

AGENDA ITEM

**REPORT TO HEALTH
AND WELLBEING
BOARD**

19 OCTOBER 2022

**REPORT OF DIRECTOR
OF CHILDREN'S
SERVICES**

SPECIAL EDUCATIONAL NEEDS AND/OR DISABILITIES (SEND) – PROGRESS UPDATE

SUMMARY

The Children and Families Act 2014 introduced significant changes to the systems and approaches for children and young people aged 0-25 with special educational needs and/or disabilities (SEND). In 2016 an inspection framework was introduced to assess the effectiveness of local areas in fulfilling their statutory duties and in identifying and meeting the needs of children and young people with SEND. Stockton-on-Tees was inspected by Ofsted and the Care Quality Commission (CQC) in February 2019 and was required to produce a Written Statement of Action to address the following areas of weakness:

- coproduction, engagement and communication with parents are underdeveloped
- quality of EHC assessments and plans is too variable
- strategic joint commissioning, in a way that demonstrably improves EHC provision and outcomes for children, young people and families, is not fully embedded v
- local area leaders have not developed an effective approach to measuring and evaluating EHC outcomes for children and young people

In July 2022, a SEND revisit took place to determine if the Local Area had made sufficient progress in addressing the areas detailed in the WSoA. The SEND revisit letter, issued by Ofsted, has been appended to this cover report at Appendix One.

A summary of the key points from the letter is:

1. Sufficient progress made against all of the areas identified in the initial inspection;
2. Better engagement, communication and co-production, though with more work to do in some areas;
3. Root and branch review of the EHCP process undertaken;
4. Appropriate additional capacity in the teams;
5. Improvements in the quality of EHCPs, though more action needed to translate older plans into the new format;
6. A coordinate and effective approach to joint commissioning;
7. Better outcomes in EHCP plans and better information from agencies to support this.

In addition to this, the presentation at Appendix Two outlines the progress to date in delivering against the priorities of the SEND strategy, which has a much broader focus than the preparation for the revisit.

RECOMMENDATIONS

1. The Health and Wellbeing Board notes the detail included within the SEND revisit letter.
2. The Health and Wellbeing Board notes the progress made in the delivery of the SEND strategy.

FINANCIAL IMPLICATIONS

3. Meeting the needs of children and young people with SEND is a shared responsibility across education budgets (mainly High Needs Funding, an element of Dedicated Schools Grant); social care via the Council's mainline resources and in the Clinical Commissioning Group and NHS providers.
4. In recent years, costs have increased, as the numbers of children and young people, with EHCPs has increased. The SEND strategy recognises the need to secure value for money, and a medium term financial plan for High Needs Funding is currently being developed which sets out a series of proposals and actions to bring the budget into balance over the next 3 years.
5. Changes in the use of the high needs funding has implications for increased requests for health funding to meet the health needs of children. There is new NICE guidance being developed around the delegation of tasks for children and young people which will allow for further discussions around responsibilities for funding support

LEGAL IMPLICATIONS

6. The Children and Families Act 2014 is the legal basis for the changes to the SEN system which places legal duties on the Local Authority and partner agencies (across education, health and social care) in respect of children and young people with SEND and their families.

RISK ASSESSMENT

7. There is a risk to the Local Authority and partners from the following:
 - All partners not meeting statutory duties under the Children and Families Act 2014.
 - Lack of improvement in outcomes for children and young people with SEND.
8. These risks are included in existing risk control mechanisms.

CONSULTATION

9. The Cabinet Member for Children and Young People has been consulted.
10. Children and Families Act places parents/carers and children and young people at the heart of the SEN reforms. Co-production, consultation and engagement with them is a requirement. SPCF have been integral to the SEND revisit and continue to coproduce work to progress the delivery of the Strategy.

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