

# CHILDREN'S SERVICES OVERVIEW AND SCRUTINY COMMITTEE



Report subject	<b>SEND Improvement Journey</b>
Meeting date	8 June 2021
Status	Public Report
Executive summary	The attached slide pack provides a summary of: The statutory responsibility of the council; The views of children and young people; Our areas for improvement; The current position.
Recommendations	<b>It is RECOMMENDED that:</b>  <b>(a) The committee notes the issues raised in the accompanying presentation;</b>  <b>(b) The committee schedules further sessions at suitable intervals to scrutinise the progress of the improvement plan</b>
Reason for recommendations	SEND provision is crucially important for children and young people. The council and its partners will be the subject of an area inspection by OFSTED to assess effectiveness and the quality of oversight is one aspect that will be assessed.

Portfolio Holder(s):	Cllr Nicola Greene Cabinet Member for Covid resilience, schools, and skills
Corporate Director	Elaine Redding; Interim Director of Children's Services
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Wards	Council-wide
Classification	For Information

## Background

1. The Children and Families Act 2014 established new statutory responsibilities for local authorities and health services in provision for children with special educational needs and disabilities.
2. While many aspects of the reforms have been widely welcomed, there have been some unintended consequences.
3. There has been a significant increase in demand for Education, Health and Care Plans (EHCPs) that replaced the previous statutory assessments (commonly known as statements of SEN). Between 2014 and 2018 there was an increase of 35% in children with EHCPs and a consequent substantial increase in costs of provision.
4. The effectiveness of local areas in providing for children with SEND is inspected by OFSTED through SEND Area Inspections which began in spring 2016.
5. When the inspections were paused by the COVID pandemic, 117 of 151 local areas had been inspected. 60 of those were required to submit a written statement of action (WSOA) in response to significant weaknesses in their SEND services.
6. SEND services are funded by the High Needs Block (HNB) (a section of the Dedicated Schools Grant made to local authorities by central government according a formula). The HNB is cash limited.
7. All councils are reporting deficits in their HNBs. At the end of 2018 (the last date figures are available) nationally there is an accumulated deficit of £318m.

## Current position in BCP

8. The attached slide presentation provides the current picture.

## Summary of financial implications

9. The accumulated HNB deficit is £7.8 million at outturn with £0.5 million savings across other blocks, at March 2021.
10. The budget is cash limited but demand continues to grow.

11. Action being taken to recover this position must meet statutory responsibilities and relies on retaining the confidence of parents and carers that provision is designed to provide the best outcomes for children and young people.

### **Summary of legal implications**

12. The 2014 Act imposes duties on local authorities with regard to assessing children's special educational needs.
13. The 2014 Act imposes duties on local authorities to 'secure the specified special educational provision for the child or young person'.
14. Parents or carers have the right to appeal to a SEND tribunal which may direct the authority.

### **Summary of human resources implications**

15. The local authority needs to employ sufficient qualified staff to process applications for assessment for an EHCP within the required 20 week timescale, and to conduct the requirements of the annual review of each EHCP.

### **Summary of sustainability impact**

16. Improved local provision for children and young people with SEND will reduce the number of journeys to specialist provision.

### **Summary of public health implications**

17. Improvements in SEND provision can have a positive public health impact. An example is reductions in abuse and neglect.

### **Summary of equality implications**

18. Improved SEND services make a positive impact to inclusion, equality and diversity by supporting disadvantaged and vulnerable individuals and their families and preventing or limiting their adverse experiences.

### **Appendices**

1. SEND Learning and Improvement Plan Outline and Headlines (powerpoint presentation).
2. SEND Performance summary report