

<b>Report title</b>	Special Educational Needs and Disability (SEND) and Inclusion Strategy 2024-2027	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor Jacqui Coogan Jobs, Skills and Education	
<b>Key decision</b>	Yes	
<b>In forward plan</b>	Yes	
<b>Wards affected</b>	All Wards	
<b>Accountable Director</b>	Alison Hinds, Director of Children's Services	
<b>Originating service</b>	Children's Services	
<b>Accountable employee</b>	Helen Bakewell Email	Head of SEND and Inclusion helen.bakewell@wolverhampton.gov.uk
<b>Report to be/has been considered by</b>	SEND and Inclusion Partnership Board	22 November 2023
	Children's and Education Leadership Team	30 November 2023
	Strategic Executive Board	5 December 2023
	Children and Families Together Board	14 December 2023
	Children and Young People Scrutiny Panel	6 March 2024

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### Recommendations for decision:

The Cabinet is recommended to:

1. Approve the SEND and Inclusion Strategy 2024-2027 and strategic priorities as set out in this report and Appendix 1.
2. Delegate authority to the Cabinet Member for Jobs, Skills and Education, in consultation with the Director of Children's Services, to review and amend the strategic priorities as required during the period of the Strategy.

## **1.0 Purpose**

- 1.1 This report presents the Special Educational Needs and Disability (SEND) and Inclusion Strategy 2024-2027. It details the key elements of the Strategy and the Strategic Priorities.
- 1.2 The strategy enables the Local Authority to fulfil its statutory duties for SEND in the Children and Families Act 2014 and the SEND Code of Practice to secure a continuum of provision and support with partners for pupils aged 0-25 with SEND.

## **2.0 Background**

- 2.1 This is a refreshed strategy for Wolverhampton's SEND and Inclusion Services. The previous strategy was launched in 2020 with a supporting three-year timeline which is due to expire this year.
- 2.2 An easy read version of the SEND and Inclusion Strategy (Appendix 2) is also available.
- 2.3 During the period of the 2020 strategy, between 20 and 24 September 2021, Office for Standards in Education, Children's Services and Skills (Ofsted) and the Care Quality Commission (CQC), conducted a joint inspection of the local area of Wolverhampton to judge the effectiveness of the area in implementing the disability and special educational needs reforms as set out in the Children and Families Act 2014.
- 2.4 On the 12 November 2021 the inspection report for Wolverhampton was published and on 29 November 2021 a Senior Officials Meeting (SOM) took place with Department for Education (DfE) and NHS England and local area partners in Wolverhampton to outline their expectations enabling the local area to formally document their improvement journey through a Written Statement of Action (WSOA).
- 2.5 As a result of the findings of this inspection and in accordance with the Children Act 2004 (Joint Area Reviews) Regulations 2015, Her Majesty's Chief Inspector (HMCI) determined that a Written WSOA was required because of six significant areas of weakness in the local area's practice.
- 2.6 The Written Statement of Action (WSOA) provided a framework for addressing the significant areas of weakness identified by Ofsted and the CQC in their inspection.
- 2.7 In the final WSoA monitoring meeting in November 2023, the DfE and NHS England reported that progress 'is being made against each priority area' to further improve services for children and young people with special educational needs and disabilities (SEND) in Wolverhampton.
- 2.8 The key points reported following this monitoring visit included:
  - Leadership and governance are an observable strength in Wolverhampton. The SEND and Inclusion Strategic Partnership work together effectively to ensure oversight and challenge for the SEND Improvement programme. Education, Health, Social Care and

the Parent Carer Forum (PCF) work together with partners most recently on the co-production of a Self-Evaluation Form (SEF) and updating of the SEND Strategy. This would be further strengthened by representation from schools.

- Actions have progressed well across all priority areas and issues/ risks raised at the 15-month review have been followed up/ escalated as needed. No actions are now delayed.
- The area has been advised during this review to further strengthen their focus on gathering impact evidence for both the WSoA and SEF. Wolverhampton SEND partnership are well placed to now co-produce a position statement for each of the evaluation criteria in the SEF and for the WSoA.
- Wolverhampton have, through their work on the SEF, identified priorities and refreshed the SEND Strategy incorporating inclusion. Consultation on the Draft SEND and Inclusion Strategy began on 18 October 2023. The strategy sets out the vision and priorities of the SEND and Inclusion Partnership Board's offer to children, young people, and their families.
- The priorities within this strategy are adopted from the Department for Education's SEND & Alternative Provision Improvement Plan 2023 and outcomes are based on the inspection standards set out within the SEND Local Area Inspection Framework. Findings within the Send Specific and Emotional Health and Wellbeing specific Joint Strategic Needs Assessments have been analysed to assist development.
- Wolverhampton report that key next steps identified from the WSoA will be included within the SEND and Inclusion improvement plan which will detail the actions required to achieve the outcomes for each of the priority area within the strategy.

- 2.9 The strategy has been updated to reflect the significant progress and changes in Wolverhampton's SEND and inclusion services over the last three years.
- 2.10 As an area wide strategy, the document has been co-authored by Local Authority Officers and Officers from the NHS Black Country Integrated Care Board. Most importantly, in order to ensure that the views of our children, and young people with SEND and their families are at the heart of our strategic intent we have worked closely with Voice 4 Parents (Our Parent Carer Forum) and HY5! (Our young people with SEND Forum) throughout the creation of this strategy.
- 2.11 Our strategic priorities have also been created taking into consideration feedback from the Wolverhampton wide Parent Carer Survey and the survey for children and young people with SEND.
- 2.12 The SEND and Inclusion Strategy 2024-2027 sets out the vision and priorities of the SEND & Inclusion Partnership Board's offer to children, young people and their families. It also recognises and builds on our strengths and what works well for families.
- 2.13 During the period of the Strategy there will be further changes in order to meet children's needs going forward. The context will evolve as the Government's SEND and alternative provision improvement plan underpins the new national standards with legislation once they have been rolled out, which is planned to begin in 2025.

2.14 The Strategy outlines the context for SEND nationally and locally, sets out the vision and guiding principles and five strategic priorities.

### **3.0 Progress**

3.1 Public consultation was undertaken on the strategy between October and November 2023. via the following routes:

- SEND and Inclusion Partnership Board
- Childrens Education Leadership
- Families Leadership
- Strategic Executive Board
- online public consultation promoted via various agencies, local reporting mechanisms and the local offer resulting in 66 responses
- face-to-face public consultation group supported by Wolverhampton Information Advisory Service and Voice 4 Parents
- consultation with HY5!

3.2 Results of the consultation were very positive from both parent carers and professionals that work with children and young people with SEND. Over 85% of the respondents agreed or strongly agreed with the five priorities set out in the strategy and over 80% agreeing with how it would be delivered.

3.3 The full results of the online public consultation and our response are available in appendix 3.

3.4 Following the consultation amendments were made to the strategy to:

- Provide a clearer definition of the National SEND and Alternative Provision Improvement Plan.
- Provide a timeline for the strategy.
- Provide details of how the strategy and improvement plan will be monitored throughout the cycle of the plan and by whom.
- Provide further clarity on co-production and participation.
- Amendments to grammatical errors and provide explanations for abbreviations.
- Provide an easy read version of the strategy.

3.5 Additional comments received will be responded to in the SEND and Inclusion Improvement Plan.

3.6 The SEND and Inclusion Partnership Board will oversee the development and monitoring of our SEND and Inclusion Improvement Plan which details the actions required to achieve the outcomes for each of the priority areas.

- 3.7 The local area partnership will form working groups to deliver the SEND and Inclusion Improvement Plan with representation across social care, education, health and the voluntary/private sectors, children, young people, young adults, and families.
- 3.8 Our SEND and Inclusion Improvement Plan will be published on the Local Offer website with updates on our progress every six months.
- 3.9 We will continue to meet regularly with the Department for Education and NHS England to test, challenge and support the delivery of our strategy.
- 3.10 On the 31 January 2024 the SEND and Inclusion Strategy 2024 to 27 was presented to Children and Young People Scrutiny panel. Debate and challenge around the extent to which the strategy had been consulted as well as the financial implications. A request was made by Children and Young People (CYP) Scrutiny Panel members to meet with Officers to discuss the concerns raised. A further meeting took place on Thursday 22 February 2024 following which suggested amendments to the strategy were requested including strengthening the ambition of the Council within the strategy to be more aspirational in respect of the support and services available through the partnership to children and young people with SEND.
- 3.11 The strategy was resubmitted to CYP Scrutiny Panel on 6 March 2024 for pre-decision approval.

#### **4.0 Evaluation of alternative options**

- 4.1 Option: 1 Do nothing. This is not recommended, because it would fail to maximise the positive impact on provision and services for children and young people with SEND and the use of available resources.
- 4.2 Option 2: Agree the amendments made following the consultation process and continue the development and implementation of the SEND and Inclusion Strategy and strategic priorities.

#### **5.0 Reasons for decision**

- 5.1 Option 2 is preferred as it enables the Local Authority to fulfil its role to champion vulnerable children and young people, parents and families and promote educational excellence including for those pupils with SEND. It has a statutory responsibility to ensure that there is sufficient high-quality provision and to achieve this, the Local Authority needs to work collaboratively with partners and service providers. There is a need for a strategy to confirm strategic priorities with partners which will enable resources across the system to be deployed most efficiently.

#### **6.0 Financial implications**

- 6.1 There are significant pressures on the High Needs Block (HNB) of the Designated School Grant due in part to the continued growth in demand for and complexity of Education Health and Care Plans (EHCPs) and children requiring specialist SEN provision.

- 6.2 Part of this is as a result of the SEND Reforms 2014 which increased the age range of pupils eligible for EHCPs from 0-25 years old compared with 5-19 years old prior to this.
- 6.3 A key priority of the SEND and Inclusion Strategy is to enable more children to be educated within the city alongside their peers where appropriate which is more cost effective than children being educated at out of city SEN provision in either maintained/academy provision or particularly in the independent and non-maintained sector. In addition, this also causes pressure on the SEN home to school transport budget which is funded through the council's general fund.
- 6.4 The strategy aims to consider the cost and people needed to deliver this strategy will include local area joint commissioning arrangements and offer best value in delivering improved outcomes, as stated within priority 5 of the strategy.
- 6.5 There is a dedicated High Needs Block Sub Group which meets regularly and reports through to Schools Forum. The High Needs Block Budget is monitored through this group.
- 6.6 Strategic Finance is now working with the SEND Assessment, Planning & Provision Manager in monitoring key areas of the High Needs Block Budget. An example is the additionality budget utilised for supporting schools with additional funding for specific children. Methodologies are under consideration to benchmark any requests for additional funding against the current EHCP and funding matrix applied to the child, to provide better monitoring and control of this budget area. This work was with school leaders of several special schools.
- 6.7 Strategic Finance are working with data analytics on a SEND finance dashboard which will link with pupil SEND data.
- 6.8 The recent visit of Peter Grey from SSCYP – Strategic Services for Children and Young People, noted that good quality data is a strength. Through the High Needs Sub-Group and working with data analytics on the formulation of a SEND financial dashboard better forecasting and modelling can be coordinated for the High Needs Block Budget.
- 6.9 Another strength noted from the SSCYP visit was the establishment of the High Needs Sub-Group to help engage local Heads in budget management decisions. This was noted as an important step towards creating a culture of local collective responsibility. The recent work of Strategic Finance and the SEND Management with special schools on the additionality budget requests is a recent example of how this culture is being established.  
[PG/11122024/M]

## **7.0 Legal implications**

- 7.1 The Council has a statutory duty under the Education Act 1996 to ensure the provision of sufficient schools for the provision of primary and secondary education in their area. Under s.14 of the Education Act 1996, a local authority shall secure that sufficient schools for providing primary and secondary education are available in their area.

Sufficient means sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education. In meeting this duty, a local authority must do so with a view to securing diversity in the provision of schools and increasing opportunities for parental choice.

- 7.2 The Children and Families Act 2014 made significant changes to the way that educational provision was assessed and provided for to children and young people with SEND. Section 27 of the Act requires a local authority to keep under review its educational, training and social care provision for children and young people who have SEND and to consider the extent to which the provision is sufficient to meet need.
- 7.3 The Government published its plan to improve SEND support and alternative provision in March 2023. There are no immediate plans to amend existing legislation, although the Government does intend to underpin the new national standards with legislation once they have been rolled out, which is planned to begin in 2025.  
[AS/05122023/A]

## **8.0 Equalities implications**

- 8.1 Section 149 of the Equality Act 2010 requires that public bodies, in exercising their functions, have due regard to the need to (1) eliminate discrimination, harassment, victimisation and other unlawful conduct under the Act, (2) advance equality of opportunity and (3) foster good relations between persons who share a protected characteristic and persons who do not share it.
- 8.2 An Equality, Diversity and Inclusion (EDI) Impact Assessment has been undertaken and the overall conclusion of this assessment is that the implications are either positive or neutral. The assessments have not identified any potential for unlawful conduct or disproportionate impact and conclude that all opportunities to advance equality are being addressed. The equalities implications will be kept under review and updated assessment will be considered by the SEND and Inclusion Partnership Board when making decisions.

## **9.0 Schedule of background papers**

- 9.1. EDI Impact Assessment
- 9.2. Voice 4 Parents parent carer survey results.
- 9.3. Survey of children and young people with SEND results.

## **10.0 Appendices**

- 10.1. Appendix 1: Special Educational Needs and Disability (SEND) and Inclusion Strategy 2024-2027

- 10.2. Appendix 2: Special Educational Needs and Disability (SEND) and Inclusion Strategy 2024-2027 Easy Read Version
- 10.3. Appendix 3: Full results of the online public consultation and our response