

		AGENDA ITEM 5
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Committee:	People and Families Scrutiny Committee	
Date:	14 November 2013	
<u>Special Educational Needs and Disability</u>		
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Purpose of the Paper:

To receive and review the proposed document, Strategy for Children and Young People with Special Educational Needs and Disability, 2014-19.

Strategy for Children and Young People with Special Educational Needs and Disability

2014-19



Draft 0.19
31/10/13



Essex County Council

Foreword

TBC

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SEND Strategy – Summary

VISION	To ensure that all Children and Young People with SEND have a full range of support and opportunities available to them and are provided with opportunities to maximise their life chances, goals and aspirations.			
PRIORITIES	Ensure every child with SEND can go to a good or outstanding school or education setting	Commission/deliver a range of high quality provision for all children and young people with SEND	Ensure a smooth progression to adulthood for all young people with SEND	Improve the Assessment and identification of SEND across agencies
DELIVERED BY	<ul style="list-style-type: none"> Schools and settings provide early, accurate and timely assessment for children with SEND, through well trained staff, where appropriate before children reach school – keeping to a minimum, delays between referral and action. Provide a more rapid and decisive response to school failure and underperformance Recruit, develop and retain teams of expert and experienced governors and leaders to support schools to improve Empower parents, families, young people and carers to understand and positively engage in the Essex education system Develop a clear strategy and action plan that will reduce the inequalities in outcomes for children and young people on the School Action Plus register at Key Stage 2 and 4 Continue to work closely with the specialist SEND sector (special schools and enhanced units) to strengthen their leading role in developing school to school SEND improvement mechanisms Support schools to develop the way in which they contribute and enhance the Essex <i>Local Offer</i> through developing an effective range of in-class and additional interventions and strategies which support Support schools to achieve excellent partnerships with a wide range of schools, services and agencies to in order to drive up the quality of the local offer for children and young people with SEND. Focus on improving the way in which schools use the resources available to them; maximising the positive impact of SEND funding and Pupil Premium Grant on pupil achievement. 	<ul style="list-style-type: none"> Develop and publish a ‘Local Offer’ articulating the totality of provision and services. Work collaboratively with health, early years providers and other partners to provide or jointly commission a continuum of provision for SEND Increase the amount of specialist provision available and consider the potential delivery options Develop a method of geographical forecasting to ensure sufficient special school places are available to meet current and predicted future needs in County Ensure quality and accountable commissioned services through good contract management and regular review and evaluation to facilitate evidenced based interventions Commission a range of specialist provision for those aged 0-25 years with acute or high-level low-incidence needs Establish additional enhanced provision and outreach support for pupils of mainstream ability with low incidence high level needs e.g. those with ASD Autistic Spectrum Disorders Commission early intervention and early support services that are targeted on priority areas of need Access to universal support services in order to intervene early 	<ul style="list-style-type: none"> Ensure appropriate assessment and plans are in place and these address the young person’s needs, ambitions and circumstances Engage and involve a range of partners, young people and their families in the coproduction of information sources and appropriate plans. A range of direct support is available to prepare for independent living and community cohesion. Professionals understand their role in transitions and communicate with others promoting and maintaining an open, balanced and consistent approach Promote independence, rights, choice and inclusion for all young people through a person centred approach. Provide opportunities for young people to access work experiences, placements, apprenticeships or job coaching Seek continuous improvement of services through regular consultation and feedback. 	<ul style="list-style-type: none"> Provide all parents, families and carers and service providers in Essex with information, advice and guidance to support assessment, referral and early intervention. Pilot and roll out an approach for a single plan covering complex or severe educational, health and social care needs for children and young people. Ensure that assessment processes and services are user friendly, easily accessible (online where appropriate), well communicated and that they meet legislative requirements Ensure the regular review of statutory assessment processes especially when circumstances or legislation change. Review and develop decision making processes in relation to statutory assessment and resource allocation based on clear and consistent criteria, efficient referral mechanisms and pathways

1 Introduction

Essex's Lifelong Learning Strategy 2013-18 was developed in order to meet two key objectives. Firstly to develop an approach to learning from cradle to grave encompassing all people across the County; and secondly to support and develop world class provision and outcomes in Essex.

This document describes Essex County Councils five year strategy for young people (aged 0-25) with Special Educational Needs and Disability (SEND), the need for which was identified as a key driver within the Lifelong Learning Strategy's implementation plan.

Essex is already proud of the services provided to these young people and yet despite significant investment, is aware that more can be done to improve outcomes and to ensure provision keep pace with changing needs (e.g. increasing autistic spectrum disorder needs) and legislative requirements.

This strategy and its accompanying implementation plan will help us to address a number of cross cutting themes including: -

- Increasing confidence in the system
- Identifying, intervening and supporting as early as possible
- Providing funding and resources
- Working in partnership and jointly commissioning
- Improving school experiences
- Securing positive outcomes (across education, health and social care)
- Embracing legislative change
- Supporting mainstream environments
- Ensuring specialist provision matches requirements
- Focusing on the most vulnerable



2 Our Vision for SEND

2.1 Our vision

To ensure that all Children and Young People with SEND have a full range of support and opportunities available to them and are provided with opportunities to maximise their life chances, goals and aspirations.

2.2 Our priorities

The following four priorities will help us to achieve this vision for all Children and Young People with SEND:



Priority 1 - Ensure every child with SEND can go to a good or outstanding school or education setting



Priority 2 - Commission/deliver a range of high quality provision for all children and young people with SEND



Priority 3 - Ensure a smooth progression to adulthood for all young people with SEND



Priority 4 - Improve the assessment and identification of SEND across agencies



2.3 Our Principles

The delivery of this vision and priorities will be underpinned by the following principles:

- **Easily accessible and available information is shared effectively between organisations.**
- **Services are delivered through partnership working and joint commissioning where appropriate.**
- **A strong and coordinated approach to early intervention and support exists.**
- **Most SEND needs are met in mainstream settings - with special school support.**
- **Parents, families and carers are viewed as experts regarding their child's needs and are involved with young people themselves in decision making.**
- **Inclusion and participation in family, school and community life.**
- **Equality of access to a range of services with increased choice and control.**
- **Quality provision is based on robust evidence.**
- **New, existing and evolving statutory responsibilities are and continue to be met.**

3 Context

3.1 Who are children and young people with SEND

A child or young person may have special educational needs or a disability or both. Definitions are provided below:

3.1.1 Special Educational Needs

A child or young person has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for them. A child of compulsory school age or a young person has a learning difficulty or disability if they:

(a) have a significantly greater difficulty in learning than the majority of others of the same age; or

(b) have a disability which prevents or hinders them from making use of educational facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions.

(c) a child under compulsory school age has special educational needs if they fall within the definition at (a) or (b) above or would so do if special educational provision was not made for them. Clause 20 Children and Families Bill

3.1.2 Disability

A child is disabled if he/she is blind, deaf or dumb or suffers from a mental disorder of any kind or is substantially and permanently handicapped by illness, injury or congenital deformity or such other disability as may be prescribed.

Children Act (1989) - Section 17 (11)

A person has a disability for the purposes of this Act if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

Equality Act (2010) - Section 6

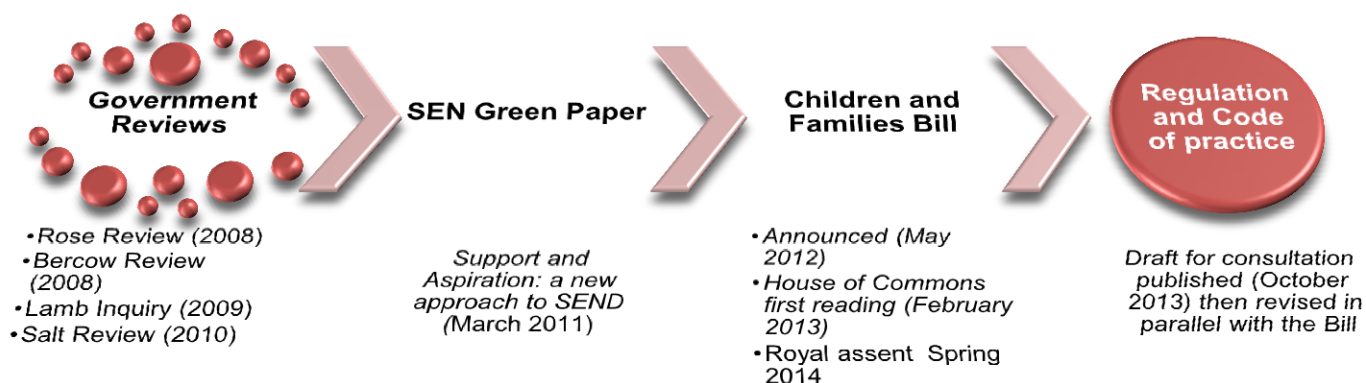
3.2 The Strategic Context

The development of this strategy has been informed by both the local and national policy agenda, together with the legal requirements and responsibilities for SEND provision.

3.2.1 National Context

This strategy has been produced in consideration of the significant government reforms to education, health and social care when working with and for children and young people with SEND (0-25) and their families and/or carers.

These reforms stem from the following high level summary of activity:



Essex and all other Local Authorities will have until September 2014 to implement the reforms from the Children and Families Bill. A summary of the main requirements can be found below:

- To involve parents, families and carers, young people and children in shaping the provision of services for those with SEND, and to develop closer co-operation with partners, including schools, academies and colleges as well as other local authorities and the VCS.
- To produce, in accordance with the bullet above, a 'local offer' which details the services to support children and young people with SEND and their families in a clear and transparent way so they can understand what is available.
- To undertake joint assessment, planning and commissioning of services for these children between education, health and social care to ensure more streamlined and integrated support through a streamlined assessment process and single plan (EHC Plan) covering a child and young person from birth to age 25.

- To introduce a duty for joint commissioning to ensure joint responsibility for providing services.
- To provide an entitlement for parents, families and carers and young people to have a personal budget to extend their choice and control over the services they receive.
- To ensure positive transitions at all key stages within a 0-25 age range, especially in preparing for adulthood. Providing greater powers for the Local Authority to continue services post 18 and introducing new protections for young people aged 16-25.
- School Action and School Action Plus will be abolished and replaced with a single school category, posing the question of what the school offer should look like to achieve better outcomes.
- To extend then SEND legal obligations of maintained schools to Further Education Colleges and academies (including free schools).

From 1 April 2013 General Practitioner (GP) led Clinical Commissioning Groups (CCGs) took over statutory responsibility for commissioning health services for children and adults. At this time Local Authorities became responsible for public health and were also required to establish Health and Wellbeing Boards to both provide leadership and also to ensure that health and social care services can become more integrated.

From 1st September 2014 a statutory duty will exist for both Local Authorities and CCGs to jointly commission services for children with SEND. The recently published Department of Health mandate for the NHS Commissioning Board includes a specific objective to ensure children with SEND have access to services identified in their agreed plan and that parents, families and carers have the option of a personal budget based on a single assessment across health, social care and education.

3.2.2 Essex Context

'Vision for Essex 2013 -17' sets out ECC Cabinet's overarching vision and priorities for the next four years and will inform the development of a revised corporate strategy, This SEND Strategy's vision and priorities are clearly in keeping with the corporate priorities identified, these overarching ECC priorities are as follows: -

Increase educational achievement and enhance skills

Develop and maintain the infrastructure that enables our residents to travel and our businesses to grow

Support employment and entrepreneurship across our economy

Improve public health and wellbeing across Essex

Safeguard vulnerable people of all ages

Keep our communities safe and build community resilience

Respect Essex's environment

In addition this SEND Strategy forms a key pillar of the Lifelong Learning Strategy which, alongside the Economic Growth Strategy, the Essex Crime and Disorder Reduction Strategy, and the Joint Health and Wellbeing Strategy forms a suite of strategies that demonstrate Essex County Council's commitment to delivering upon its corporate vision and priorities with key stakeholders and residents.

There are some 35,455 children and young people identified by schools as having SEND in Essex, representing 17.0% of the schools population. Despite being below the national average of 18.7% it outlines the importance of having a clear strategy for what is a significant vulnerable group within the county, of these:

- Essex has a greater proportion of pupils with Moderate Learning Difficulties (MLDs) as their primary need than identified nationally. In primary schools, 33.0% (20.3%), in secondary schools 33.5% (21.6%) and in special schools 29.7% (17.8%).
- Numbers of pupils with Autism Spectrum Disorder (ASD) in Essex primary schools have risen by 44% since 2008 but remain comparable with England in terms of this being identified as their primary need (7.9% compared to 7.8% across England). For secondary schools the rise is 78%, yet this is still below the England rate. For Special schools Essex has seen a fall in numbers despite a 46% increase nationally.
- Numbers of those with Behaviour, Emotional & Social Difficulties (BESD) have increased consistently across all year groups/key stages in Essex since 2008.
- Essex has seen a 48.8% increase in Severe Learning Difficulties (SLD) pupils in special schools since 2008 compared to 13.5% nationally. SLD pupils account for 33.6% of all pupils in Essex special schools, greater than the national average of 24.7%.

- In spite of rising Speech, Language and Communication Needs (SLCN) pupil numbers in both primary and secondary schools since 2008, Essex remains below the national rate for SLCN pupils¹.

There are currently 17 special schools in Essex, 3 of these are special academies. Special school provision in Essex is organised as follows;

- 9 New Model Special Schools provide for pupils with the most severe needs.
- 7 Community Learning in Partnership (CLiP) Schools provide for pupils with complex needs.
- There is one primary and one secondary behavioural, emotional and social difficulties school (BESD) in Essex providing both day and residential provision.

In January 2013 there were 2122 pupils at Essex special Schools and 2164 places commissioned. Further places have since been commissioned to reflect growth in demand for places meaning there were 2200 commissioned places at the beginning of the autumn term 2013.

There are 304 pupils placed in out of authority schools with another 100 on alternative education provision contracts. In addition there are 651 pupils attending Essex Pupil Referral Units of whom 101 have a statement of special educational need.

While this strategy will ultimately lead to the introduction of new Education, Health and Social Care plans the current situation is that schools initially intervene through School Action and School Action Plus. Where children do not make enough progress despite this intervention, and usually because they have complex/severe needs, then a statutory assessment is requested and undertaken which may result in a special educational needs statement.

Within Essex schools there are currently 6,905 pupils with a Statement of Special Educational Needs – 3.3% of the school population. This is higher than the national average of 2.8%. In 2012 there were 1,020 new statements issued which was the highest number issued by any Local Authority nationally. Furthermore the percentage of these pupils placed in mainstream schools has noticeably reduced from 80.3% to 65.3% in the last two years.

In contrast Essex has the lowest rate of School action pupils in secondary schools among statistical neighbours, 7.7% compared with a national average of 11.2%. Although this rate is falling in line with national comparators it does

¹ Any data used within the report which compares Essex figures to those of Statistical Neighbours or England are taken from the DfE website. Each year a Statistical First Release (SFR) is published that uses data collected from the January Schools Census and SEN2 Statutory Return. These are always titled 'Special education needs in England'. Any data that drills down into only Essex pupils is taken from January Schools Census files held by Essex County Council.

point to the fact that more could be done to intervene before a statement is required. School Action Plus rates broadly in line with national averages.

From an attainment perspective School Action pupils in Essex performed below the national average in all key stages. There were only a few exceptions to this – KS1 Maths and KS4 5+ A*-C including English & Maths. School Action Plus pupils performed considerably below the national averages in all key stages and in the case of KS1 Writing, some 13% below. However pupils with a statement in Essex tend to perform slightly better than their national counterparts².

In terms of post 16 transitions (for 2012 leavers) the percentage of Essex students in all SEND categories remaining in full time education is 75.1% which is below the all Essex average of 87%. However by contrast the percentage in work based training is actually 5.2% compared to 1.9%. Finally there are 6.4% of NEETs active in the Labour market from all SEND categories compared with 2.8% across all Essex leavers.

3.2.3 Financial Context

In the current economic climate public services are under financial pressure as almost never before. The recession and the Government's strategy to manage the debt have serious implications for public sector funding. In Essex, we are required to reduce budgets for many essential services over the next four years.

These financial constraints require us to reduce bureaucracy and increase effectiveness to ensure that provision targets children and young people to best effect.

From 1st April 2013 the Government changed the way in which all schools, including academies are funded for SEN provision. The intention of this funding reform was to:

- achieve maximum delegation of funding to schools;
- simplify the way local authorities and the Education Funding Agency (EFA) fund schools and academies so that it is more consistent and better focused on the needs of pupils;
- create greater consistency between local funding formulae (possibly as a prelude to the introduction of a national funding formula for all schools).

Each year the County Council receives a Dedicated Schools Grant (£958M at 2013-14) from Government which provides the overwhelming majority of funding for all schools.

- This grant comprises three blocks;

² DfE Pupil Characteristic Releases 2012

- The Schools Block (circa £790M)
- The High Needs Block (circa £112M)
- The Early Years Block (circa £56M)

As a result of the Government funding reform, mainstream schools now receive funding for pupils with special and additional educational needs from two sources. The majority of funding is delegated to schools from the Schools Block with 'top up' funding for individual pupils with high level, low incidence SEN provided via the High Needs block.

From April 2013 the County Council delegates to mainstream schools the first £6,000 of support for all pupils with special educational needs from the Schools Block through its normal funding formula. This is in addition to the basic Key Stage funding (estimated to be around £4,000) allocated per pupil.

Mainstream schools are required to fund the first £6,000 of provision identified for each child with a statement of special educational needs that is over and above what a school would reasonably be expected to meet from their Key Stage funding. Any additional cost over £6,000 is provided to the school by the County Council from the High Needs Block. Where the child is not resident in Essex, any top-up funding is provided by the home authority.

All mainstream schools including academies are expected to use their delegated budget to deliver high quality outcomes for all children including those with Special Educational Needs or Disability.

Special schools including special academies are funded at £10,000 per pupil place from the High Needs Block (being the equivalent of the £6,000 per pupil delegated to mainstream schools plus the equivalent Key Stage funding).

Almost £26M of the High Needs Block is used to support a relatively small number of children placed in independent schools and contracted alternative provision.

A small sum of around £600,000 is used from the Early Years block to support SEN.

4 Our priorities and how we developed them

We will deliver the SEND Strategy through 4 key priorities outlined on the following pages. These priorities and their underpinning delivery objectives have been informed by extensive consultation and co-production. This consultation engaged with as many key stakeholders as possible and to obtain their views on the future delivery of SEND, this included:

- An online consultation involving parents, families and carers as well as school and other public service employees, which received around 1,000 responses.
- A discussion workbook used with young people aged 7 years and older with special educational needs and/or disability who live in Essex, 59 children and young people gave their views in seven groups at two primary schools, two secondary schools, a special school and a special needs youth group.
- A number of events with targeted audience groups including Early Years Providers, key NHS staff, Special School Headteachers, Primary headteachers and a Governor advisory group
- Four SEND engagement days were held across the county. Attendees included parents, families and carers, school governors, head teachers, SENCOs, charities, voluntary organisations, elected members, social care and health professionals as well as local authority officers from the county council. These built upon previous consultation findings to further develop the priorities and delivery objectives.

Once a draft strategy had been produced informed by the above consultation activity, engagement with subject matter experts and analysis of best practice across the sector we ran an extensive communications campaign. This campaign circulated a draft of the strategy to groups of stakeholders and invited any final comments.

Priority 1 Ensure every child with SEND can go to a good or outstanding school or education setting

This is important because:

Where schools offer good or outstanding provision; children and young people with SEND can be supported to achieve their ambitions and make good progress. Essex and national data shows us that a significant number of children and young people with SEND do not make good progress; reach their potential and are not well prepared for the next stages of their lives. Essex families would like to work closely with their schools to achieve the best outcomes for children and young people and feel strongly that increased awareness and joint training around SEND issues would make a significant positive difference.

Our delivery objectives:

- Schools and settings to provide early, accurate and timely assessment for children with SEND, through well trained staff, where appropriate before children reach school – keeping to a minimum, delays between referral and action.
- Provide a more rapid and decisive response to school failure and underperformance **(LLS 2013-18)³**.
- Recruit, develop and retain teams of expert and experienced governors and leaders to support schools to improve practice and outcomes for children and young people with SEND **(LLS 2013-18)³**.
- Empower parents, families, young people and carers to understand and positively engage in the Essex education system **(LLS 2013-18)³**.
- Develop a clear strategy and action plan that will reduce the inequalities in outcomes for children and young people on the School Action Plus register at Key Stage 2 and 4.
- Continue to work closely with the specialist SEND sector (special schools and enhanced units) to strengthen their leading role in developing school to school SEND improvement mechanisms.
- Support schools to develop the way in which they contribute and enhance the Essex Local Offer through developing an effective range of in-class and additional interventions and strategies which support.

- Support schools to achieve excellent partnerships with a wide range of schools, services and agencies to in order to drive up the quality of the local offer for children and young people with SEND.
- Focus on improving the way in which schools use the resources available to them; maximising the positive impact of SEND funding and Pupil Premium Grant on pupil achievement.

Our success measure:

- Every school and education setting is rated either good or outstanding.
- Essex SEND achievement and progress measures (all key stages) exceed national averages and close the gap locally.
- A greater number of schools demonstrate rapid and sustained improvement, for children and young people with SEND.
- Improved attendance rates for children and young people with SEND.
- Reduced permanent and fixed term exclusions for pupils with SEND.
- Parents express an improved level of confidence with provision for SEND in mainstream schools.

“Support has changed me, made me more confident” (Student with SEND)

“The support we have had from the Specialist Teacher Team in Colchester has been first class” (Parent of Pupil with SEND)

“Promoting inclusion in mainstream schools is really important and is helped by therapy intervention\multi-disciplinary teams talking to one another” (School Employee)

³ Delivery objective taken from the Lifelong learning Strategy

Priority 2 Commission/deliver a range of high quality provision for all children and young people with SEND

This is important because:

Individuals should be able to access a range of high quality services when required to meet a wide and varied range of needs. Essex Partners will seek to develop SEND Provision in consultation with, and in collaboration with, its customers, recognising the challenges imposed by financial constraints in times of austerity and the need to be opportunistic and flexible in their approach.

Our delivery objectives:

- Develop and publish a 'Local Offer' articulating the totality of provision and services.
- Work collaboratively with health, early years providers and other partners to provide or jointly commission a continuum of provision for SEND.
- Increase the amount of specialist provision available and consider the potential delivery options.
- Develop a method of geographical forecasting to ensure sufficient special school places are available to meet current and predicted future needs in County.
- Ensure quality and accountable commissioned services through good contract management and regular review and evaluation to facilitate evidenced based interventions.
- Commission a range of specialist provision for those aged 0-25 years with acute or high-level low-incidence needs.
- Establish additional enhanced provision and outreach support for pupils of mainstream ability with low incidence high level needs e.g. those with ASD Autistic Spectrum Disorders.
- Commission early intervention and early support services that are targeted on priority areas of need.
- Access to universal support services in order to intervene early.

Our success measures:

- The local offer is published in accordance with legislative guidance and articulates the range of provision available.
- Increase the range and number of specialist provision places available particularly for pupils with ASD.
- Reduction in the number of pupils placed in independent out of county schools.



"People who drop behind should get help quickly so they catch up again with no delay" (Student with SEN)

"Children with Autism are often high functioning with totally different needs and get badly let down by the system" (Parent of pupil with SEND)

"Why does Essex not look at providing more suitable education settings, and increase the number of places available? Let's look at how we can help these children to thrive in suitable settings." (School Employee)

Priority 3 Ensure a smooth progression to adulthood for all young people with SEND

This is important because:

A focus on a smooth transition through life stages and into adulthood can support the achievement the best possible outcomes for each young person and maximise their independence, choice and control as they enter adulthood. Essex County Council and its partners are committed to work together to overcome obstacles and join up services in order to achieve this aim.

Our delivery objectives:

- Ensure appropriate assessment and plans are in place and these address the young person's needs, ambitions and circumstances.
- Engage and involve a range of partners, young people and their families in the coproduction of information sources and appropriate plans.
- A range of direct support is available to prepare for independent living and community cohesion.
- Professionals understand their role in transitions and communicate with others promoting and maintaining an open, balanced and consistent approach.
- Promote independence, rights, choice and inclusion for all young people through a person centred approach.
- Provide opportunities for young people to access work experiences, placements, apprenticeships or job coaching.
- Seek continuous improvement of services through regular consultation and feedback.

Our success measures:

- All young people with SEND have their own personalised plan.
- Feedback from young people demonstrates that they receive excellent services.
- The number of young people with SEND aged 16-25 engaged in education, employment and/or training will increase.



"Sometimes I worry about where I will live" (Student with SEND)

"Transition from college to whatever comes next there is a huge gap here" (Parent of pupil with SEND)

"Make sure that all realistic options are known to the students in way that they understand" (School Employee)

Priority 4 Improve the assessment and identification of SEND across agencies

This is important because:

Effective assessments following early identification is the first step in reducing the need for more costly and potentially less successful provision later on. This is both in terms of statutory assessment and also prior to this assessments by schools and teachers.

Our delivery objectives:

- Provide all parents, families and carers and service providers in Essex with information, advice and guidance to support assessment, referral and early intervention.
- Pilot and roll out an approach for a single plan covering complex or severe educational, health and social care needs for children and young people.
- Ensure that assessment processes and services are user friendly, easily accessible (online where appropriate), well communicated and that they meet legislative requirements.
- Ensure the regular review of statutory assessment processes especially when circumstances or legislation change.
- Review and develop decision making processes in relation to statutory assessment and resource allocation based on clear and consistent criteria, efficient referral mechanisms and pathways.

Our success measures:

- Assessments demonstrate that interventions are being made in a timely, effective and efficient manner which maximise outcomes.
- The number of early years pupils transferring to mainstream provision increases.
- Surveys demonstrate that parents, families and carers feel they have the right information, advice and guidance
- Reduction in the number of complaints regarding the assessment process.



"I struggle and my teaching assistant helps me, so I'm not left behind"
(Student with SEND)

"Make sure statutory assessment is carried out as soon as it becomes clear they are not making progress" (Parent of pupil with SEND)

"Ensure schools have full time SENCO's ; full time SENCO's in schools would be a huge benefit to children who are not progressing" (School Employee)

Glossary of terms

TBC