

CHESHIRE EAST COUNCIL

Cabinet

Date of Meeting:	20 th August, 2012
Report of:	Lorraine Butcher, Strategic Director Children, Families and Adults
Subject/Title:	Special Educational Needs and Disability Policy
Portfolio Holder:	Councillor Hilda Gaddum

1.0 Report Summary

- 1.1 The Local Authority has a statutory responsibility to promote high standards and provide services for children and young people who have special educational needs and disability.
- 1.2 The public statutory consultation of the Special Educational Needs and Disability (SEND) Policy commenced on the 1st November, 2011 and ended on the 1st April, 2012.
- 1.3 The responses from the statutory consultation period and the comments from Children and Families Scrutiny Committee have now been considered and amalgamated into the final SEND Policy.

2.0 Introduction

- 2.1 The SEND Policy is built on the vision that the Local Authority seeks to ensure that 'no child or young person is left behind' and that every child and young person achieves the best possible outcomes.
- 2.2 It sets out the principles, pledge, commitment and the responsibilities for all those involved with Special Educational Needs and Disability provision.
- 2.3 The policy reinforces Children, Families and Adult Services commitment with its partners to continue supporting, maintaining and developing a diversity of high quality, effective, efficient and economic delivered provision to meet the needs of children and young people with special educational needs and disability.
- 2.4 The policy framework applies to all children and young people from birth to age 25 who have special educational needs and disability as defined by the Education Act 1996 and the SEN Code of Practice 2001.
- 2.5 It is important to note that the policy does not make substantial changes to the way that services are currently delivered, but will inform

stakeholders and service users about what to expect and will further support in developing a consistent approach across services.

- 2.6 The publication of the government's Green Paper, '[Support and Aspirations: A new approach to special educational needs and disability](#)', and the supporting document [Support and Aspiration: A new approach to special educational needs and disability - progress and next steps](#) marks the start of a period of consultation and testing in local areas. The SEND policy reflects the main themes and ethos of both papers.

3.0 Decision Requested

- 3.1 To approve and endorse the SEND Policy.

4.0 Reasons for Recommendations

- 4.1 The final SEND Policy has considered all the views from the statutory consultation and made the necessary amendments. A summary of the views captured throughout the consultation is reflected in Appendix A.

5.0 Wards Affected

- 5.1 All

6.0 Local Ward Members

- 6.1 All

7.0 Policy Implications

- 7.1 The SEND Review highlighted the requirement for a Special Educational Needs Disability policy. This has been factored into the SEND Review project plan and the policy has undertaken a statutory consultation process.

8.0 Financial Implications (Authorised by the Director of Finance and Business Services)

- 8.1 The cost of the design of the document commissioned to Opening Doors is £2,000. The policy does not make changes to the way services are currently delivered.
- 8.2 The policy seeks to ensure that services are delivered with value for money, which seeks to ensure that services combine to be effective, efficient and economic in their delivery, aligned to the way services are currently delivered.

9.0 Legal Implications (Authorised by the Borough Solicitor)

- 9.1 The Local Authority has a range of statutory duties for Special Educational Needs and Disability of which include to:

- Keep under review Local Authority arrangements for Special Educational Needs and Disability provision;
- Identify and assess needs of children and young people with special educational needs and disabilities, and put in place appropriate provision;
- Plan strategically with schools and other significant partners to develop systems for monitoring and accountability for special educational needs and disability;
- Provide quality support and service delivery to schools;
- Develop co-ordinated multi-agency Special Educational Needs and Disability provision;
- Promote high standards in education for children and young people with special educational needs and disabilities;
- Improve accessibility to curriculum, premises and written information for children and young people with special educational needs and disabilities;
- Consult the governing bodies of maintained schools and nurseries in its area for the purpose of co-ordinating Special Educational Needs and Disability provision.

9.2 It is important that any assurances, pledges or guarantees given in the Local Authority's policies, including the SEN&D Policy, comply with the law and are attainable, as:

- failure to achieve them could result in complaints to the Local Authority, the Local Government Ombudsman or the Courts, by the individuals or organisations adversely affected; and
- any such cases and their associated publicity could lead to unnecessary legal costs and harm the Local Authority's reputation.

10.0 Risk Management

10.1 The risks include:

Not fulfilling the Local Authority's statutory duties;

Not delivering the guarantees detailed in the SEND Policy.

11.0 Background

11.1 Cheshire East Children and Families Service began a process of reviewing its arrangements for children and young people with special educational needs and disabilities in April 2010.

11.2 The SEND Review has six key strategic priorities which are outlined below:

- Development of a ASC-specific special school
- Review resourced provision
- Review funding for individual pupils
- Develop a single pathways for access to SEND services
- Develop a SEND Policy
- Review Early Years and Settings

11.3 A key outcome of the SEND review was the need for a SEND policy which outlined a clear statement of intent, ensuring that Cheshire East Council continues to work with its partners to maximise opportunities for children and young people with special educational needs and disability.

11.4 In response, Cheshire East Children and Families Service drafted a SEND Policy, (enclosed as a separate document), which sets out the policy framework within which Cheshire East Children and Families Service and it's partners will maintain and develop provision for children and young people with special educational needs and disability from birth to 25 years of age.

12.0 Access to Information

12.1 Further background papers relating to this report include the:

SEND Policy
Equality Impact Assessment

12.2 These can be inspected by contacting the report writer:

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