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DATE: 5 February 2015

OUR REF:

YOUR REF:

Dear Councillor

CHILDREN, FAMILIES AND ADULT SAFEGUARDING OVERVIEW AND SCRUTINY COMMITTEE - TUESDAY, 10TH FEBRUARY, 2015

I am now able to enclose, for consideration at next Tuesday, 10th February, 2015 meeting of the Children, Families and Adult Safeguarding Overview and Scrutiny Committee, the following reports that were unavailable when the agenda was printed.

Agenda No Item

9.Special Education Needs (SEN) Update (Pages 1 - 4)

10.Child Sexual Exploitation (CSE) Task and Finish Group (Pages 5 - 8)

Yours sincerely

Democratic Services Officer

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CHESHIRE EAST COUNCIL

REPORT TO: Children, Families and Adult Safeguarding Overview and Scrutiny Committee

Date of Meeting: Tuesday 10th February 2015

Report of: Fintan Bradley, Corporate Manager Education Strategy

Subject/Title: Special Educational Needs (SEN) Update

1.0 Introduction

1.1 This report provides an overview of the current work within SEN and Inclusion, including progress made in relation to the implementation of the SEND (Special Educational Needs and/or Disability) reforms arising from the Children and Families Act 2014.

2.0 Recommendation

2.1 Scrutiny Committee is asked to:

Note the progress to date

3.0 Background

3.1 The Children and Families Act 2014 (Part 3) introduced a series of reforms to the system of support for children and young people with SEN and/or disability. The reforms came into force on 1st September 2014, with the exception of statutory requirements relating to children and young people detained in youth custody.

3.2 Key Changes to Special Educational Needs and/or Disability Framework from September 1st 2014 included:

- New requirement for LAs, health and care services to **commission services jointly** for SEN and disability;
- LAs to publish a clear, transparent '**local offer**' of services;
- More streamlined assessment process, co-ordinated across education, health and care and involving families throughout
- **New 0-25 Education, Health and Care Plans** for those with more complex needs;
- New statutory protections for young people aged 16-25 in FE
- A new duty on health commissioners to deliver the agreed health elements of EHC plans;
- The option of a **personal budget** for families and young people with an EHC plan.

- **SEN Support** replaces School Action and School Action Plus in the Code of Practice

3.3 The Department for Education (DfE) recently consulted on the draft Special Educational Needs and Disability (Detained Persons) Regulations 2015 and revisions to the SEN and Disability Code of Practice: 0-25 years. The SEND Detained Persons Regulations and revised SEND Code of Practice have been laid in Parliament and the revised Code and consultation response has been published on gov.uk. Subject to approval by Parliament the new regulations and revised SEND Code of Practice will come into effect in April 2015.

4.0 DfE visit

- 4.1 A representative from the Department for Education (Andre Imich, SEN and Disability Professional Adviser) visited on 9th December 2014 to discuss our progress in implementing the SEND reforms.
- 4.2 Overall, the DfE representative was happy with our progress and noted that information from our local schools on the Cheshire East Local Offer was very good. A few areas for development were picked up – notably around further enhancing some areas of online information.

5.0 SEND Multi-Agency Managers Group

- 5.1 There is a strong emphasis on joint working in the new SEND Code of Practice. As a result, an SEND Multi-Agency Managers Group has been created to oversee the main areas of SEND development work. This governance ensures that a multi-agency reporting mechanism is retained as the work moves from project management structures into “business as usual”. The group meets on a monthly basis.
- 5.2 The group includes representation from education, Early Help and adult social care (and adults) within the local authority, along with health colleagues from our two local Clinical Commissioning Groups. Young Advisers are also active members of this group.
- 5.3 The group have produced an initial draft of a Joint Strategy for Children and Young People with Special Educational Needs and Disabilities (SEND). This will then lead onto the development of an SEND policy via a Task and Finish Group, as previously discussed.

6.0 EHC (Education, Health and Care) assessment process and EHC plans

- 6.1 Due to the change in legislation and the resulting implementation period, there are currently 4 assessment processes in progress:
- Assessment for new EHC needs assessment requests received post-1st September 2014 (20 week process)
 - Assessment for individuals that requested statutory assessment pre-1st September and have since chosen to undertake the EHC needs assessment process instead (26 weeks)

- The process for transferring children and young people with a current statement of SEN to the new system (14 weeks)
- The process for transferring young people with a current Learning Difficulty Assessment (LDA) to the new system (20 weeks)

6.2 The legislation pertaining to 'transition' states that local authorities have until April 2018 to transfer pupils with existing statements of SEN to the new system. Young people with an LDA must be transferred to the new system by September 2016 (where they remain in education).

6.3 In line with the new legislation, a Local Transition Plan is available on the Cheshire East website to describe local arrangements for transferring children and young people with a current statement or LDA to the new system. This is currently being updated and reviewed. In line with the legislation, there is currently a focus on transferring individuals approaching a key transition point – particularly pupils in Year 11.

6.4 Officers are currently working with the internal **Business Improvement Team** to scrutinise the processes described in 7.1, in terms of efficacy and efficiency.

6.5 Officers are also involved in the Digital Customer Services Programme being led by PricewaterhouseCoopers, to look at potential digital opportunities within the EHC needs assessment process.

6.6 Work is also underway to customise the Early Help Module of **Liquid Logic**, which will replace the current Tribal case management system.

7.0 Local Offer

7.1 Promotional Material has been developed and is being distributed. Promotion of the Local Offer was incorporated into the launch event for the new Children and Young People's Plan. Data shows that the new information Cheshire East directory, which incorporates the Local Offer, received over 4,100 page views in the month of January (excluding access via Council equipment). This represents a significant increase on figures for December (2,147) and November (3,805).

7.2 The directory is undergoing daily updates to records and categorisation, and further work is being undertaken with partners and other business areas to enhance the range of information available.

7.3 Several other directories from the Cheshire East website have been incorporated into the new directory, removing duplication and providing a single information source for residents and professionals.

7.4 Training materials for providers have been developed, detailing how providers can update their own records. Trial training sessions have been held with internal staff and will be rolled out to external providers in coming months.

7.5 User testing sessions are currently in development.

7.6 Officers are working in conjunction with a number of other local authority areas to make significant improvements to the search function of the directory.

8.0 Personal Budgets

JCLT have approved a number of 'areas' for piloting a personal budget where this is linked to an agreed outcome in an Ed, Health and Care Plan and moderation verifies the appropriateness of a personal budget. Initial areas for the pilot are: assisted travel; specialist aids and equipment. There have been no requests or suggestions for the pilot as yet. Interest nationally is currently low.

9.0 Preparing for Adulthood

Previously, officers working in the 'post school – age 25' age group were required to identify and arrange a suitable destination for young people leaving school. The reforms bring additional duties of monitoring and review without additional resources nationally. Transferring LDAs to EHCPs is therefore a challenge to our capacity and experience. To date approximately 50 LDAs have successfully been transferred to EHCPs. Officers are working with providers to develop and extend the range of opportunities available and to improve the information shared for monitoring the progress and outcomes of our young people with SEND. Further Education providers are piloting termly data returns for all students registered with them.

10.0 Joint commissioning

Local authority and CCG Commissioners are investigating opportunities for joint commissioning in speech and language therapy. There is an increasing trend of speech and language needs (27% in twelve months); we are therefore reviewing existing need, the allocation and configuration of provision in order to determine if we can make better use of existing resources and in this context, review sufficiency of provision. This will inform proposals for developing the service offer and joint commissioning in this area.

11.0 Miscellaneous

11.1 A procurement process to identify and appoint a new provider of SEN Mediation and Disagreement Resolution services, in line with the new legislation, is almost complete. Scoring of bids and interviews were conducted by a multi-agency group, which included both parent and young person representatives.

CHESHIRE EAST COUNCIL

REPORT TO: CHILDREN FAMILIES AND ADULT SAEGUARDING OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting: 10 February 2015
Report of: Chairman of the (CSE)Task and Finish Group
Subject/Title: Child Sexual Exploitation (CSE) Update

1.0 Report Summary

- 1.1 This is an interim report to provide the committee with an up to date position on the progress of the CSE Task and Finish Group investigation into the Council's CSE safeguarding arrangements.

2.0 Recommendations

That the report be received.

3.0 Background

- 3.1 At its meeting held on 1 December 2014, the Committee appointed a Task and Finish Group to investigate the adequacy of the Council's arrangements to protect young people in Cheshire East from Sexual exploitation. The members of the Task and Finish group are:

Councillor Phil Hoyland (Chairman)
Councillors Arthur Moran, Gill Merry. The task and Finish group has been assisted also by Councillor Jos Saunders.

- 3.2 The Task and Finish group has met 7 times over the period 15 December 2014 to 31 January 15 and has interviewed 10 individuals.

- 3.3 The Task and Finish group agreed the following terms of reference:

To seek assurances about the Council's safeguarding arrangements in relation to CSE, to advise the Cabinet and the Council's partners on any improvements that are considered appropriate to local arrangements and to raise awareness of CSE across the whole community of Cheshire East. This will be achieved through a review to be undertaken over a 2 month period beginning on 1 December 2014 and concluding on 31 January 2015 by a Task and Finish group comprising 3 Members of the Children Families and Adult Social care

Overview and Scrutiny committee, supported as the need arises by other members of the Committee.

4.0 Progress

- 4.1 The starting point for the investigation was the national focus given to CSE resulting from the recent cases of grooming and sexual exploitation of young people in Rochdale and Rotherham. The subsequent publication of the Jay report, which had been critical of the various agencies responsible for safeguarding in Rotherham and the report produced by Anne Coffey MP commissioned by the Greater Manchester Police and Crime Commissioner to review the Greater Manchester response to CSE added to the evidence that some local authorities had questions to answer in respect of their procedures for dealing with CSE. In light of these and other high profile cases, Members decided to review Cheshire East's arrangements to protect against CSE, specifically to seek assurances that arrangements are fit for purpose and agile enough to address any issues relating to CSE in Cheshire East, no matter how they arise.
- 4.2 As the investigation has progressed it has become clear to the Members involved, that this is a big task. In just over 2 months, we have met 10 individuals, most of whom are involved in CSE at a strategic level. We still have many more people to speak to within the Council and possibly countless more from organisations outside of the Council. We are grateful to all those who have given their time to date and assisted us with our enquiries and in so doing, have greatly enhanced our knowledge of CSE.
- 4.3 Whilst not wishing to finalise our conclusions at this early stage, we have been heartened to discover that CSE is taken very seriously by the Council and its statutory partners.
- 4.4 We are confident from what we have heard that the procedures and policies we have in place are good. CSE takes many forms, and although there is no evidence of the large scale systematic CSE that has occurred elsewhere, there is evidence of isolated cases of CSE in the borough. We are satisfied that when cases come to light, all agencies act swiftly. Of course, we can only deal with what we know, and for this reason the Council and its partners have to remain vigilant at all times. The training programmes we have in place for schools and partner agencies in health etc. are vital in making sure that not only staff within these fields understand and recognise the signs of CSE, but take action when they have suspicions, or just as importantly, when matters are brought to their attention.
- 4.5 We were particularly pleased to hear that plans are in place to put together a dedicated multi agency team under the direction of Kate Rose the Head of Children's Safeguarding Unit to ensure that CSE is kept high on the agenda, and we will watch with keen interest how this group develops.

- 4.6 There are some minor areas of concern at the moment, and we will ensure that our early findings are reported to the appropriate responsible officers.
- 4.7 The first is outside the scope of our review and was a matter originally brought to our attention by the police. This relates to the licencing arrangements for taxi and private hire drivers.
- 4.8 We were concerned to discover that there is not only a lack of consistency in respect of the conditions attached to licences in different local authority areas but that there is very little evidence that intelligence is shared between authorities, especially about applicants who, for instance, may have made an unsuccessful application in one area, but subsequently secure a licence with another authority. We also discovered that if a driver has committed a criminal offence or breached the conditions of the operating licence the police will notify the licensing authority, but this may not necessarily be the authority in which the driver mainly operates. This is a concern, because we have strong evidence to suggest that many private hire/taxi drivers who operate within Cheshire East are licenced by other local authorities. The details of our concerns will be passed on to the licensing officers, but we acknowledge that this is a national issue and may have to be tackled through regional networks.
- 4.9 The Task and Finish group has been impressed with the strong partnership working arrangements afforded by the co-location of key staff from ChECS, the police, and the child protection team at Dalton House Middlewich and would encourage those arrangements to continue when the staff are re-located to Sandbach in the near future.
- 4.10 We would also like to make some initial observations on the following matters:
- It is clear that the chair of the Local Children's Safeguarding Board LSCB, Ian Rush has a close working relationship with the Director of Children's Services (DCS) and his team, however the independence of the LSCB chair also needs to be clear. There is no suggestion that this is currently in doubt, however we feel the formal reporting line should be direct to the Chief Executive, notwithstanding, operational matters will be dealt with by the DCS and his team.
 - We are aware that the Chief Executive recognises the importance of the LCSB attends the boards meetings and has provided an open door policy for the Independent Chair of the Local Children's Safeguarding Board. However given the nature of the LSCB's work the group were pleased to hear that the Chair of the LSCB now has direct structured access to the Chief Executive.
 - Education and health teams should have direct input in to the ChECS service and police and funding is put in place to allow the Education Welfare officer to sit with this team as a matter of priority and immediate

consideration be given to making sure that cover is made for sickness and holidays.

- That, efforts should be maintained to ensure that training and practice are followed through at grass roots level across key partnerships especially schools, surgeries and hospitals. We would seek assurances about how this information is cascaded through organisations and monitored for effectiveness on the ground, especially as many of the partner organisations now operate as commissioners and therefore rely on contractors to ensure delivery. We would ask: Is this nimble enough?
- There is evidence of good practice and communication between agencies but in some cases this appears to have occurred because of the individuals involved rather than as a result of a formal requirement. However, we have concerns about potential weaknesses especially in respect of those agencies which operate across boundaries between Cheshire East and Greater Manchester, especially Stockport and Trafford to the north and Staffordshire authorities to the south. Contacts need to be formalised at both senior and grass route level.

5 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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