

Children and Families Committee

September 2023

Refreshed SEND strategy 2021-2025

Report of: Deborah Woodcock Executive Director of Children's Services

Report Reference No: CF/18/22-23

Ward(s) Affected: All

Purpose of Report

- 1 This report sets out the details of the refreshed Special Educational Needs and Disabilities (SEND) partnership strategy and priority areas for the next 12 months aligned to the outcomes of the Delivering Better Value (DBV) programme.
- 2 Committee are asked to approve the refreshed strategy which has been developed following coproduction and engagement events with partners including parents and carers.
- 3 This report should be read alongside the dedicated schools grant (DSG) management plan and SEND sufficiency statement which are presented at the Children and Families Committee on 18 September 2023.

Executive Summary

- 4 The SEND strategy 2021 – 2024 was approved 8 November 2021. Due to significant changes within the national and local landscape for SEND it has been appropriate to refresh the strategy to reflect these changes.
- 5 The joint SEND strategy sets out what we want to achieve as a partnership for children and young people with SEND in Cheshire East, and the key actions that we will carry out to achieve our priorities.
- 6 We are committed to working in partnership when developing and shaping our services.

7 The SEND strategy is a key driver in the council's priority to empower and care about people, with a focus on:

- Working together with residents and partners to support people and communities to be strong and resilient.
- Reducing health inequalities across the borough.
- Supporting all children to have the best start in life.
- Increasing opportunities for all children and young adults with additional needs.
- Ensuring all children and young people have a high quality, enjoyable education that enables them to achieve their full potential.

TOGETHER is our shared definition of coproduction in Cheshire East.

Our coproduction guide sets out how we will work together as equal partners to improve, develop and deliver services towards a common goal for all our children, young people, families and adults. Our guide has been coproduced together with children, young people, families and adults living in Cheshire East.

<https://www.cheshireeast.gov.uk/livewell/local-offer-for-children-with-sen-and-disabilities/send-developments/together-in-cheshire-east/together-in-cheshire-east.aspx>

The local authority has been part of the DFE Delivering Better Value programme (DBV). The key aim of this programme is to support local authorities to identify sustainable changes to drive high quality outcomes; and to build an evidence-based grant application to assist the implementation of effective change to improve outcomes for SEND children/young people.

The DBV programme has provided an evidence base, which has focused the strategic direction, to align our SEND strategy and DSG management plan.

The management plan is based on a series of assumptions relating to growth in demand, expected costs and the impact of mitigations. This allows medium term forecast expenditure and income level to be compared to establish the overall funding deficit. The plan assumes the deficit is carried forward each year into the next financial year and adds to the pressure.

Supporting outcomes for children with an Education, Health and Care Plan (EHCP) has become more challenging due to increase in numbers and complexity of need. Children with an EHCP have their identified

needs met through funding from the DSG high needs grant received from government but this now exceeds the funding received for that purpose. This situation has occurred over the last seven years with several factors contributing to it locally, including a lack of provision, high rates of needs assessments, parental expectations and more generally the high needs funding basis which is not linked to EHCP numbers.

- 8 The Department for Education (DfE) issued their response to the green paper: SEND and alternative provision improvement plan in 2023. The refreshed strategy and key areas of focus will better prepare the partnership for implementation as these progresses through the government change programmes as outlined within the DfE roadmap.

DfE have published their roadmap which summarises the actions that will be taken to improve the special educational needs and disabilities (SEND) and alternative provision system in England that are set out in the SEND and alternative provision improvement plan.

<https://www.gov.uk/government/publications/send-and-alternative-provision-improvement-plan/send-and-alternative-provision-roadmap>

- 9 Following a series of engagement activities to review and refresh the SEND strategy; we have identified the following 5 priority areas that will be our focus for action over the next 12/18 months:

Workstream 1: Strengthening the quality assurance framework analysis to ensure evidence of continued improvement across the partnership including impact for children, young people and families.

Workstream 2: 0-25 SEND commissioned services and provision to meet the aspirations of children and young people.

Workstream 3: Improve timeliness and transformation of Annual Reviews of EHC Plans, including transitions.

Workstream 4: Strengthening early identification and intervention through inclusive practice., timely and consistent decision-making processes.

Workstream 5: Alternative Provision.

RECOMMENDATIONS

The Children and Families Committee are recommended to:

1. To approve the refreshed Special Educational Needs and Disabilities (SEND) strategy 2021-2025 attached at Appendix 1
2. To agree that the Children and Families Committee receive an annual report on the progress being made against the vision, values and actions contained in the SEND Strategy
3. To approve for a new strategy to be presented back to committee in September 2025

Background

- 10 The previous strategy was approved 8 November 2021. Due to significant change in the national and local landscape for SEND it has been appropriate to refresh the strategy to reflect these changes.
- 11 Appendix 2 provides an update on the progress of each current workstream (as outlined within the current SEND strategy <https://www.cheshireeast.gov.uk/livewell/local-offer-for-children-with-sen-and-disabilities/send-developments/the-0-25-send-partnership.aspx>)
- 12 Key amends/changes:
 - a) The refreshed strategy has revised workstreams, including chairs and co-chairs.
 - b) A refreshed set of priorities for the next 12/18 months.
 - c) Sets out our refreshed aims and impact measures that will enable the development of key performance indicators to be identified to support a more robust scorecard for scrutiny within SEND partnership board.
 - d) Amendments/updates have been made to the data to ensure this is up to date and reflective of the current picture.

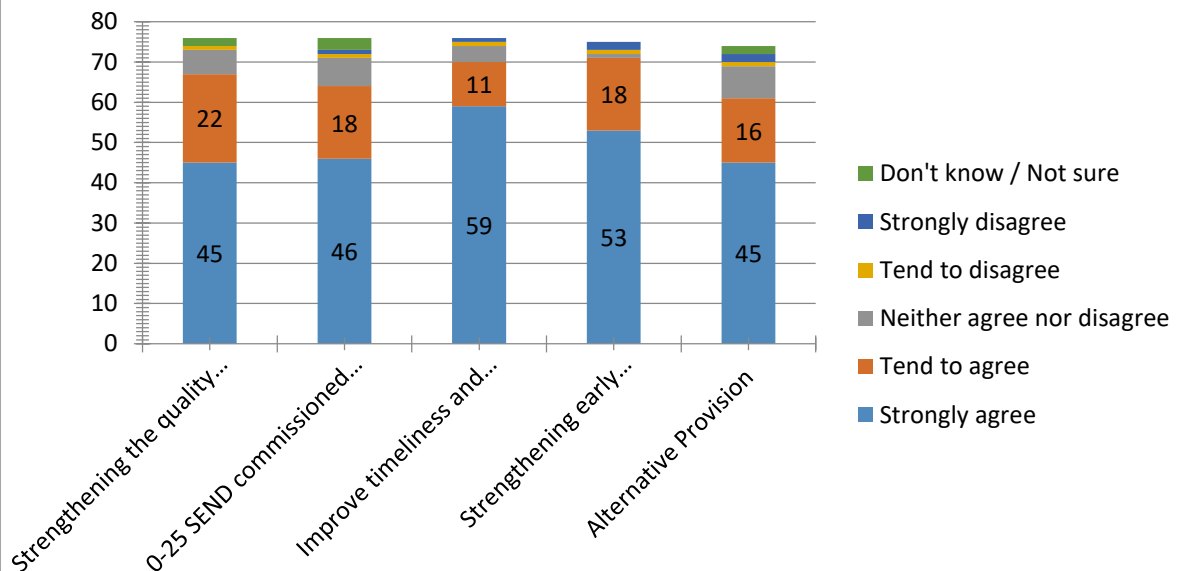
- 13 The refreshed strategy aims to align to the outcomes of the Delivering Better Value (DBV) programme and incorporate the DfE SEND and Alternative improvement plan (2023) key priorities.

Consultation and Engagement

- 14 Engagement events have taken place across the partnership to ensure clear and transparent communication, workshop activities to provide an opportunity for stakeholders to offer and incorporate feedback in the development of the refreshed strategy. Over 100 representatives across education, health, care, and parents and carers attended 3 sessions held on 25 April and 26 April and provided feedback on the revised strategy.
- 15 Separate additional health approval will be sought through the Integrated Care Board (ICB) programme delivery group for agreement of the revised strategy.
- 16 A final draft of the revised strategy was sent out to ensure we gain further feedback and engagement from stakeholders from end of July 2023 to 11 August in the form of an online survey. This survey was open and available to everyone.
- 17 We received 76 responses in total during the online consultation from across a variety of partners and parents.
- 18 Below is a summary of the responses from the online consultation activity undertaken.

How strongly do you agree or disagree with refreshed priorities?

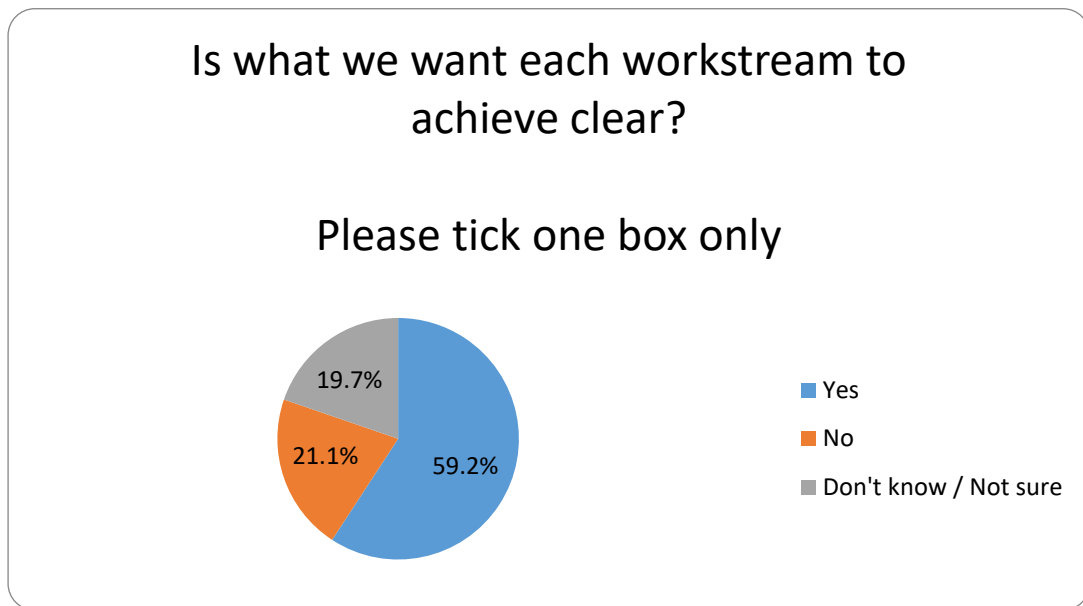
Please tick one box only for each priority



- 88% either strongly agreed or agreed with the refreshed priority to strengthen the quality assurance framework to ensure evidence of continued improvement across the partnership including impact for children, young people and families.
- 84% either strongly agreed or agreed with a focus on developing 0-25 SEND commissioned services and provision to meet the aspirations of children and young people.
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- 92% either strongly agreed or agreed with a focus on Improving timeliness and transformation of Annual Reviews of EHC Plans.
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- 93% either strongly agreed or agreed with strengthening early identification and intervention through inclusive practice.
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- 86% either strongly agreed or agreed with a focus on Alternative Provision.

19 59% of respondents felt that what we want to achieve from the priority areas was clear in the refreshed strategy, however it is acknowledged that given 39% still felt unclear.

- 20 To address the planned next steps are to develop project initiation documents for each of the workstreams to ensure clear understanding and development of actions plans, key performance indicators and scorecards. This is to support communication and transparency and we will be aiming to publish these documents on our local offer and providing regular updates via chairs reports and through scrutiny at SEND partnership board, following each workstream meeting these will be available to the public and wider stakeholders.



Reasons for Recommendations

- 21 The two recommendations detailed within this report will ensure that the Children and Families Committee agree the refreshed SEND Strategy for the next two years and have oversight of its delivery.

Other Options Considered

Options would be:

1. Do nothing.

Option	Impact	Risk
Do nothing	We would have multiple SEND plans to do align and we would be working on outdated priorities which will impact progress for our SEND children.	Multiple plans which do not align and would cause confusion and duplication

Implications and Comments

Monitoring Officer/Legal

- 22 Under section 14 of the Education Act 1996 ('EA1996') local authorities have a statutory duty to ensure that there are sufficient schools for primary and secondary education in their areas and must have regard to the need for securing that special educational provision is made for pupils who have special educational needs (section 14(6)(b) EA1996). 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.
- 23 The Children and Families Act 2014 ('CFA 2014') made significant changes to the way that educational provision was assessed and provided for children and young people with SEND. Local authorities are also under a duty (Section 27 CFA 2014) to keep under review its educational, training and social care provision for children and young people who have special educational needs or a disability and consider the extent to which the provision is sufficient to meet the needs of children and young people in its area and for whom it is responsible. In exercising its functions, a local authority must consult with a range of people and bodies, including children, parents and young people on order to comply with these duties.
- 24 CAF 2014 is accompanied by statutory guidance the special educational needs and disability code of practice: 0-25 years for organisations which work with and support children and young people who have special educational needs or disabilities – January 2015. Organisations must have regard to the code of practice whenever they are taking decisions.
- 25 S149 of the Equality Act 2010 with respect to the Public Sector Equality Duty, details the requirement when taking decisions to have due regard to the need to advance equality of opportunity for people with protected characteristics, foster good relations between such groups and eliminate unlawful discrimination. Under the Equality Act 2010, the Council is required to identify the impacts of any decisions, policies etc. on certain protected groups to ensure equality is promoted, and inequality minimised.

Section 151 Officer/Finance

- 26 There are no financial implications or changes required to the MTFS as a result of the recommendations in this report.

SEND is funded through the DSG High Needs grant which is currently insufficient to meet demand and significantly under pressure and in a £47m deficit position as of 31 March 2023.

Policy

- 23 The SEND Code of Practice sets out the statutory guidelines and policy for SEND.

This statutory code contains details of the legal requirements that the local authority, health bodies, schools and colleges must follow without exception to provide for those with special educational needs under part 3 of the Children and Families Act 2014.

The SEND Code of Practice looks to ensure the assessed additional needs of children with special education needs are provided for to enable them to reach agreed outcomes.

- 24 The DfE SEND, and alternative provision improvement plan explains what the DfE will do to make sure more children and young people with SEND or in alternative provision get the support they need.

It follows the SEND and alternative provision green paper which was consulted on in March 2022. From the consultation responses to the feedback we received, and improvements identified as a result of the feedback. A set of proposals has now been agreed that are going to be tested and reviewed.

The roadmap summarises the actions that will be taken to improve the SEND and alternative provision system in England that are set out in the improvement plan.

Equality, Diversity and Inclusion

- 25 Our Joint SEND strategy sets out what we want to achieve as a partnership for children and young people with SEND in Cheshire East, and the key actions that we will carry out to achieve our priorities is our commitment to children and young people with additional needs and ensures they have appropriate support to aspire to achieve in line with peers.
- 26 We are committed to working in partnership when developing and shaping our services across education, health and care.

Human Resources

- 27 Across the partnership there is a commitment to the membership of workstreams to ensure delivery from existing capacity

Risk Management

- 28 Following the publication of the new local area SEND inspection framework, we have established an improvement board that is chaired by the Director of Strong Start, Family Help, Integration and Education and attended by services from across the partnership. Due to the significant changes within this new framework the local area partnership is working at pace to prepare for inspection. The improvement board partners are working jointly with commitment and shared ownership. A revised self-evaluation (SEF) is currently being reviewed and updated alongside SEND improvement plan which identifies areas of strength and areas for development and actions.
- 29 The SEND Partnership Board will provide oversight and challenge to the delivery of the SEND Strategy and an annual report detailing the progress being made against the vision, values and actions contained in the SEND Strategy will be presented to Children and Families Committee.

Rural Communities

- 30 The SEND Strategy covers the sufficiency of provision for children and young people with SEND as we want to ensure that children and young people can attend education and receive support close to their homes.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 31 The SEND Strategy provides the platform for the SEND Partnership and all relevant organisations in Cheshire East to come together to commit to provide the best quality education and support for children and young people.
- 32 We want all our children and young people with special educational needs and/or disabilities to be HAPI:
- Happy and healthy
 - Achieving their potential
 - Part of their communities
 - Independent as possible, making choices about their future

Public Health

Cheshire East Joint Strategic Needs Assessment (JSNA) steering group is in place alongside public health with representatives from across all key stakeholders. To this end the Local Authority and CCGs are working

together to review current provision within children's services. Current provision will be compared to the needs identified in the Joint Strategic Needs Assessment (JSNA) and we will then explore opportunities to commission services jointly.

Health and Wellbeing Boards have a duty to produce a Joint Strategic Needs Assessment (JSNA) for their area. The "Statutory Guidance on Joint Strategic Needs Assessments and Joint Health and Wellbeing Strategies" published by the Department of Health in March 2013 outlines the required scope of JSNAs; to identify health and social care needs that can be met or affected by the local authority (Cheshire East Council) in collaboration with the NHS.

One element of the vision contained in the SEND Strategy is to ensure our children and young people with special educational needs and/or disabilities are happy and healthy. There are a range of priorities within the strategy that focus on mental health and wellbeing and effective access to health services.

Climate Change

- 33 There are no direct climate change implications to this report, however the planned improvement to the sufficiency of good quality, local SEN school places will ensure that the long travel times to alternative school placements outside of Cheshire East are reduced.

Access to Information	
Contact Officer:	Laura Rogerson Head of Service Inclusion Laura.rogerson@cheshireeast.gov.uk
Appendices:	Appendix 1 Refreshed SEND Strategy Appendix 2 Update on current strategy priorities and aims.
Background Papers:	DFE SEND and alternative provision improvement plan.

[SEND and alternative provision improvement plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/send-and-alternative-provision-improvement-plan/send-and-alternative-provision-roadmap)

SEND and alternative provision improvement plan roadmap.

<https://www.gov.uk/government/publications/send-and-alternative-provision-improvement-plan/send-and-alternative-provision-roadmap>

SEND Code of practise

[SEND code of practice: 0 to 25 years - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/send-code-of-practice-0-to-25-years/send-code-of-practice-0-to-25-years)

Children and Families Act

[Children and Families Act 2014 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2014/6/enacted)

SEND inspection framework.

[Area SEND inspections: framework and handbook - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/area-send-inspections-framework-and-handbook/area-send-inspections-framework-and-handbook)