

12 April 2021

**SEND Overview and Focus on SEND in
Mainstream Schools**



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

Purpose of the Report

- 1 The purpose of this report is to provide members of the Children and Young People's Overview and Scrutiny Committee with an update on Special Education Needs and Disabilities (SEND) in County Durham. This includes current information available about children and young people with SEND, the Education Health and Care (EHCP) process, and a focus on the strengths and challenges of the mainstream offer.

Executive summary

- 2 Durham SEND population data for Jan 2020 shows a continuing increase in the number of children and young people (in full) with SEND:
 - (a) 13,205 Children and young people (0-25) in County Durham with SEN. This is a 20% increase since 2016;
 - (b) 12,050 of this group are school age;
 - (c) 9,761 Pupils having needs met through SEN Support This is a 16% increase since 2016;
 - (d) 3,642 Children and young people having needs met through Education Health and Care Plans, a 34% increase since 2016. 2,289 of these pupils are school age, a 1% increase since 2016;
 - (e) Of those pupils with an EHC plan in the primary phase 51% are in mainstream school, this reduces to 24% of those with an EHCP in the secondary phase;
 - (f) 10,619 of school age children and young people identified with SEND have their needs met within a mainstream school context. This is 88% of those identified with SEND;

- 3 EHCP 20 week performance over 2020 has been impacted on by COVID and the delays that national lockdown has had on all services contributing to the formation of the document over the 20 week period with 58% of all cases completed in 20 weeks. The DfE counting rules do make allowances for significant disruption to the assessment process and when accounting for this compliance with the 20 week target is 73%. Regional and national comparisons are not yet available for 2021 data.
- 4 Within Durham the highest categories of primary need of children and young people identified as having SEND are in the areas of:
 - (a) Autism;
 - (b) Moderate learning difficulties;
 - (c) Social, emotional and mental health needs.
- 5 In the 19-20 academic year LA Specialist Inclusion Support Teams supported:
 - (a) 4,522 individual children and young people with 90% achieving the hoped for outcomes identified by the children and young people, family and school, with 1260 further children and young people accessing group support;
 - (b) 6,000 members of education staff accessed specialist training in 408 events, with 90% of attendees reporting improved gains in their confidence and skills in meeting the needs of their SEND pupils;
 - (c) 428 children and young people at risk of exclusion, none of whom went on to be permanently excluded.
- 6 Key development work to promote inclusion across the SEND partnership includes:
 - (a) The new SEND strategy;
 - (b) SEMH Provision;
 - (c) The Inclusion Plan and Promoting Positive Behaviour in schools;
 - (d) Developing Enhanced Learning Provision;
 - (e) Reviewing Top Up Funding;
 - (f) 'Returning and Learning Safe Happy and Settled: A Guide for Schools and Settings in Response to the Covid Pandemic';

- (g) Think Autism Strategy in County Durham.

Recommendation(s)

- 7 Overview and Scrutiny Committee are recommended to:
 - (a) receive this update report and presentation and comment accordingly;
 - (b) continue to provide commitment and support across the work of the Local Area that supports Children and young people with SEND.

SEND in Durham

- 8 The context of SEND in County Durham has been reported to Durham County Council's Cabinet in January 2020 when a report on the public consultation on support for SEND and young people who need support to stay in education. This report outlined the proposals for the future use of High Needs Funding in county Durham. Cabinet approved each of the recommendations in the report and the over-arching commitments to deliver the following commitments:
- (a) To support an education system where inclusion of children and young people in their local schools is the norm, giving parents and carers confidence that their children's needs will be understood and met;
 - (b) To offer a range of specialist learning provisions for some young people who have a high level of needs;
 - (c) To make every effort to use all the resources available to young people effectively and efficiently, and to maintain spending within funding limits wherever possible.
- 9 As with all aspects of life, SEND work in County Durham has been impacted on by COVID and the national response to COVID including each national lock down phase. Throughout children and young people with SEND have been considered as vulnerable learners and that they ought to have access to teaching and learning.
- 10 In July 2020 a further update to cabinet was provided outlining the progress of SEND services in county Durham and the recognition of this in the Ofsted and Care Quality Commission revisit earlier in the year.
- 11 Durham County Council's Cabinet also recently approved the Children and Young People's Service budget which included growth in SEND Casework to continue the improvements in the experiences of children and young people with SEND and their families.

Meeting SEND needs

- 12 SEND practice is guided by the SEND Code of Practice, underpinned by legislation in the Children and Families Act 2014. A child or young person (CYP) is deemed to have SEND if they have a learning difficulty or disability which calls for special educational provision to be made for them which is additional to, or different from, the usual provision available to other children and young people of their age. SEND needs can be met in a number of ways including:

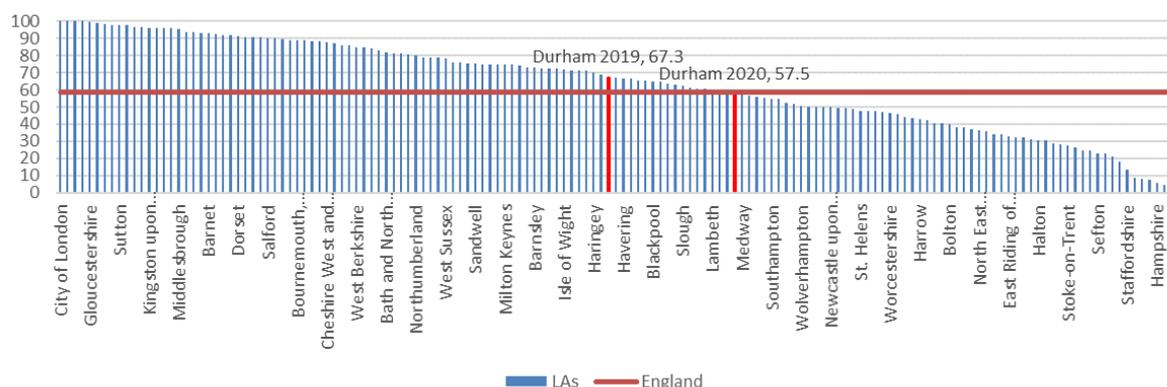
- (a) support from a setting, school or college's own resources;
 - (b) support from other agencies;
 - (c) additional top up funding;
 - (d) through an Education Health and Care Plan.
- 13 The majority of children and young people with SEND will have their needs identified and met in a mainstream nursery, school or college. All schools must have a SENCo (SEN Co-ordinator), the SENCo has day to day responsibility for co-ordinating the identification of needs and the SEND provision in schools.
- 14 All education providers/settings (including academies and free schools) must make every effort to meet the needs of children and young people with SEND. Their SEND provision must be illustrated in the SEND Information Report. This report details what additional and different provision the school can make to meet its student SEND needs.
- 15 The Local Authority supports its education providers and settings to identify and meet SEND through a wide range of specialist advice, training and practical tools. The Local Authority also provides additional funding from the High Needs Block to ensure young people can have their needs met in their local mainstream setting.
- 16 Young people with SEND are grouped as those receiving SEN Support and those with an Education, Health and Care Plan (EHCP). Those with SEND Support have their needs recognised by school and provision planned and implemented by the school. Those with Education Health Care Plans have their needs recognised and provision planned through a statutory multi agency process led by the Local Authority.
- 17 SEND Support in County Durham – it is expected that every child who requires SEN support to have an individual SEN Support plan. This must work towards a clear set of expected outcomes and detail the 'additional to' or 'different from' provision they are receiving.
- 18 Education, Health and Care Plans (EHCP) – in some cases despite the school having taken relevant and purposeful action through SEN support, a pupil may not have made the expected progress. To understand the complexities around these cases an Education, Health Needs Assessment (EHNA) will take place. Through the EHNA it may be determined that needs would be best met through an EHCP. An EHCP is a legal document which describes a child or young person's special educational needs, the support they need, and the outcomes they would like to achieve. This covers children and young people up to the age of 25 since the SEN reforms. It would be typical that the needs

of young people with an EHCP are higher than the needs of young people with SEN Support.

EHCP Performance 2020

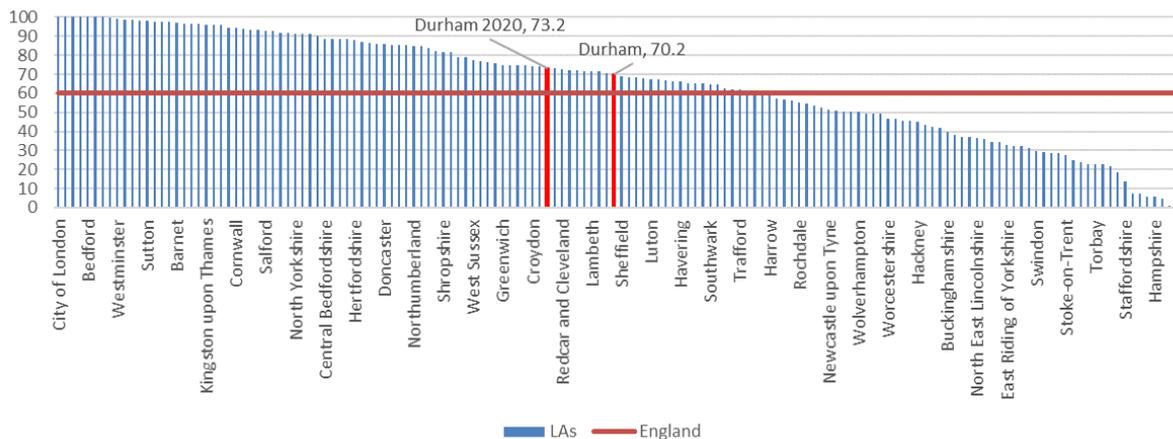
19 The impact of responding to COVID over 2020 has resulted in many of the professionals involved in contributing to an EHCP having to respond to the impact of COVID. This has in turn impacted on the way they would formulate advice, develop provision and respond to consultations. Consequently, Durham's ability to complete EHCPs in 20 weeks reduced from 69% (2019) to 58% (2020) chart 1. At first review this appears as a drop in performance however the DfE counting rules do make allowances for significant disruption to the assessment process.

20 Chart 1- EHCPs completed in 20 weeks (without exceptions). Durham's 2019 and 2020 performance is shown in red against the national 2019 performance.



21 In this instance one of the allowances is when a school is closed for a period of 4 weeks or more during the advice gathering stage of the assessment. Given the different periods of lock down and the disruption to schools across the country this has been considered for all EHCP assessments. Compliance with the 20 week target with the exceptions removed is 73% in 2020 compared to 70% in 2019, demonstrating an improvement in Durham's 20 week performance and how we compare nationally.

22 Chart 2 - EHCPs completed in 20 weeks (with exceptions). Durham's 2019 and 2020 performance is shown in red against the national 2019 performance.



23 There were 173 exceptions in the first lock down period which started on March 20th 2020. Despite the restrictions professionals across the partnership were able to use their best endeavours to undertake some support and intervention work.

SEND System Transformation

24 The Council undertook public consultation on the High Needs Block funding which underpins much of the available LA SEND provision. Our stakeholders were in favour of the Council adopting the following commitments:

- (a) To collectively support an education system within County Durham where inclusion of children and young people in their local schools is the norm, giving parents and carers confidence that their children’s needs will be understood and met;
- (b) To offer a range of specialist learning provisions for some young people who have a high level of needs;
- (c) To make every effort to use all of the resources available to young people effectively and efficiently and to maintain spending within funding limits wherever possible.

25 This consultation has informed a range of projects and actions designed to ensure the most efficient use of High Needs Block funding covering:

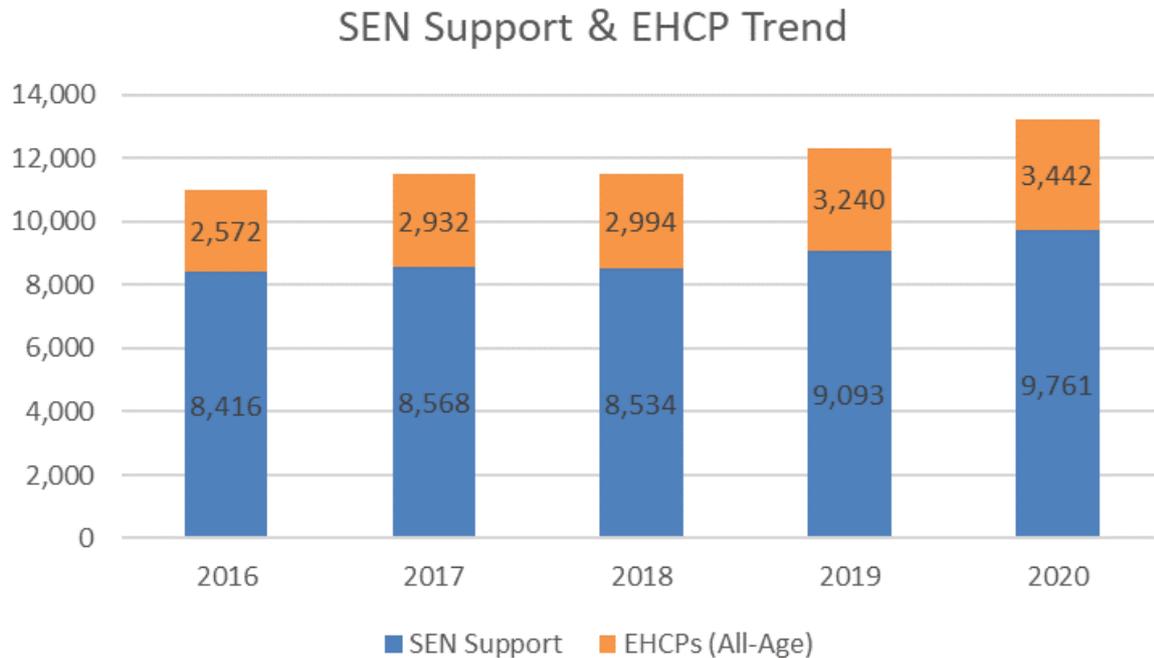
- (a) Centrally Managed Services;
- (b) Special Schools;
- (c) Top up Funding;
- (d) Targeted Funding;
- (e) Post 16 Funding;

- (f) Funding support to Partnerships of Schools;
 - (g) Joint commissioning of therapies;
 - (h) Joint commissioning of equipment, aids and adaptations;
 - (i) Alternative Provision (AP) and the Pupil Referral Unit (PRU).
- 26 Each of these projects have been designed to reflect the key messages conveyed by stakeholders through the consultation, which emphasise the importance of:
- (a) Allowing all children to be educated locally where possible;
 - (b) Aligning provision with need;
 - (c) Promoting collaborative working between professionals;
 - (d) Closer collaboration and communication with parents and carers;
 - (e) Providing more training and opportunities for early screening and intervention;
 - (f) Ensuring value for money is assessed through evidence of need and impact;
 - (g) Promoting a better understanding of pupils' behaviours and needs amongst teachers, parents and other students.

Spotlight on the Mainstream Offer

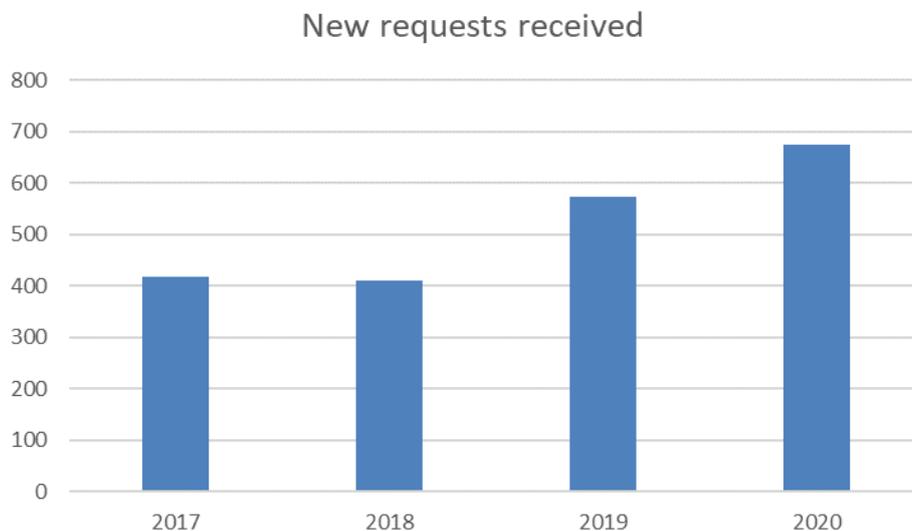
- 27 There has been a significant increase of young people with SEND from 2016 to 2020 this increase is represented for both young people with an EHCP and SEND Support Plan, this can be seen in chart 1. This in part has been driven by SEND legislation which has increased the age band covered from 5 to 19 years to 0 to 25 years. This is most significant in the further education sector where in there has been an 80% rise in young people between 2016 and 2020. This growth is made up of 697 young people in post 16 provision in 2016 compared to 1256 young people in 2020. This growth is made up of an increase of 48% (297 young people) aged 16 to 19 and 317% (263 young adults) aged 20 to 25 accessing Further Education.

Chart 1



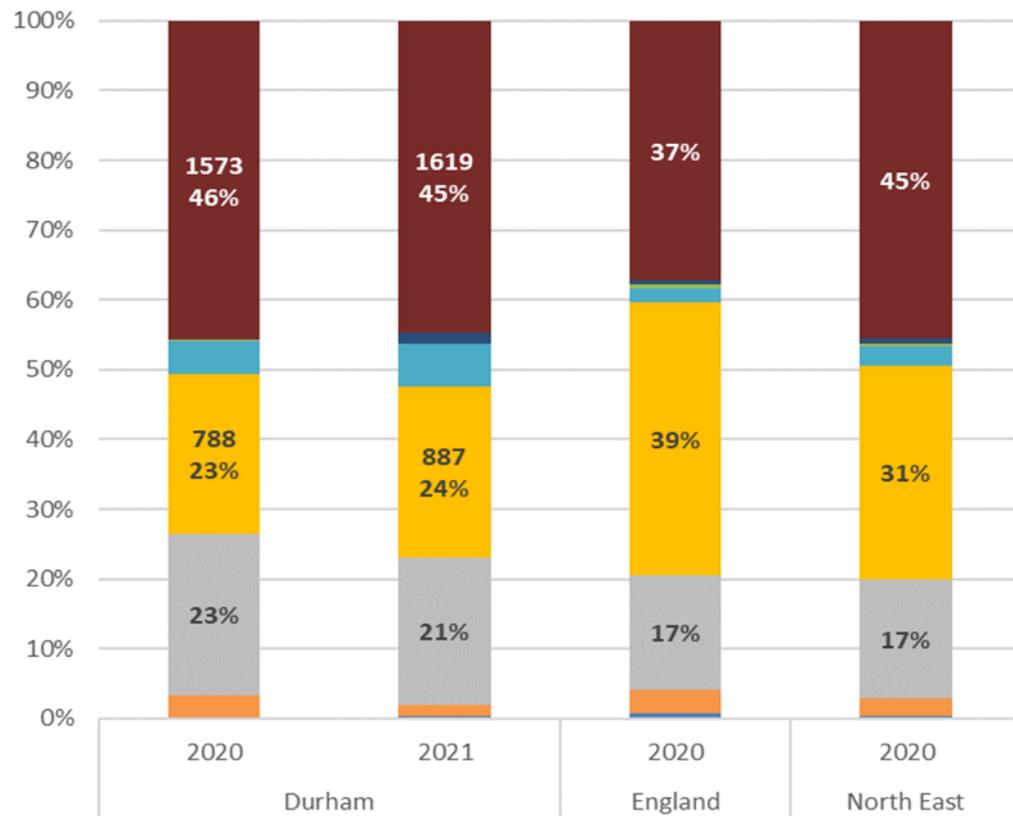
28 In addition to the increase in age band there has been a year on year increase in new requests for an EHCP, as shown in chart 2. A new request can be received directly from a parent or from a school or health or care professional. In Durham the support offer does enable needs to be met without requiring an EHCP. Whilst there are some children and young people with long term complex needs who do require an integration of Education Health and Care supports through an EHC Plan, for some families locally and nationally there is a lack of confidence that needs can be met without an EHCP.

Chart 2



29 The majority of school age children have their SEND needs met in a mainstream learning environment, however, for children with an EHCP a smaller proportion are maintained within the mainstream context. When comparing where our young people with EHCPs are educated throughout all age phases, chart 3 demonstrates that Durham has a lower proportion of young people with EHCPs in Mainstream Schools than the England average

Chart 3 - Where Young People with EHCPs are educated



- Special school
- Other
- Non-maintained early years
- NEET
- Mainstream school
- Further education
- Educated elsewhere
- Alternative provision/Pupil referral unit

- 30 Breaking this down further, there is a clear trend where more young people start their education in primary school but by the time they reach secondary age a high proportion of these young people have transitioned to Special School. In Durham 51% of primary aged children with an EHCP have their needs met in a mainstream school whereas 24% have their needs met in a mainstream secondary school. The trend is a one where young people transition throughout the years in primary school prior to secondary school but by the time they reach year 7 the large majority of young people with their SEND recognised in an EHCP have transitioned to special school.

Work to Support the Mainstream Offer

- 31 We are committed to raising the confidence of Children and Young People with SEND and their parents in maintaining their mainstream school offer. In turn we are also working to support schools to have the confidence to continue to educate those members of their school community with SEND.
- 32 Transition to Secondary school has been prioritised in partnership with primary and secondary schools. A revised transition protocol has been developed to ensure information to support effective planning is shared. Primary schools are working with families and secondary schools to identify children and young people who might be vulnerable at transition and all secondary schools have an identified transition leads and link partners from Children's Services and Specialist SEND and Inclusion teams.
- 33 In addition to this focussed work on each of the three primary areas of SEND, Social Emotional Mental Health (SEMH), Moderate Learning Difficulty and Autism is underway.

SEMH

- 34 Children and young people presenting with SEMH needs are a priority area across the SEND partnerships. The 'THRIVE' model to promote good mental health and wellbeing, drawing on relationship based approaches and trauma informed practice, continues to be promoted with all schools ([thrive-framework-for-system-change-2019.pdf](https://www.annafreud.org/thrive-framework-for-system-change-2019.pdf) ([annafreud.org](https://www.annafreud.org))).
- 35 Notable highlights include:
- (a) Durham's Health and Wellbeing Framework, developed within the LA and with schools, has been successfully launched in January;
 - (b) Anna Freud Schools Mental Health in schools Link Programme offered to 60 % of schools and colleges pre Covid, with further roll out for all schools this year;

- (c) Success in securing Government funded 3 Mental Health in Schools Trailblazer projects in 3 areas of the County based on the success of the Partnership work of the Mental Health in Schools Link programme;
- (d) Wellbeing for Education Return programme offered to all schools and colleges and accessed by 75% of schools to date;
- (e) 'Making Mental Health Everyone's Business' promoted across all schools;
- (f) Youth Aware Mental Health (YAM) and the Durham Resilience Project continues to be rolled out across the county. 1260 young people in secondary schools accessed YAM last year with 80% reporting an increased awareness of mental health. YAM is co delivered with colleagues in Health;
- (g) Despite Covid a further 10 schools developed Nurture Provision with data from student samples indicating 98% of children had made progress, with key themes reported in relation to Increase in confidence, resilience and emotional awareness;
- (h) Further work is underway to develop an SEMH strategy for County Durham;

Autism

- 36 Children and young people presenting with Autism or complex social communication needs continue to feature significantly across the county. Whilst the waiting times for diagnostic assessments had reduced from up to 24 months to 12 weeks prior to Covid there has been an increase in waiting times over the last 12 months. Despite this, children with autism and related needs continue to have their needs met within schools and education settings. In the 19-20 academic year over 500 children and young people with autism have been supported in their mainstream school and over 1100 education professionals have received training in supporting children and young people with autism. Parent support sessions have been introduced virtually and there are 2 health funded posts within Send and Inclusion and SENDIASS specifically to support families of children with autism and their inclusion within schools and broader communities.

Moderate Learning Difficulty

- 37 Children and young people presenting with Moderate Learning difficulties. Whilst children and young people in this group are identified as one of the three most significant areas of need it is possible that categorisation is a challenge. Current work is underway with stakeholders to support mainstream schools to develop their confidence

in the core offer and quality first teaching for this group in the Top Up Funding project.

Support to Schools to Improve Confidence in the SEND Offer

- 38 Support into mainstream schools from the LA specialist Inclusion Support teams continues to be accessed by all schools and settings within the county. With the support of families, schools and educational settings and a range of support services the vast majority of children and young people in County Durham are included and making progress in school. Feedback indicates that the work of the Specialist SEND teams makes a positive contribution to the inclusion of children and young people in Durham.
- 39 In 2019-20 the Service supported 4,522 individual requests for involvement, a slight increase from last year. A further 1,260 children and young people accessed targeted support as part of a class group, again an increase. Across the service in 90% of involvements the targets negotiated with children and young people, their families and schools have been achieved.
- 40 Specific feedback from school staff has been sought regarding the impact of involvement on the inclusion of children and young people. This has been sought from schools using our services and also from Communities of Learning (CoLs). There has been some disruption to the usual pattern of delivery as a consequence of the Covid Pandemic which has impacted on the data available, and also the impact of some interventions which could not be concluded for all children who were not in school.
- 41 Data sought from individual schools indicates that input from one or more of the teams had made a positive difference in the following areas:
- (a) Presence - 67%*of respondents reported gains for children and young people;
 - (b) Participation – 76%* of respondents reported gains for children and young people;
 - (c) Achievement – 77%*of respondents reported gains for children and young people;
 - (d) Belonging – 85% of respondents reported gains for children and young people.
 - (e) *Schools note that outcomes affected by Covid
- 42 Data from schools participating in the Integrated Service offer through Communities of Learning:

- (a) 88% of respondents felt that the teams had delivered what they had been asked to;
 - (b) Presence -78% of respondents reported gains for children and young people;
 - (c) Participation - 75% of respondents reported gains for children and young people;
 - (d) Achievement - 77% of respondents reported gains for children and young people;
 - (e) Belonging - 81% of respondents reported gains for children and young people.
- 43 Satisfaction ratings from school staff relating to the involvement of the teams is consistently high across all teams, with over 90% of respondents reporting being satisfied or very satisfied.
- 44 Analysis of questionnaire feedback from school staff reports high value given to support in the areas of; supporting staff confidence, enabling them to understand and meet the needs of children and young people, staff wellbeing, practical strategies for intervention, helping to develop quality SEN support plans, engaging with and supporting parents, consultation, advice and support
- 45 Where available, parental feedback is 97% positive in terms of valuing the contribution of the service to meeting their child's needs. This includes responses from parents asked about the support they had received during the Covid period.
- 46 Behaviour and Inclusion Partnership panels are increasingly supporting school staff in making the link between behaviour that challenges and unmet need. In 2019-20 110 secondary pupils at risk of exclusion accessed a wellbeing assessment and support agreed through consultation; 20 went on to access direct intervention from the support teams; 32 schools accessed professional development support. A further 360 primary school children accessed support through Early Intervention and Crisis Response, none of these children and young people were permanently excluded.
- 47 Over 408 training and capacity building events have been delivered to over 6,000 education professionals. Satisfaction levels are consistently above 90%, as is staff confidence in meeting needs of children with SEND following input. This is a significant increase over the last year and may relate to an enhanced online cpd offer during the Covid pandemic.

- 48 Strategic development within the Local Authority and with partners in the DfE, Public Health, and the NHS, particularly within the areas of autism, inclusion, and wellbeing and mental health have resulted in increased access to services for children and young people, families and education providers.
- 49 In response to the Covid 19 pandemic service delivery was modified on a number of occasions reflecting government guidance, and included a more co-ordinated offer with Early Help. Parental satisfaction with the support offered was 94%. Consultation and professional development was offered to schools and over 90% of respondents felt this was helpful. Resources for families and schools/settings were developed with partners and disseminated through both the SEND Local Offer and also the 'Returning Safe Happy and Settled' resource.
- 50 Given pressures on special school placements the LA is committed to supporting effective SEND provision as Local as possible to the home of children and young people. ELP Project outlined
- 51 Returning and Learning Safe Happy and Settled: A Guide for Schools and Settings in Response to the Covid Pandemic'
- 52 Narratives and confidence re. inclusion key developments – to develop

Proposed Next Steps

- 53 As we continue to strive to improve the experiences of all of our children and young people with SEND and their families we will focus on the following areas as our next steps:
- (a) Supporting our young people back into learning– Our response to COVID ensuring that all of our children and young people return to learning safe, happy and settled;
 - (b) A new SEND Strategy for County Durham – Capturing our partnership vision and ambition;
 - (c) The implementation of the SEND Case work team growth – improving children and young people's outcomes by strengthening our assessment, planning and reviewing of provision;
 - (d) Continued High Needs Block Transformation – Ensuring that the commitments of the Council to our children and young people with SEND are realised.

Conclusion

- 54 The partnership of services that support young people with SEND in County Durham continue to strengthen as recognised by Ofsted and the Care Quality Commission. This strength has underpinned a coordinated response to COVID and the associated periods of lock down and enabled a collective commitment to future transformation across County Durham.
- 55 There are higher numbers of children and young people with SEND being recognised in County Durham. A higher number of these young people attend special school in county Durham than in other parts of the rest of the country. SEND Services and wider partnerships are providing relevant support to and in schools to meet the needs of children and young people with SEND, seeking to work more closely with schools, health and social care...
- 56 Durham County Council has responded to pressure in the system by engaging service users and stakeholders in the careful planning of High Needs Block provision for the future of provision in the county. Additionally the council have supported the agenda further by investing in growth in the casework and educational psychology services to improve the experiences of children and young people.

Background Papers

- High Needs Block Funding for SEND and Inclusion Support – Cabinet 15 January 2020

<https://democracy.durham.gov.uk/documents/s117590/7%20HNB%20SEND%2015%20January%202019%20V1.2.pdf>

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Appendix 1: Implications

Legal Implications

The Children and Families Act 2014 imposes a number of duties on the local authority in relation to the special educational needs of children and young people within the local authority area.

Finance

The report reports on joint commissioning opportunities across the local area.

Consultation

None.

Equality and Diversity / Public Sector Equality Duty

The Local Authority under Equalities Legislation and the Children's Act have a duty to provide access to services for children and young people with SEND.

Climate Change

None.

Human Rights

None.

Crime and Disorder

None.

Staffing

None.

Accommodation

None.

Risk

None.

Procurement

None.