

From: Roger Gough, Cabinet Member for Education and Health Reform

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To: Cabinet – 15 July 2013

Decision No: 13/00033

Subject: Draft Strategy for Special Education Needs and Disabilities

Classification: Unrestricted

Past Pathway of Paper: Education Cabinet Committee 21 June 2013

Future Pathway of Paper: Cabinet – 15 July 2013

Electoral Division: All

Summary: This report provides Cabinet with a summary of the consultation responses received on the Strategy for children and young people with Special Educational Needs and Disabilities (SEND) in Kent and feedback from Education Cabinet Committee on 21 June 2013. Consultation respondents overwhelmingly supported the aims, priorities and proposals. The Children and Young People's Joint Commissioning Board also fully endorsed the draft strategy at its meeting on 26 March 2013.

Recommendations:

Cabinet is asked to approve the SEND Strategy as the County Council's policy and strategy for special educational needs and disability, and as one of the key strategic plans supported by multi-agency partners who sit on the Children and Young People's Joint Commissioning Board.

1. Introduction

1.1 The draft SEND Strategy (appendix 1) identifies key priorities to improve and expand our provision and close the attainment gap for disabled children and those with special educational needs (SEN). It builds on previous work in Kent to invest in Special Schools and keep in step with the demand for specialist school places, but recognises that more now needs to be done to provide additional capacity in Special Schools and mainstream schools with SEN resourced units. It also enables Kent to implement statutory changes proposed in the Children and Families Bill which we believe will be enacted from September 2014 and changes to national funding arrangements which came into force in April 2013. The strategy is designed to:

- Deliver greater local integration and co-ordination of services for disabled children and families in Kent, across education, health and social care;

- Successfully deliver the Kent approach to new statutory integrated education, health and care planning by September 2014.
- Improve access to local education, by developing the quality and capacity of early years providers, schools and colleges to meet the needs of local children with SEN and disability;
- Improve progress rates and have good outcomes for all children and young people with SEN and disabilities so that we close the gap between those with SEN and those without, and achieve aspirational targets for improved educational outcomes for these children in Kent;
- Build parents' confidence in Kent's SEND provision and the support services provided by education, health and social care, and improve the engagement of parents by providing timely information, advice and support for them as part of the local offer;
- Develop and improve services for children and young people by working closely with them and their families, through co-production and meaningful participation.
- Improve early intervention and ensure preventative support is more targeted to reduce poorer outcomes and prevent escalation and rising levels of need and cost;
- Develop a more systematic and joint strategic commissioning approach to improve the quality and availability of provision from birth to age 25, with good transition to adult life and support services;
- Ensure the provision of high quality specialist services as appropriate and necessary;
- Ensure we are making the most effective and efficient use of our resources to meet increasing demand;
- Ensure disabled children and families have timely access to appropriate community equipment and wheelchair services to meet their current and future needs.

1.2 Nearly 20% (£200m) of the Dedicated Schools Grant (DSG) is invested in meeting the additional and special educational needs of pupils in Kent. The proposals in the Strategy will ensure resources, including those delegated to schools are spent in a more appropriate and effective way to secure better outcomes. It will be necessary to prepare a fully costed delivery plan to implement the Strategy.

1.3 A programme is in place to improve the quality of Special School accommodation through rebuilding, refurbishment and remodelling of the ten remaining schools to benefit from the Special School Review that has taken place over the past few years. The programme is not only providing accommodation which is fit for purpose but also an increased number of Special School places, enabling more SEND pupils to have their needs met in Kent schools. The SEND Strategy and the Special School building programme will enable more places to be created in Kent Special Schools. In 2012 the designated number of places totalled 3076. This has been increased to 3385 from September 2013 pending completion of building work at some schools. It is intended that up to 3700 places could eventually be provided through implementing the SEND strategy.

1.4 £41.25m is currently committed to investing in the Special School building programme. One school is in the Priority Schools Building Programme and five schools require a complete rebuild, which has a disproportionate impact on the available funding. A capital funding pressure remains therefore and a further capital allocation has been sought from the DfE through Targeted

Basic Need Capital Funding bids. Two schools have an agreed project timeline through to the opening of their new school and the remaining projects are being prioritised to ensure that timed and costed project plans are in place to deliver new accommodation and additional places by 2015.

- 1.5 As part of the work to develop the draft strategy, mainstream schools were invited to express interest in hosting specialist resourced provision. 40 positive responses from Kent schools were received reflecting the breadth of expertise and range of SEN. Data reviewed by the working group highlighted gaps in provision for pupils with autism (ASD), speech and language difficulties (S&L) and emotional, social and behavioural needs (BESN). Kent has no unit provision for BESN and currently places more than 250 in out county provision for ASD and BESN. Detailed discussions have taken place with individual schools that are well placed to contribute to the delivery of the strategy and are able to demonstrate effective practice. Where we have matched expressions of interest to gaps in provision, we are developing costed proposals setting out the number of places and resourcing needed. The next steps will be formal consultation with relevant governing bodies and public consultation which addresses the SEN Improvement Test (a DFE requirement on LAs making changes to their SEN provision). This is expected to provide at least 100 additional specialist places in mainstream schools.
- 1.6 The working group supported the development of a formal Service Level Agreement setting out commissioning arrangements with host schools, building in mechanisms to support good schools to continue to be good and ensure the 'specialist' nature of provision is safeguarded. A draft SLA has been developed and is being reviewed in light of high needs formula funding for 2014.

2. Financial Implications

- 2.1 Not all of the Strategy proposals will require funding. Many are reliant on changing culture and attitude, new integrated ways of working and using resources differently. Where there are resource implications we will aim to use our existing resources differently and maximise the opportunities that come from joint working. We will identify where further investment is needed to overcome any deep-rooted barriers.

3. Bold Steps for Kent and Policy Framework

- 3.1 The over-arching aim of this strategy is to improve educational, health and emotional wellbeing outcomes for all of Kent's children and young people with SEN and who are disabled. They do significantly less well in comparison to other children and young people.
- 3.2 The second key aim is to ensure Kent effectively delivers the necessary changes to the assessment of needs and joint commissioning of provision by 2014, as set out in the Children and Families Bill. This requires our services to be more integrated, professionals to have good up to date knowledge of each others' practice and children and young people to have better coordinated support across education, health and social care.

- 3.3 Our third key aim is to address the gaps in provision, and improve the quality of provision, for children and young people with special educational needs and who are disabled. This will mean challenging universal services to be more inclusive of children and young people with special educational needs or who are disabled, developing the range of social care, health and education providers and encouraging a mixed economy of provision across the maintained Special Schools and mainstream schools in Kent, as well as the highest quality and cost effective independent and non maintained Special Schools where some children and young people are placed.

4. Consultation process

- 4.1 In March 2013, the Education Cabinet Committee discussed the proposed Strategy and endorsed plans for stakeholder consultation. The draft Strategy was amended in the light of comments by Committee Members and consultation ran from 27 March to 3 June 2013. Key stakeholders (listed at appendix 1) were identified and invited to comment.
- 4.2 The full draft strategy document and an executive summary were published for consultation on the Council's website on 27 March 2013. The online format invited respondents to submit an e-response form or to send submissions to a specifically established email address. To raise general awareness of the consultation, advertisements were placed in the local press on two dates during the consultation period and flyers were sent to Special Schools for distribution to their pupils and their families. E-bulletins to schools were used to alert and remind schools prior to the closing date. Further versions including a young persons' version were available as download and alternative formats were available although not requested.
- 4.3 The Corporate Director held two consultation events to discuss the draft strategy with Headteachers (7 and 20 May 2013) at which Headteacher representatives from Kent Special Schools gave presentations on the joint working that underpinned the draft strategy.
- 4.4 Consultation discussions also took place at meetings of the Tonbridge and Malling Local Children's Trust Board, the Kent Association of Special School Headteachers, District Briefings for SEN Co-ordinators and a meeting for Thanet Schools engaged in the SEN Pathfinder. By invitation, consultation also took place at a conference for parents and carers hosted by Kent Parents as Equal Partners (KPEPS).
- 4.5 The Education Cabinet Committee at its meeting on 21 June 2013, considered the draft SEND strategy, noted the feedback from the stakeholder consultation which informed revisions to the draft strategy and recommended that the Cabinet Member for Education and Health Reform take the draft strategy to Cabinet for final approval.

5. Equalities Implications

- 5.1 The key purpose of the Strategy is to support children who have been identified because they are vulnerable. Almost all of them will fall within the Equality Act definition of disability. It is anticipated that the Strategy will have a positive impact on these children and their families. It has not been

possible to use consultation responses to inform equalities analysis due to 77.4% of online responses having been completed on behalf of organisations.

6. Conclusion

- 6.1 The consultation responses were overwhelmingly in support of the strategy. Many respondents commented that its success depends on there being a clear multi-agency training programme and workforce strategy underpinning it, a commitment to fund the capital costs of increased school provision and early progress on integration and joint commissioning that is actively supported by the health service.
- 6.2 When the strategy is published it will be supported by a clear action plan setting out targets, milestones and performance measures to drive its implementation.
- 6.3 The strategy's implementation will also be considered at the next meeting of the Children and Young People's Joint Commissioning Board on 1 August.

7. Recommendation(s)

Recommendation(s): Cabinet are asked to approve the SEND Strategy as the County Council's policy and strategy for special educational needs and disability, and as one of the key strategic plans supported by multi-agency partners who sit on the Children and Young People's Joint Commissioning Board.

8. Background Documents

8.1 Education Cabinet Committee report – 21 June 2013
<https://democracy.kent.gov.uk/documents/s40880/Item%20B2b%20Decision%20number%201300033%20-%20Consultation%20Report%20on%20the%20draft%20Strategy%20for%20Special%20Education.pdf>

8.2 The public consultation document is available via the following link:
<http://consultations.kent.gov.uk/consult.ti/SENstrategy/consultationHome>

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