

Cabinet

15 May 2019

SEND Strategy Refresh

Ordinary Decision



Report of Corporate Management Team

Margaret Whellans, Corporate Director of Children and Young Peoples Service

Councillor Olwyn Gunn, Cabinet Portfolio Holder for Children and Young Peoples Services

Electoral division(s) affected: Countywide.

Purpose of the Report

This report presents the refreshed strategy for supporting work across local partners for children, young people and young adults with Special Educational Needs and Disabilities (SEND)

Executive summary

- 1 This report provides an update on the joint strategic approach to SEND in County Durham across the 0-25 age range involving Health, Social Care, Education and other partners.
- 2 The report and strategy has been presented for approval at the Integrated Steering Group for Children, Durham County Council Corporate and Children and Young People Management Teams as well as to the Clinical Commissioning Group Executive. The strategy also went to the Health and Wellbeing Board on the 8th of May 2019.
- 3 The report reflects the work undertaken by multi-agency planning groups, including engagement with stakeholders such as Making Changes Together (the recognised parent and carer partnership for SEND provision) and the eXtreme group (a group of young people with SEND who help to inform services of their experiences of life with SEND in County Durham).

- 4 This strategy is aligned to the new CYPS strategy which was recently approved at Cabinet in February 2019. It updates the strategic direction and action of the local area partnership against the key SEND priorities and provides an update of progress of actions taken in response to the Ofsted and CQC local area inspection in late 2017.
- 5 The refreshed strategy replaces the existing SEND Strategy for Children and Young People with Special Educational Needs and/or Disabilities 0-25.
- 6 The implementation of the SEND strategy vision is guided through a working strategic action plan, which is monitored and updated as required through the work of the Integrated Steering Group for Children and the updated governance structures for SEND.
- 7 Durham County Council and our local partners are continuing to face significant pressures in resourcing support for children, young people and young adults with SEND. Durham wants to do the best it can for children and young people with SEND within the resources available across the partnership and we are continuing to lobby for extra resources from the Government to support this.

Recommendation(s)

- 8 Cabinet is recommended to:
 - (a) Approve the refreshed SEND Strategy;
 - (b) Note that the SEND Strategy will be updated later in 2019/20 following completion of an in depth health needs analysis which is currently underway.

Background

- 9 The Integrated Steering Group for Children County Durham SEND Strategy (appendix 2) is an update of the existing SEND Strategy for Children and Young People with Special Educational Needs and/or Disabilities 0-25. The document considers what life is currently like for people with SEND in County Durham, based on feedback from people and analysis of their needs.
- 10 This strategy has been prepared jointly by Durham County Council, the North Durham CCG and DDES CCG, wider health partners, parents of young people with SEND represented by the Parent Carer Forum Making Changes Together (MCT) and feedback from the eXtreme group.

- 11 The updated strategy is also one part of the response to the written statement of action required following the Ofsted and CQC local area inspection in late 2017. The strategy acknowledges progress made across the local area which was detailed in a 'one year on' report.
- 12 This refreshed strategy aligns with the Children and Young People's Strategy aim to achieve the best possible outcomes for children and young people with SEND.
- 13 The refreshed strategy is informed by the findings of the High Needs Review and the Social Communication and Interaction Review, the Children and Young People's SEND Promise and the Local Area Participation Strategy. It is also informed by the initial work produced from health needs analysis work covering an updated SEND factsheet which is now published online (<https://www.durhaminsight.info>).

Main Implications

- 14 The Refreshed SEND Strategy sets out a shared aim for all children and young people with SEND to achieve the best possible outcomes. To realise this vision the Strategy provides three objectives:
 - i. Provide better coordinated services for children and young people with SEND across the local area
 - ii. Children and young people with SEND have high quality support which meets their needs
 - iii. Ensure that young people with SEND are well prepared for adult lives and can live independently
- 15 The Strategy will be steered by the Governance and Accountability Framework illustrated in appendix 1 of the strategy. This framework has been further refined one year on from the Local Area SEND Inspection. Progress will also receive continued political oversight to ensure we further monitor progress, quality improvements and evidence impact for children and young people. In addition to reports such as this to Cabinet and regular meetings with the portfolio holder a further example of this would be the report, presentation and discussion at Children and Young People's Overview and Scrutiny Committee in February 2019.
- 16 This refreshed strategy and the accompanying action plan was approved at the Integrated Steering Group for Children on March 18th 2019, Durham County Council Corporate Management Team on March 20th and from the CCG Executive on 9th April. The strategy also went to the Health and Wellbeing Board on the 8th May.

- 17 The current draft of the strategy and the latest action plan are published on the Local Offer website as a draft pending political approval. Following Cabinet approval the Strategy will be promoted through a Durham County Council and Clinical Commissioning Group joint communication plan to support wider communications across the County.
- 18 It is planned to further update the strategy following the completion of comprehensive health needs assessment work which is underway. This will ensure the strategy and its accompanying action plan remains informed by accurate and up to date information about the changing needs of children and young people with SEND in County Durham.
- 19 Durham County Council and our local partners, including schools and the health sector, are continuing to face significant pressures in resourcing support for children, young people and young adults with SEND. A combination of austerity across the public sector, implementation of the SEND reforms (which has increased support to cover young people and young adults up to 25 years old) and changing needs means that there are insufficient resources including from the High Needs Dedicated Schools Grant. This is also the case in many other local authorities.
- 20 The government has recognised in part the significant budget pressures local authorities are facing in the High Needs Dedicated Schools Grant budget, however, this is insufficient to meet currently forecasted pressures. In 2019/20 our High Needs Dedicated Schools Grant funding increased by £2.4 million which includes the £1.059 million additional allocation announced by the DfE in December 2018. To meet expected funding pressures in 2019/20, this has resulted in a requirement to include the predicted £5.6 million budget shortfall in the 2019/20 general fund budget on a one-off basis.
- 21 The inclusion of this significant education cost pressure in the general fund budget is a one-off measure which will provide time to support a more sustainable longer term position to be attained. A review of all areas of high needs spending is currently underway whilst it is also hoped that the intense lobbying upon the Department for Education will result in increased funding from the 2020/21 Comprehensive Spending Review. This position is being kept under regular review.

Conclusion

- 22 Durham wants to do the best it can for children and young people with SEND within the resources available across the partnership and we are continuing to lobby for extra resources from the Government to support this. We are seeking to build on recent progress captured in the one

year on report since the SEND Inspection. The refreshed strategy and updated action plan seek to set this out in an accessible way with revised partnership governance arrangements to help us focus on key partnership actions and continuous improvement.

Background papers

- SEND Strategy for Children and Young People with Special Educational Needs and/or Disabilities 0-25.
- Children and Young People's Strategy
- Children and Adults Autism Strategy 'Think Autism in County Durham'

Other useful documents

- None

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Appendix 1: Implications

Legal Implications

The requirement to have a strategy to provide support for children with special educational needs and disabilities, including joint commissioning arrangements, was set out in the Children and Families Act 2014.

Finance

Resource challenges are referred to in the strategy and there is related work taking place on High Needs Block Sustainability; ongoing consideration of resources across the partnership and across commissioners will be required.

Consultation

Engagement with a range of partners and stakeholders took place as part of the development of the refreshed strategy. Further engagement and consultation will take place as part of implementation of actions.

Equality and Diversity / Public Sector Equality Duty

SEND work has to take account of Equality Act 2010, Children and Families Act 2014 and other relevant legislation.

Human Rights

None

Crime and Disorder

None

Staffing

The updated strategy will guide resource decisions and priorities.

Accommodation

None directly

Risk

Key risks relate to resource pressures and the risk of not making sufficient progress across the partnership on SEND reforms which could result in poor outcomes or poor service delivery to children and young people with SEND.

Procurement

The updated strategy will guide resource decisions and priorities.

Appendix 2: Integrated Steering Group for Children, County Durham Refreshed SEND Strategy

**Integrated Steering Group for Children
County Durham SEND Strategy 2019-2020**

(Refreshed - Version 2.5)

To include partnership organisation logos in final version

Purpose

This is our Local Area strategy for children, young people and young adults with Special Educational Needs and Disability SEND in County Durham, with the aim of providing focus and clarity on the priorities for improving services and opportunities. This Strategy is partnered with our wider children and young people strategy of which a key aim is better outcomes for those with SEND.

The document considers what life is currently like for people with SEND in County Durham, based on feedback from people and analysis of their needs. It demonstrates where we want to be 4 years from now, providing a one year set of actions that we will undertake to achieve this. After one year we will republish our Strategy. For the public it provides a summary of the importance of services and support for people with SEND and what they can expect from local services.

This strategy has been prepared jointly by public services including the Council and local health services and parents of young people with SEND represented by the Parent Carer Forum Making Changes Together (MCT) who work together to improve outcomes for people With SEND. The strategy has been informed by the High Needs Review and Social Communication and Interaction (including ASC) Review. The Strategy provides context to the SEND Local Area Joint Commissioning Strategy, the Children and Young People's Promise and the Local Area Participation Strategy.

For those responsible for delivering services, any future work programmes should contribute to achieving the aims set out in this strategy. It can therefore be used as an aid in deciding what to do and of equal importance, what not to do. Members, officers and partners will find this document of practical use in evaluating whether to participate in new national initiatives and funding bids and help select the work programmes that we need to do. The strategy is therefore a living document that is designed to be used regularly.

Introduction

Many children and young people with SEN find it harder to learn than most children and young people of the same age. This means they may need extra or different help from that given to others.

Many children and young people will have SEN of some kind at some time during their education. Learning providers can help most children and young people succeed with some changes to their practice or additional support. Some children and young people will need extra help for some or all of their time in learning and beyond.

There are four recognised areas of SEN, children and young people may have one primary SEN or needs across more than one area. The areas are:

Communication and interaction – where speech, language and communication difficulties make it hard to make sense of language or to understand how to communicate with others

Cognition and learning – where learning is at a slower pace than others of the same age. Understanding part(s) of learning, organisation and memory skills is difficult

Social, emotional and mental health difficulties – where managing relationships with other people can be challenging. Affecting health and wellbeing, sometimes being withdrawn or behaving in ways that obstructs learning for self or others

Sensory and/or physical needs – where, visual and/or hearing impairments, or a physical need require additional ongoing support and equipment

Disabilities

Many children and young people who have SEN may also have a disability. A disability is described in law (the Equality Act 2010) as 'a physical or mental impairment which has a long-term (a year or more) and substantial adverse effect on their ability to carry out normal day-to-day activities.' This includes, for example, sensory impairments such as those that affect sight and hearing, and long-term health conditions such as asthma, diabetes or epilepsy.

Life with SEND can be difficult if needs go unidentified or unmet, with the right support there is no reason that children and young people cannot function well and make progress in many or all aspects of their life. The (2014) Children and Families Act has created a framework in the SEND Code of Practice that improves support by extending provision from birth to 25 years of age and providing a legal context that gives families greater choice in decisions and ensuring needs are properly met.

It is recognised that while extending provision from 0-25 is a great benefit for young people there is still a need to ensure that young people are prepared for their transition into adulthood. This strategy encourages opportunities that develop outcomes in independence, good health, resilience/inclusion and employment (or life opportunities relevant to needs) throughout childhood in preparation for adulthood.

Our Vision and Aims

Our shared aim is that all children and young people with SEND achieve the best possible outcomes through having every opportunity to take control of their lives, be as independent as possible and achieve their potential. To achieve the best possible outcomes of our vision for children and young people with special educational needs and disabilities and we aim to:

1. Provide better coordinated services for children and young people with SEND across the local area
2. Children and young people with SEND have high quality support which meets their needs
3. Ensure that young people with SEND are well prepared for adult lives and can live independently

Key Outcomes

Our strategic aims will be monitored through our delivery framework and the County Durham SEND Strategy Plan on a Page 2019-2021. We will measure the success of our local service delivery to support these outcomes in one or more of the following four areas by the performance indicators shown below:

Outcome	Performance Measure
Developing Independence ensuring that children and young people have the freedom to develop personal and social skills in their local school and community settings with the opportunity to develop friendships.	<ul style="list-style-type: none"> • Education Health Care Plans produced in a timely fashion for those children who require extra help to achieve what they want to in their life. • Child and parent satisfaction measures • Learning progress rates
Experiencing good Health through timely assessment and support from 0-25 years with all professionals using person centred approaches in their integrated support.	<ul style="list-style-type: none"> • Child and parent satisfaction measures • Learning progress rates • Therapy assessment and treatment waiting times
Building Resilience , receiving the right adaptations and support to develop personal strategies that secure inclusion in learning and community settings.	<ul style="list-style-type: none"> • Child and parent satisfaction measures • Learning progress rates • Rates of school exclusion, attendance and moves
Achieving Employment (or life opportunities relevant to their needs) through providing pathways opportunities that support transition into adult life.	<ul style="list-style-type: none"> • Education Health Care Plans produced in a timely fashion for those children who require extra help to achieve what they want to in their life. • Child and parent satisfaction measures • Learning progress rates • Volume and, type and duration of out of county placements • Percentage of children who are not in Education, Employment and training (NEET) • Young people in supported internships

How we will ensure future success?

The County Durham SEND Strategy is aligned to the Children and Young People's Strategy (2019 – 2022). As part of this Strategy we aim to bring the whole resources of local public services and the voluntary sector to work with children and families to improve the life chances of our children and young people. Our aspiration is for County Durham to be a great place for children and young people to grow up in.

Delivery Framework

There is a governance and delivery framework (appendix 1) underpinning the strategic aims and objectives which includes detailed action plans and programmes for improvement as follows:

Aim 1 To provide co-ordinated leadership and governance across the local area:

A 12-month plan to ensure we build on the improvements made in 2018 has been developed. The actions in this plan are being monitored through a Quality Improvement Board and the Integrated Steering Group for Children. This plan takes into account the SEND Local Area Inspection Written Statement of Action to ensure that improvements in Local Area Leadership and Governance are sustained and built on,

Aim 2 Ensure that young people with SEND are well prepared for adult lives and can live independently

This aim will be discharged through the Preparation for Adulthood Partnership, Supported Internship Forum and a series of Local Area Workstreams, time limited groups that will be governed by the Integrated Steering Group for Children. The Workstreams will deliver against a Local Area Action Plan that is informed by the High Needs Review and the Autism Review.

Aim 3 Provide better coordinated services for children and young people with SEND across the local area:

This aim will be delivered through the Local Area Workstreams.

Monitoring and Review

Each aspect of the delivery framework will be monitored through the governance framework described above using a range of performance indicators and actions (each of the sub groups have delivery plans and are responsible for the delivery of those plans).

The strategy will be refreshed in Dec 2019 following the publication of an updated comprehensive Health Needs Assessment of Children and Young people with SEND. Following this the Strategy will be subject to a review every three years where the outcomes and objectives are revisited and the strategy will be rewritten to ensure that it is current and reflects the strategic environment and what children, young people and young adults with SEND and their families are telling us. The delivery framework will be subject to an annual refresh to ensure that actions and measures are current.

Partnership Oversight of Performance and Quality Assurance

In continuing to ensure that our Local Area SEND systems are working for children and young people with SEND and their families it is essential that as a partnership we work effectively together. To ensure the effectiveness and quality of our progress the following arrangements are in place:

- The Integrated Steering Group for Children has oversight of working arrangements and partnership performance across education, health and care services.
- A quality assurance framework which includes a programme of multi-agency and single agency audits
- Feedback from children, young people and families
- Partner feedback
- Review and analysis of performance
- Regular political oversight through the council's cabinet and scrutiny committee
- Corporate parenting panel
- Peer support and challenge through the sector lead improvement and partners in practice programmes
- Continuing monitoring and learning from external inspection, serious case reviews

Overall we want to see the following for Children and Young People with SEND:

- ✓ More young people receiving a good quality education closer to their home
- ✓ Continued high quality needs assessment that makes a positive impact on outcomes
- ✓ Greater inclusion in schools and their communities
- ✓ Swift assessment of health needs and to the appropriate support that meets these needs

- ✓ Family support where required that ensures family resilience
- ✓ An increase in access to pathways into employment
- ✓ More young people with SEND living independently where they choose to do so

Our Local Area Progress in 2018 Includes

- Autism training reaching 900 school staff
- EHCP completions within 20 weeks improved from 85% to 91%
- Fixed Term exclusions of young people with SEND have reduced by 13% 2016-17 to 2017-2018
- Durham continues to have no young people with an EHCP being permanently excluded
- Continued improvement in waiting times for Speech and Language Therapy assessment and treatment
- Waiting times for patients on SCAT waiting list have halved
- 71% of Social Care Staff have undertaken SEND awareness training
- Reduction in young people with SEND who are not in education, employment or training from 20.2% to 16.1%
- 991 young people with SEND participated in employment, education or training,
- 438 progressed to employment
- Increases in Supported Internships
- Tri-Work Young Persons' Supported Work Experience for Schools Pilot introduced resulting in 125 young people gaining work experience
- Coproduction of a Participation Strategy which is cited as best practice by Local Government Association All leaders and frontline staff to be trained in the new strategy by the parent carer forum and Special Educational Needs and Disabilities Information and Advice Service early in the new year
- Parent Carer Form delivered two conferences attended by over 150 parents, raising the awareness of local area services and support.

Resource Context

In developing this strategy we are acknowledging the decade of Public Sector austerity and its likely continuation. An area of key resource pressure in Durham as elsewhere is the High Needs Funding Block, the High Needs Funding Block is an education fund that pays for specialist and enhanced provision. The funding pressure is largely a result of the successful implementation of the SEND reforms. This includes an increase in the accessibility to support from 5-19 to 0-25 years, more specific adaptations to meet identified needs and more young people with SEND receiving their education in specialist placements due to parental preference than in 2015. It is essential that plans are in place to recover this position whilst achieving improved outcomes and maintaining parental confidence. To achieve this the Local Authority is working with all schools to develop SEND systems, a linked action plan is in place to achieve this.

National Legislative Policy

Key policy areas are:

- The **Children and Families Act 2014** addresses the needs of children and young people up to the age of 25, including those with Special Educational Needs or Disabilities (SEND). Reforms include a single coordinated birth to 25 Educational, Health and Care (EHC) Plan for these children and young people whilst in education; improving cooperation and collaboration between all the services that support individual and families, particularly local authorities, education providers and health services; and the introduction of the 'Local Offer' including centralised information, advice and guidance.
- **The Equality Act 2010** replacing all existing equality legislation such as the Race Relations Act, Disability Discrimination Act and Sex Discrimination Act. It places specific duties on schools and local authorities relating to a number of 'protected characteristics' including disability. Giving a direct duty to the Local Authority to eliminate unlawful discrimination, harassment and victimization, to advance equality of opportunity between people who share a protected characteristic (such as disability) and people who do not share it. The Act also outlines indirect duties for the Local Authority relating to supporting and challenging education providers to fulfil their duties under equality legislation.
- The **Care Act 2014** covers the needs of people eligible for social care needs and also the duties of preventative approaches such as early support; advance planning; helping people to maintain independence and wellbeing and avoid a crisis. The Care Act also requires statutory agencies to work together in partnership with individuals and families within assessment and care planning processes, including help with accommodation and employment/meaningful activity, supporting families and accessing necessary health and social care services.
- Department for Education (DfE) **Preparing for Adulthood Programme** recommends that:
 - Preparing for adulthood starts from the earliest years
 - Services that have a statutory responsibility should focus on how they can support people to progress towards Preparing for Adulthood (PfA) outcomes
 - Mainstream agencies should be more inclusive and engaged
 - Young people and their families should be involved in strategic planning and service design and would support commissioners in design and development of future services
 - The Local Offer should provide children, young people and their families with up to date and clear information on what is available locally through the Local Offer. The Local Offer will also have a feedback and review mechanism for commissioners to capture information on where the gaps are for families
 - Young people and families should be involved in the ongoing development and review of the Local Offer
- The National Autistic Society (NAS) has produced **Autism Strategy Good Practice Guides (2016)** for local authorities and NHS bodies on the following topics
 - Ensuring preventative support
 - Diagnosis and the care pathway
 - Planning and leadership
 - Training
 - Transition
 - Employment
 - People with complex needs or whose behaviour may challenge
 - Criminal justice

- ***Future in Mind (2015): Promoting, Protecting and Improving our Children and Young People's Mental Health and Wellbeing.*** Setting out core principles and requirements to create a system that properly supports the emotional wellbeing and mental health of children and young people. The key themes are:
 - Promoting resilience, prevention and early intervention
 - Improving access to effective support – a system without tiers
 - Care for the most vulnerable
 - Accountability and transparency
 - Developing the workforce

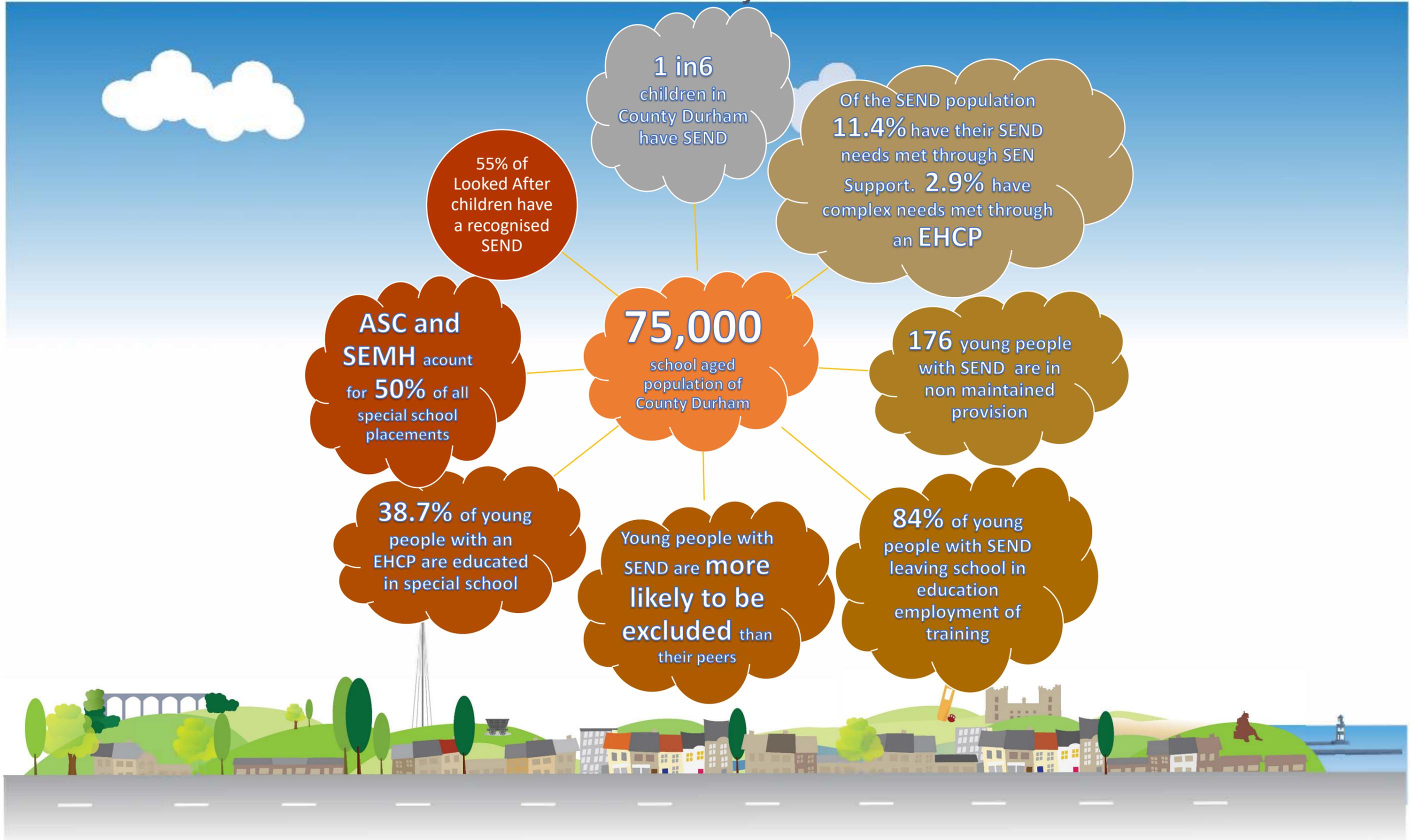
- The government and other leading organization across the health and care system are committed through ***Transforming Care for People with Learning Disabilities – Next Steps (2015)*** to transforming care for people with learning disabilities and/or autism who have a mental illness or whose behaviour challenges services.

Supporting progress and linking with the SEND Strategy are the following family of Strategic Documents

- Children and Young Peoples Strategy
- Durham SEND Joint Commissioning Plan
- Think Autism - Autism Strategy for Children, Young People and Adults
- High Needs Review
- Children and Young Peoples SEND Promise
- The SEND Participation Strategy - Engaging and involving parents & carers
- Children's and Young Peoples Mental Health and Wellbeing Transformation Plan
- Preparation for Adulthood Partnership, Supported Internship Forum

Where we are now

SEND in County Durham





County Durham SEND Strategy Plan on a Page 2019-2020

Mission

Children and young people with special educational needs and disabilities achieve the best possible outcomes

Key Outcomes

Developing Independence ensuring that children and young people have the freedom to develop personal and social skills in their local school and community settings with the opportunity to develop friendships

Experiencing good Health through timely assessment and support from 0-25 years with all professionals using person centred approaches in their integrated support.

Building Resilience, receiving the right adaptations and support to develop personal strategies that secure inclusion in learning and community settings.

Achieving Employment (or life opportunities relevant to their needs) through providing pathways opportunities that support transition into adult life.

Aims

1. Provide better coordinated services for children and young people with SEND across the local area

2. Children and young people with SEND have high quality support which meets their needs

3. Ensure that young people with SEND are well prepared for adult lives and can live independently

Key Actions

- Embed and maintain a joint commissioning cycle that improves access to integrated support in Education Health and Care
- Provide families with information about Local Area Services through improvements to the Local Offer and its communication
- Ensure 'High Priority Indicators' capture relevant data and key performance information across Education, Health and Social Care
- Improve engagement with children and young people, parents and carers to inform policy and service quality
- Co-production of an updated SEND Strategy (2019-2022) which is regularly reviewed

- Develop a shared vision for inclusive education of young people with SEND that raises the confidence of providers and parents
- Improve access to social activities achieving greater opportunities for social inclusion of young people with complex needs
- Develop the current Enhanced Mainstream Provision in schools to support young people where there are identified gaps in provision
- Create new Enhanced Mainstream Provision to specifically support young people with autism in KS3
- Ensure the workforce is well equipped to effectively support children and young people with SEND
- Improve Education Health and Care opportunities for Children and Young People and their families on the autism spectrum
- Ensure a greater sufficiency of education places and use of SEND provision in County Durham

- Develop improved pathways into education, training and employment, including the expansion of supported internship opportunities
- Ensure young people have choice, control and freedom over their lives.
- Maximise opportunities to enable young people to participate in society
- Promote the importance of being healthy.
- Working with families and young people to determine when an Education, Health and Care Plan should be maintained

Drivers

Strategic Leadership and Governance

- Strategic and operational approach to co-production across the local area
- Service user feedback informs service design
- Regularly updated needs assessment for children with SEND

Partnership Working

- Strong strategic governance for joint commissioning, operational partnerships and quality improvement
- A Think family approach for families with multiple issues
- Effective democratic scrutiny and monitoring of SEND matters by multiple agencies
- Effective governance procedures for commissioning of services for children and young people with SEND

Partnership Performance Management

- A SEND scorecard across education, health and care providers
- Ensure that performance is better captured across multiple services and that all providers are SEND compliant
- Improve integration of systems to ensure accuracy of data
- Improve analysis of needs and outcomes for CYP with SEND across education, health and care providers to better inform commissioning
- Benchmark SEND reform implementation

Appendix 1: Updated SEND governance structure – March 2019

