improvement.

**Recommendations:**

**That:**

1. Scrutiny note the content of the report, the improvements that are being made for children with SEND and their families and the priorities for continued improvement.
2. Scrutiny challenge and hold officers to account for the provision, outcomes and quality of service for children with SEND.
3. Scrutiny agree to receive regular reports based on the SEND Transformation Board reports, actions, performance data, outcomes and impact.
4. Scrutiny agree to performance data for SEND being included in the next update of the Panel's Performance scorecard (March 2016).

**Background papers:**

Panel considered reports in January, April and November 2014.

**Resource and legal considerations:**

The Children and Families Act 2014 requires all Local Authorities to assess children and young people who have been identified as having special educational needs.

This assessment may lead to developing an Education, Health and Care Plan (EHCP) for those aged 0 to 25. The Act requires Local Authorities to transfer all existing Statements of Special Educational Needs to Education, Health and Care Plans by 2018. All Local Authorities are also required to publish a 'Local Offer'. This provides information to children, young people, parents/carers about all services and organisations which supports the education, health and well-being of children and young people aged 0 to 25 years.

**Citizen impact:**

Local Authorities including health and education providers are required to meet the needs of children and young people who have special educational needs identified through statutory assessment processes or have been identified as having an additional need at school. Integrated and more timely assessments between education, health and social care in collaboration with children, young people and their parents will ensure that needs are identified early and are met through effective commissioning of services.

**Environmental impact:**

Not directly appropriate for this report.

**Performance management:**

The Council has a statutory duty under the Children and Families Act 2014 to consider whether an assessment of a child or young person aged 0 to 25 years is required. Where an assessment of special educational needs and disability is required that assessment and the completion of an Education, Health and Care Plan must be completed in twenty weeks. This process requires multi-agency collaboration and close partnership working with children, young people, their parents and carers, schools, Health, Social Care and any agency contributing to the identified needs of a child or young person. A range of performance measures at a strategic and operational level are in place to monitor and track the timely and accurate completion of all statutory requirements and service expectations, for example timeliness of assessments and completion of EHCPs.

**Equality Implications:**

The Special Educational Needs and Disability reforms contained in the Children and Families Act 2014 are designed to ensure that needs are identified and met through appropriate assessments, plans and support.

**Consultation:**

Parent partnership arrangements are in place to work with parents in developing key areas of special educational needs reforms. Any proposed changes to the Local Authority's work in relation to SEND are consulted on with stakeholder groups including parents, carers and young people.

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## **1. Background and Context**

- 1.1 In Walsall the achievement of pupils with special educational needs and disabilities at Key Stages 2 and 4 falls significantly below the national average. The incidence of exclusion for pupils from school is on the increase, particularly in secondary schools and academies. There is clearly a need to monitor and scrutinise the educational achievement of vulnerable pupils many of whom will have an identified special educational needs.
- 1.2 The Local Authority established an Education Challenge Board in 2014 which challenges and monitors school improvement, including the performance of children with special educational needs. This resulted in some targeted challenge and intervention in individual schools. Agreements are now being reached with schools where lack of achievement has been identified and monitoring and tracking approaches are being taken to address the gap in the educational attainment between those who have special educational needs and those who do not.
- 1.3 To support the priority on driving standards up the services within Special Education Needs and Disabilities have been move from Social Care into Access and Achievement. This enables the SEND and educational improvement agenda to come closer together, in particular with Walsall Schools and other education providers.
- 1.4 Significant priorities are to improve the attainment of pupils with special educational needs to ensure the effective delivery of statutory frameworks and good practice requirements and to continue to improve the strategies used to support pupils and schools. To monitor, challenge and support this a Special Educational Needs and Inclusion (SENDI) Transformation Board, chaired by the Director of Children's Services, has been established. This Board will compliment the work already being carried out by the Education Challenge Board in relation to achievement in school.
- 1.5 The inclusion of children and young people with SEND underpins the

Council's ambition that all have the same opportunities and access to help and support as their peers. The Children and Families Act 2014 is clear in its intention that every Local Authority, school and any other provider focuses on the individual and in so doing those outcomes for achievement and progress are clearly identified for each child and young person up to the age of 25 years.

- 1.6 The introduction and implementation of Education, Health and Care Plans (EHCP) from September 2014 replacing Statements of Special Educational Needs requires us to set out, after appropriate assessments are carried out, the needs of each child and young person and to identify the key education, social care and health outcomes in each EHCP.
- 1.7 The significance of the new EHCPs lies in the requirement for closer collaborative working with children and young people and their parents/carers in agreeing the final plans.

The plans also require health and social care to specify not only their contribution to the plans but also how they will contribute to the outcome for each person in receipt of a plan. This means that closer collaborative working arrangements need to be in place between key agencies to allow for this to be achieved.

- 1.8 Although the ownership of the EHCPs lies with the Local Authority it is the effectiveness of the commissioning arrangements of local Clinical Commissioning Groups in the procuring of specialist services, joint delivery of services and the quality of education support provided by schools and colleges that will ensure that all children and young people with special educational needs and disabilities, regardless of whether they have a Plan or Statement, achieve and progress to their ability.
- 1.9 The introduction of the Children and Families Act 2014 and its new Code of Practice together with implementation EHCPs and the need to review how we commission specialist school places provides us with an opportunity to look again at our specialist providers, our own services and how we can better meet individual needs to achieve improved and measurable outcomes whilst sustaining better value for money.

## **2. What has been achieved to date**

- 2.1 The statutory assessment team have successfully implemented the new EHCPs. The transfer of statements to the new plans is currently under way and is expected to be on target for full completion in 2018. (2.1 and 2.2 to one statement at 2.1)
- 2.2 The Local Offer has been published on the Council's website and a steering group has been established to support its continued development.
- 2.3 The strategic leadership of special educational needs and inclusion has been secured and a permanent Head of Service post will be advertised in March 2016.
- 2.4 The Inclusion Strategy was successfully launched in 2015 and work is now underway to develop this into a more comprehensive SEN and Inclusion Strategy for completion in 2016.
- 2.5 A re-structure of the SEN teams has now been proposed and consultation with staff is likely to end at the end of February 2016. Staff and trade unions are being fully consulted on the process.
- 2.6 In January 2016 a conference was organised for schools to update them on the key challenges facing both schools, their governing bodies and the Local Authority in raising standards for children and young people with SEND.
- 2.7 Two half day conferences for school staff and Governors were held in February 2016 celebrating the success of children with special educational needs. The DfE also attended to share with the authority and schools some of the challenges that lay ahead. Some of these are outlined in section 3.

## **3. Areas to be Improved through the Local Authority's Special Educational Needs, Disabilities and Inclusion Strategic Improvement Plan**

- 3.1 The overriding imperative to work more collaboratively with and challenge and support schools/academies to drive up standards and achievement for all children with identified SEND. To work with special schools, mainstream schools and other providers including Walsall Adult Community College and Walsall Further Education College that make specialist provision, to identify where we need to redefine and re-shape our provision, particularly where the needs of children and young people have changed over recent years.
- 3.2 Reduce the need for children and young people to go out of the Borough to receive their education (currently about 150 across the age range).

- 3.3 Reduce complaints from parents and avoid the need to go to Tribunal by focusing on the reform of the workforce to put the child and family more at the centre of the service.
- 3.4 Improve our ability to comply with the time lines required for completion of by EHCPS.
- 3.5 Continue to build our partnership working with families and colleagues in health and social care.
- 3.6 Continue to develop and improve the range and quality of services available through Walsall's Local Offer
- 3.7 Deliver services within budget and explore opportunities to develop traded services thereby enhancing greater opportunity for schools to purchase a wider range of support services.

#### **4. Key Next Step Priorities**

- 4.1 As a result of the Children and Families Act 2014 and the restructuring currently underway there is a need to develop a Workforce Development Programme. This will provide an opportunity for staff to consider different and more modern ways of working together. This will include key colleagues in education, health, social care and schools, e.g. SENCOs.
- 4.2 The banding arrangements supporting the funding of pupils with special educational needs will need to be revised to ensure that the High Needs Block on spend is maintained and that the needs of children and young people are appropriately funded in the right setting.
- 4.3 Review transport for children with SEND to ensure that where appropriate and in line with Council policy pupils are getting to school as independently as they can. Independent travel training will be provided and children will travel independently to school when it is safe and appropriate for them.
- 4.4 The Short Breaks policy will be reviewed in order to contain costs and to ensure a more equitable share of resources.
- 4.5 There is a need to look at our current special school provision and to consider any proposals for change to enable us to commission appropriate specialist provision and to enable more children and young people to access education in the Borough rather than costly out of Borough settings.

4.6 Progress joint work with Adult Social Care to scope the development of an All Age Disability team working with children and young people 0-25 years.

## **5. Conclusion**

5.1 Closing the achievement gap between pupils who have special educational needs and disabilities is a priority. We will be working to the new accountability framework, i.e. the SENDI Transformation Board, to ensure that the statutory framework around children and young people is sustained and developed, that the commissioning mechanisms in place to support children and young people are effectively working and that transition to adult life for our most vulnerable young people is planned in a timely way.

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