From: Roger Gough, Cabinet Member for Education and Health

Reform

Patrick Leeson, Corporate Director for Education, and

Young People's Services

To: Education and Young People's Services Cabinet

Committee - 8 July 2015

Subject: Special Educational Needs & Disability Strategy 2013-2016

Classification: Unrestricted

Future Pathway of Paper: Cabinet

Electoral Division: County Wide

Summary: This report provides the Education and Young People's Services Cabinet Committee with a summary of progress implementing Kent's SEN & Disability (SEND) Strategy.

Recommendations: The Education and Young People's Services Cabinet Committee is asked to note the progress delivering the SEND Strategy;

- (i) Significantly more children and young people with SEN in Kent are receiving a better quality education and provision to meet their needs has increased; and
- (ii) Emerging effective joint commissioning is improving services and we must maximise further opportunities to address inequalities in access to health services

Purpose of the report

The purpose of the report is to provide a summary of progress implementing Kent's SEN & Disability (SEND) Strategy formally launched in January 2014, which forms the County Council's policy for SEND and its strategy to deliver the special educational need requirements of the Children and Families Act, which came into force from September 2014.

1. Background

1.1. In January 2014, we formally launched the SEND Strategy to achieve three overarching aims to:

- Improve the educational, health and emotional wellbeing outcomes for Kent's children and young people with SEN and disabilities
- 2) Ensure Kent delivers the **statutory changes** (required by the Children and Families Act 2014)
- 3) Address the **gaps in provision** for children and young people with SEN and disabilities, improve the quality of provision, develop the broadest range of providers, and encourage a mixed economy of provision.
- 1.2 The Strategy forms the County Council's policy for SEND and our plans to deliver the special educational need requirements of the Children and Families Act, which came into force from September 2014. The Strategy anticipated the changes including the new arrangements for education, health and care plans (EHCP) to replace Statements of SEN for school age children and Learning Disability Assessments (LDA) for students in Further Education Colleges, the development of the local offer, and better outcomes and progress for disabled children and those with special educational needs.
- 1.3 The Strategy is focused on ensuring good SEN practice in every school and a stronger commitment to inclusion. Through the core standards delivered by a skilled workforce across all schools we will improve outcomes. To deliver the cultural and practice improvements needed, the SEND Strategy is supported by a workforce development plan which aims to ensure teachers have the skills to support children particularly those with autism, speech and language difficulties and behavioural needs.
- 1.4 The Strategy sets out a vision of a well-planned continuum of provision, from birth to age 25. It builds on earlier investment in Kent Special schools, setting out key priorities to improve and expand provision in mainstream and Special schools. It recognises that this will lead to less reliance on out of county placements and that in order to keep in step with the demand for Special school places, as a result of changing needs, a priority is to provide additional capacity e.g. in Special Schools, mainstream schools and specialist resourced based provision (sometimes called units).
- 1.5 The Strategy acknowledges that parents and carers should have a greater influence over the way in which services are delivered. Kent's role as a SEND Pathfinder helped to establish new ways of working in partnership with parents and the strategy builds on existing engagement with parents through the relationship with the Kent Parent Carer Forum (KPCF), through voluntary and community sector organisations and through direct work with individual parents and carers. Statutory changes have introduced a new duty to ensure parents 'co-produce' plans which affect their children. At a Strategic level, KPCF's participation means the views of Kent families directly influence the decision making of the statutory bodies.

2. Improving outcomes

- 2.1 The most significant aim of the strategy is to ensure young people with learning difficulties and those with disabilities make good progress and are engaged in purposeful education and training up to age 25. Our services need to be more flexible in order to meet individual needs and we want all children and young to be accessing SEN provision which is good or better.
- As at June 2015, 81.8% of pupils attend a good or outstanding Kent school. A rise of 6.8% from the previous year (75%). This includes 78.4% of Primary pupils, 85.3% of Secondary pupils, 93.9% of pupils attending Special schools and 96.2% of pupils attending a PRU. This equates to significantly more children and young people receiving a better education in Kent compared with the previous year. It means 15,000 more children are now attending good or better schools compared to the previous year.
- 2.3 The attainment and progress of pupils with special educational needs in Kent, in the 2014 results, was significantly above or in line with national attainment levels. It is recognised that there is a gap between the attainment of pupils with SEN and that of other learners. These gaps remained largely the same as in 2013 which was disappointing. However pupils with SEN in Kent performed better than equivalent children nationally; 50% of pupils at school action in Key stage 2 achieved Level 4 in Reading, Writing and Maths compared with 47% nationally. Of those at school action plus in Kent 42% achieved level 4 compared with 36% nationally. Both these results were significantly above national performance. The most complex children, those with a Statement, achieved in line with the national level; 13% compared with 15% nationally. We have set ourselves a target for 2015 of 16%.
- 2.4 At Key Stage 4, 33% of pupils in Kent at school action attained 5 or more A-C grade GCSEs (including English and Maths) which was significantly above the national average of 24%. Similarly at school action plus 24% of pupils in Kent Schools achieved 5 or more A-C grade GCSEs compared to 20% nationally. 8% of Kent pupils with a Statement attained 5 or more A-C grade GCSEs. The national average was also 8%.
- 2.5 Feedback from families recognises that where we are joining up assessment and commissioning of services we are reducing waiting times for equipment, providing access to a good school with staff trained to meet needs and supporting transitions. This is improving outcomes for them.

3. Delivering statutory changes to assessment and commissioning

- 3.1 The Strategy sets out a commitment to support and engage parents, children and young people. Section 19 of the Children and Families Act places a new duty on authorities with regard to ensuring families are supported to participate in decisions about them.
- 3.2 We have established on the <u>Kent.gov</u> website the Local Offer by schools, early years providers, FE colleges, health and social care services, including services that promote transition to adulthood, short break services and

services commissioned by health CCGs. The local offer was developed through co-production with parents, carers and a range of content authors from partner agencies. We have established a multi-agency steering group to monitor its quality and the relevance of information for families. The content is being regularly reviewed and in light of user testing and live system feedback is being improved. To ensure transparency, the minutes of the steering group and a "you said, we did" approach to feedback are being published on kent.gov. Feedback through Kent's digital services team and external evaluation of kent.gov has highlighted that the local offer is already being well used by parents who consider it helpful and easily accessible. We will continue to develop this as an informal, helpful and easily accessible resource for parents of children with SEND and young people.

- 3.3 Since launching the Strategy we have made good progress in improving performance in completing SEN statutory assessments in 26 weeks reaching 92% in Kent, compared to 82% nationally. However from September 2014, the new assessment process requires completion in 20 weeks and it is evident from data published by the DfE in May 2015 that the impact of dual systems and preparation for statutory changes has reduced performance nationally.
- 3.4 In Kent 90.4% of new statements issued in 2014 were completed in 26 weeks which compares favourably with the South East Region performance of 85% (which fell 9.6% over the same period) and the National performance of 89%. This data excludes those assessments where there was an allowable medical exception to the timescale. Including all cases, there were national and regional reductions in performance against 2013 for all assessments, with Kent achieving 84.7% in 26 weeks compared to the South East region of 79.8% and nationally 79.1%.
- 3.5 Nationally there are now 4205 children and young people subject to EHCPs compared to 235,980 with Statements. In the South East Region there are 655 EHCPs with 230 of these in Kent. The DfE has acknowledged that EHC assessments are taking longer (nationally 61.5% completed in 20 weeks) because they are unfamiliar. Although Kent completed the highest number (85) in the South East Region, 12% were completed in 20 weeks. West Berkshire and Bucks achieved 100% but only completed 5 each. We remain committed to high quality personalised plans co-produced with families. We have received positive feedback on this approach through Ofsted's discussions with parents and pupils (para 5.1) during the recent pilot inspection.
- 3.6 All local authorities are required to transfer existing Statements to EHC Plans by 2018. The DfE report 1.2% of all statements had been transferred by January 2015. Kent has transferred 2.3% of its Statements. Progress has been limited because of the demands of converting existing Statements to EHCPs, however additional resources have been identified to address this and reduce assessment delay. We have set ourselves a target to have embedded the new 20 week process firmly by 2016 and be achieving 95% of Education, Health and Care plan (EHC) assessments in 20 weeks.
- 3.6 We have established jointly commissioned 'dispute resolution and mediation' arrangements which will allow Kent parents who do not feel their

views have been heard or who are considering an appeal to have a joined up mediation across all three agencies. Whilst there is a legal duty to offer mediation, this is an innovative approach which 13 other local authorities have followed, joining Kent's procurement arrangements and increasing the procurement benefit for Kent. We have also brokered arrangements on behalf of Kent's settings and schools. KCC has been selected by the DfE as a pilot area to test new arrangements for Tribunal appeals which are expected to come into force in 2017. This pilot gives Kent families extended rights of appeal against health and care elements of their EHC Plans although the decisions will be recommendations rather than be legally enforced. This approach means that we are offering Kent families a joined up approach to mediation and a single right of appeal if they remain unhappy about the provision for their child.

- 3.7 To ensure there is more effective commissioning and easier access to occupational therapy equipment for disabled children and young people, and those with more complex special educational needs, we have extended the remit of the Integrated Community Equipment Service (currently commissioned from Commercial Services Kent and Kent Community Health Trust) to all physically disabled children and young people including those who do not have a Statement or EHC plan (who were previously not eligible for this service). This means that specialist equipment can be recycled to support therapy needs and intervene earlier.
- 3.8 A key priority is to develop a Kent wide approach to supporting early years settings, children's centres and schools to meet the speech, language and communication needs (SLCN) of children and young people. Currently, we are undertaking a county wide strategic needs assessment of children and young people 0-25 with speech, language and communication needs (SLCN). This recognises the change in the statutory framework from September 2014. The assessment will inform joint commissioning from 2016 and help us to address some of the current health inequalities.
- 3.9 We have developed a joined up approach across social care and education to introduce personal budgets, which we are extending to health and which will deliver health, care and education personal budgets specified in EHC plans. We have already introduced Personal Transport Budgets for families as an alternative to the existing service and over 100 families are participating in the scheme.
- 3.10 Through the Early Years and Childcare Service we have established a targeted, bespoke support to early years and childcare providers in the private, voluntary and independent sectors, to offer increasingly accessible and inclusive early education and childcare. We have developed Best Practice Guidance which mirrors the mainstream core standards for schools and which we have provided in printed format for settings and providers. This guidance and newly established Early Years Local Inclusion Forums (LIFT) is supporting settings to increase their expertise in supporting children with SEND.
- 3.11 User surveys evidence high levels of satisfaction across the 3 existing Multiagency service hubs (MASH); 81% in Swale, 96% in Ashford and 97% in Thanet. We are developing an action plan to extend the multi-agency hub

model to deliver a single point of access for families to advice, information and practical support, building on the work of the MASH centres. We are replacing the existing child development centre in Swale with a co-located provision on the site of the new Special school in 2016.

- 3.12 We have completed a mapping exercise for all transition points from 0-25 to improve integrated working and joint strategic commissioning to ensure a smooth transition to adult services.
- 3.13 We have delivered a range of high quality, and age appropriate short breaks in partnership with the voluntary and community sectors in light of parent carer feedback on how we can support them.

4. Improve the quality and range of provision

- 4.1 Our strategy set out an intention to provide at least 275 additional places for pupils with autism (ASD) or behavioural, emotional and social needs (BESN) and increase Special school places from 3491 to over 3700 by 2016. We have achieved a total of 3555 places which is an increase of 229 additional places since October 2014. This figure is expected to rise by a further 21 places once statutory proposals for Grange Park School have concluded in the autumn term. The total number of places will therefore be 3576, as set out in our Education Commissioning Plan.
- 4.2 A capital 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. £41.25m is currently committed to investing in the Special school building programme which is at the following stages:

Two projects are complete:

- Oakley (West Kent) Extension and refurbishment to both junior and senior sites.
- Stone Bay (East Kent) New Emergency Fire Exit

Three projects are in progress:

- Broomhill Bank (West Kent) Additional and extended classbases, together with improved changing facilities and new studio hall
- Laleham Gap (East Kent) EfA managed new build
- St Antony's (East Kent) New sports hall and ancillary spaces

Two projects are at Tender and/or Contract Award stage:

- Foreland (East Kent) Relocation and new build project
- Foxwood and Highview (South Kent) Relocation and new build

Three projects are at the planning stage:

- Ridge View (West Kent) Relocation and new build
- Five Acre Wood (West Kent) Extension on existing site
- Portal House School (South Kent) New build on existing site

- 4.3 We have established satellite provision for three of our PSCN Special schools. These satellites are based on mainstream school sites. Pupils who attend will be on the roll of the Special schools, but integrate into the mainstream with support where this is appropriate for the individual:
 - Five Acre Wood School (Maidstone) provision for up to 15 pupils with moderate to severe learning difficulties has been established at East Borough Primary School (Maidstone). We are currently consulting on a proposed satellite provision for secondary and post-16 students at Holmesdale Technology College.
 - Oakley School (Tunbridge Wells) satellite provision will be incorporated in to the new Skinners Kent Primary School (Tunbridge Wells) to provide up to 12 places for pupils with ASD. The provision will open incrementally from September 2015 whilst the new primary school becomes established.
 - St Nicholas School (Canterbury) satellite on the Chartham Primary School site from September 2015.
- 4.4 The SEND Strategy identified Autistic Spectrum Disorder (ASD) as the most prevalent need type in Kent, and Behavioural, Emotional and Social Needs (BESN) the second most prevalent need type in Kent mainstream schools. This remains the case. We continue to work on establishing further satellites for St Anthony's School (Thanet) and Ridge View School (Tonbridge & Malling) in a local mainstream school. Whilst we have proposed the closure of Furness Special School which was redesignated in September 2014 for pupils with autism (formerly for pupils with BESN), we are proposing that the building be used to host a satellite for Broomhill Bank increasing places for ASD.
- 4.5 We have refocused provision through re-commissioning to ensure more Secondary provision pupils with autism and speech and language difficulties and we have expanded existing good provision for speech and language to include autism places in Primary schools. In North Kent we are working with Oasis Academy Hextable to move SLCN to the Leigh Academy Trust. The Leigh Academy Trust also proposes to establish a Specialist Resourced based Provision (SRBP) for pupils with autism, at Wilmington Academy. For South Kent we are re-commissioning Castle Community College (Deal) to become Secondary SLCN provision, providing up to 20 places.
- 4.6 Across Kent there are six new Primary schools opening from September 2015 each of which will provide SRBPs for ASD, BESN and SLCN.
- 4.7 We have also successfully commissioned places for ASD at Oakfield Primary School and York Road Junior School in North Kent and are moving forward statutory proposals to add a 15 place SRBP at West Minster Primary School (Sheppey) for SLCN. For West Kent we have already created additional provision at Holmesdale Technology College and statutory proposals are underway to create a new SRBP for up to 50 students with a statement of SEN or EHCP equivalent for ASD for September 2015 at Hugh Christie Technology College.

- 4.8 The Strategy set out our intention to provide more special provision so that we can reduce the number of children whose needs cannot be met in local schools. Nationally 47% of statements or plans are for children taught in Special schools. In the South East region this figure rises to 51%, with Kent being 56%. Nationally the percentage of pupils with SEND statements in maintained mainstream schools has fallen from 60.1% of statements in 2012 to 52.4% in 2015 (52.3% of statements plus 53.7% of EHCPs). In the South East region this figure has also fallen from 61.5% to 50.6% (50.5% of statements plus 51.9% of EHCPs). However, in Kent the number supported in a local mainstream school has risen from 48.5% to 51.1% (50.4% of statements and 57.5% of EHCPs).
- 4.9 We have successfully reduced the proportion of pupils with Statements placed in the non-maintained sector as at January 2015 to 12.1% of all SEN placements (from 13.3% in 2014) with the actual placements as at April 2015 are 526. However this fell short of the target of 499. We anticipate that new provision which is planned will mean we are able to make further reductions.
- 4.10 The Strategy sets out to ensure more effective procurement of timely and cost-effective placements with external providers and to deliver this we have introduced a dynamic procurement system (DPS) with West Sussex County Council (WSCC). KCC is continuing to develop a partnership with providers based in the independent and non-maintained sector to drive down the overall cost of placements and transport. This work has attracted interest from the Department of Education and WSCC has received innovation grant funding to develop the DPS as a national tool for Specialist Schools and Colleges, (and Specialist Childrens homes with or without education). This DfE funding will enable Kent to second a key officer to ensure that the DPS can be further improved to support procurement in Kent. Through a multiagency decision making forum (JRAP) we are ensuring joint funded placements can be expedited and DPS providers evidence more cost effective outcomes for education, health and care needs.
- 4.11 The Strategy sets out action to ensure access to an appropriate route for 16-24 year olds. The KCC Skills and Employability Service has been working with 52 vulnerable young people with SEND, supporting them into education, training and apprenticeships. This number exceeds the target of 30 for this year. To date seven of those young people are now employed in apprenticeship placements. The post 16 programme for BESN (behavioural, emotional and social needs) learners has been successful in reducing NEETS for this vulnerable group. The service has supported 173 young people from BESN Special Schools over the past year with 70% of these learners remaining in education or taking up apprenticeships. New supported employment pathways are being developed by the Kent Supported Employment Team. This new programme has begun at Grange Park and Ifield Special Schools and is working with 10 learners to support them into employment.
- 4.12 A key focus of the outreach work from Special schools has been to ensure a direct and positive impact on the support for pupils with SEN and disabilities in mainstream schools. Through the work of the devolved Specialist

Teaching and Learning Service we are increasing the level of expertise in mainstream schools. September to November 2014 data shows 97% of interventions had some level of impact; 86% good or better. Feedback from schools (211 responses) showed that 87% of schools rated the overall impact of STLS intervention on progress of the child as good, very good or excellent. This is helping us to identify schools requiring support and robustly challenge the over identification of SEND. Information regarding the LIFT and STLS has been included within the KELSI website. Schools now have good up to date guidance through the Local Inclusion Forum Teams (LIFTs). We are continuing to further develop the devolved model for the Specialist Teaching and Learning Service through a partnership model with 12 lead Special Schools (one in each district) to improve support to mainstream schools for special educational needs. We have consulted on a model which will more closely align the outreach support and the role of the STLS.

- 4.13 To support schools to intervene earlier and improve pupil outcomes we have successfully implemented a new system of high needs funding for pupils with special educational needs. Alongside this we have reviewed and improved the arrangements to provide SEN funding (known as SCARF) to support severe and complex children access early years settings.
- 4.14 The Workforce Development Plan in place to underpin the SEND Strategy ensures we are able to provide a district training offer led by Special schools which includes training in Autism Spectrum Disorder (ASD), Behavioural, Emotional and Social Needs (BESN) and Speech and Language Needs (S&L).
- 4.15 As part of the workforce development plan we established a pilot to develop a professional development framework to influence at a strategic level, the culture and practice across the whole workforce. Participating settings achieved externally accredited awards from the Continuing Professional Learning Development (CPLD) and Inclusion Quality Mark (IQM) and individual professionals were accredited by Christchurch Canterbury University. Awards were presented as a result of the first stage to:

Name of School	CPLD Award Level	IQM Award Level
St Thomas More Pre School	Bronze	
Ridge View School Early Years	Silver	
Department		
The Abbey School	Bronze	Inclusion Quality Mark
Cliftonville Primary School	Bronze	Inclusion Quality Mark
The Foxwood and Highview	Gold	Inclusion Quality Mark
Federation		
Hartsdown Academy	Silver	Flagship
Invicta Girls' Grammar School	Bronze	Centre of Excellence
Joy Lane Primary School	Not assessed	Inclusion Quality Mark
Kingsnorth CEP Primary School	Bronze	Inclusion Quality Mark
Longfield Academy	Bronze	Inclusion Quality Mark
Paddock Wood Primary School	Bronze	Centre of Excellence
Maidstone Skills Centre	Bronze	Inclusion Quality Mark
(Education Catch 22)		

The Malling School	Silver	Centre of Excellence
The McGinty Speech & Language	Not assessed	Inclusion Quality Mark
Centre/West Malling CEP School		
Temple Ewell CE Primary School	Silver	Centre of Excellence
The Royal School for Deaf	Not assessed	Centre of Excellence
Children		
Westgate College	Not assessed	Centre of Excellence
East Kent College	Bronze	Inclusion Quality Mark
Springfield Education & Training	Single Award Level	Inclusion Quality Mark
Profile Education and Training	Single Award Level	Inclusion Quality Mark
Nisai Group	Single Award Level	Inclusion Quality Mark

5. Ofsted pilot

- In March 2015, the DfE outlined its intention to put in place new inspection arrangements for the SEN reforms in the Children and Families Act 2014. Ofsted invited Kent to participate in a pilot exercise in developing the inspection framework. This participation provided a further opportunity to ensure Kent's Local arrangements are achieving better outcomes. A fieldwork team of Ofsted HMI and CQC (health and social care inspectors) visited KCC in May, covering Early Years settings, schools and colleges as well as hosting a webinar for parents.
- The findings were positive. Kent's SEND Strategy was acknowledged by the team as well articulated and aspirational, with clear targets and outcomes. Kent's Parent Carer Forum was recognised as having a really strong role. Kent's approach to EHC Plans was judged to be truly child centred at all age phases although the inspectors recognised the demands of converting 7,000 Statements to EHC Plans. They recognised the multi-agency approach coproducing plans with parents and carers and good examples of where impact evaluation was built into the joint commissioning process e.g. Dispute Resolution/Mediation. They reported the very positive views of parents about the new SEND process. However they also found wide dissatisfaction about unequal access to health services and challenged Kent to address the health inequalities which currently exist in different districts of Kent. The visit was not graded and will be unreported, and the new inspection framework will be introduced from January 2016.

6. Next steps

6.1 Monitoring and review of the SEND strategy is undertaken through the Kent Children's and Young People's Health & Wellbeing Standing Group for disabled children and young people and those with special educational needs (CHWB-SEND). This is chaired by the Corporate Director, Education and Young People's Services. The group, which has representation from NHS partners and Kent Parent Carer Forum, has been established to oversee the development of multi-agency governance to ensure KCC and Clinical Commissioning Group partners are able to meet their new statutory obligations to deliver integrated Education, Health and Care Plans. The standing group's role is to ensure services are co-produced with parents and carers, recognising that whilst the lead role rests with the local authority,

successful implementation of the SEND Strategy requires effective partnership and engagement by other partners.

7. Recommendation

Recommendation: The Education and Young People's Services Cabinet Committee is asked to note the progress delivering the SEND Strategy;

- (i) Significantly more children and young people with SEN in Kent are receiving a better quality education and provision to meet their needs has increased
- (ii) Emerging effective joint commissioning is improving services and we must maximise further opportunities to address inequalities in access to health services

8. Glossary

ASD Autistic Spectrum Disorder

BESD Behavioural, Emotional and Social Needs

CCG Clinical Commissioning Group

CHWB-SEND Children's Health & Wellbeing Standing Group for disabled

children and young people and special educational needs

CPLD Continuing Professional Learning Development

CQC Care Quality Commission
DfE Department for Education

EHCP Education, Health and Care Plan

FE Further Education

GCSE General Certificate of Education

HMI Her Majesty's Inspector
IQM Inclusion Quality Mark
KCC Kent County Council
KCPF Kent Parent Carer Forum

KELSI Kent Education Learning Skills Information

LA Local Authority

LDA Learning Disability Assessment LIFT Local Inclusion Forum Team

PSCN Profound, Severe and Complex Needs

SEN Special Educational Needs

SEND Special Educational Needs and Disability

SLA Service Level Agreement

SLCN Speech, Language and Communication Needs

SRBP Specialist resourced based provision **STLS** Specialist teaching and learning service

9. Background Documents

Strategy for Special Education Needs and Disabilities 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

Commissioning Plan for Education Provision 2015/19

10. Contact details

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