

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.