

## Children and Families Overview and Scrutiny Committee



## SEND Local Offer for 16 to 25 Year Olds

SEND Reforms Task and Finish Group – 2<sup>nd</sup> Report

September 2019

## 1. Chairman's Foreword

- 1.1. In our first report dated March 2018 we stated that in coming to terms with the realisation that a child has a learning difficulty, parents and carers need to be reassured that they will receive support from the local authority and its partners that is timely and easily accessible with outcomes that enable their child's prospects to be life enhancing.
- 1.2. Following the implementation of the Children and Families Act 2014 and the statutory framework for the personalisation of services for children and young people from 0 to 25 years, the Children and Families Overview and Scrutiny Committee decided to establish a task and finish group to conduct an in-depth review at the new system.
- 1.3. In our first report we looked at the provision for the 0 to 16 year olds in this our second review, which began in January 2019, we have looked at the provision for young adults aged 16 to 25. This is a very important time in any young person's life as they leave school move to college and set out on their journey towards independence. We recognise that independence for some can be restricted by their personal needs and our report recognises this.
- 1.4. The local authority and its partners have been on a significant journey since the last Ofsted inspection. Members were pleased to see improvements now being made that are resulting in changes for SEND children and their parents/carers. However, there is still more to do and overview and scrutiny will continue to monitor progress.
- 1.5. The group thanks parents, carers and the many staff from education, health, social care services, as well as the private providers who gave evidence to the group. A special thank you goes to Katie Small, Scrutiny Officer at Cheshire East for all her assistance.



Councillor Dorothy Flude

Chairman of the Task and Finish Group

## 2. Background and Membership

- 2.1. The Children's and Families Act 2014 introduced a wide range of reforms to the organisation of Special Education Needs and Disability (SEND) Provision. These reforms were aimed at improving the quality and reliability of SEND provision by providing a joined up approach between the relevant agencies and by giving parents and young people more influence over the provision they received.
- 2.2. The Act extended the reach to people up to age 25 and also placed a requirement on Further Education settings to work to Education Health and Care Plans rather than learning disability assessments. The Children and Families Overview and Scrutiny Committee had previously set up a task and finish group to review the progress made in implementing these reforms, concern was raised that young people aged 16 and over were unable to access the job market.
- 2.3. The task and finish group agreed that the next phase of their work would focus on the improvements required to be made in respect of the 16-25 SEND offer. Members were concerned that young people would end up in the adult social care system, for reasons that could have been prevented with early intervention and the right services being available.
- 2.4. As a consequence the Children and Families Overview and Scrutiny Committee agreed that an additional task and finish group should be established to review the offer to 16-25 year olds.
- 2.5. The membership of the task and finish group was as follows:



From left to right:

Councillors Rhoda Bailey, Flude, Grant, Hayes, Merry and Rhodes

### **3. Recommendations**

**3.1. It is recommended that further work is undertaken to continue to develop and embed the following actions relating to current improvement work in the service and recommendations from the previous OSC report, as follows:**

3.1.1. Continue to ensure that the co-production of Education and Health Care Plans (paragraph 7.2 refers) is embedded.

3.1.2. Implement the new locality structure within the service ensuring capacity and expertise for 16-25 provision.(paragraph 7.2 refers).

3.1.3. Continue to ensure the transition across 16 -25 provision is seamless and continue to ensure the annual reviews are coproduced with all relevant partners, parents and carers to better prepare young people for adulthood and furthermore to ensure the right services are in place in a timely manner (paragraph 7.24 refers).

**3.2. In relation to health services which support SEND it is recommended that services align with the development of one CCG to ensure consistent offer for the following:**

3.2.1. Ensure that there are no gaps in services, particularly in relation mental health and speech and language and that these services are fit for purpose. (Paragraph 7.6 refers).

3.2.2. Ensure continued partnership oversight of the newly developed single pathway for autism, promoting the consistent offer across the borough and monitoring performance to ensure improved outcomes for children and young people. (Paragraph 7.8 refers).

3.2.3. That the Council encourages voluntary groups to provide activities which allow supported young people to develop their skills and interests.

**3.3. It is recommended that the following specific actions in relation to the 16-25 offer be addressed by all partners:**

3.3.1. That Cheshire East Council continues to coordinate, drive, develop and promote supported internships and support local businesses in the employment of those with disabilities. (Paragraph 7.37 refers).

3.3.2. To undertake a sufficiency review of supported accommodation to ensure sufficient quality accommodation which is fit for purpose where it is appropriate.

3.3.3. Review the financial procedures and processes for post 16 payments and ensure these are made efficient. (Paragraph 7.40 refers).

3.3.4. Monitor the new locality structure within the service ensuring capacity and expertise for 16-25 provision. (Paragraph 7.39 refers).

#### **4. Objectives**

4.1. The Group set out the following objectives for this review:

- To identify the barriers for young people accessing the job market.
- To identify the rationale for the perceived lack of social care services.
- To review the Cheshire East local offer, including the toolkit and benchmark against other local authorities.
- To recommend potential commissioning intentions to develop opportunities for young people aged 16 plus.
- To investigate what support is provided for transition into adulthood.
- To investigate the relationship between Cheshire East, private providers and further education providers, and what specialist advice is provided.

#### **5. Methodology**

5.1. The group identified and engaged with the following witnesses as part of this review:

- Focus group sessions with representatives from the following council services and partners; finance; youth support; transition; children's commissioning; SEND team; adult social care, housing, Space4Autism; Friends for Leisure, complex worklessness; supported internship; and support employment.
- Service Manager for Paediatric Therapies department in CCICP.
- Special Educational Needs and Disability Designated Clinical Officer.
- Head of Service – Director of Education and 14-19 Skills.
- Councillor Jos Saunders - Portfolio Holder for Children and Families (in 2018/19).
- Parents and carers.

5.2. The group also undertook visits to; Reaseheath College; Total People; Department of Education – Macclesfield; Supported Community Business – Crewe; Acorn Centre – Crewe; Princes Trust; and Wishing Well Project – Crewe.

## 6. Timeline

6.1. The table below sets out the timeline of actions undertaken by the Group during this review:

<b>Date</b>	<b>Action</b>
7 December 2018	Task and Finish Group – Scoped Review
4 January 2019	Task and Finish Group – Background papers and agree programme
21 January 2019	Post 16 Providers – Network Meeting
1 February 2019	SEND Ignition Pilot
5 February 2019	Visit to Department of Education, Macclesfield
8 February 2019	Task and Finish Group – Meeting to review progress
13 March 2019	Visit to Reaseheath College
15 March 2019	Three focus group sessions
19 March 2019	Meeting with Head Of Service
20 March 2019	Visit to Total People - Macclesfield
25 March 2019	Meeting with Portfolio Holder for Children and Families
2 April 2019	Visit to Community Supported Business, Crewe
4 April 2019	Visit to Acorn Centre, Crewe

## 7. Findings

### The Local Offer

7.1. Every Council is required to publish details of the local support available for young people with SEND. The local offer provides clear and accurate information about local education, health and care services. The Local Offer for Cheshire East is detailed in Figure 1 below:

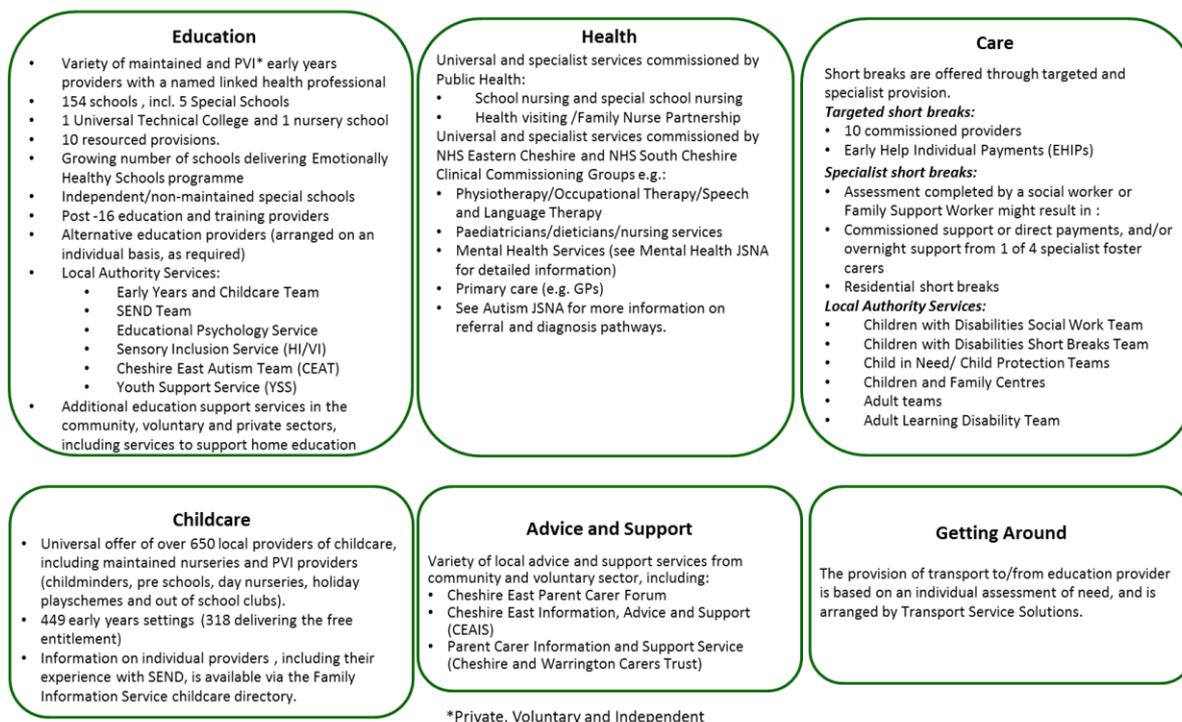


Figure 1. The Local Offer for Cheshire East

## Services Working Together

7.2. Children and young people need well co-ordinated, coherent support across education, health and social care to help them to achieve their agreed outcomes. Local authorities and key agencies are required to co-ordinate and jointly plan services. It was acknowledged that in the past, partnership working had required improvement. However, with the introduction of the SEND Partnership Board, the group agreed that improvements were being made, there was evidence of strong partnership working and partners and Cheshire East staff were both positive and eager to work together. Further to the previous task and finish group on the SEND Reforms.

## Health Care Services

7.3. Up to age 16, children receive the 'whole package' in terms of health services. However, post 16 it becomes fragmented and there are gaps in the health service for 16 to 19 year olds when transitioning into adult care, particularly in relation to mental health and speech and language services.

7.4. Provision in Macclesfield and Crewe health services are not consistent; the Children and Adolescent Mental Health Service (CAMHS) is overstretched and referrals into the system can take a significant amount of time. To try

and alleviate this pressure, the threshold for CAMHS is now too high resulting in children either 'falling through the gap' or intervention taking place too late.

7.5. Further to the last task and finish group report, there were still inconsistencies between Eastern Cheshire and South CCG in terms of autism diagnosis thus creating inequalities. The task and finish group acknowledged that there was a substantial amount of work being undertaken, to embed a single pathway, however, some parents can feel unsupported and unclear on the services and options available for their children in the future. Overview and scrutiny should maintain their overview role to ensure the single pathway is effectively implemented and have assurance that families understand the services available.

#### Equipment Store

7.6. Again further to the last task and finish group final report, throughout the review, the issue of funding and cost of equipment consistently arose. The task and finish group agreed that as specialist equipment was so expensive and there were significant budgets pressures on schools, Cheshire East should coordinate an equipment store which could be used by all schools, enabling equipment to be recycled.

#### Preparing for Adulthood

7.7. The task and finish group were concerned that young adults would end up in adult social care which could have been prevented if early intervention had taken place and the right services were available.

7.8. Preparing for adulthood is when a young person begins to think about what they want to do in the future. The Children and Families Act 2014 and the Care Act 2014 provide the legislative framework for transition. They both highlight the need to take an outcome based approach and promote wellbeing.

7.9. Each young person is different; some will receive support from social care, some may leave education at 19, some may have complex health needs. As a result of this there will be changes to the care and support they receive from education, health and care services, or involvement with new agencies such as housing, employment or further education and training.

7.10. Young people need to be guided down the preparing for adulthood (PfA) pathways which best meet their needs and promotes their wellbeing, employment, housing - own place, planning for good health, developing friendships, relationship and community. The Council has developed a pathway to support young people with disabilities up to the age of 25.

## Education and Health Care Plans (EHCP)

- 7.11. EHCPs replace SEN Statements. A plan is a legally binding summary of the provision that is to be made for an individual aged 0-25 in response to their needs and aspirations covering education, health and social care. They are based on a single assessment process, involving all the relevant agencies, and include input from the young person who is the subject of the proposed plan, and their parent/carer.
- 7.12. During the SEND Ofsted inspection conducted in March 2018, it was highlighted that 'the annual review process is often not completed within expected timescales. As a result, many children and young people's changing needs and outcomes are not being acknowledged in a timely enough manner and required changes to provision or placement are not reflected in children and young people's EHC plans. The overwhelming majority of parents who contributed to the inspection did not believe that their children's needs were being effectively assessed and met. Due to delays in identification of needs and the subsequent failure to meet needs effectively, some families have now entered the social care system. This situation could have been avoided had their children's needs been identified sooner and the appropriate provision put in place'.
- 7.13. 'Completion of annual health checks for 14 to 25-year-olds who have learning disabilities varies between CCGs.
- 7.14. The task and finish group based on evidence from witnesses considered that the EHCP are often still not being updated to reflect the move to further education, or being coproduced. The process and conversation between partners for preparing for adulthood and transition should start earlier, so that it can be managed and the required funding be in place prior to the child starting further education. The group also felt that at this stage the expectations of parents and carers needed to be managed to ensure they are realistic.
- 7.15. Members agreed that it was not possible for SEN officers to attend all reviews, however they were tracked and checked, which was adequate. The task and finish group was pleased that annual reviews could now be completed electronically and that a parents' portal was available to track cases.
- 7.16. Members noted that post 16 previously had a learning disability assessment (LDA) rather than a statement and that although all current LDAs were converted to EHC plans these may already have ceased for those aged 19-25. Members noted that a request for a new needs assessment can be

submitted for consideration if there is still an educational need but not all parent/cares requested this.

### SEND Ignite

7.17. SEND Ignition is an innovative project which has been established to support young people with SEND who may not have a clear preparing for adulthood pathway. It is based on the success of the Ignition project for care leavers which has won national awards. It focuses on person centred planning taking a bottom up approach which will in turn influence and develop the SEND local offer for people aged 16 and over.

7.18. Members of the task and finish group attended the first session of the SEND ignition workshop which included young people, parents/carers, health and local authorities representatives. They acknowledged that no one person, family, community, team or service can improve outcomes for young people, it takes team work and co-production of plans.

7.19. The recent SEND inspection highlighted that professionals, young people and their parents/carers are not always aware of the range of post 16 provisions available. Parents had highlighted concerns about post 16 pathways and therefore the offer needed to be developed so that young people's needs are met locally, ensuring better life outcomes, increased independence and choice and control over their support.

7.20. Preparing for adulthood is required to take place from year 9 (age 14) but there are benefits from this happening much earlier and expectations of parents and children needs to be understood. The task and finish group considered that whilst a lot of work is being undertaken to prepare children for adulthood, it is still in the early stages and often fragmented. This development work needs to continue. More work needed to be undertaken to help parents understand the transition process and manage expectations.

### Pathway to Transition

7.21. Local Authorities must carry out a transition assessment of any young person when there is significant benefit to the young person or carer in doing so, and if they are likely to have needs for care or support after turning 18. The provisions in the Care Act relating to transition to adult care and support are not only for those who are already receiving children's services, but for anyone who is likely to have needs for adult care and support, after turning 18.

7.22. The timing of this assessment will depend on when it is of significant benefit to the young person or carer. This will generally be at the point when their

needs for care and support as an adult can be predicted reasonably confidently, but will also depend on a range of other factors discussed in the section below.

7.23. The consideration of 'significant benefit' is not related to the level of a young person or carer's needs, but rather to the timing of the transition assessment. When considering whether it is of significant benefit to assess, a local authority should consider factors which may contribute to establishing the right time to assess (including but not limited to the following):

- The stage they have reached at school and any upcoming exam.
- Whether the young person or carer wishes to enter further/higher education or training.
- Whether the young person or carer wishes to get a job when they become a young adult.
- Whether the young person is planning to move out of their parental home into their own accommodation.
- Whether the young person will have care leaver status when they become 18.
- Whether the carer of a young person wishes to remain in or return to employment when the young person leaves full time education.
- The time it may take to carry out an assessment.
- The time it may take to plan and put in place the adult care and support.
- Any relevant family circumstances.

#### Outcomes of an Assessment

7.24. That a young person may have needs. This means if they have any "appearance" of any need for care and support as an adult – not just those needs that will be deemed eligible under the adult statute. Adult services should therefore carry out a transition assessment for those who are receiving children's services as they approach adulthood, so that they have information about what to expect when they become an adult. The Care Act guidance reaffirms the long standing position within adult social care legislation that the threshold for assessment is set deliberately low.

7.25. There are three possible assessment outcomes:

1. The assessment concludes that the person does not have needs for adult care and support, or
2. The assessment concludes that the person does have such needs and begins to meet some or all of them (adult services will not always meet all of a person's needs – certain needs are sometimes met by carers or other organisations, or
3. The assessment concludes that the person does have such needs but decides they are not going to meet any of those needs (for instance, because their needs do not meet the eligibility criteria under the Care Act 2014).

7.26. In order to reach such a conclusion, the Local Authority must conduct a transition assessment. Furthermore the guidance underlines the need to take a holistic account of a person's needs, and not limit them to eligible needs for care and support.

### Pathways in Transition

7.27. For children and young people who meet the criteria of the transition team at age 16, the transition assessment is assured. The criteria for the transition team is:

- A physical and/or learning disability which has a substantial and long-term adverse effect on their ability to carry out normal day to day activities.
- They are likely to meet the eligibility criteria for care and support under the Care Act.

7.28. This criterion allows the transition team to work with young people with disabilities who have the potential to progress into adulthood without the need to rely further on publicly funded adult social care.

7.29. In relation to adult social care day services, the task and finish group agreed that whilst there was provision available it was not always suitable for young people. Rather than day services, parents often wanted community based services, providing a holistic package of activities suitable for young people. Members visited Wishing Well at the Jubilee Centre in Crewe, which provides a programme for supported adults including a range of clubs, activities and bespoke provision. The offer includes improving self-esteem, building confidence, communication, reducing isolation, health & wellbeing, skills for working life, skills for independent living, 1-2-1 support

& mentoring whilst having fun in an inclusive setting. Each supported adult is provided with a timetable of activities specific to their needs, all led by a suitably qualified mentor and/or supervisor.

7.30. Activities include;

- Residential;
- Community outreach;
- Domestic skills such as cooking, cleaning and personal hygiene;
- Day clubs;
- Sports and arts;
- Volunteering and skill development; and
- Employability training.

### Supported Employment

7.31. Cheshire East Council has a supported employment team who offer support to people with disabilities to find or retain employment. As employment is a key ingredient for real social inclusion, the team support people with disabilities to gain independence through work. Those that don't trigger adult social care need a route for a work place setting.

7.32. The task and finish group visited the Supported Community Business in Crewe, which was founded in 1998 out of a desire by the founder to provide his daughter, who had special needs to have access to the same working opportunities and to experience the world of work as other people her age. She wanted to learn what it was to work, to feel a sense of achievement, earn an income, meet friends and have a sense of purpose. Failing to locate such an opportunity, the founder and co-founder created SCB (Special Needs) Limited as a not for profit organisation and a registered charity, which is endorsed by Cheshire East Council and benefits from the support of a growing number of customers. The aims of the business are:

- To establish a strong community based business with a culture of equal opportunities for all, irrespective of any disability.
- To forward equal opportunities and life enhancement for people with special needs and/or learning difficulties.

- To provide a safe environment for trainees, enabling them to acquire a better quality of life through increased confidence, higher self-esteem and a sense of being valued.
- To help people with special needs and/or learning difficulties to develop both their personal and work skills ensuring progress to reach their full potential.
- To provide support to service users families and carers through regular reports on progress.
- To show individual progress within a working environment leading to employment through the Supported Employment Scheme.
- Operate as a business resource that aims to produce a quality service at competitive rates whilst enabling each employee to work to their own capability.

7.33. The task and finish group noted that this was the only business of its kind in the borough and felt that the Council need to liaise with the business to ensure this is promoted through the local offer and to consider supporting any new businesses or new ventures of a similar nature across the borough. Some council officers appeared to be unaware of the service and therefore not promoting it as a viable option. This was in line with the findings of the Ofsted SEND Inspection which highlighted that professionals are not always aware of the range of post-16 provision available within Cheshire East.

#### Supported Internships

7.34. Supported internships are a structured study programme based primarily at an employer. They enable young people aged 16-24 with an EHCP to achieve sustainable paid employment by equipping them with the skills they need for work, through learning in the workplace. Supported internships are unpaid, and last for a minimum of six months. Wherever possible, they support the young person to move into paid employment at the end of the programme. Alongside their time at the employer, young people complete a personalised study programme which includes the chance to study for relevant substantial qualifications, if appropriate, and english and maths.

7.35. The task and finish group visited Total People in Macclesfield to learn about its supported internship programme which lasted around 2 years, the first year included work experience and the second included a work placement of at least six months. The internships are funded from a combination of educations funding, agency core funding and top up funding for the

required amount from the Councils high needs budget. The Department for Work and Pensions Access to Work fund could include a job coach and extra fares to work if the young person was unable to use public transport.

7.36. During the Ofsted Inspection some parents told inspectors that they had been told that Cheshire East do not provide supported internships and to go elsewhere to access routes into employment. This lack of dissemination of information must be a factor in explaining why some social care workers can be seen by parents/carers as not supporting the use of supported internships. Members were pleased to see the progress being made and overview and scrutiny will maintain a monitoring role.

7.37. The task and finish group considered supported internships to be invaluable for those that don't trigger adult social care and are able to work in some capacity. Members agreed that more companies should be encouraged to provide work placements. Members agreed that the Council should consider ways in which it can encourage more companies to provide appropriate work placements. The Council should consider ways to promote and expand the provision of supported internships.

#### Supported Accommodation

7.38. Consideration needs to be given at an early stage as to what accommodation a young person will need as they transition into adulthood, there is a need for more specialist accommodation and young people need to have a voice in determining that accommodation. Supported accommodation should be given the same consideration as affordable housing.

#### Funding

7.39. The task and finish group discovered that there had been significant delays in further education providers receiving funding from Cheshire East Council. This had resulted in them having to fund placements for several months which put them under financial pressure.

7.40. The arrangements for funding high needs pupils in schools and colleges are more complex than standard schools funding and have changed in recent years. Funding for academies and colleges can depend on the number of commissioned places from September of each year, and the SEND service undertaking due process to confirm that all the relevant young people have been included and have the correct needs. The group acknowledged that processes are fairly new. Members were concerned that there have been delays in some payments and there is a need to review of the financial

procedures and processes for post 16 payments to ensure these are made in a timely manner.

## **8. Conclusions**

- 8.1. The Group identified a number of barriers to young people accessing the job market, which need to be considered.

Assessments are not always appropriate or timely and young people and their parents/carers were concerned that there was not always enough information supplied to allow them to make informed choices.

The Group found that there are limited opportunities for supported internships and supported employment. If the Council is actively seeking to encourage young people into work then a way to develop these services needs to be explored.

- 8.2. Young people and their parents/carers commented that EHCPs were not always completed in a timely manner and by all the relevant professionals. They also indicated that there can be gaps in healthcare during the transitioning period.

The Group found that not all young people with autism have had access to the single pathway and so their needs had not always been fully assessed. This is linked to the perceived inconsistencies in the way the different CCG's respond to and deal with the diagnosis of Autism.

Parents commented that the CAMH's service is overstretched and there is a long waiting list for appointments for young people. Parents also mentioned that sometimes their expectations are not met by the Council and Health Service providers. Though whether this is because of high parental expectations or a lack of the provision of appropriate services for young people is unclear.

- 8.3. The Group saw many examples of good practice and heard positive stories. Young people and their parents/carers spoke positively about supported internships. Similarly, there was praise for supported community activities based in Connected Community Centres. Supported employment placements were also praised by the young people and their parents/carers.

The Group felt that the Council could co-ordinate information for young people and their parents/carers about the range of options available. It also hopes the Council will investigate ways in which it could share good practice and encourage the provision for these options for young people across the County.

8.4. The single Autism Pathway has been commissioned but not evaluated as yet. EHCP are being co-produced and regularly updated. However, some young people do not have the necessary plans in place. Not all young people receive the appropriate advice and information at the time it is needed. Similarly, appropriate funding is available but needs are not always assessed and funding put in place in a timely manner

8.5. Further education providers work with the Council to provide a useful service for young people giving them the skills they need to access work. There are a limited number of private providers and voluntary organisations which give training for young people and provide community facilities. Similarly, there is a limited amount of supported accommodation for young people. The Group felt that the Council should explore ways in which these services could be developed and organisations encouraged to provide more accommodation to meet the needs of young people.