



## **Special Children and Young People's Overview and Scrutiny Committee**

**Date** Thursday 25 January 2024  
**Time** 1.30 pm  
**Venue** Committee Room 2, County Hall, Durham

---

### **Business**

#### **Part A**

**Items which are open to the Press and Public  
Members of the Public can ask questions with the Chair's agreement  
and if registered to speak**

1. Apologies for absence
2. Substitute Members
3. Declarations of Interest, if any
4. Any Items from Co-opted Members or Interested Parties
5. Overview of Special Educational Needs and Disabilities (SEND) -  
Report of the Corporate Director of Children and Young People's  
Services and Presentation by Head of Early Help, Inclusion and  
Vulnerable Children (Pages 3 - 76)
6. Such other business as, in the opinion of the Chair of the meeting, is  
of sufficient urgency to warrant consideration

**Helen Bradley**  
Head of Legal and Democratic Services

County Hall  
Durham  
17 January 2024

To: **The Members of the Children and Young People's Overview  
and Scrutiny Committee**

Councillor A Reed (Chair)  
Councillor J Cosslett (Vice-Chair)

Councillors C Bell, R Crute, S Deinali, K Fantarrow, J Griffiths,  
K Hawley, C Hunt, C Lines, L Mavin, M McGaun, D Mulholland,  
K Rooney, J Scurfield, M Simmons, S Townsend, C Varty, E Waldock  
and M Walton

**Faith Communities Representatives:**

Mrs L Vollans

**Parent Governor Representatives:**

Professor Gosia M Ciesielska and Mr P Debrett-Watson

**Co-opted Members:**

Ms R Evans and Ms A Gunn

---

**Contact: Paula Nicholson      Tel: 03000 269710**

---

**Special Children & Young People's  
Service Overview and Scrutiny  
Committee**



**25 January 2024**

**Overview of Special Educational Needs  
and Disabilities (SEND)**

---

**Report of John Pearce, Corporate Director Children & Young  
People's Services**

**Purpose of the Report**

- 1 This report provides a range of information on Special Educational Needs and Disabilities (SEND) to support the dedicated session at Scrutiny on this topic.

**Executive summary**

- 2 Around 1 in 6 of our children and young people in County Durham have a recognised additional need and rely on specialist support to help them with their needs and prepare them for adulthood. Our support regarding SEND covers from pre-birth up to a young person's 25<sup>th</sup> birthday.
- 3 To support Scrutiny with this focused session on SEND this brief covering report is accompanied by a slide pack which covers key areas relating to SEND and has sought to capture particular areas of interest highlighted by scrutiny members in recent months.
- 4 The accompanying slide pack at Appendix 2 covers:
  - (a) County Durham's strategic context for SEND;
  - (b) Prevailing national legislation which applies to the SEND system and the current Inspection Framework;
  - (c) Our graduated approach to supporting young people's needs – SEND support, SEND support with additional funding and Education Health and Care Plans;
  - (d) The Education Health and Care Assessment and Plan process;

- (e) Education Health and Care Demand Increases and Timeliness, Quality and Assurance;
- (f) Resources particularly in relation to the High Needs Block of the Designated Schools Grant and the Delivering Better Value Programme;
- (g) Transformation and Partnership including Department for Education (DfE) SEND and Alternative Provision Change Programme.

5 It is recognised that SEND covers many areas of support provided by a range of services across the local education, health and care system and has a number of inter-dependencies. Whilst the accompanying slide pack has sought to provide a comprehensive overview, it is recognised there may be areas members of scrutiny may wish to explore in more detail during the session or at subsequent meetings of the Committee. A range of links to local and national background papers which may be helpful to scrutiny members is also listed below to support preparations for the session.

### **Recommendation**

6 Members are asked to note this report and use the content of the attached presentation and background papers to support discussions at the special session.

### **Background papers**

- County Durham SEND strategy and children and young people's version

<https://www.durham.gov.uk/article/22438/Strategies-plans-policies-and-inspections>

- Cabinet report on High Needs Block December 2023

[Agenda for Cabinet on Wednesday 13 December 2023, 9.30 am - Durham County Council](#)

- Recent papers on High Needs Block to School Forum

<https://www.durham.gov.uk/schoolsforum>

- County Durham SEND local offer  
<https://www.durham.gov.uk/localoffer>
- SEND inspection framework  
<https://www.gov.uk/government/publications/area-send-framework-and-handbook>
- DfE SEND and Alternative Provision Improvement Plan  
<https://www.gov.uk/government/publications/send-and-alternative-provision-improvement-plan>

**Author**

Martyn Stenton

Tel: 03000 268 067

---

## **Appendix 1: Implications**

---

### **Legal Implications**

The Children and Families Act 2014 covers the SEND reforms and is accompanied by statutory guidance for organisations to follow through the SEND code of practice: 0 to 25 years (2015).

### **Finance**

There are a range of financial implications on education, health and care services. The presentation particularly highlights the current position and forecasts regarding the High Needs Block of the Dedicated Schools Grant which is a key resource to support children and young people with additional needs.

### **Consultation and Engagement**

Section 19 of the Children and Families Act 2014 makes clear that local authorities must ensure that children, young people, parents and carers are involved in decisions about local provision.

### **Equality and Diversity / Public Sector Equality Duty**

The Equality Act 2010 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.

### **Climate Change**

Through our SEND strategy we seek wherever possible to support children and young people to attend local schools and provision, rather than travel to provision which is further away or out of county.

### **Human Rights**

None directly.

### **Crime and Disorder**

A disproportionately high number of young people and children who commit crime and / or disorder have SEND. Through our programmes of work we aim to support children and young people with SEND in achieving their best outcomes in life. Early intervention and support for children and young people with SEND and inclusion needs, should have a positive impact on crime and disorder by helping to prevent offending and / or reoffending.

## **Staffing**

A range of staff across education, health and care services support children and young people with their additional needs up to the age of 25.

## **Accommodation**

None directly.

## **Risk**

The presentation highlights a number of areas of risk and current mitigations. This includes risks regarding recent sustained increases in demand for additional EHCPs and capacity issues in the system along with risks regarding demand on resources and the forecast funding expected to be available in coming years.

## **Procurement**

Commissioning and procurement implications are considered for each strand of work related to SEND and there is a multi-agency SEND commissioning group to support integrated commissioning activity.

---

## **Appendix 2: Overview of SEND**

---



# County Durham SEND Overview

January 2024



# Introduction

- Durham's SEND Strategic Context
- National SEND Legislation and Inspection Framework
- Graduated Approach – SEND Support, SEND Support with Funding and Education Health and Care Assessment and Plans
- Education Health and Care Demand Increases and Timeliness, Quality Assurance
- Resources including High Needs Block and Delivering Better Value Programme
- Transformation and Partnerships including DfE SEND and Alternative Provision change programme



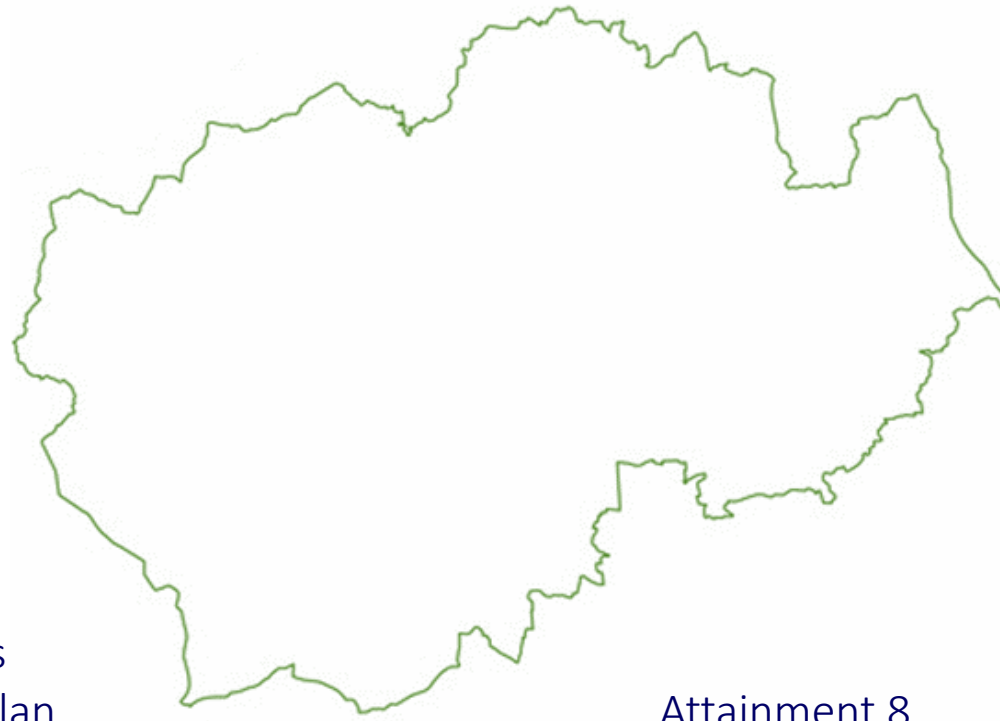
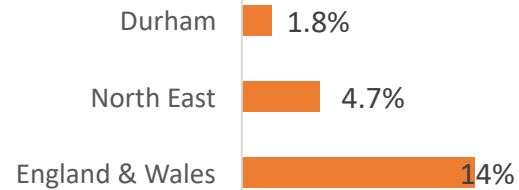
# County Durham at a Glance

**48<sup>th</sup>** most deprived local authority

**18%** of children live in the top **10%** most deprived areas

**50%** of children live in the top **30%** most deprived areas

People with ethnic minority backgrounds



**24.5%** of children live in poverty (19.3% across England)

**4%** of pupils have an EHC plan (4.3% across England)

Attainment 8  
45.2 Durham  
(46.3 England)

# SEND in County Durham

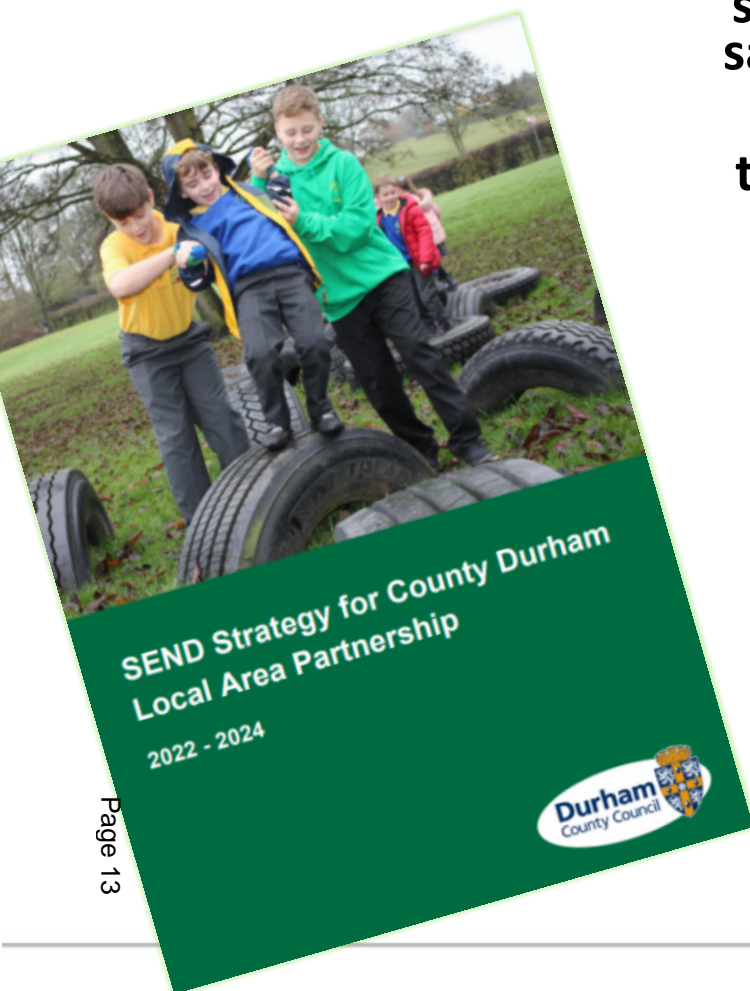
- SEND age range 0 - 25
- Around 1 in 6 school age children have identified SEN (11,600 YP)
- In 2023 SEN2 (January) there were 4,224 YP with EHCPs and this number has continued to rise year on year
- SEN Support numbers have also increased year on year – 10,500
- The highest categories of primary need are:
  - Autism
  - Moderate learning difficulties (MLD)
  - Social, emotional and mental health needs (SEMH)

# SEND Strategy for County Durham

The Vision for children and young people with special educational needs and disabilities is the same as it is for all children and young people in County Durham:

that they are safe and part of their community,  
have the best start in life,  
have good physical and mental health, and  
gain the education, skills, and experiences to  
prepare them for adulthood.

Approved by Cabinet April 22







# Durham's SEND Strategy

## Aims

---

Where possible, for all children and young people to attend their local school and education setting which understands them and is able to meet their needs

To work closely with families to develop resilience and feel confident that needs are understood and met, and will continue to be met through all transitions

To listen to what children and young people are telling us when supporting them and to support positive inclusion and develop their resilience and independence

To identify needs in a timely way and have the right support available to meet needs at the right time

For all education settings and their workforce to be confident in identifying and meeting needs, and to promote good health and wellbeing and inclusion

To have a joined up offer of support available, which is appropriate to assessed needs.

**SEND Strategy for County Durham  
Local Area Partnership**

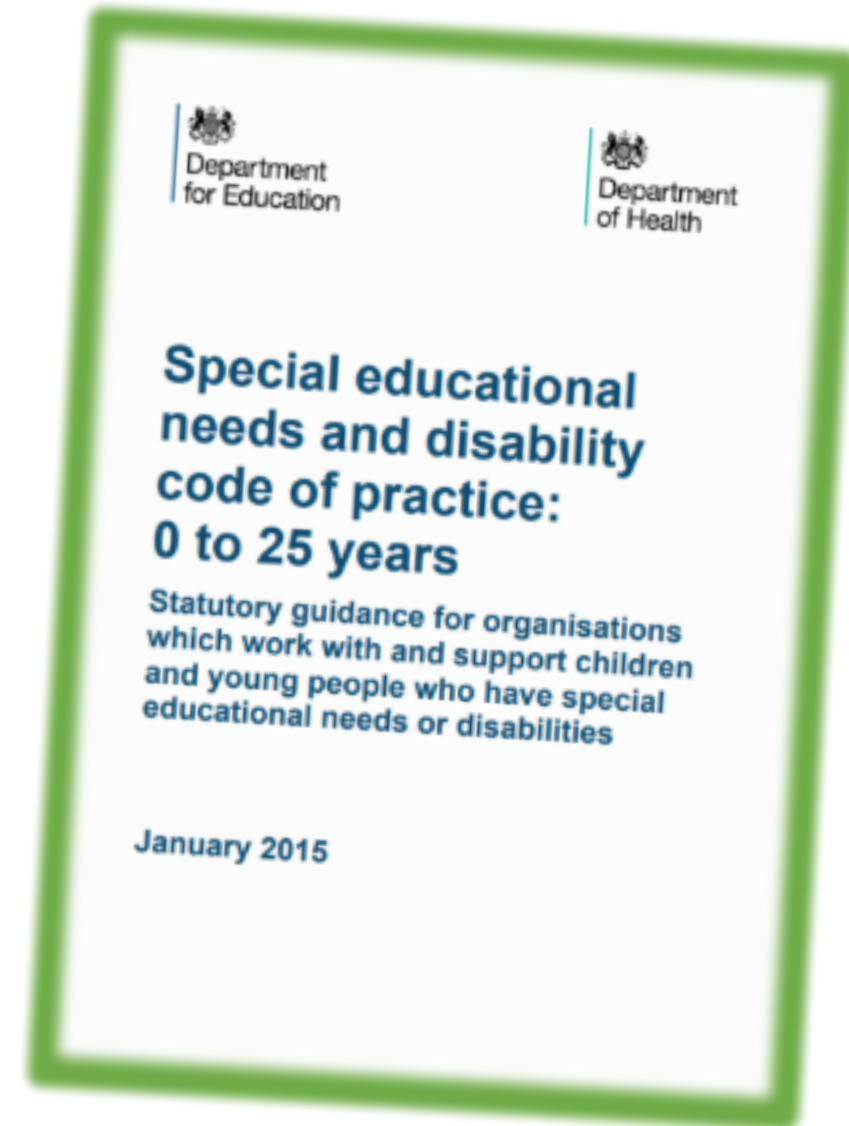
2022 - 2024

# The Current National Framework

## Children and Families Act (2014) – Key policy changes

- The SEND system expanded support from 5 to 19 years to 0 to 25 years
- There is an expectation on all who support young people in education to work to meet needs through a Graduated Approach
- Education Health and Care Plans replaced what were Statements
- Parental right to a mediated solution to disputes
- Local Offers to be published in each Local Authority area
- Joint commissioning between education, health and social care

Each part of the SEND system is operationalised in the SEND Code of Practice



# Responsibilities of Settings

The Equality Act 2010 sets out the legal obligations that schools, early years providers, post-16 institutions, local authorities and others have towards disabled children and young people:

- They must not directly or indirectly discriminate against, harass or victimise disabled children and young people
- They must not discriminate for a reason arising in consequence of a child or young person's disability
- They must make reasonable adjustments, including the provision of aids and services, to ensure that disabled children and young people are not at a substantial disadvantage compared with their peers.

More information can be found in the SEND Code of Practice page 16.





## SEND Review:

Right support

Right place

Right time

Summary document



# National SEND Review Findings Summarised

---

- SEND and Alternative Provision now linked – AP seen as supporting the SEND system
- Increased demand for specialist and costly places and EHCPs
- Increasing costs and poor value for money
- Variable value for children and young people
- Dissatisfaction across the system: parents/carers, schools, local areas
- Too much inconsistency across the system

An ambitious response required

# Key Challenges Identified by the National Review

Challenge 1: outcomes for children and young people with SEN or in alternative provision are poor

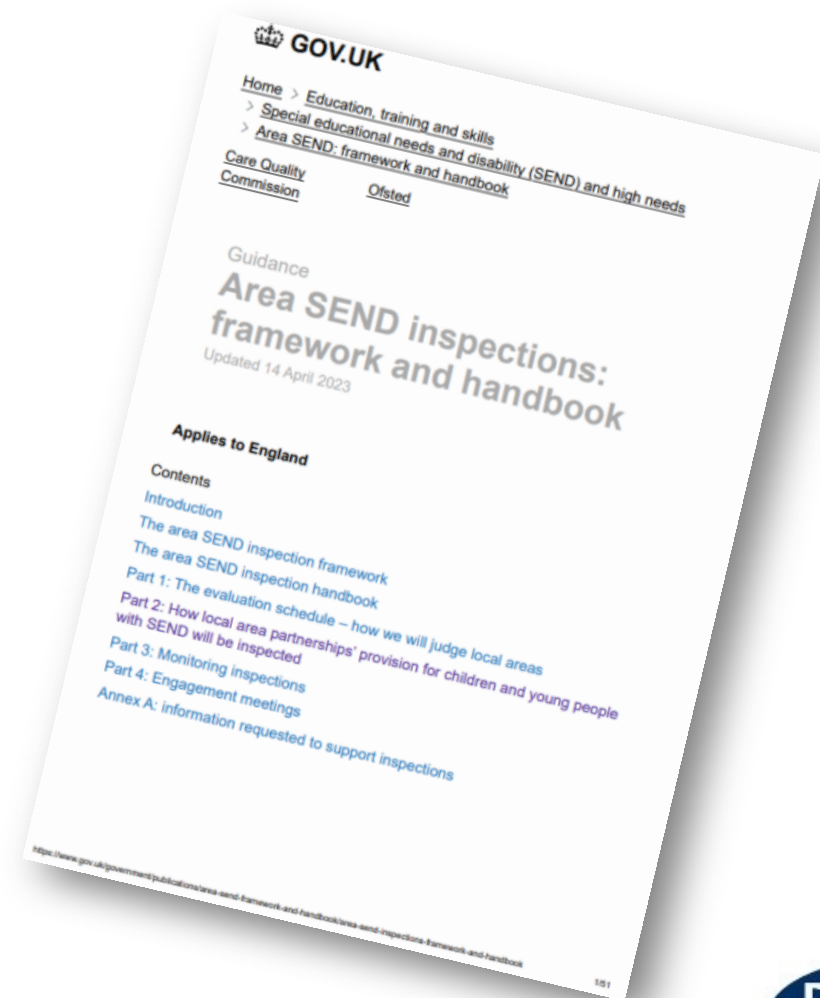
Challenge 2: navigating the SEND system and alternative provision is not a positive experience for children, young people and their families

Challenge 3: despite unprecedented investment, the system is not delivering value for money for children, young people and families

*“A vicious cycle of late intervention, low confidence and inefficient resource allocation is driving these challenges “.*

# New Area SEND Inspection Framework

New inspection system in place with Ofsted and CQC from Jan 2023



# New Area SEND Inspection Framework

- **full inspections** - evaluate/report on the impact of the local area partnership's arrangements for CYP with SEND.
- **monitoring inspections** - evaluate/report on progress in areas where Ofsted/CQC have identified areas for priority action at full inspection.
- **engagement meetings** - Ofsted and the CQC's representatives to meet annually with DCS and ICB Rep.
- **SEND thematic visits** - small number of areas, with aim of investigating a particular aspect of the SEND system in depth (Initial focus was Alternative Provision).

# Inspection Outcomes

- **Outcome 1** - The local area partnership's SEND arrangements typically lead to positive experiences and outcomes for CYP with SEND. The partnership is taking action where improvements are needed. **5 Year inspection cycle**
- **Outcome 2** - The local area partnership's arrangements lead to inconsistent experiences and outcomes for CYP with SEND. The local area partnership must work jointly to make improvements. **3 Year Inspection Cycle**
- **Outcome 3** - Widespread and/or systemic failings leading to significant concerns about the experiences and outcomes of CYP with SEND, which the local area partnership must address urgently. **Priority Action Plan with Monitoring Inspection within 18 months and Action Plan.**

# Key Areas of Focus

- Impact on experiences and outcomes for CYP with SEND.
- How the Local Area partners work together to plan, evaluate and develop the SEND system (Leadership).
- The commissioning and oversight of Alternative Provision.

## Other Areas of Focus

- Improving attendance for children and young people with SEND.
- Oversight of CYP with SEND who are placed in residential special schools.
- Safeguarding CYP with SEND.

# New evidence gathering methods

- Annex A (Data and Documents)
- 3 Surveys of Parents, CYP and Staff
- Deep dives into cases (6 CYP), including 1 from Alternative Provision and 2 from SEN Support
- Case Tracking meetings with young people, parents/carers and relevant multi agency workers
- Evaluation of our decision-making and oversight by sampling SEND cases with Officers in different teams

# SEND Framework – key points

- Focussed on impact and outcomes rather than compliance
- More like a full social care/JTAI Inspection and requires more structured preparation
- New Alternative Provision framework



# Our Preparations for SEND Inspection Framework

- Inspection preparation group in place for some time
- Key posts filled and involved eg Designated Clinical Officer and Designated Social Care Officer
- Updating the Self Evaluation Framework across education, health and care – a key document
- SEND assurance programme with ‘dry runs’ in agreed areas e.g. health, tracking a sample of cases with multi agency audits
- Working with local leads on Alternative Provision
- Monitoring of other areas as they are inspected to learn lessons and focus our work (eg Hartlepool, Gateshead and Middlesbrough in our region)

# Durham Current Areas of Focus

- Impact of NHS Commissioning/Role of DCO/Health data
- Understanding timeliness across different service areas, addressing capacity issues and support whilst children are waiting for a service
- Alternative Provision - our commissioning approach, quality assurance and outcomes
- User Feedback/Voice of Child/Parent/Carer across the education, health and care system
- Workforce development across the SEND System
- Specialist education places – Special School Place Planning/Review of Enhanced Learning Provision in mainstream settings

# Graduated Offer SEN Support Education Health and Care Plans

# SEN provision in schools and colleges

Special educational provision is education or training that is 'additional to' or 'different from' the provision that is generally available for others of the same age [in one or more of the four broad areas of need].

This means provision that goes beyond the different approaches and learning arrangements normally provided as part of 'quality first' teaching, to include adaptive teaching and support based on careful assessment for learning.

The four broad areas of special educational need are:

- Cognition & learning
- Communication & interaction
- Social, emotional and mental health
- Physical and/or sensory (hearing and/or visual impairment)

The SENCo (SEN Co-ordinator) has day to day responsibility for co-ordinating specific provision made to support individual pupils with SEN.

They work closely with parents/carers, support colleagues in their own settings, and work with professionals from other agencies including the local authority and health as required.

# The Graduated Approach

The graduated approach means that nurseries, schools and colleges should:

- **Assess** the child's Special Educational Needs
- **Plan** provision to meet the aspirations and agreed outcomes for children
- **Do-** put the provision in place
- **Review** the support and progress, including more specialist expertise in successive cycles in order to match support to the needs of the child

SEN support plans should be reviewed at least three times a year with parent/carer and their child/young person (where possible), with input from the specialists who are actively supporting the child/young person at that time.

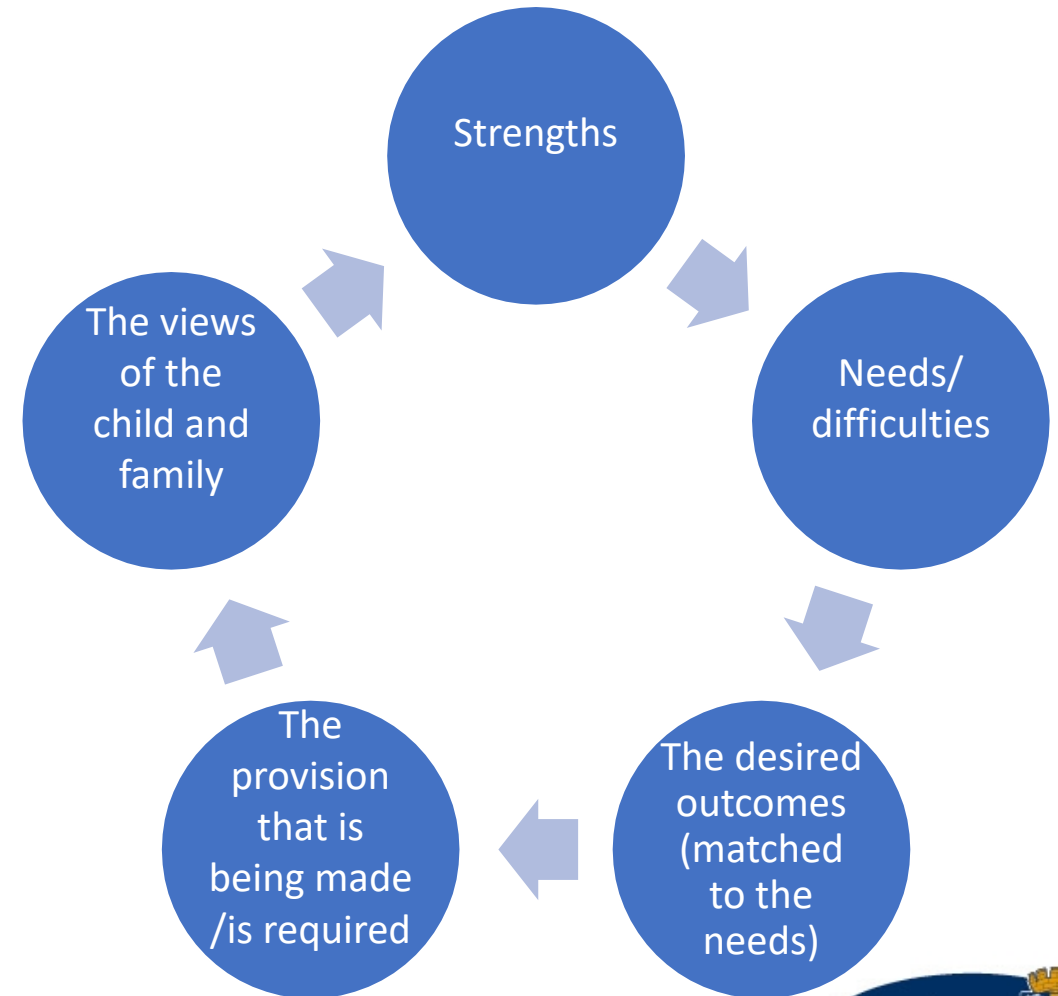
# SEN support and the graduated approach

In County Durham we expect every child who requires SEN support to have an individual SEN Support plan.

This should include a clear set of expected outcomes and detail the 'additional to' or 'different from' provision they are receiving.

From year 9 onwards, there should be a greater focus on 'preparing for adulthood' within the plan.

SEN support plans should be completed with the consent and contribution of parents/carers and must include :



# Additional Resource through SEN Support

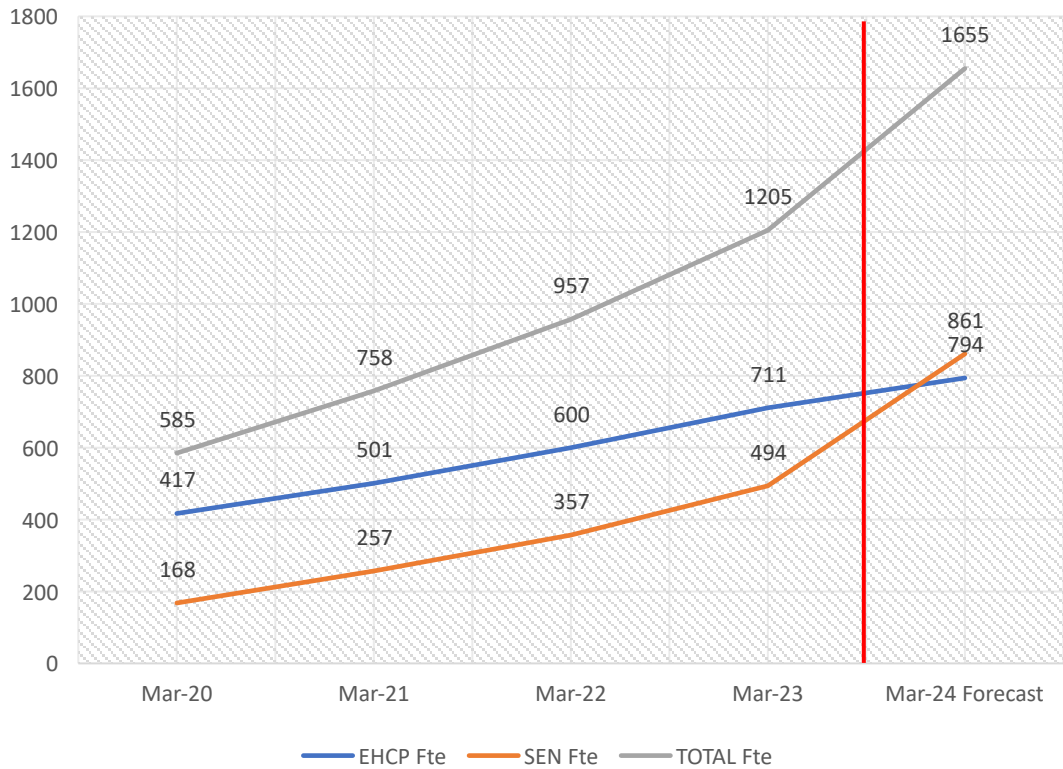
In the process of reviewing SEN support, it may become apparent that additional support/provision is required.

In cases of high need, the school may decide to request:

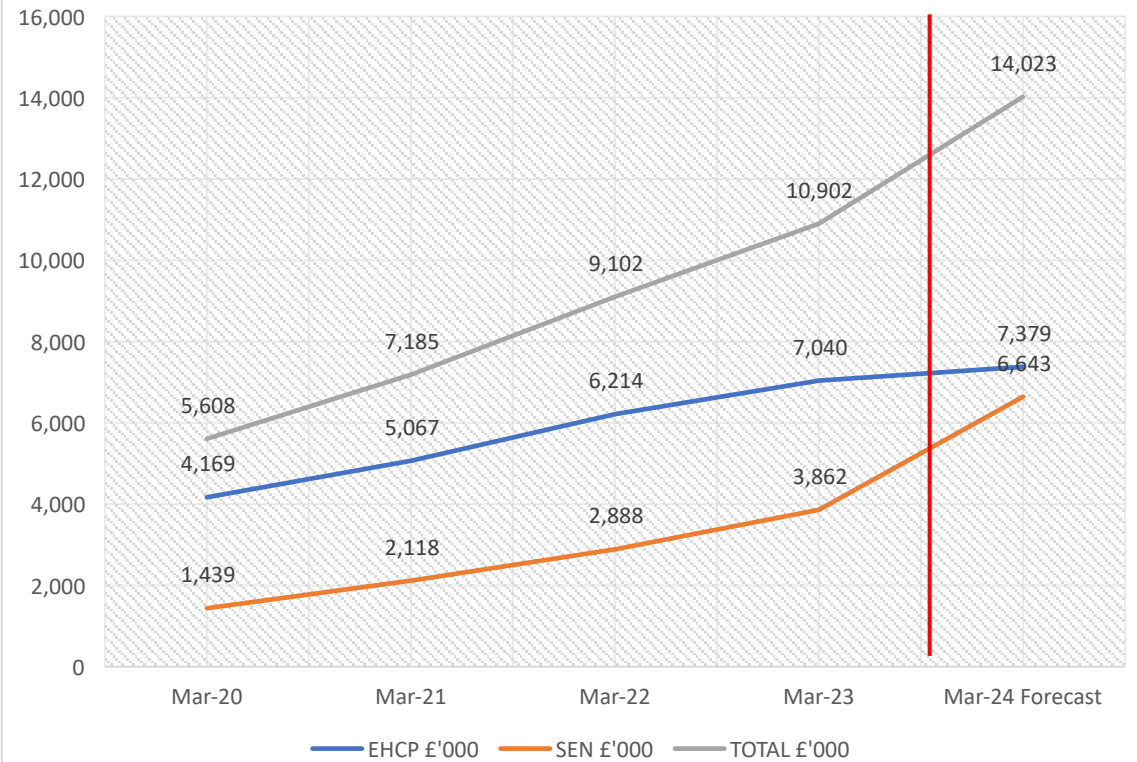
- 'Top up' funding at the SEN Support stage
- An Education, Health & Care (EHC) assessment.

# Top up Funding Trends in Recent Years

### Young People Receiving Top up Funding

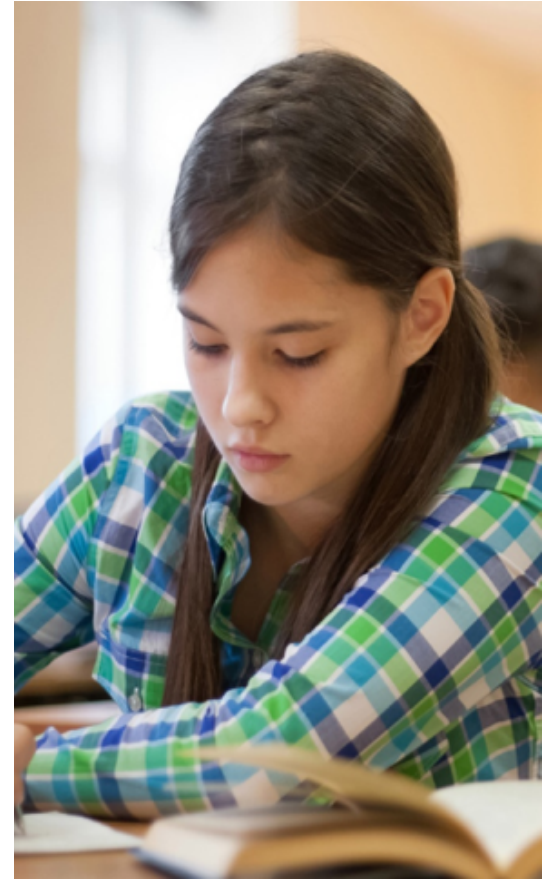


### High Needs Block Investment in Top up Funding





# Education Health and Care Plans - EHCPs



# Education, Health and Care (EHC) needs assessment request

On some occasions, despite the education setting having taken relevant and purposeful action through the graduated approach, a pupil may not have made the expected progress in one or more of the four broad areas of SEN.

The education setting, or parent/carer, may consider requesting an EHC needs assessment.

This should be in exceptional circumstances and should never be the first response to meeting a pupil's SEN needs.

# Key Points about EHCP trends

- **Durham's** overall growth in EHCPs is less than NE and England averages. The introduction and promotion of Top Up funding / SEN support services is likely to have helped manage this previously.
- **Despite this there has been a huge increase in EHCP requests – 972 requests in 2022.** This is 68% more compared to 2019, and greater than NE +36% and Eng + 39% over the same period
- In 2022 we issued 603 EHCPs. This was an **increase of 79%** from 2019 levels, and was again greater than regional (+39%) and England (+27%) increases
- Durham ceases (reviews and ends) more plans than other areas which is also likely to have contributed to slower overall growth in total EHCPs
- 2022 figures used as comparable with published national data

# Total ECHPs

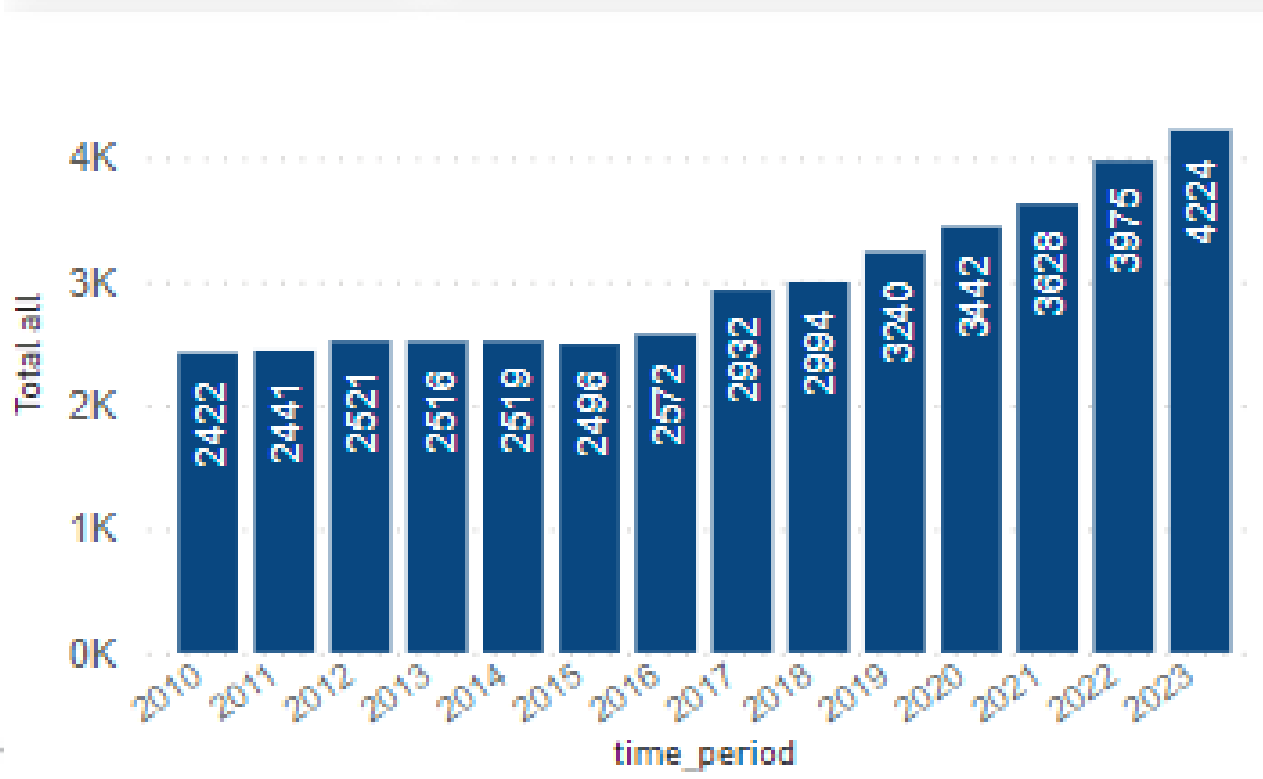
## EHCP/Statements

2023

# 4,224

Area	% change from last year	% change from 5 years ago
County Durham	6.3% ↑	41.1% ↑
North East	8.6% ↑	50.3% ↑
England	9.2% ↑	61.7% ↑

+ 1,000 since pre COVID



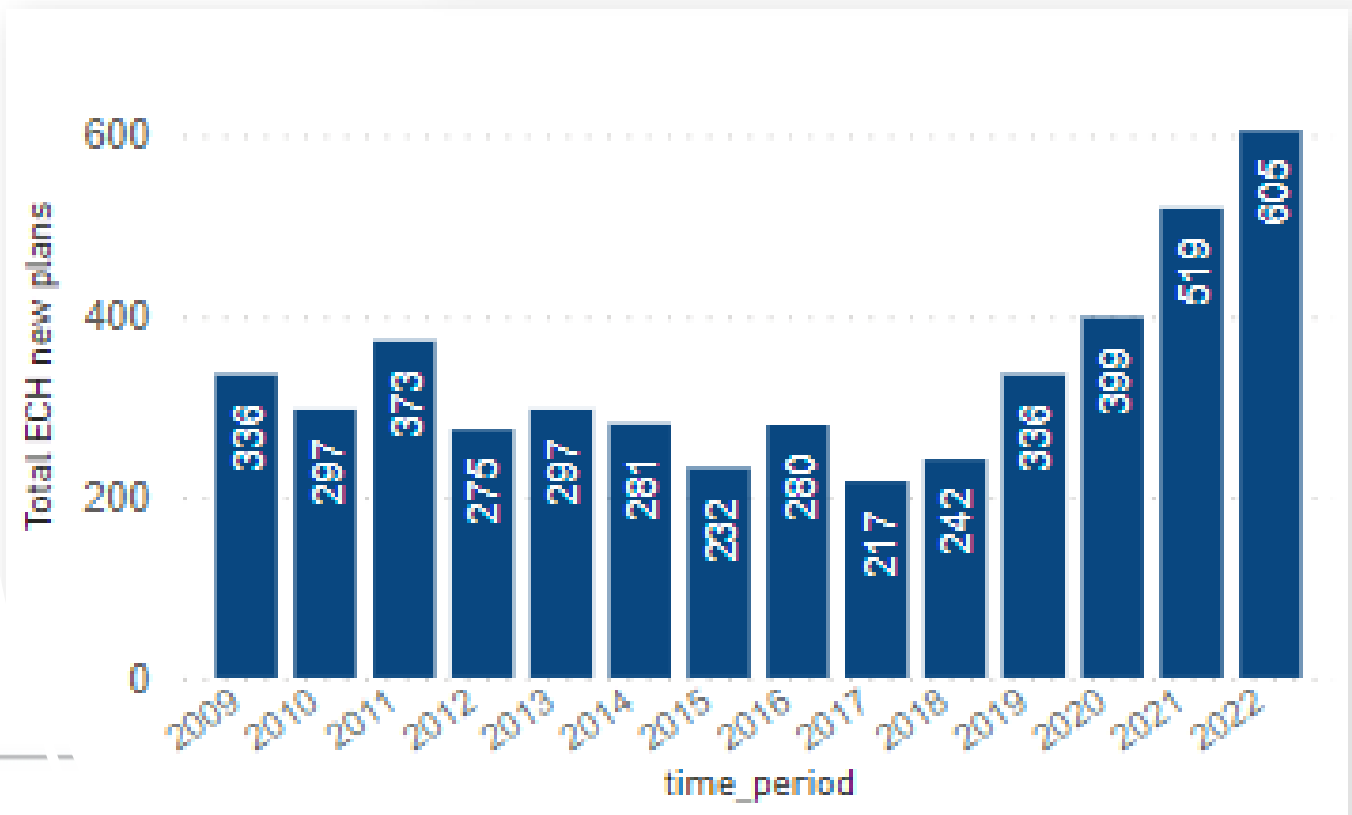
# The Rise in New Plans

- Total number of EHCPs in Durham remain comparable to regional and national trends
- Numbers of new EHCPs issued are greater

## New EHCP's issued

2  
605

Area	% change from last year	% change from 5 years ago
North East	23.2% ↑	104.7% ↑
County Durham	16.6% ↑	178.8% ↑
England	6.7% ↑	57.4% ↑



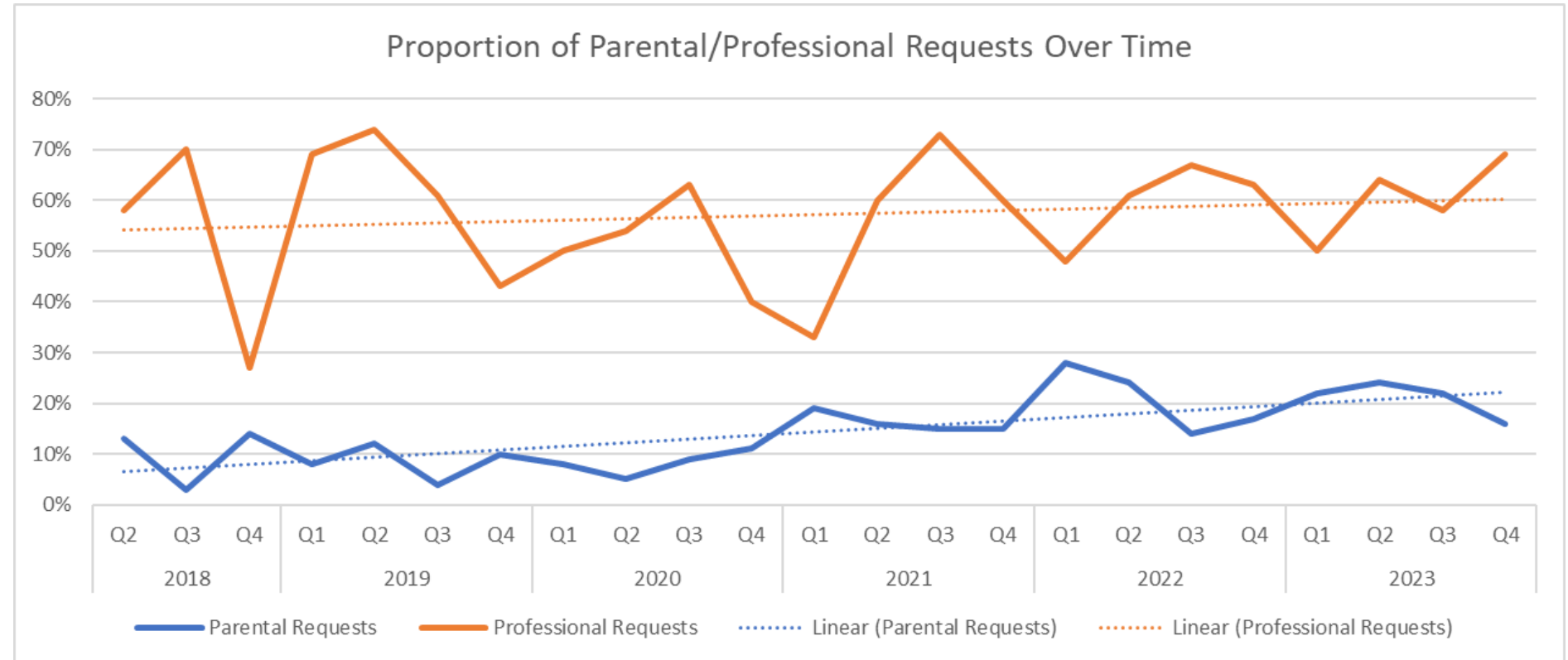
# EHCPs Discontinued

- In Durham we cease (review and end) a higher number of plans than the majority of the country and region.
- If we did not cease this number of plans our EHCP rates would be higher than regional and national due to the volume of starts.

	England	North East	Durham
Discontinued	34656	2116	505
Proportion	6.5%	8.2%	11.0%

# Source of Requests

Whilst all requests are up, there is a particular increase in new requests from parents – now around a fifth of all requests.

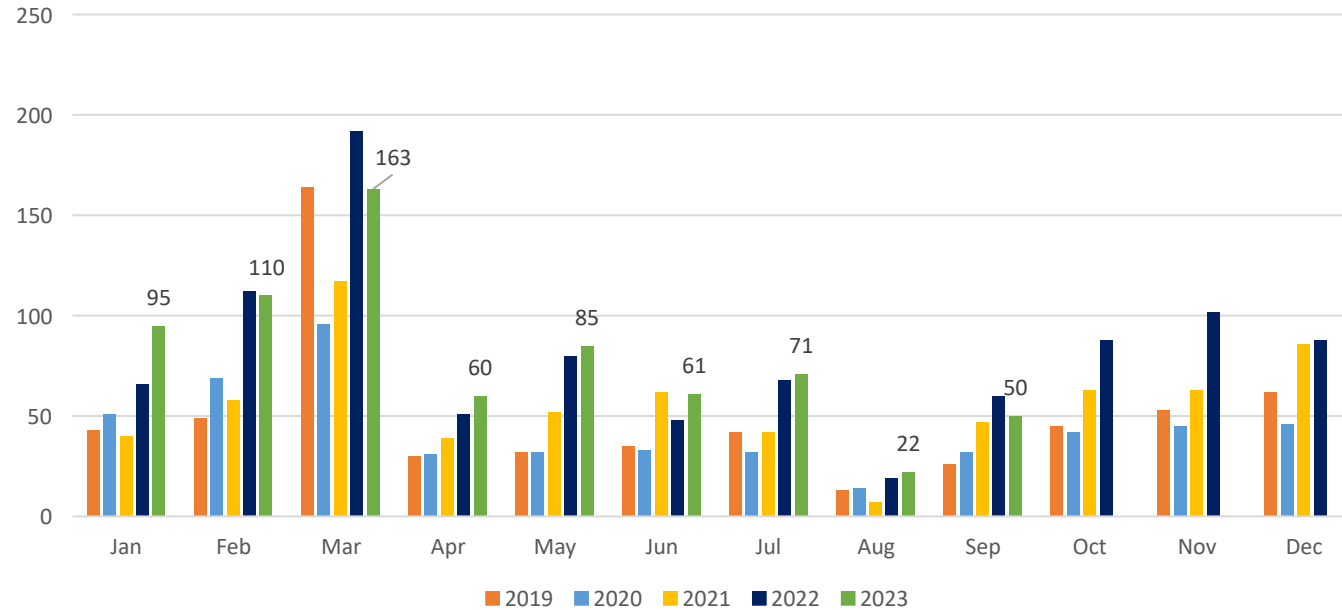


# Are we seeing a Plateau (at a higher level)?

Recent data shows we are tracking just above the level of 2022 – enduring higher demand

## EHCP Requests

Requests for EHCP assessment received



Year	YTD	% Diff (latest)	Yearly Totals
2019	434		594
2020	390	65%	523
2021	464	84%	676
2022	696	55%	974
2023	717	3%	1003

Average 50 per month 2019

Average 82 per month 2022 and 2023



# EHCP Timeliness

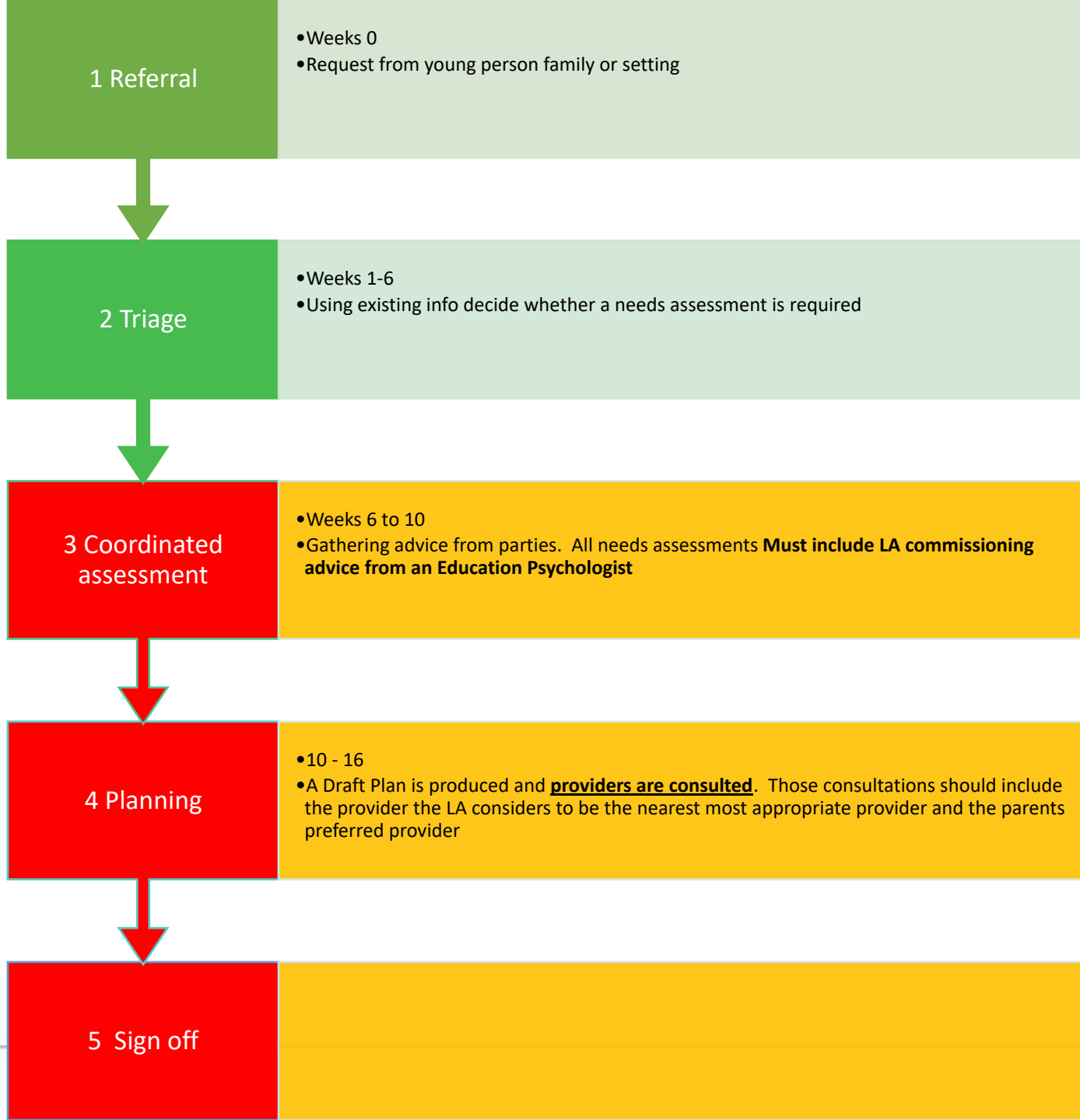
# The EHC Needs Assessment Broken Down

- The local authority must secure an EHC needs assessment for the child or young person if, after regard to the views of the parent or young person and evidence submitted, the local authority is of the opinion that:
  - a) the child or young person **has or may have** special educational needs, and
  - b) **it may be necessary for special educational provision to be made** for the child or young person in accordance with an EHC plan.
- A and B at the point of request make it difficult to refuse a needs assessment particularly post COVID where many young people have shown delays in their learning
- The statutory process allows 20 weeks from point of request to fully complete and agree an EHCP and detail available provision.

# EHCP process considerations

- **Timeliness of new assessments \***
- Quality of assessments and plans
- Engagement with young people, families, other professionals
- What is actually currently available to meet needs where a change of provision is required
- Agreement of content and plans with family and providers, time to discuss changes and address disagreements or alternative views
- Resources to deliver the plan
- **Annual Review of plans\***

\*Areas for which there are currently national performance indicators/benchmarks in red



## Key challenges within the current process which impact on timeliness

### Timeliness of advice – EP capacity in particular

**Consultation with education providers** – some may not respond in time or at all, may be selective due to volume, mainstream schools may find it difficult to consider adaptations or provide support in line with their published sen statements

**Parents and providers may not agree with the draft plan** - specific parts of content or not agree at all with proposed provision which takes time to resolve

1 Referral

- Weeks 0
- Request from young person family or setting

2 Triage

- Weeks 1-6
- Using existing info decide whether a needs assessment is required

3 Coordinated  
assessment

- Weeks 6 to 10
- Gathering advice from parties. All needs assessments **Must include LA commissioning advice from an Education Psychologist**

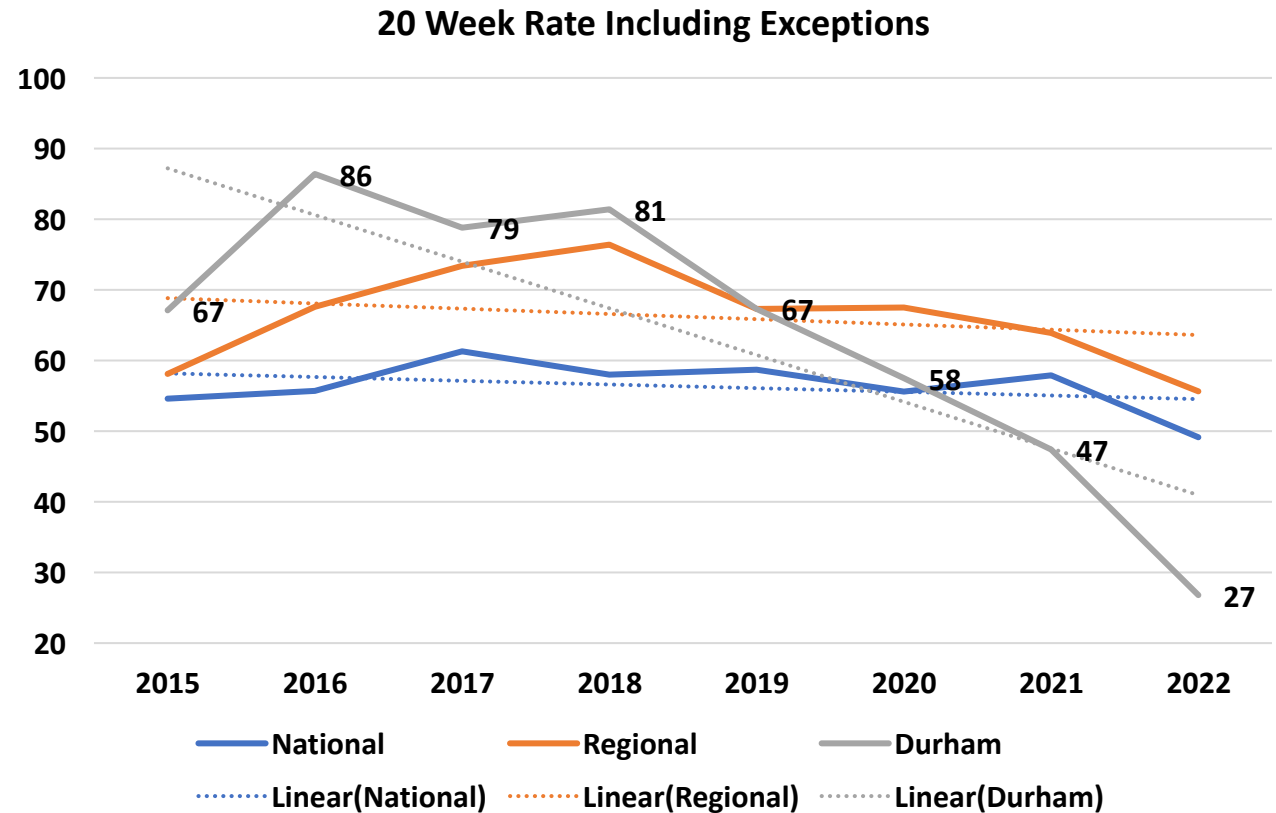
4 Planning

- 10 - 16
- A Draft Plan is produced and **providers are consulted**. Those consultations should include the provider the LA considers to be the nearest most appropriate provider and the parents preferred provider

5 Sign off

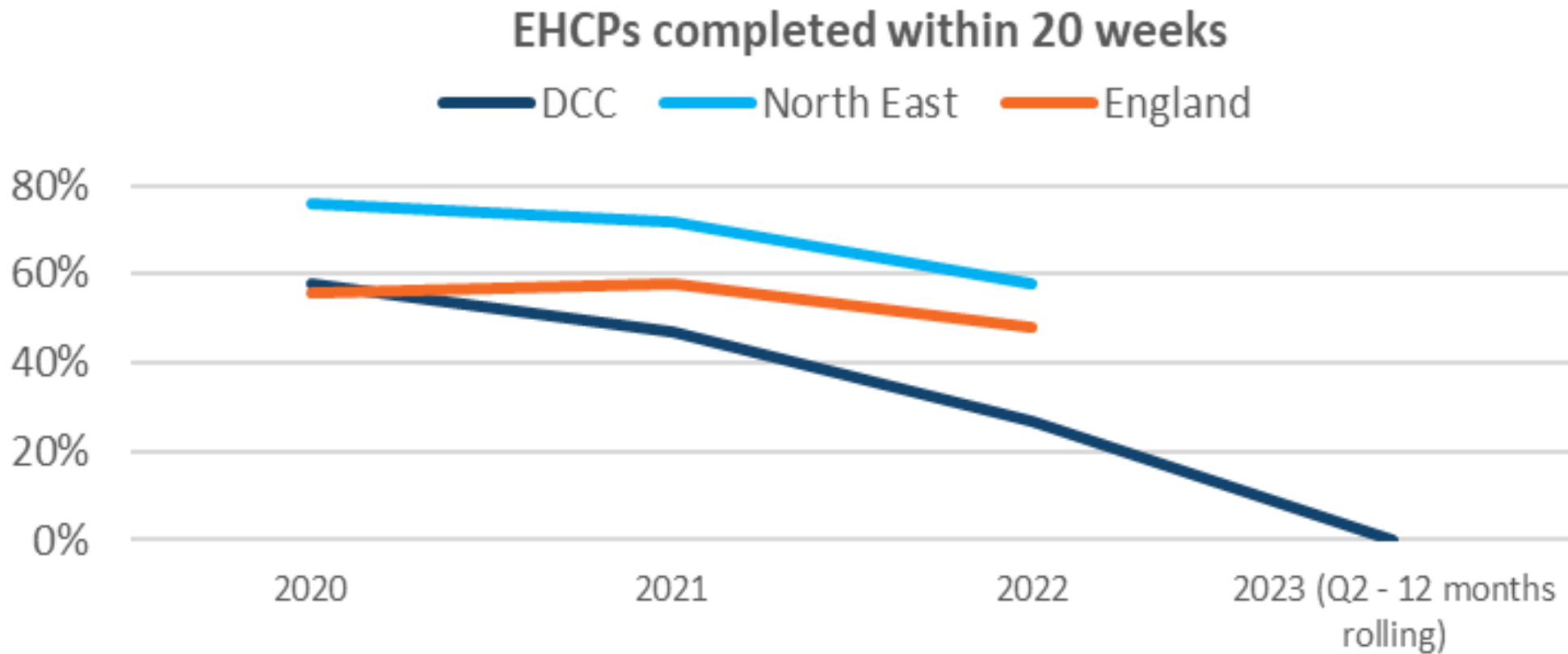
# Timeliness of new EHCPs

- National and Regional EHCP 20 Week rates have fallen
- Durham has declined at a much faster rate since 2021
- Combination of factors –
  - sustained higher demand
  - workforce capacity
  - placement consultations
  - placement capacity
  - placement/parent not agreeing with plan content



Information from nationally published data

# Recent information reported at Q2 2023



# **Our Main Workforce Challenge: Educational Psychology Advice**

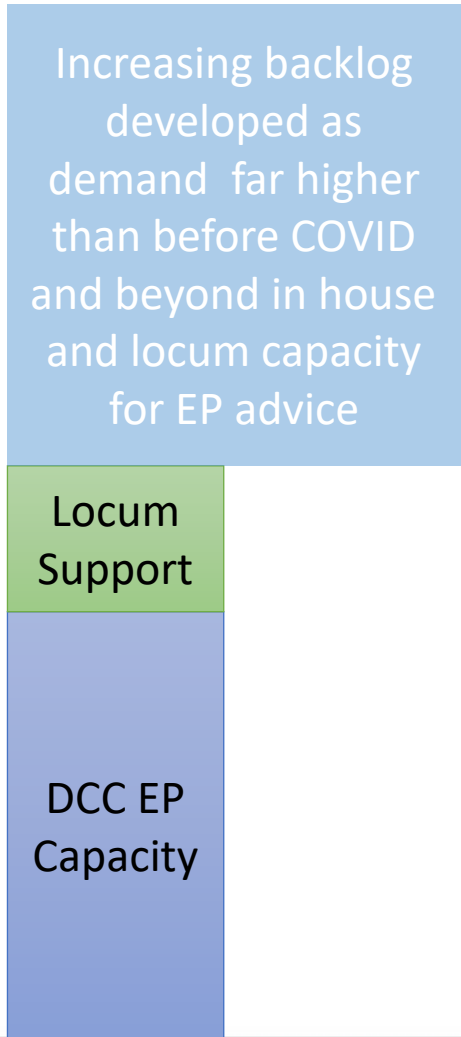
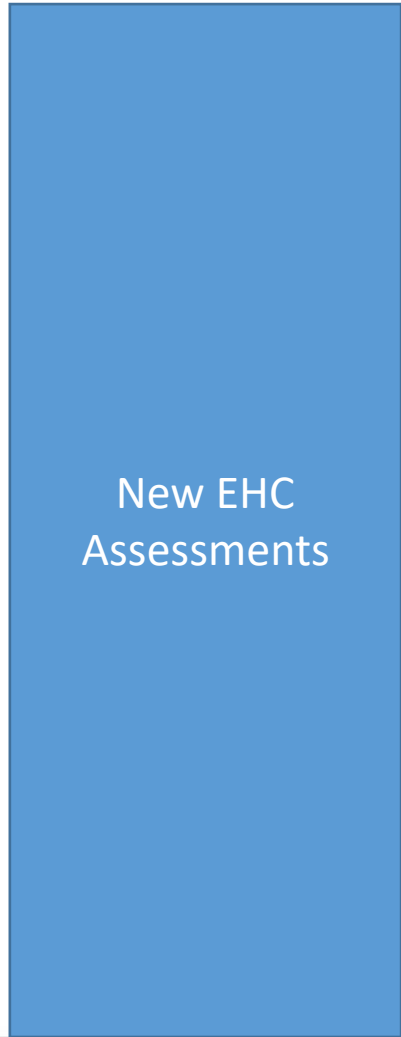
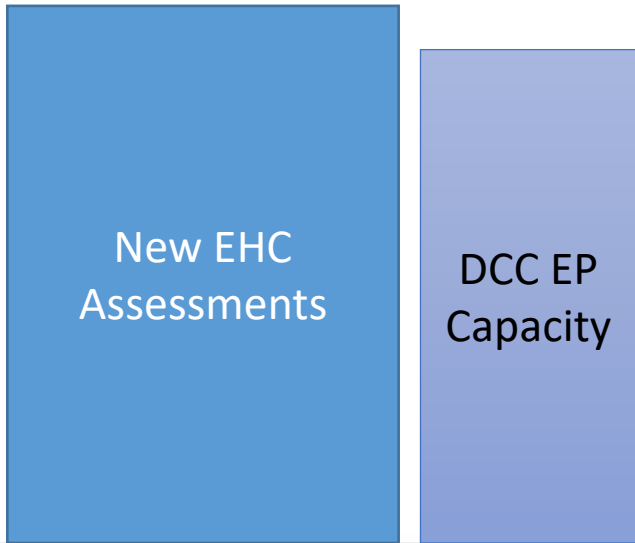


# Illustration of EHC Demand and EP Capacity over recent years

## Post COVID 2022, 2023

### Pre COVID 2018, 2019

No significant delays with advice – timeliness better than national average



Increasing backlog developed as demand far higher than before COVID and beyond in house and locum capacity for EP advice

Impact on timeliness as more cases waiting for EP advice before they can progress with rest of assessment and plan

# Key Points - Workforce Challenges

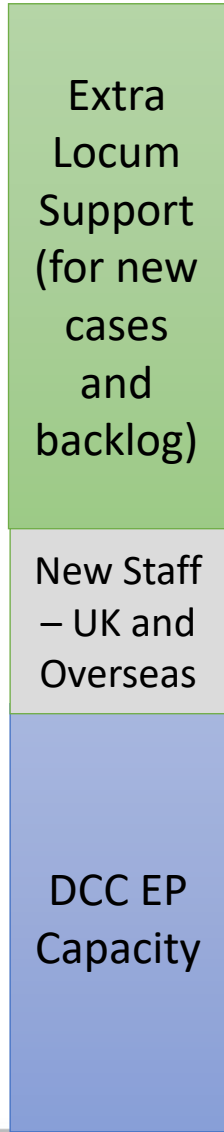
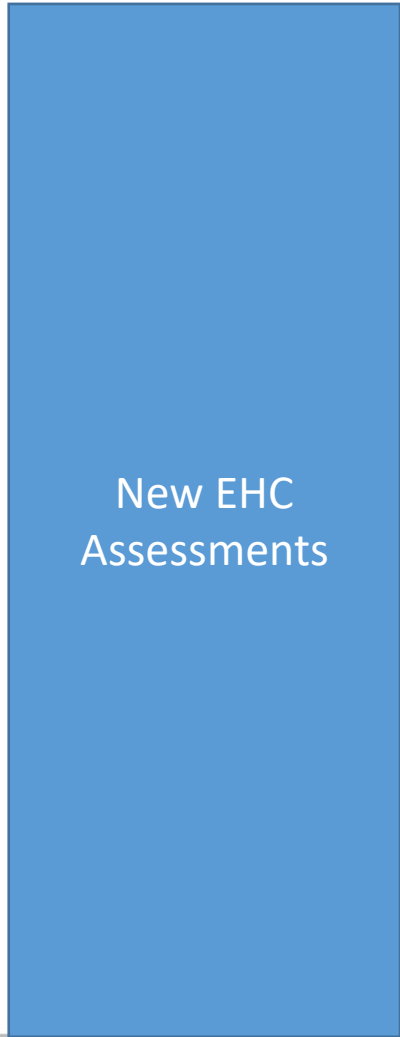
- Whilst we increased our establishment of EPs, we have less core EP capacity than in 2018/19, within a context of a sustained increase in requests for EP advice
- We currently have high vacancy levels – around a third vacancies across all our EP grades
- Recruitment is challenging
  - Competition with other local authorities and agencies (most EP teams have vacancies and are using agency/locum workers)
  - There is a single route into the profession with insufficient places on training courses – only 12 per year for entire NE region and although Durham has 1 in 5 young people in the NE it is 1 in 12 authorities for recruitment purposes
  - Growth in alternative employment opportunities for EPs
- The increase in statutory assessments has significantly reduced the capacity for prevention and early intervention work (further increasing statutory demand)

# Key messages – national data

The research report "educational psychology services: workforce insights and school perspectives on impact" DfE (June 2023)

- **88%** were consistently experiencing difficulties recruiting staff
  - Main challenges - not enough applicants due to insufficient EPs being trained and competition from other providers. Negative view of pay and conditions in LA.
- **34%** reported retention issues and said this was related to the high proportion of time Educational Psychologists were spending on statutory work.
- **96%** of those experiencing difficulties said this affected outcomes for children and young people
- Increased demand for EHCPs was creating capacity issues in the system.
- **24%** outsourced work to private providers

# How We Are Responding to Sustained Higher Demand



# What have we done so far?

- Updated comprehensive action plan agreed summer 2023. Reported into CMT and corporate agreement for action plan and additional funding for significant extra locum support to assist with clearing backlogs and new requests coming in.
- Added assessment of risk and mitigating actions to corporate risk register.
- Key action plan elements:
  - EHC Assessment Timeliness, EP workforce and SEN casework capacity
  - Reducing reliance on statutory assessment
  - Using data and technology to better describe, analyse and predict trends in need, provision and capacity requirements
- Specific to EPs, we have:
  - Reviewed recruitment, job descriptions and salaries so we are at least in line with neighbouring areas.
  - Includes an overseas recruitment element.
  - Increased capacity in our EP structure which will result in additional core capacity over time.
  - New contracts for extra locum support resulting in significantly more capacity available in the interim
  - Introduced new quality assurance arrangements in relation to psychological advice submitted
  - Ensured that every school still has access to consultation through a Link EP
- Carried out an Equalities Impact Assessment to ensure prioritisation of our most vulnerable young people
  - No priority cases in the backlog since December 2023

# What have we done so far?

- Introduced a new performance monitoring system for regular time capturing of demand, capacity to respond to the demand, and performance in relation to timescales
  - Number of cases awaiting allocation to EP down significantly in recent months
  - Depending on the availability and quality of locum support alongside internal capacity increases expected, we are anticipating that the backlog will be cleared somewhere between August 2024 and December 2024
  - In the meantime, we should see average wait times reduce and priority cases to start to complete within the 20 weeks
  - A range of support options are in place in relation to cases where there is a delay and advice required
- Established a range of projects and initiatives to reduce reliance on statutory assessment to identify and meet need (see later slides)
- Engaged with the DfE over the last year and linked with other areas who have/are experiencing similar challenges

# Future Steps

- Further explore contract possibilities for creating further EP capacity for in-person working
- Work with regional LAs and the university to consider options for protecting EP capacity, and to manage the additional costs associated with locum agencies
- Introduction of a new Case Work Management System (Liquid Logic) from Jan 24 which will streamline some of the administrative aspects of the EHCP and provide families and stakeholders an interface to engage directly into the system
- Implementing the DBV programme with a clear focus on strengthening the processes around graduated support, earlier identification of need, and transition; with the overall goal of adjusting patterns of demand
- Involvement in regional change programme to test Government SEND and AP plan and working with a DfE SEND advisor

Note – significant change to the model for EHCPs and statutory requirements appears unlikely from the Government at present





# Resources - High Needs Block and Delivering Better Value Programme



# High Needs Block and Sustainability Programme

- Programme initiated in 2019 and Cabinet agreed to implement HNB Sustainability Programme in 2020 after comprehensive consultation
- In January 2020 - cumulative HNB deficit was forecast to rise to over £20m by 2024-25, without intervention (based on pre COVID trends)
- Nine transformation project strands agreed with governance through SEND and Inclusion Resources Board (SIRB)
- Updates at each Schools Forum meeting and regular reports into Cabinet – most recently Dec 23 which also covered DfE sponsored Delivering Better Value Programme

# Areas of Review (Projects)

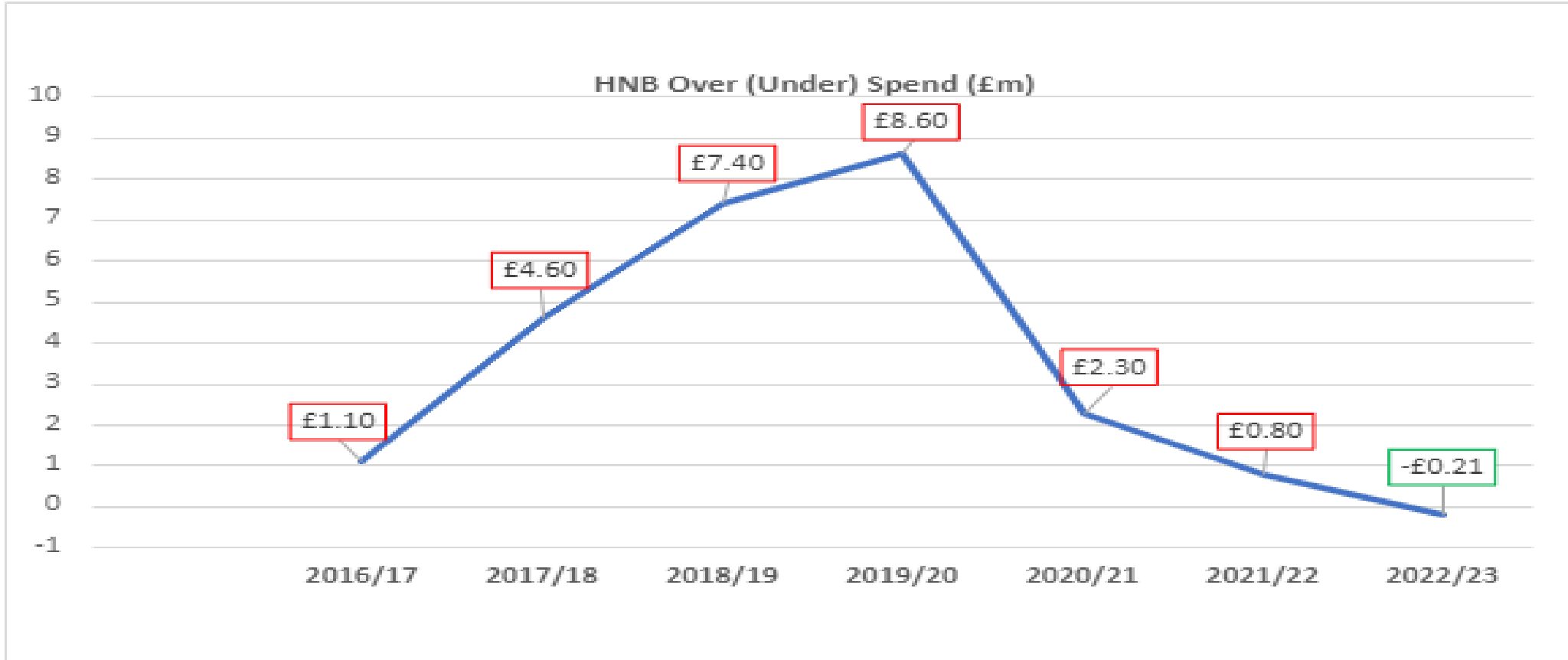
- Spending on Centrally Managed Services
- Post 16 Funding
- Funding to Partnerships of Schools
- Funding and Places in Special Schools
- Top Up Funding
- Targeted Support Funding
- Joint Commissioning of Integrated Therapies
- Joint Commissioning of Equipment, Auxiliary Aids and Adaptations
- Review of Alternative Provision (AP) and Pupil Referral Unit (PRU)
- Enhanced Mainstream Provision (EMP)



# HNB Outturn Position 2022-2023

- £80.4m HNB grant allocation
- Underspend of grant by £0.2 m
- Much improved position compared to previous years
- 1<sup>st</sup> underspend since 2015
- Reduced cumulative deficit marginally to £8.65m

# Impact on Overspend/Underspend



# HNB Forecast Outturn 2023-24

- At quarter two (takes into account start of new academic year) forecast overspend is **£2.1 million**
- Key areas of extra pressure relate to top up funding in mainstream schools and settings, where demand for both EHCP and SEN support top up funding has stayed very high post-COVID with additional increases at the start of the new academic year
- Would increase cumulative HNB deficit from **£8.6 million** to **£10.8 million**

# HNB Position in other LAs

- Nationally around 2 / 3 LAs with significant overspends in one of DfE programmes
- Within the region a number of LAs with relatively high levels of deficit in Safety Valve programme (highest overspends) or DBV programme
- Regional Examples - North Tyneside Council £21 million, Darlington Borough Council £5 million
- County Council examples - Surrey County Council £217 million, Kent County Council £170 million

# Future HNB Position

- At present DfE are planning lower increases to HNB in future years than in recent years.
- Last year the County Council Network (CCN) estimated accrued deficits in local authority SEND budgets stood at £2.4 billion in 2022/23, six times higher than in 2018.
- The CCN forecast national deficit for all councils in England will rise to £3.6 billion by 2025.
- Despite local and national forecasts of high demand and ongoing cost pressures –current allocation for 24/25 for Durham is **4.5%** increase.
- For Durham, alongside reforms and changes to the system that are needed, we estimate grant increases of **10%** per annum are required to keep HNB spend within budget in coming years.

# MTFP forecasts summarised from Cabinet Report Dec 23 based on DBV work

(agreed with DfE and CIPFA, includes mitigations from DBV work)

DSG High Needs Block	2024-25 Budget £m	2025-26 Estimate £m	2026-27 Estimate £m	2027-28 Estimate £m
Grant (after deductions)	89.597	92.285	95.053	97.905
Forecast Expenditure	97.457	104.738	110.900	118.538
<b>In-year deficit</b>	<b>-7.860</b>	<b>-12.453</b>	<b>-15.846</b>	<b>-20.633</b>
<b>Cumulative deficit</b>	<b>-18.613</b>	<b>-31.066</b>	<b>-46.912</b>	<b>-67.545</b>
<i>Year on year expenditure change forecast</i>	10.7%	7.5%	5.9%	6.9%
<i>Year on year grant change assumption</i>	4.3%	3.0%	3.0%	3.0%

This forecasts a concerning shortfall in 24/25 of £7.9 million  
With a cumulative deficit in the HNB of £67.5 million by March 28



# What is the objective of the DBV programme?

## DBV Programme Objective

**Delivering Better Value** (DBV) is a programme working to **identify and implement** local and national opportunities to **improve the outcomes** for children and young people with SEND

In order to achieve this we know;



The child or young person must remain at the centre of everything we do.



We must listen to the challenges from the perspective of those receiving support from the system.



Collaboration is key, with your neighbours, partners and the children and families you support.



Funding is a challenge and key source of frustration that should be considered throughout the planning.

Therefore the DBV programme is designing its support through 2 key approaches;

### Short Term Help

To identify **sustainable changes in each LA** that can drive **high quality outcomes** for children and young people with SEND, and to support you in building an evidence-based **grant application** to assist the implementation of those changes

Page 65

### Informing Long Term Reform

Build an objective evidence base across a third of the sector, which can be used to:

- **Inform future policy** and reform
- Build a **national playbook** & share best practice
- Inform **future national programmes** of similar scale and intent

# DBV Diagnostic Stages



## Set Up

To understand current position and develop a diagnostic plan



## Module 1

### Baselines and Forecasts

To understand the volume and type of support Children and Young people have received historically, and what this might look like going forward



## Module 3

### Implementation Planning

To build findings into effective implementation planning, identifying strengths, enablers and risks



## Module 2

### Root Causes Diagnostic

To identify and quantify the highest impact changes that could be made to deliver better outcomes for children and young people



## Grant Application

To apply for funding to deliver the plan through a grant application that is data led



## Phase 2: Implementation

To start implementing the opportunities and plans identified during the diagnostic

*Lots of different people across the system will be involved at various stages of this process*

# The diagnostic activity has been co-produced with partners from across the system

## Case Reviews



**38 CYP**

Cases were reviewed in case reviews to understand if we delivered an ideal outcome

**40 Practitioners**

across education, health and social care took part

## Engagement



**Implementation Day**

An event where workstreams were discussed with a range of practitioners



**Schools Forum**

Discussion of insights from the DBV programme with schools forum



**SEND Strategic Partnership**

Discussion of insights with PCF, children's charity, Healthcare & Schools



**Listening Forum**

Planned event to include the voice of children, parents/carers and practitioners

## Surveys



**636 Parents & Carers**

with children at every phase of education responded to a survey



**96 Education providers**

across roles and settings responded to a survey

# Summary of opportunities and workstreams or DVB Programme

## Opportunity / Findings:

## How will the workstreams target this opportunity:

## Benefits:

Supporting the goals and aspirations of the child in a **Mainstream setting** rather than MSS



### Workstream 1: Identifying & Meeting Needs Early

- Improved parental confidence in mainstream settings
- Effectively supporting key areas of needs in Durham outside of specialist settings
- Aligning services to key areas of needs so that pupils in schools get more wrap-around support
- **Workstream 3: Improving Transition and Reintegration into Mainstream Schools**
- Improving transitions in mainstream to increase parent confidence



**5-year opportunity:**  
£10.2m – 13.6m  
**Delivery start-date:**  
Oct 2023  
**Benefits start-date:**  
September 2024

Supporting the goals and aspirations of the child can be achieved **without the need for an EHCP**



### Workstream 1: Identifying & Meeting Needs Early

- Decreasing statutory assessments by meeting needs
- **Workstream 2: To Revisit the Graduated Approach to Ensure Needs are Met Proportionately**
- Building upon current framework to meet each level of need effectively, reducing the requests for assessment in order to meet needs
- **Workstream 3: Improving Transition and Reintegration into Mainstream Schools**
- Improving transitions for those on SEN Support



**5-year opportunity:**  
556 – 841 CYP  
**Delivery start-date:**  
Oct 2023  
**Benefits start-date:**  
September 2024

Supporting the goals and aspirations of the child in a **permanent setting** rather than PRU



### Workstream 1: Identifying & Meeting Needs Early

- Reduced suspensions and exclusions by identifying needs earlier and understanding them better
- **Workstream 3: Improving Transition and Reintegration into Mainstream Schools**
- Decreasing length of time pupils stay in the PRU by reintegrating them back into a more permanent setting



**5-year opportunity:**  
£5.6m - £7.3m  
**Delivery start-date:**  
Oct 2023  
**Benefits start-date:**  
September 2024

# Next Steps

- After some national delays and changes of the process with DfE our grant application for £1 million was agreed in full in September 23
- Delivery of Implementation Plan as part of HNB Sustainability ‘Phase Two’ – October 23 – March 25
- Work will sit alongside work we are commencing with Hartlepool, Gateshead and Stockton LAs as part of DfE supported Regional SEND Partnership to take forward Government thinking from SEND and AP delivery plan

# SEND and Alternative Provision Change Programme



HM Government

## Special Educational Needs and Disabilities (SEND) and Alternative Provision (AP) Improvement Plan

Right Support, Right Place, Right Time

March 2023



CP 800



# The SEND and AP Improvement Plan: How We Will Deliver the Reforms

## A National System Underpinned by National Standards

Addressing inconsistency across the system by setting out: **what support** should be made available; **whose job** it is to provide it; and **which budgets** should pay for it.

## Successful Transitions and Preparation for Adulthood

Enabling children and young people to fulfil their potential and be prepared for adulthood including: **transition guidance**; increased investment in **Support Internships**; and continuing the **Adjustment Passport Pilot** with DWP

## A Skilled Workforce and Excellent Leadership

Improved workforce capacity and expertise to support more inclusive mainstream provision, including: **SENCo NPQ** for schools; **occupational standard** for teachers of Sensory Impairment; and joint **DfE/DHSC workforce planning**

## Strengthened Accountabilities and Clear Routes of Redress

Tackling misaligned incentives and holding the system to account to give parents greater confidence in the system through: local **inclusion dashboards**; updated Ofsted/CQC **area inspections**; and creating a 'ladder of intervention'

## A Financially Sustainable System Delivering Improved Outcomes

Delivering a financially sustainable system by: the **Delivering Better Value (DBV)** and **Safety Valve (SV)** programmes; developing a system of funding **bands and tariffs**; and delivering new approaches to **funding Alternative Provision**.

## Our 3 Delivery Priorities

### Support and Stabilise (2023)

(e.g. DBV and SV Programmes)

### Increase Supply (2024/25)

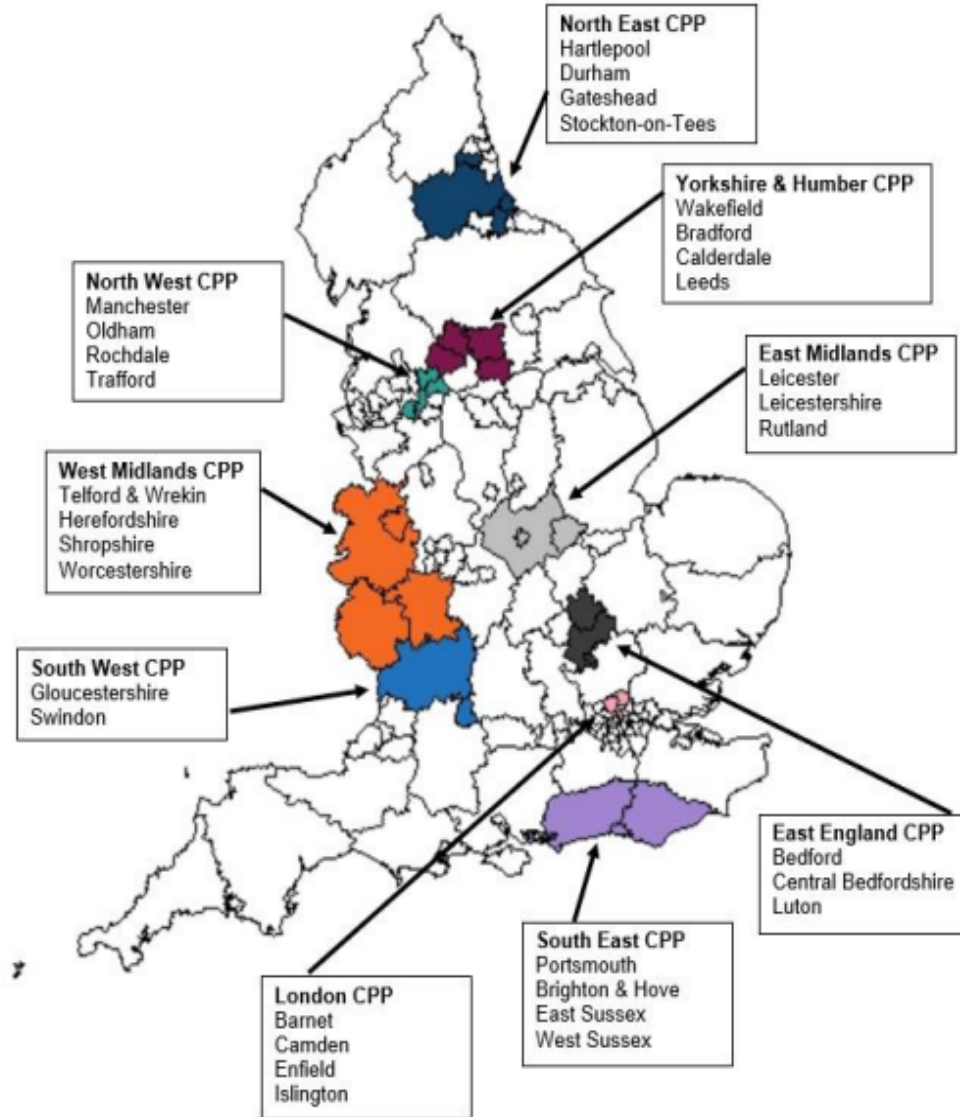
(e.g. new special and AP Free Schools)

### Design and Test (2023+)

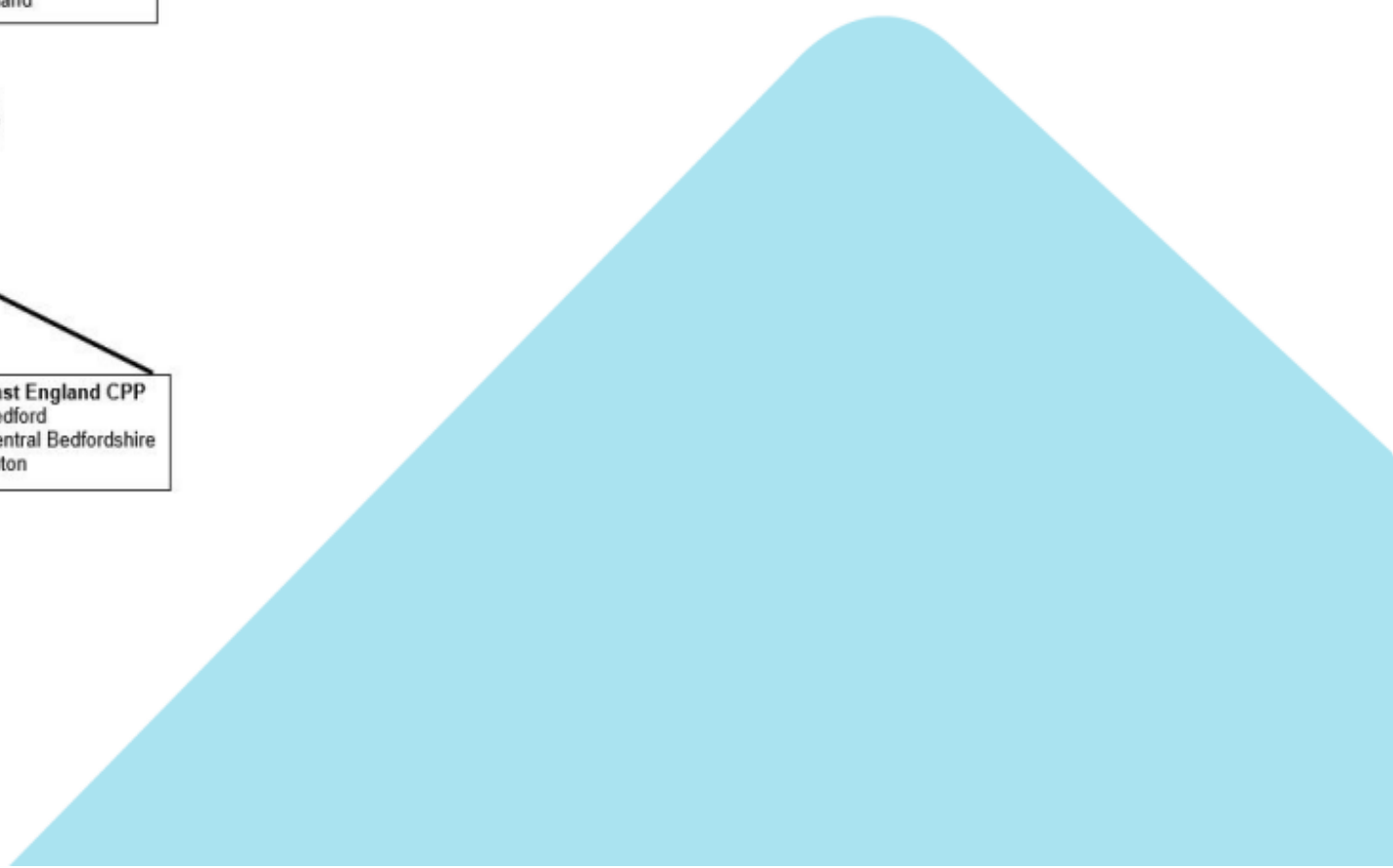
(The £70m Change Programme)



Figure 1: Change Programme Partnerships

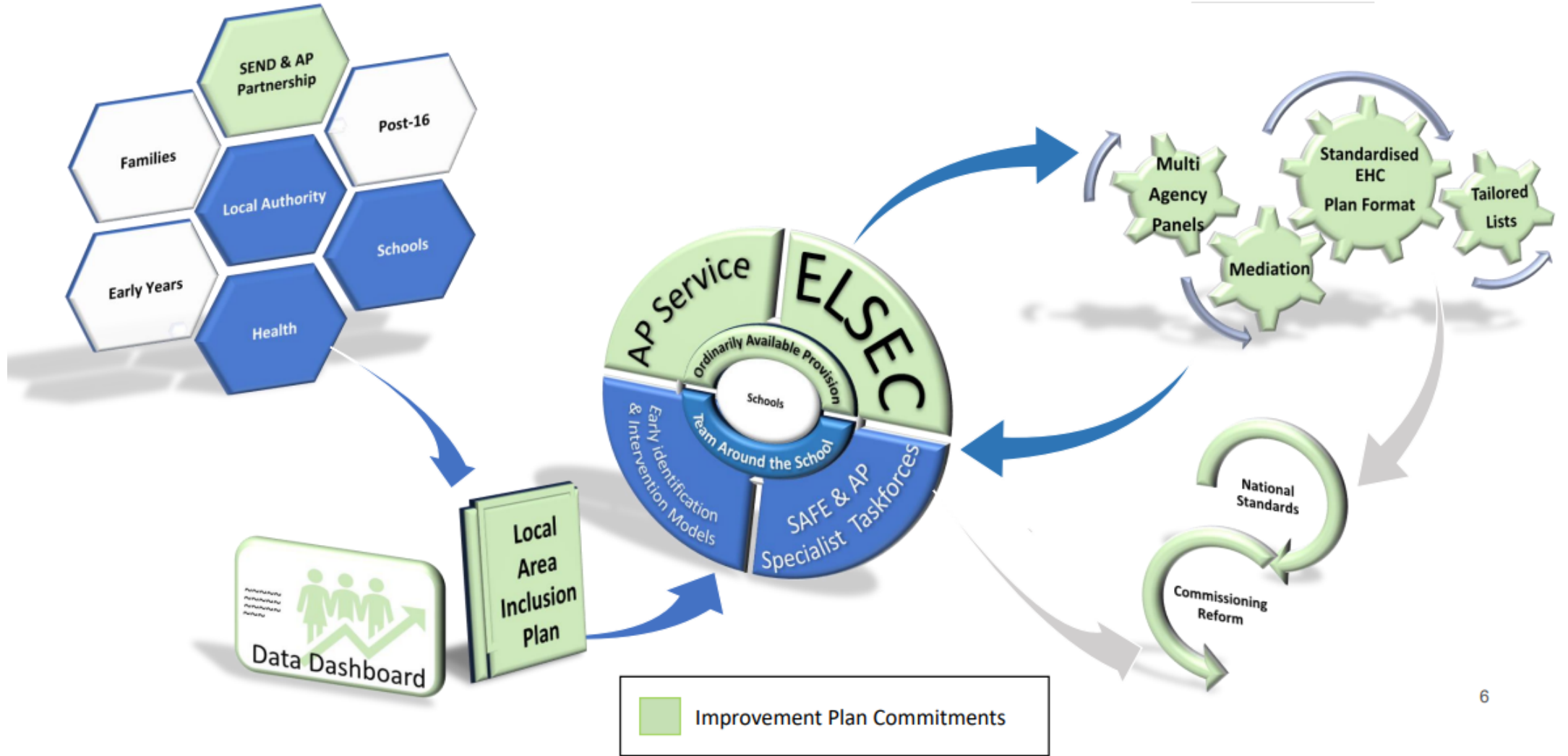


## National Change Programme Partnership Map





# Change Programme Delivery





# Summary

# Summary

- County Durham SEND strategy with clear vision and partnership action plan
- New all age autism strategy agreed by Cabinet Dec 23
- Year on year significant increases in SEND – SEN Support and EHCPs
- Targeted work in place to seek to address key areas of concern and capacity challenges esp. in EP workforce
- Further work with Education Review Board to plan places and improve special school offer
- SEND Inspection preparation – assurance programme and multi agency self-evaluation development informed by learning from other areas being inspected
- Continue focus on HNB sustainability, DBV implementation plan and further HNB sustainability projects – outlined in report to cabinet Dec 23
- Despite our progress and engagement with DBV programme concerns about escalating overspends in coming years (local and national)
- Work with Hartlepool, Stockton and Gateshead as part of ‘Regional SEND change partnership’ and feed into DfE national developments

This page is intentionally left blank