

BCP Health and Wellbeing Board



Report subject	Special Educational Needs and Disabilities (SEND)
Meeting date	24 th July 2019
Status	Public Report
Executive summary	<p>In 2014, the Department for Education and Department of Health set out the duties of Local Authorities, health bodies, schools and colleges to provide for those with special educational needs under part 3 of the Children and Families Act. This was later translated into a comprehensive Code of Practice in 2015.</p> <p>This paper sets the framework for which the strategic and operational response to the Act and Code of Practice will be developed and delivered for children and young people across BCP and for the governance of that work.</p>
Recommendations	<p>The recommendations are:</p> <ol style="list-style-type: none">1. That the Health and Wellbeing Board agrees to provide governance and strategic oversight for the delivery of services for children and young people with SEND across BCP in accordance with the Code of Practice (2015) and Children and Families Act (2014)2. Considers and supports the areas identified for development with regular reports on progress to meeting the requirements of the Code of Practice 2015
Reason for recommendations	Ensure compliance with the Children and Families Act 2014 and 2015 SEND Code of Practice

Portfolio Holder(s):	Cllr Moore (lead member Children's Services)
Corporate Director	Judith Ramsden (Director of Children's Services)
Contributors	Sharon Buckby (Interim Service Director Inclusion and Family Services) Vicky Wales (BCP LA)
Wards	All
Classification	For Decision

Background

1. In 2014, the Department for Education and Department of Health set out the duties of Local Authorities, health bodies, schools and colleges to provide for those with special educational needs under part 3 of the Children and Families Act. This was later translated into a comprehensive Code of Practice in 2015.
2. In May 2016 the two inspectorates, Ofsted and Care Quality Commission (CQC) stated a new joint inspection to review how local areas meet their responsibilities to children and young people (from birth to age 25) who have special educational needs or disabilities (SEND). The aims of these inspections are to hold local areas to account and champion the rights of children and young people.
3. The inspection is a system wide inspection. It considers the joint local areas arrangements for how children and young people with SEND (at SEN Support and the implementation of a statutory Education Health and Social Care Plan), how they are identified, how their needs are assessed and met and how they are supported to improve outcomes across education, the world of work and preparation for adulthood (including participating in their communities and leading healthy lifestyles). In the inspection framework there is a particular focus on vulnerable groups.
4. Critical to this is the coproduction, at child level through to strategic level, of services with parents/carers, children and young people. BCP will be the subject of a local area SEND inspection. Dorset has already been inspected in 2017 and is having a re-visit in 2019.
5. We currently (June 2019) have 2302 children and young people with a statutory education, health and care plan and are meeting our timeliness for assessment within 20 weeks at 75%.
6. The top categories of need for children and young people with EHCP are: Autistic Spectrum Disorder (29%). Social, Emotional and Mental Health with 19%, Moderate Learning Difficulties with 18% and Speech, Language and Communication Difficulties with 15%.
7. Males are significantly over- represented in the profile of children and young people with an EHCP, with 75% of the total Plans. 22.38% of Children in Care have an EHCP and 38.11% of Children in Care have SEN Support needs.

8. In January 2019 we undertook the school census and have identified 6195 children in BCP schools with SEN Support needs. The Top categories of need are Speech, Language and Communication Difficulty with 27% of the total, Specific Learning Disability (Dyslexia) with 21%, and Social, Emotional and Mental Health with 20%.

Details

9. As a new Strategic Partnership, bringing together core partners that are referenced within the Act, the Health and Wellbeing Board provides a clear platform for the governance of services for children and young people with SEND to ensure that the partners across BCP are able to meet the Act and Code of Practice.
10. To support the Health and Wellbeing Board in providing effective partnership governance and strategic oversight, we have established a SEND Partnership Group now known as the SEND Transformation and Development Group that brings together senior leaders from the Local authority (education services, adult and children's social care), the CCG, health providers, education settings (early years through to post 16) and parents, carers and young people. This is supported by a series of focus groups.
11. The purpose of the Group is to ensure that we are developing multiagency interventions that optimise resources across the system to meet the needs of and improve outcomes for children and young people.
12. Additionally, we have supported the development of a Parent/Carer Partnership Together Forum to enable parents and carers to work with strategic leaders to shape the services at prior to an education, health and care plan (SEN Support) and as part of the statutory assessment and delivery process.
13. Despite this early development for effective local area arrangements and to ensure that the partners are effectively delivering the ambitions within the Act and the Code of Practice, there are a number of activities that we now need to progress with some urgency. We ask the Health and Wellbeing Board to consider these areas and direct the delivery of them by partners.
14. Our recommendations are:
 - (a) We need to strengthen the SEND Transformation and Development Group by ensuring the full active participation and commitment to the group by senior leaders from across the core partners. This will be reported on to the Health and Wellbeing Board.
 - (b) We need undertake a comprehensive joint self- assessment with the CCG and education leaders and detailed action plan measured against the Joint Inspection Framework. The SEND Transformation and Development Group will drive this, with reports being brought to the Health and Wellbeing Board on a quarterly basis. By establishing our position and implementing an action plan we will provide a level of assurance to the regulators that we know ourselves and are taking steps to address areas that are underdeveloped, or are not fit for purpose, as well as improving services areas. We will report on this at the next Health and Wellbeing Board.

- (c) We need to ensure our voice of parents and carers for all children and young people at SEN support and with EHCPs are central to this self-assessment and to enable this we will implement a survey with the parents/carers forum over the summer period and then again periodically over the implementation of the strategic plan.
- (d) We recommend that the newly established Parent/Carers Together Forum is that this is recognised as the single forum for Parents/Carers for all partners operating within the SEND arena.
- (e) We need to establish a joint children and young people's SEND youth council and participation framework to ensure that the voice of children are part of that strategic investigation into the effectiveness of services.
- (f) We propose, with the Health and Wellbeing support, to commission a LGA Peer Review in November 2019. This will provide a stress test for.
- (g) Out of the self- assessment and the peer review needs to emerge both a SEN Strategic Plan and a Joint commissioning Plan. Currently the PAN Dorset Joint Commissioning Group has had limited oversight or development of joint commissioning for SEND in BCP. A BCP Joint Commissioning Plan will ensure sufficient and effective delivery of services for children and young people across BCP and enable the cross cutting Pan Dorset issues to be worked through in the Pan Dorset forum. We will report on progress at the next Health and Wellbeing Board.
- (h) To support this development Public Health will be able to add value through a review of evidenced based interventions that support families and schools to meet the needs of children with additional needs and avoid the need for specialist interventions, thus supporting the inclusion agenda.
- (i) Finally, Monitoring and Quality Assurance. The Dorset inspection identified that the quality assurance work was in its early stage and we remain at the early stages of this within BCP. As such the recommendation is that we progress with the joint quality assurance framework set up across Dorset in respect of SEND and a BCP data set, that can provide assurance to strategic leaders of the quality and impact of services to support children and young people with SEND. As part of the governance of services delivering under the Act we recommend that the Health and Wellbeing Board receive a quarterly quality assurance and performance report.

Summary of financial implications

15. Funding for children with SEND is a joint responsibility with Health. The funding for meeting the Council contribution additional needs of pupils with SEND is provided by Government through the High Needs Block (HNB) of the Dedicated Schools Grant (DSG). This tops up the funding formulaically allocated to schools for SEND where costs exceed an agreed threshold. Contributions from health services are considered either on a system wide basis for early intervention and prevention, for commissioning of provision against need or on a case by case basis as part of the EHCP process.

Summary of legal implications

16. None

Summary of human resources implications

17. Rethinking how services are configured

Summary of environmental impact

18. None

Summary of public health implications

19. None

Summary of equality implications

20. The BCP SEND Strategy is aimed at addressing inequality for this cohort of children and young adults -in terms of health, education outcomes and life chances.

Summary of risk assessment

21. Risks: reputational for BCP and CCG through potential poor inspection result and intervention from DFE and CQC and risks of poor child level outcomes if the SEND strategy is not successfully embedded.

Background papers

22. Links to Code of Practice, Children and Families Act, Inspection framework and Dorset Inspection Reports

Appendices

23. None