



# Children, Young People and Families Scrutiny Panel

16 January 2019

<b>Report title</b>	Update on SEND Transformation	
<b>Cabinet member with lead responsibility</b>	Councillor Lynne Moran Education and Skills	
<b>Wards affected</b>	All	
<b>Accountable director</b>	Meredith Teasdale	
<b>Originating service</b>	Special Educational Needs and Disabilities	
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<b>Report to be/has been considered by</b>	Joint Education and Children's Leadership Team	07 January 2019

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## Recommendation(s) for action or decision:

The Scrutiny Panel is recommended to:

1. Endorse the direction of travel that City of Wolverhampton Council and the SEND Commissioning and Partnership Board are taking in meeting duties in the 2015 Code of Practice.

## 1.0 Purpose

- 1.1 The purpose of this briefing is to provide an update members on developments in provision and services for children and young people (CYP) with special educational needs and/or disabilities (SEND) since summer 2018. The paper will include updates on:
- SEND governance
  - SEND strategy implementation
  - SEND Joint Area Inspection preparation
  - SEND Peer Review

## 2.0 Background

- 2.1 The 2014 Children and families act and 2015 SEND Code of Practice established a statutory framework that required Local Authorities, education providers and health services to transform the way they worked with Children and young people with SEND and their families. SEND Transformation is the term used to describe how areas have changed their services in order to meet the new statutory framework. The key strategic changes that the SEND Code of Practice sets out are:

- Increase in the age range for statutory protection for children and young people with SEND to cover all years from 0-25 (previously this was 4-18)  
The significant areas of transformation can be described as
- The introduction of Education, Health and Care Plans to replace Statements of Special Educational Need and Learning disability Assessments
- A duty to jointly commission provision and support that meets the needs of the child or young person
- A duty to place children, young people and families at the heart of the decision-making process and co-produce provision and services that meet their needs both at an individual and a strategic level
- A duty to better inform and empower children, young people and families including the development and maintenance of a Local Offer website, impartial information advice and support services and mediation.

Over the last three years Wolverhampton has made great strides in effectively implementing the transformation required in the 2015 Code of Practice.

- 2.2 In the Spring and Summer of 2018 work was carried out to refresh, refocus and update the SEND Strategy for Wolverhampton. This work was opened by a system wide SEND Visioning day. The day and subsequent work with professionals from education, health social care and co-production partners produced the following outcomes:
- Validation and challenge to the SEND Self-Evaluation written in 2017-2018
  - A clear set of co-produced priorities and objectives for delivery over 2018-2020
  - Identification of where the Aims set out in the 2015-2020 SEND Strategy have not been effectively progressed.

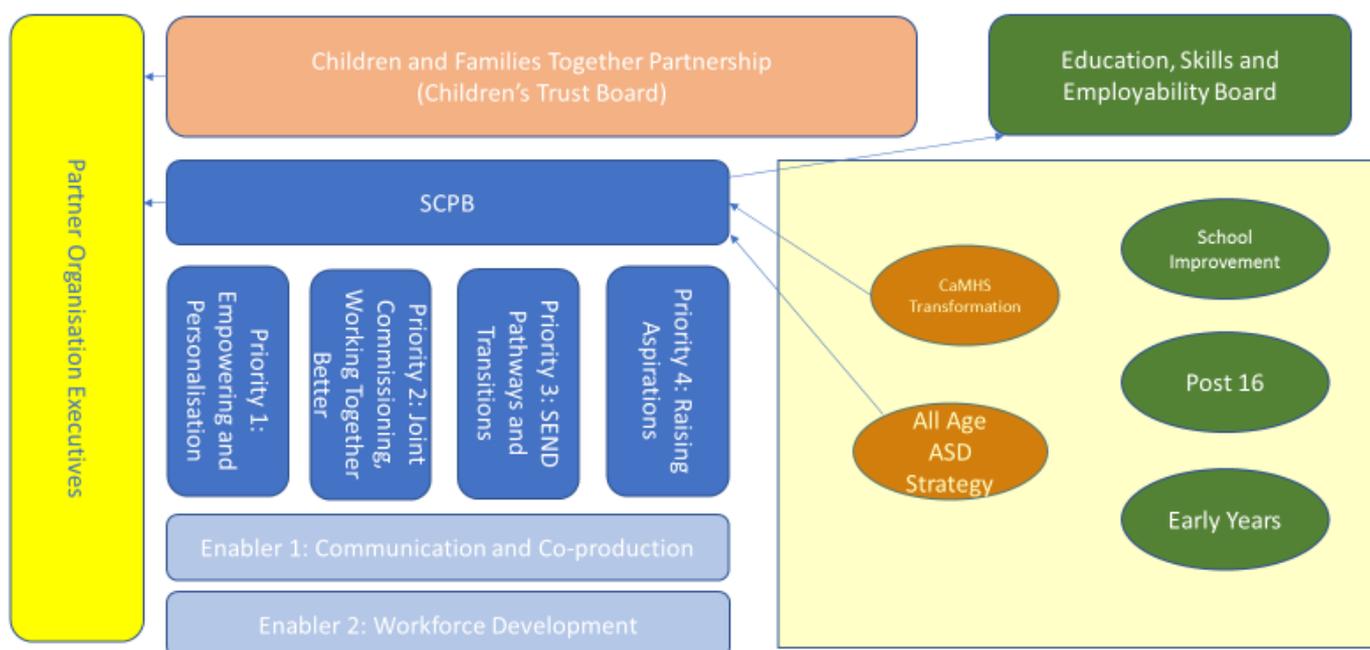
- Strengthening the role of the SEND Commissioning and Partnership Board (SCPB) and governance arrangements

2.3 Following the Summer co-accountable leads (one City of Wolverhampton Council representative and one Wolverhampton Clinical Commissioning Group (WCCG) representative) were identified for each of the priority areas. The co-accountable leads have worked with a critical friend from Voice for Parents to develop and implement action plans for the delivery of their priority. The progress of these plans is monitored by the SCPB.

2.4 There is a significant programme of work being undertaken by City of Wolverhampton Council regarding its statutory duties to provide transport and travel assistance to vulnerable groups. This work is overseen by the Developing Independent Travel (DIT) Programme Board. However, the principles of co-production, independence and empowerment that underpin the revision of the travel assistance policy cut across many areas of work within the People directorate including SEND.

2.5 **SEND Governance.**

The current governance structure for SEND is shown below and includes its relationships to other strategic delivery boards with overlapping objectives (Fig 1). The structure is colour coded to add simplicity with blue being directly related to the SEND Strategy, orange being directly related to the Children and Families Together board and (SRO's from each board are represented on the others to ensure that work is complimentary) and green being The Education and Skills Board. Executive accountability at The Council and WCCG along with other stakeholder executives such as Voice for Parents, Voluntary Sector Council (VSC), education and health providers etc is shown in yellow.



**2.6** Each priority shown in the structure chart in Fig 1 contains a number of objectives. These have been co-produced and align to the aims from the 2015-2020 SEND Strategy. Below is a high level update against each objective area.

### **3.0 Progress**

3.1 The following section sets out the progress in key objectives made during 2018

#### **3.2 Priority 1: Personalisation and Empowerment**

- a. **Personal budgets:** The mechanism for agreeing and the process for delivering personal travel assistance budgets (see DIT comment above) forms a part of a wider drive to increase the take up of personal budgets across education, health and social care. Although there are some spots of good practice in relation to personal budgets work on accelerating this began towards the end of 2018 and includes staff training and exploring better use of direct payments in a number of areas.
- b. **Improving Personalisation in EHCPs:** A number of developments to further improve the quality and timeliness of EHCPs are being adopted. A cloud based EHC hub has recently been procured through IDOX and the project is expected to start transferring EHCPs onto the hub by May 2019 with it being fully operational by 2020. (A specific paper on this will be brought to the February Joint Leadership Team meeting.) In addition, internal moderation of EHCPs has begun across Education, Health and Social care in order to improve the quality and consistency of practitioner advice and how it is transferred onto plans in a way that meets the needs of families. Changing Our Lives have recently delivered a piece of work on how we can improve young people's input into and ownership of EHCPs and its recommendations form part of the work of this objective.
- c. **Improving Access to and Quality of Short Breaks:** A review of short breaks has been underway since September 2018. The review will inform the commissioning framework for short breaks and make recommendations on accessing short breaks including eligibility, publicity and application processes. Personal budgets also form a significant element of the short breaks review and this work is aligned to the development of personal budgets cited above. The review is due to report to the SCPB in March 2019.
- d. **Improving the Accessibility and Quality of the SEND Local Offer:** Maintaining and constantly improving the Local Offer is an ongoing task. A series of publicity materials have been developed and delivered to schools, strengthening families' hubs and other organisations across the city. Accountability for maintaining relevant pages of the local offer has been improved and it remains statutorily compliant. Annual user testing and feedback sessions have been established to improve user friendliness. However, traffic flow across the site remains very low with neither professionals nor families using it as their "go to" site for information.
- e. **Improving the Quality of Information, Advice and Support:** Wolverhampton's Impartial Advice and Support Service (IASS) remains highly regarded nationally. However, since the introduction of the new floor targets for IASS Services work is underway to increase the offer available to provide advice to children and young people as well as establishing a clearer commissioning arrangement for the service.
- f.

### 3.3 Priority 2: Joint Commissioning

- a. **Ensure the Timely Provision of Flexible, High Quality Support for Children's Emotional Health and Wellbeing needs:** This objective is delivered through the Children's Emotional Health and Wellbeing Group as part of their wider remit. However emotional health and wellbeing remains a significant SEND issue and progress will be shared across.
- b. **Ensure the Availability of Timely and Effective Therapy Services (SALT, OH, Physio etc):** A complete review of therapy services is being undertaken led by WCCG in line with its commissioning cycle. The review is due to complete in Autumn 2019 with a view to ensuring that the commissioned services are fit for purpose in a more inclusive system with higher resource pressures. As currently, services will be jointly commissioned between WCCG and City of Wolverhampton Council.
- c. **Develop A More Integrated Commissioning System Informed by Joint Needs Analysis:** The first iteration of the SEND Needs Analysis and commissioning cycle was developed and implemented in Autumn 2018. It clarified the place planning and commissioning process for special provision and aligned the processes across special and alternative provision. 2019 will see better use of health and social care data and a SEND JSNA and Commissioning Intentions document. Work is underway to ensure that this is underpinned by a SEND Joint Commissioning Framework which is scheduled to be in place for July 2019.

### 3.4 Priority 3: SEND Pathways and Transitions

- a. **Improve the Experiences of CYP with SEND at key Transition Points:** Work in this objective is focussed around getting a clearer understanding of the issues. A report on specific areas of concerns and actions to address these is due to the SCPB in Summer 2019.
- b. **Implement an Improved Process for Assessment, diagnosis and post diagnostic Support for CYP with Autism:** Work undertaken against this objective is reported through the All Age Autism Strategy Board.
- c. **Improving the Identification, Provision and Support Pathways for CYP with SEMH and Behavioural Needs:** the roll out of "Getting it Right" training to support schools to identify and work with CYP with social, emotional and mental health (SEMH) and behavioural needs will be completed by March 2019 with significant numbers of practitioners already trained and positive feedback on the impact of training received. The review of Alternative Provision to support CYP with SEMH and behavioural needs was undertaken in 2018. The recommendations from the review are being implemented through 2019. Significant amongst these is the establishment of a peer led support and challenge process for accessing CWC commissioned provision and services. This is scheduled to be in place for April 2019.

### 3.5 Priority 4: Raising Aspirations

- a. **Improve the access to leisure facilities for CYP with SEND and their Families:** Initial work has commenced with WV Active to promote their accessible offer and better understand the needs of families. A number of ASC friendly swim training sessions are being developed in 2019. Improving the knowledge of accessible facilities already available in the city has also begun with accessible playground equipment being identified and added to the SEND Local Offer.
- b. **Increase the level of Independent Travel for CYP with SEND:** This work forms part of the DIT Programme and is reported through the DIT board. As with ASC and

emotional health and wellbeing lead officers sit on and report to both boards and work is aligned.

- c. **Raise the Educational Expectations, Attainment and Achievement of CYP with SEND:** A number of commissioning elements are being used to increase access to mainstream provision for CYP with SEND. These include the review of high need funding matrix currently underway to ensure schools are properly supported, a support and challenge mechanism to mainstream schools, and a full review and recommissioning of resource bases in 2019. Outcomes in EHCPs are subject to audit and moderation to ensure that they are stretching enough, and SIAs will from 2019 start to question schools on their delivery against EHCP outcomes. Throughout 2018 a number of special schools have worked with The Council on the Engagement Profile pilot and development of the new special school curriculum and progress and achievement measures.

3.6 The Outcome measures for the SEND Strategy are listed below. This is not an exhaustive list of key performance indicators rather it is the suite of high level measures that will determine the effectiveness of the SEND Strategy delivery and implementation of the 2014 SEND reforms

- % of children with SEN making good levels of development
- % of children with an EHCP making expected progress at KS2
- KS4 and KS 5 progress and attainment figures
- Proportion of parents who feel they're opinions are taken into account
- % of parents who feel they are effectively supported by services
- % of families/ young people that feel and included in the EHC process
- % of 1 year and 2 year health checks
- 16-25 year olds with SEND in meaningful employment
- Joint funded Personal Budgets and direct payments
- Number of pupils in special schools traveling independently
- % of children with an EHCP able to remain in mainstream settings
- % of EHCPs delivered in 20 weeks (16 weeks for children who are looked after)
- Reducing the level of out of city placements.

#### 4.0 Joint Area SEND Inspection

4.1 Since May 2016 Ofsted and the Care Quality Commission (CQC) have been conducting joint inspections to assess how effectively local areas are identifying, assessing and meeting the needs of, and achieving outcomes for children and young people with SEND and their families.

4.2 As part of our preparation for inspection the SEND self-evaluation form (SEF) is currently being updated to take account of work undertaken in 2018. Requests for updates from heads of service and managers are being sent out during the week commencing 7<sup>th</sup> Jan.

4.3 Key areas for concern in relation to the Joint Area Inspection remain:

- High number of exclusions, including those with EHCPs

- Lack of educational achievement and access to mainstream provision for children and young people with EHCPs
- Low take up of and inconsistent quality of one and two year health checks
- Lack of satisfaction and clarity of short breaks provision
- Low number of supported apprenticeships and internships
- Below Average number of EHCPs completed in 20 weeks

4.4 A sharepoint site has been established to support the preparation for the SEND inspection. The site contains logistics and communication plans, key evidence and strategy documents including the SEF and the evidence to support it. Since September 2018 work has been undertaken to ensure that learning from and preparation for inspections is brought together across Children's and Education directorates.

## **5.0 Financial implications**

5.1 The primary driver for work undertaken in SEND Transformation and the SEND Strategy for 2015-2022 is statutory compliance. However, there are areas in which costs may be incurred. These would be identified as individual projects are identified and delivered. Similarly, good practice around co-production and developing independence, personalisation and resilience offer opportunities for future life long savings to be made as reliance of Council and Health services is reduced.

## **6.0 Legal implications**

6.1 The 2014 Children and Families Act, 2014 Care Act and 2015 SEND Code of Practice place specific duties on Local Authorities in how they should work with and commission support and provision for children and young people with SEND and their families. The SEND Tribunal Service and the Local Government Ombudsman have the power to direct Local Authorities or impose fines where Authorities are not in compliance with the Code of Practice.

## **7.0 Equalities implications**

7.1 There are a broad range of projects and individual changes that fall under the umbrella of SEND Transformation. Equalities implications of each are assessed individually.

## **8.0 Environmental implications**

8.1 Environmental implications are assessed at individual project or plan level

## **9.0 Human resources implications**

9.1 This report contains no specific human resources implications. Some of the projects under the SEND Transformation work will affect staff practice but these will be identified at the level of each specific project.

**10.0 Corporate landlord implications**

10.1 This report contains no specific implications for corporate landlord.

**11.0 Schedule of background papers**

11.1 There are no preceding reports.