

Health and Wellbeing Board

10 May 2023

SEND Strategy 2022-2024 –
One Year On



Report of John Pearce, Corporate Director of Children and Young People's Services, Durham County Council

Electoral division(s) affected:

Countywide

Purpose of the Report

- 1 To inform the Health and Wellbeing Board (HWB) of progress against the County Durham Special Educational Needs and Disability (SEND) Strategy 2022-2024 and other relevant SEND related developments.

Executive summary

- 2 SEND challenges remain a priority nationally and the government want to develop a system that offers children and young people the opportunity to thrive, with access to the right support, in the right place, and at the right time, so they can fulfil their potential and lead happy, healthy and productive adult lives.
- 3 [County Durham's SEND Strategy](#) was reviewed and presented to the HWB in May 2022. This followed extensive stakeholder engagement as well as reference to required legislative frameworks and other related county strategies. A version of the strategy for [children and young people](#) is also available after a period of work with a group of young people.
- 4 As well as individual agency actions, a partnership action plan to compliment the SEND Strategy is being completed with the SEND Strategic Partnership and is due to be discussed again at their July 2023 meeting. Colleagues from across various services are also updating a self-evaluation which seeks to cover how effectively Durham identifies, assesses, meets needs and improves outcomes for different groups of children and young people with SEND in Durham.

- 5 This report highlights key developments which have taken place in Durham this past year. Some of the key developments are:
- Ongoing investment in system leadership through the Children and Young People Partnership Board, SEND Strategic Partnership and SEND Officer Leadership Group.
 - Active engagement with children and young people in key areas to influence and implement change
 - Procurement of a new SEND casework management system to improve case work handling and support the longer term aim of providing a fully digitised Education, Health and Care Plan (EHCP).
 - Work to improve local health indicators and datasets aligned to the key area of the SEND Strategy.
 - Independent review of key aspects of the commissioning process to support development of a new commissioning plan and strengthening of integrated commissioning arrangements.
 - Appointment to a new post of Designated Social Care Officer (DSCO) to support the early help and social care workforce and to challenge practice, systems, processes and protocols.
 - Support provided by Specialist SEND and inclusion Team in the form of training for educational setting and SENCO's and support to Behaviour Partnership Panels to keep children in their local school.
 - Audit activity to support learning from the experiences of children and families going through the SEND system.
- 6 There have also been significant changes in the SEND landscape nationally this year including the introduction of a new Local Area inspection [framework and handbook](#) in November 2022 and the national [SEND and alternative provision improvement plan](#) was published in March 2023 following consultation on the DfE green paper in March 2022, [SEND Review: Right support, Right place, Right time](#). The plan sets out what will be done to make sure children and young people with SEND or in alternative provision will get the support they need.
- 7 A number important local developments are also ongoing, such as the [Delivering Better Value in SEND programme](#) (DBV in SEND) and regional SEND work commissioned by the [Association of Directors of Children's Services](#) (ADCS).

Recommendation

- 8 Members of the Health and Wellbeing Board are recommended to:
 - a. note the progress made against the SEND Strategy;
 - b. note the update provided in relation to SEND developments; and
 - c. consider if there are any areas of partnership activity which could be strengthened to better support children and young people with SEND needs.

Background

- 9 The SEND Strategy for County Durham was reviewed and presented to HWB in May 2022 with the aim of providing focus and clarity on the priorities for improving services and opportunities for children and young people with SEND and their families.
- 10 The Strategy is aligned with our new broader strategy for children and young people recently agreed: [Growing Up in County Durham Strategy 2023-25](#)).
- 11 The Strategy also aligns with the 'starting well' priority of the current [Joint Health and Wellbeing Strategy 2021-25](#), and will continue to align with the new [Joint Local Health and Wellbeing Strategy](#) that is under consultation with the 'starting well', 'living well' and 'aging well' ethos still evident in the new priority areas.
- 12 Significant changes have also occurred in the SEND landscape this year which are included in this report such as the introduction of a new Local Area inspection [framework and handbook](#) in November 2022 and publication of the [SEND and alternative provision improvement plan](#) in March 2023.
- 13 A number of developments are also ongoing, such as the [Delivering Better Value in SEND programme](#) (DBV in SEND) and regional SEND work commissioned by the [Association of Directors of Children's Services](#) (ADCS).

Progress against the SEND Strategy

- 14 Key developments which have taken place in Durham this past year include:
 - Leadership - Ongoing investment in system leadership through the Children and Young People Partnership Board, SEND Strategic Partnership and SEND Officer Leadership Group.
 - Engagement - Active engagement with children and young people in key areas to influence and implement change. Examples include working with the Extreme group to develop a young people friendly version of the strategy, shaping the Home to School Transport consultation, development of the Anxious About School project and development of resources for young people by young people to understand their autism and other neurodevelopmental differences.
 - Casework management - procurement of a new SEND casework management system to improve case work handling and support the longer term aim of providing a fully digitised Education, Health and

Care Plan (EHCP) process to enable professionals, young people and their families to contribute towards their EHCP electronically.

- Health indicators and datasets - work is taking place on improving local health indicators and datasets aligned to the key areas of the SEND Strategy; presence, participation, achievement, belonging and independence. This includes work with the council and health partners on a joint system called Axiom to share and link data across different systems. This has already enabled council data sets relating to children and young people with an EHCP to be matched to NHS data relating to GP appointments and outpatient hospital attendance. Further development of the system is ongoing with the next joint data sets relating to community paediatrics to be available during 2023.
- Integrated commissioning - independent review of key aspects of the commissioning process was completed to support development of a new commissioning plan and strengthening of integrated commissioning arrangements.
- Early Help and Social Care - appointment to a new post of Designated Social Care Officer to support early help/social care workforce and constructive challenge of practice, systems, processes and protocols. Development of SEND specific section in the County Durham Children and Families Practice Toolkit to provide useful information sources for professionals and parents/carers. Development of draft new SEND Workforce Strategies for early help and social care.
- Support in education - support provided by Specialist SEND and Inclusion Team, including:
 - Training for educational settings and SENDCOs.
 - Supporting Behaviour Partnership panels to keep children in their local schools and encourage schools to make the link between behaviour that challenges and unmet need.
- Multi agency audit activity - to support learning from the experiences of children and families going through the SEND system.

SEND inspection framework developments

15 In June 2022, Ofsted and the Care Quality Commission (CQC) opened a consultation on proposed changes to the way local area partnerships are inspected and in November 2022 a new [inspection framework and handbook](#) was published.

- 16 In Durham the Local Area consulted with stakeholders to gather their views on the framework proposals. A response was submitted on 9 September 2022 on behalf of the Durham SEND Strategic Partnership.
- 17 The new framework and handbook sets out the inspection principles, guidance and main judgements that inspections will make when inspecting area SEND.
- 18 Ofsted and the CQC started inspecting under the new framework in 2023 and preparatory work is underway with in Durham with a multi agency officer group to interpret the framework to ensure we are able to respond effectively to notification of a SEND inspection.
- 19 The Local Area was previously inspected in 2017 under the previous inspection framework and four key areas of development were identified for County Durham, The local area worked together to produce a [Written Statement of Action](#). The Local Area SEND Partnership responded to the WSoA with an [improvement plan](#) which was approved by the Ofsted's Regional HMI and progress was monitored against this.
- 20 A revisit of Durham's Local Area was undertaken in 2020 again under the previous inspection framework. The revisit evaluated how effectively leaders had addressed the areas of serious weakness detailed in the written statement of action (WSOA) from 2017. The revisit identified that services in Durham were improving and that there was further work to do. The inspection reports can be viewed and downloaded from the Ofsted website [Ofsted inspection reports for Durham County Council](#).

Publication of national SEND and alternative provision improvement plan

- 21 In March 2022 the DfE consulted on a green paper, [SEND Review: Right support, Right place, Right time](#), about changes they wanted to make to the SEND and alternative provision (AP) system in England.
- 22 Locally we held three events to promote the consultation and gather views and also released a survey across the area to gather a wider selection of views from children, their families and professionals. The consultation was also promoted through a press release, social media presence and electronic circulation to stakeholders including, schools, the voluntary and community sector, Durham County Council Members and staff, parent carer groups and alternative provision providers.
- 23 A response to the consultation from was submitted from Durham County Council in July 2022 after analysis of all of the views gathered.

24 Following [independent analysis](#) of the green paper consultation the [SEND and alternative provision improvement plan](#) was published in March 2023. This set out plans to change the SEND and alternative provision system in England. The plan explains what will be done to make sure children and young people with SEND or in alternative provision will get the support they need.

25 The plan includes responses to the feedback received, improvements to be made as a result of the feedback and the proposals that are going to be tested and reviewed. A [roadmap](#) summarises the actions that are due to be taken to improve the SEND and alternative provision system in England as set out in the improvement plan.

Other key local developments

Delivering Better Value in SEND (DBV in SEND)

26 The DfE acknowledges the current challenges which local systems are experiencing in delivering SEND services. The [DBV in SEND](#) is aiming to support local authorities and their local area partners to improve the delivery of SEND services for children and young people whilst working towards financial sustainability.

27 The DfE in partnership with Newton Europe and the Chartered Institute of Public Finance and Accountancy (CIPFA), is working to deliver Phase One of the programme over a two-year period. Fifty-five local areas were invited to participate in the programme voluntarily, on the basis of facing significant pressure on their high needs budget in the delivery of their local SEND services, and Durham Local Area is one of those areas.

28 There are 2 phases to the programme:

- **Phase One** (*Diagnostic*)
 - Collating good practice in delivering services for children and young people with SEND and all local areas nationally will be able to access these learnings.
 - Combined data and evidence will also be collected across all areas in the programme to understand consistent themes and challenges and inform future policy.

29 The 55 local areas are being supported to identify the highest impact changes that can be made to improve outcomes for children and young people with SEND, and to optimise the use of finances. Each local authority receives dedicated technical support and funding to help identify opportunities for improvement with their partners. They will then

create a plan to deliver the improvements across their local system. Once local areas have developed their improvement plan, they will move into Phase Two.

- **Phase Two** (*Implementation*)
 - Local authorities and their partners will deliver the plans to realise improvements for their local area.

30 It is expected that the implementation plans developed by each local area in Phase One will build on existing initiatives and address underlying challenges in each area's SEND system.

31 Durham Local Area are now fully engaged in the programme and have completed the first module of the diagnostic phase which was to look at baselines and forecasts.

32 Work on the second module is now underway and this will involve further stakeholder engagement including an online survey for young people, parents, carers and professionals.

33 At the end of this process the council will be able to apply for £1 million grant funding from the Department for Education to support implementation projects to make high needs funding more sustainable.

Regional review (IMPOWER)

34 The ADCS have commissioned [IMPOWER](#) to undertake regional SEND work to identify areas for collaboration. An important part of this project is to build up an evidence base to compare strengths and agree innovation opportunities.

35 Working with IMPOWER, case reviews have been undertaken with each local authority in the North East during March 2023 to identify areas of good practice and common themes for improvement, drawing out the insights of professionals working within SEND.

36 The case review session was held in Durham on 24 March 2023 and prior to the session 5 cases were selected and pen portraits provided for each case. Practitioners from SEND, social care and health came together in the case review to look at the case and identify opportunities for different ways of working and earlier identification of need and provision of support. This will help identify opportunities to improve support for children and young people with SEND across the region.

37 Following the case reviews analysis will be undertaken across the region and sub-regional insights will be drawn together.

- 38 Another part of the regional review work was 2 anonymous surveys, one for parent/carers and one for stakeholders. The surveys were undertaken in March 2023 to allow a baseline to be drawn on how practitioners and families are experiencing the system and their views on strengths and improvement priorities. In total 693 responses have been received from professionals, with 98 of those from professionals in Durham and 620 responses from parents with 118 of those from parents in Durham.
- 39 Findings will be triangulated with statistical evidence produced from a benchmarking exercise and offer an invaluable comparison of views across the region, and help the review to develop a robust and actionable plan for better collaboration.

Key risks and challenges

- 40 We have sought to summarise key risks and challenges across the SEND system at the present time below.
- 41 The SEND agenda continues to present challenge not only in Durham, but nationally. In part, this is addressed by the DfE response to the SEND review in the national improvement plan which sets out what the Government is seeking to do to make sure that children and young people with SEND or in alternative provision will get the support they need.
- 42 Locally and nationally there has been a significant increase in awareness of SEND which has in turn increased demand for statutory SEND services. We also continue to see enduring post COVID demands. Requests for Education, Health and Care needs assessments in 2022 were 44% higher than in 2021 (974 requests from 676) and 64% higher than in 2019 pre Covid (974 requests from 594). One of the risks here is there is a lack of confidence and knowledge in the graduated offer of support for children and young people prior to statutory requests being made.
- 43 There are a number of challenges in responding to a new inspection framework at a time of change with, for example, health services and integrated commissioning services experiencing staffing changes and challenges after the COVID pandemic and with new governance arrangements following the introduction of Integrated Care Boards. Interpretation and implementation of the new inspection framework now include the use of alternative education provision. Preparation for an inspection takes time and resources to ensure that, when a system wide inspection occurs, we are in a position to showcase the good work in Durham and, also highlight where we are working together as a partnership on improvements.

44 Sharing data across services and systems remains a challenge. Specifically matching children across datasets to ensure a more joined up understanding of the services which families benefit from and the services which they may be able to better access at an earlier stage.

Conclusion

45 The purpose of the SEND Strategy is to set out the strategic approach, key priorities, and actions to work towards positively supporting and including children and young people with SEND as they progress towards adulthood. It provides a vehicle to support engagement of key partners across our local SEND system.

46 The SEND Strategy provides a vision and aims to guide all services working with children and young people with SEND and their families as individual services and also collectively as a partnership.

47 Over the last year we have progressed a number of key SEND developments as well as starting preparations under a new inspection framework. We have benefited from an independent review of commissioning activity and have a new commissioning plan in place to support current commissioning priorities. Through our national work on the DBV programme and regional work in the North East we will have a better understanding of need, demand and opportunities and a focus for areas we can seek to improve the use of the limited resources we have available to support children, young people and their families with SEND needs.

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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).

The overarching legal implication within the report is the Equality Act 2010 with respect to the Public Sector Equality Duty (PSED). Section 149 of the Act 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. It is necessary the impact on those groups is analysed as part of each area of work linked to HNB sustainability.

Finance

A range of funding from various sources supports the education, health and care needs of children and young people with SEND.

The financial position relating to the High Needs Block (HNB) is monitored through the Special Educational Needs and Inclusion Resources Board and reported regularly to Cabinet. There is a current HNB sustainability plan which seeks to support children and young people with SEND within the resources available.

Consultation

Areas of consultation are referred to in the report

Equality and Diversity / Public Sector Equality Duty

As the SEND Strategy affects 0-25 years old with SEND and their families, parents, and carers there is potential impact for the protected characteristics of age, disability, sex, and ethnicity. There is disproportionate impact in relation to sex (both male and female) and ethnicity. Significantly more males have an ECHP (74%). In terms of impact on women, evidence suggests they are more likely to have caring responsibilities for children and young people. Ethnicity data shows there is potential disproportionately in terms of ethnic minorities with special education needs (SEN).

The Strategy aims to reduce any inequalities faced by children and young people with SEND negative impact is therefore not anticipated, as proposals aim to create a more inclusive SEND education offer. This should impact

positively in terms of disability, age (children, young people with SEND and their parents or carers), sex and ethnicity.

Climate Change

An intended outcome of this programme of work, is to increase support for young people to attend local schools, rather than travel to schools that are further away, both within and outside of the county. The successful delivery of the programme will result in reduced miles travelled by pupils, thereby reducing carbon dioxide emissions and potentially a reduced contribution to local traffic congestion.

Crime and Disorder

None.

Staffing

None.

Accommodation

None.

Risk

None.

Procurement

None.