

Cabinet

Date of Meeting: 11 September 2018

Report Title: SEND Reforms Task and Finish Group – Final Report

Portfolio Holder: Councillor J Saunders – Children and Families Portfolio Holder

Senior Officer: Mark Palethorpe - Acting Executive Director of People

1. Report Summary

- 1.1. This report introduces the SEND Reforms Task and Finish Groups report on its findings, conclusions and recommendations following its review.

2. Recommendations

- 2.1. That Cabinet receive the Task and Finish Groups report.
- 2.2. That Cabinet notes the following recommendations:
 - 2.2.1 That the shortfall in provision, particularly for those with moderate learning difficulties and autism be addressed.
 - 2.2.2 That all schools be encouraged to welcome children with SEND.
 - 2.2.3 That working relationships between partners and the sharing of information continue to be improved, particularly in the production of EHCPs.
 - 2.2.4 That EHCPs be produced as a word document to enable all partners to amend them.
 - 2.2.5 That EHCPs avoid jargon, be written in plain English and celebrate what the child can do.
 - 2.2.6 That further training and support be given to all partners to ensure that referrals are complete and of a suitable quality.
 - 2.2.7 Systems need to be implemented and support provided to ensure parents are kept fully up to date on the production of an EHCP.
 - 2.2.8 That the Multi Agency Moderation Panel and its processes be reviewed.
 - 2.2.9 That a Cheshire East accredited Educational Psychologist system be introduced to deal with and accept private reports.
 - 2.2.10 That a review of the specialist support services be reviewed to ensure that they are fit for purpose.

- 2.2.11 That a review of the tribunal service be undertaken.
 - 2.2.12 That a further Task and Finish Group be established to investigate the local offer for 16 – 25 year olds.
 - 2.2.13 That Cheshire East explore an equipment store to be used by all schools.
 - 2.2.14 That early year's providers be supported with the right knowledge, training and resources, to identify children with SEN and apply for an EHCP.
 - 2.2.15 That further work be undertaken to promote personal budgets and a policy be introduced.
 - 2.2.16 That the Schools Forum be requested to investigate whether or not the allocation of funding with an EHCP and additional hours per child is adequate.
 - 2.2.17 That the Schools Forum be requested to review the distribution and methodology of funding.
- 2.3 That the Portfolio Holder undertakes to come back to a future meeting of Cabinet with a formal response to each recommendation and that response be submitted to the Children and Families Overview and Scrutiny Committee.

3. Reasons for Recommendation/s

- 3.1. The Children and Families Act 2014 introduced a series of reforms relating to special educational needs and disability (SEND). The reforms aimed to improve the provision of services for children and young people with SEND, as well as giving them and their parents/carers greater control over how their needs are met, up to the age of 25. The Children and Families Overview and Scrutiny Committee considered it appropriate to scrutinise the implementation of those reforms.

4. Other Options Considered

- 4.1. No alternative options were considered.

5. Background

- 5.1. The SEND reforms Task and Finish Group met in September 2017 to scope the review and agreed the following terms of reference:
 - To understand the history of SEND.
 - To understand the types of provision available.
 - To investigate the timeliness of producing new EHC plans and of transferring statements to new plans
 - To investigate the staffing and governance arrangements/resources.
 - To determine whether or not partnership working could be improved.
 - To investigate the child and parents/guardians perspective.
 - To investigate the availability and accessibility of the local offer.
 - To investigate the take up of personal budgets.

- 5.2 Following completion of the review, at its meeting held on 16 July 2018, the Children and Families Overview and Scrutiny Committee approved the final report, which is now attached for consideration by Cabinet.

6. Implications of the Recommendations

6.1. Legal Implications

- 6.1.1. There are no legal implications at this stage, however there may be legal implications associated with the implementation of any approved recommendations.

6.2. Finance Implications

- 6.2.1. The full list of recommendations which are being made to Cabinet by the Task and Finish Group have not yet been fully assessed. If the recommendations are approved further work is required to capture the financial implications.
- 6.2.2. The funding the Council receives via the DSG high needs block which is used to fund SEN expenditure is under significant pressure as a result of rising numbers, increasing complexity and the increase in costs of independent provision.
- 6.2.3. As a result the Schools Forum has created a sub-group entitled the “High Needs Formula Working Group” to undertake further research and consider some of the options. These will consider ways to allocate the funding received by the Council differently and include banding.
- 6.2.4. However, as the funding is under pressure this will be redistribution rather than any increase in funding.
- 6.2.5. The issue of increasing volume etc has been fed back to the relevant Government Departments.

6.3. Policy Implications

- 6.3.1. There are no policy implications at this stage; however approval of the recommendations may result in policy changes.

6.4. Equality Implications

- 6.4.1. The recommendations are intended to create greater equality for children and young people with SEND.

6.5. Human Resources Implications

- 6.5.1. No human resource implications are identified at this stage.

6.6. Risk Management Implications

6.6.1. There are no risk management implications at this stage.

6.7. Rural Communities Implications

6.7.1. There are no direct implications for rural communities.

6.8. Implications for Children & Young People

6.8.1. The recommendations are intended to improve the offer to children and young people with SEND.

6.9. Public Health Implications

6.9.1. There are no direct implications for public health.

7. Ward Members Affected

7.1. No ward members are directly affected.

8. Access to Information

8.1 The following documents were considered during the review and are available for inspection.

- Children and Young People with Special Educational Needs and/or Disabilities Cheshire East Self Evaluation – December 2017.
- Children and Young People with Special Educational Needs and/or Disabilities Joint Strategy 2017/19
- Cheshire East SEN/EHCP scorecard
- LGiU – briefing notes.
- Special Educational Needs and Disability Code of Practice
- Sufficiency statement and Provision Plan

9. Contact Information

9.1. Any questions relating to this report should be directed to the following officer:

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