

From: Roger Gough, Cabinet Member for Children, Young People and Education
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To: Corporate Parenting Panel 17th September 2019

Subject: **SEND Action Plan / Children in Care with Education, Care and Health Plans (6 monthly review)**

Classification: Unrestricted

Summary: This report provides members with an overview on Kent Children in Care (CiC) in the statutory school years who have an Education, Health and Care Plan (EHCP) in relation to their access to appropriate education and areas of development identified by the Ofsted/CQC inspection.

VSK first reported on CiC with EHCPs in March 2018. An update was completed in January 2019 just before Ofsted/CQC undertook an Inspection of Kent SEND.

This report in September 2019 is aiming to track progress and view impact on outcomes for Kent Children in Care since then, as well as continue to address areas for development and joint planning from a Corporate Parenting perspective in light of the Ofsted/CQC inspection outcome.

This most recent data was gathered by the VSK EWOs during June 2019 and so should be considered a snapshot in time.

Recommendations: Members of the Corporate Parenting Panel are asked to NOTE and COMMENT ON the report.

1. Introduction.

1.1 Ofsted and the Care Quality Commission (CQC) conducted a joint inspection of Kent between 28 January 2019 and 1 February 2019, to judge the effectiveness of the local authority, health and schools in implementing the disability and special educational needs reforms as set out in the Children and Families Act 2014. There was a particular focus on how well we identify and meet the needs of children and young people with Special Educational Needs and Disabilities (SEND), as well as the outcomes they achieve.

Whilst the Inspectors identified a number of strengths, they identified significant weaknesses and areas of concern. Specific areas relating to children in care were;

Areas for Development identified by Ofsted/CQC inspection.

- 1.2 Joint commissioning arrangements have not ensured that there are effective processes in place to ensure key professionals from education, health and care provide advice for EHC assessments within statutory timescales.
- 1.3 The care needs of children and young people and their families are not well considered during the EHC process. Social care information in EHC plans is not sufficiently detailed, and in some cases is written in the wrong section. There is a lack of a proactive, risk-reducing approach to social care support. For example, travel training is effective but not offered consistently within the local area.
- 1.4 The variable quality of provision and commitment to inclusion in schools, and the lack of willingness of some schools to accommodate children and young people with SEND.

Strength identified by Ofsted/CQC inspection.

- 1.5 Outcomes for looked-after children with SEND are in line with those found nationally. There have been no permanent exclusions involving these children in the last four years. The proportion of looked after children going on to education, employment or training has increased over the past four years.

2. Background

- 2.1 There is an increase in the % of Kent CIC in the Statutory School Years cohort who have an EHCP - this is now 30.6% whereas it was nearly 29% in January 2019. This picture continues to have implications for planning in terms of time for SEN department to manage cases, Educational Psychology and other professionals having time for completing statutory assessments and available places at specialist provisions across County.
- 2.2 The data indicates a significant improvement in terms of the % of CIC with a finalised EHCP without 'suitable education' at present. (For the purposes of this report 'suitable education' includes those with a finalised EHCP but No Recorded School (NRS), currently on a Reduced Timetable (RTT) or awaiting a new school to meet their special needs ie awaiting a Change of Placement. This has reduced from 42 in February 2018 down to 25 in June 2019 which is a 40.5% change. This cohort now only amounts to 7.4% of Kent CIC with an EHCP rather than 14.2% in February 2018. This 7.4% is however still a concern and there are 6 young people who have remained without 'suitable education' since February 2018. This group accounts for 24% of the cohort where there has been no evident progress for their situation in this period of at least 16 months of tracking. There have been multiple challenges to try and provide education for this small cohort of 6 young people. Services have worked together to try to overcome challenges such as multiple placement moves, moves to living Out of County (sometimes moving back into Kent again) and pregnancy. This cohort have been tracked specifically due to the complexity of their situation which has led to them not having 'suitable education' since February 2018 and they are a priority for integrated children's services to ensure a swift response to their need going forwards.

- 2.3** SEN Escalation Meetings are now held in each quadrant of the county and attended by an Area Manager from each of Social Care, VSK and SEN. The focus of each quadrant's meeting is the Kent CIC with an EHCP who are supported by the social care team in that quadrant which means that, for example, the WK SEN Escalation Meeting discusses only those children supported by the WK Social Care Team, not those in WK schools. The aim of these meetings is to work collaboratively to progress complex cases. Out of this cohort of Kent CIC with an EHCP without 'suitable education' at present, 22/25 (or 92%) have been discussed at a SEN Escalation Meeting. The average number of times that these 22 young people have been discussed is on 2.6 occasions. Six young people have been discussed 5 or more times and are still in this very vulnerable cohort. However, there has been notable success with use of the SEN Escalation approach with significant improvement in terms of the % of CIC with a finalised EHCP without 'suitable education' at present from 14.2% down to 7.4%.
- 2.4** There is still a severe risk for our most vulnerable children with 14 out of 337 Kent CIC with an EHCP awaiting a change of placement (this amounts to 56% of the EHCP cohort without 'suitable education' at present). Nine of these 14 are also on a Reduced Timetable or have No Recorded School while they are awaiting 'suitable education' which indicates significant impact on their participation with education in the meantime and this is the sub group of the cohort that needs to be the focus going forwards in order to make rapid difference.
- 2.5** Since the inspection highlighted that social care information in EHC plans is not sufficiently detailed, SEN, VSK and social care have been working together on developing new processes for requesting statutory assessment information from the Front Door. As part of this we are also piloting a SEN officer being co-located with colleagues from social care at the Front Door.
- 2.6** Targeted training on SEND and the Code of Practice for Social Workers (SW) has been successfully trialled in East Kent by VSK and SEN.

3. Conclusions

- 3.1** Social care information in EHC plans is not sufficiently detailed and there are not yet effective processes in place to ensure key professionals from care provide advice for EHC assessments within statutory timescales. Therefore, we need to implement the draft process for statutory assessment requests for information from the Front Door and review the effectiveness of a SEN officer being co-located with social care.
- 3.2** Improved integrated working between VSK, social care and SEN has had a positive impact on the finalising of suitable education placements for CIC with EHCPs. Escalation Meetings between Area SEN Manager, VSK DH/SENCO and Area Children's Service Manager are held regularly to resolve complex cases and promote collaborative relationships. This practice is now County wide with agreed Terms of Reference and is supporting a process for escalation of cases. Having a monthly

meeting in each area with minutes would enable improved tracking of the cohort and potentially further reduce drift/delay.

3.3 Even though we have seen a decrease, the percentage of CiC with EHCP without a suitable education placement is still a concern. VSK, social care and SEN are working together to develop creative package for CiC awaiting placement at a suitable provision by utilising of PP+ and SEN funding. It could be helpful to have increased joint working so that interim provision matching the child's needs and interests is put in place.

3.4 Training on SEND and the Code of Practice for VSK and social care officers improved their understanding. This supports the need to roll out universal training to all professionals within CYPE on SEND and the Code of Practice. We also need to continue to develop targeted training jointly with VSK for SWs on their role and responsibilities within the SEN Code of Practice.

4. Recommendations

Recommendation: Members of the Corporate Parenting Panel are asked to NOTE and COMMENT ON the report

5. Background documents

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6. Contact details

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