

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

18 OCTOBER 2018

**REPORT OF SENIOR
MANAGEMENT TEAM**

CABINET DECISION

Children and Young People – Lead Cabinet Member – Councillor Mrs McCoy

SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) JOINT COMMISSIONING STRATEGY

SUMMARY

The SEND Joint Commissioning Group has developed this 3 year shared strategy, involving partners from Children's Services, Adult Social Care, Public Health, Schools and Hartlepool & Stockton on Tees Clinical Commissioning Group. Parents, carers, children and young people have been integral to developing our priorities for action. It has been informed by the SEND Joint Strategic Needs Assessment and is in line with the requirements of the SEND Code of Practice: 0 to 25 years.

The SEND Joint Commissioning Group and this Strategy forms one work strand as part of a wider SEND vision and statement,. This Strategy has been approved by the Health and Wellbeing Board and by the CCG's Executive. It is brought to cabinet for endorsement by the Council as a key partner. The overarching *Stockton Local Area SEND Vision and statement 2017-2020* will be brought to Cabinet at a future meeting.

RECOMMENDATIONS

Cabinet is asked to:

1. endorse this strategy for approval;
2. Agree to receive the SEND Local Area Vision Statement at a future meeting

1. Reasons for the Recommendation(s)/Decision(s)

1. To ensure the Local Area; fulfils its duties under the Children and Families Act 2014.
2. To ensure the Local Area; fulfils its duties under the SEND Code of Practice 2014 (amended 2015)
3. To clearly set out the Local Area's joint commissioning intentions for SEND children and young people.

4. Members' Interests

Members (including co-opted Members) should consider whether they have a personal interest in any item, as defined in **paragraphs 9 and 11** of the Council's code of conduct and,

if so, declare the existence and nature of that interest in accordance with and/or taking account of **paragraphs 12 - 17** of the code.

Where a Member regards him/herself as having a personal interest, as described in **paragraph 16** of the code, in any business of the Council he/she must then, **in accordance with paragraph 18** of the code, consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest and the business:-

- Affects the members financial position or the financial position of a person or body described in **paragraph 17** of the code, or
- Relates to the determining of any approval, consent, licence, permission or registration in relation to the member or any person or body described in **paragraph 17** of the code.

A Member with a personal interest, as described in **paragraph 18** of the code, may attend the meeting but must not take part in the consideration and voting upon the relevant item of business. However, a member with such an interest may make representations, answer questions or give evidence relating to that business before the business is considered or voted on, provided the public are also allowed to attend the meeting for the same purpose whether under a statutory right or otherwise (**paragraph 19** of the code)

Members may participate in any discussion and vote on a matter in which they have an interest, as described in **paragraph 18** of the code, where that interest relates to functions of the Council detailed in **paragraph 20** of the code.

Disclosable Pecuniary Interests

It is a criminal offence for a member to participate in any discussion or vote on a matter in which he/she has a disclosable pecuniary interest (and where an appropriate dispensation has not been granted) **paragraph 21** of the code.

Members are required to comply with any procedural rule adopted by the Council which requires a member to leave the meeting room whilst the meeting is discussing a matter in which that member has a disclosable pecuniary interest (**paragraph 22** of the code)

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DETAIL

The purpose of this strategy is to:

1. Identify a set of key commitments and priorities that will underpin all joint planning and commissioning decisions around SEND
2. Form the basis for a review of SEND **service provisions** (including Emotional Health and Wellbeing Services, Speech and Language Therapy, physiotherapy and equipment provision) to be taken forward by the SEND Development Joint Commissioning subgroup, which will develop an action plan from this. It also provides a framework for effective joint **planning, understanding and review** of SEND services in the borough

LEGAL REQUIREMENTS AND BASIS

3. Section 25 of the Children and Families Act 2014 places a duty on local authorities to ensure integration between educational provision and training provision, health and social care provision, where this would promote wellbeing and improve the quality of provision for disabled young people and those with SEN.
4. The Care Act 2014 requires local authorities to ensure co-operation between children's and adults' services to promote the integration of care and support with health services, so that young adults are not left without care and support as they make the transition from children's to adult social care. Local authorities must ensure the availability of preventative services for adults, a diverse range of high quality local care and support services and information and advice on how adults can access this universal support.
5. Local authorities and clinical commissioning groups (CCGs) must make joint commissioning arrangements for education, health and care provision for children and young people with SEN or disabilities (Section 26 of the Act). The term 'partners' refers to the local authority and its partner commissioning bodies across education, health and social care provision for children and young people with SEN or disabilities, including clinicians' commissioning arrangements, and NHS England for specialist health provision.
6. This strategy meets all Joint Commissioning requirements outlined in the SEND Code of Practice: 0 to 25 years.

RISK ASSESSMENT

7. There is risk to the local area from the following if reforms are not implemented:
 - All agencies not meeting statutory duties under the Children and Families Act 2014.
 - Lack of progress in joint commissioning for children and young people with SEND.
 - Lack of coherent planning for SEND

CORPORATE PARENTING IMPLICATIONS

8. The needs of Children in Our Care with SEN are a priority to the review and the service going forward.

COMMUNITY IMPACT IMPLICATIONS

9. As joint commissioning discussions develop in line with the priorities identified in this strategy and the review of SEND services is taken forward, community impact assessments will be carried out where necessary.

COUNCIL PLAN POLICY PRINCIPLES AND PRIORITIES

10. Protecting the vulnerable through targeted intervention:
 - a. This strategy aims to enable delivery of more personalised and integrated support and improved outcomes for children, young people and their families with Special Education Needs or Disabilities.
11. Promoting equality of opportunity through targeted intervention:
 - a. Effective joint Commissioning can reduce unnecessary duplication of, or barriers between provision and the development of more efficient and cost effective service provision and ensure equity of access to and quality of services across the borough.

12. Developing Strong and Healthy Communities:

- a. Through working together and putting in place joint decision-making processes, partners can use Joint Commissioning to support early identification of needs, prevention and outcome focused service delivery and work to improve the experiences of services that children, young people and their families have so that Stockton is a place children and young people can better realise their full potential.

CONSULTATION, INCLUDING WARD/COUNCILLORS

13. This strategy has been informed by the SEND Joint Strategic Needs Assessment which consulted parents, carers and young people in great depth to establish strategic priorities. This strategy has subsequently been subject to ongoing consultation from parents/carers and young people. Councillor Ann McCoy, Stockton-on-Tees Borough Council's Cabinet Member for Children and Young People, was part of the development group for this Strategy.

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SUMMARY

Education related

Yes

Background Papers

Ward(s) and Ward Councillors:

Property

There are no specific direct implications for property. Any implications associated with more specific proposals in the strategy, or the further development of the care leaver's offer will be considered separately.