

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

Patrick Leeson, Corporate Director for Education and Young People's Services

To: **Education and Young People's Services Cabinet Committee
30 March 2017**

Subject: **Special Educational Needs and Disability (SEND) Strategy
2017-2019**

Classification: **Unrestricted**

Future Pathway of Paper: **Cabinet Member Decision**

Electoral Division: **All**

Summary: This report summarises how the County Council is delivering its policy for children and young people with special educational needs and fulfilling its statutory duty towards them. It sets out the progress to date with the SEND Strategy and outlines key priorities for action to implement the revised SEND Strategy.

Recommendation(s): **The Education and Young People's Services Cabinet Committee** is asked to note the progress in delivering the SEND Strategy and comment on/endorse or make a recommendation to the Cabinet Member on the proposed decision to approve the new revised Kent SEND Strategy for 2017-19 which sets out the Council's priorities for action leading up to 2020.

Introduction

1. In September 2014, the Children and Families Act 2014 introduced reforms to the way in which children and young people with special educational needs and disabilities (SEND) are supported to learn. Setting out a four-year transitional period ending March 2018, the Government acknowledged the significant scale of the reforms. At the core, there is a new statutory duty to ensure that the views of children and young people with SEN and disabilities and those of their parents are given importance.

2. Kent's SEND Strategy 2013-16, was designed to prepare for and deliver the changes and was developed in partnership with families, schools, early years settings and health service partners. It forms the County Council's policy for SEND. A

new refreshed Strategy builds on the progress to date, identifying what we have achieved and our priorities for action leading up to 2020.

3. In 2016 the Government introduced a 5-year inspection cycle to review how the local area is delivering services for SEND. Inspections will be led jointly by CQC and Ofsted. Kent's participation in the pilot to develop the inspection identified areas for all partner agencies to consider and although no formal report was produced, these key areas have been the focus of activity for multi-agency work. These developments are reflected in the revised Strategy.

The SEND Strategy

4. Kent's SEND Strategy sets out three overarching aims, to:

- 1) Improve the educational, health and emotional wellbeing outcomes for Kent's children and young people with SEN and disabilities
- 2) Ensure Kent delivers the Children and Families Act 2014 reforms
- 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.

5. The SEND Strategy sets out our vision in Kent for a well-planned continuum of provision from birth to age 25 that meets the needs of children and young people with SEND and their families, and that we expect every early years setting, post 16 provider, mainstream school and academy to have the capacity and confidence to deliver effective provision.

6. We know we must identify children with SEND at the earliest possible opportunity and provide them with the support they need to make good educational progress and achieve good outcomes so that they and their families feel well supported. We recognise the importance of providing good training for all staff, whichever setting they are working in, using the best expertise and knowledge, sharing best practice and by promoting a model of collaborative working and shared responsibility.

7. We aim to ensure education, care and health services are delivered in an integrated way so that the experience of families' accessing services is positive and children's and young people's learning and development, safety, well-being and health outcomes are well promoted alongside their educational progress and achievement.

Progress delivering the SEND Strategy

8. The number of children and young people with Education, Health and Care Plan (EHCP) and SEN Statements has increased from 6272 in 2013 to 7043 in 2016. At the same time we have increased the number of maintained specialist places so that more Kent children and young people with SEND can attend a good local school that meets their needs.

9. By February 2016 15,000 more children were attending good or better Kent schools when compared to the position in 2014. Recent analysis of Ofsted outcomes for Kent schools shows that 89% of pupils are attending a good or outstanding

school. Through the core standards delivered by a skilled workforce across all schools we have been improving educational outcomes and the progress of pupils with special educational needs.

10. To date all of Kent's Special schools are good or outstanding. Through a partnership with 12 lead Special Schools we have steadily increased the expertise in mainstream school with 97% reporting the Local Inclusion Forum Team (LIFT) has a positive impact. We have delivered over 40 different training modules to schools and evaluation demonstrates the staff who attended were more confident about their ability to support pupils with special educational needs. We have produced Best Practice Guidance for early years and childcare providers and established Early Years LIFT to offer them similar support. We have improved support for severe and complex needs in early years settings and systems for pre-school children who need a special school placement.

11. We have firmly embedded the new 20 week statutory assessment for Education, Health and Care Plans. Over 3,000 Kent children and young people are now benefiting from the requirement of the Children and Families Act 2014 to transition from Statements to Education Health and Care Plans. DfE published data showed that Kent was performing well compared to other LAs nationally. Maintaining this pace continues to be an issue for all local authorities.

12. We have developed the Kent Local Offer, available on the kent.gov website, as a helpful and easily accessible resource for parents of children and young people with SEND.

13. We have developed the new approaches in partnership with the Kent Parent Carer Forum (KPCF). Their participation has helped the local authority to respond better to the views and wishes of Kent families. For example, parents asked us to ensure that the SEND Strategy increases both the support in mainstream and specialist places closer to home, and there are now more specialist SRP and satellite places. As our building improvements complete there will be further increases in places in Special Schools. The feedback from parents indicates we are providing better quality information, that the waiting time for specialist equipment is now shorter and that access to a good local school has improved.

14. A key part of our commissioning strategy has been to meet a wider range of special educational needs in mainstream schools and as a result we have increased support and places for children in mainstream with Autism Spectrum Disorder (ASD), Behavioural, Emotional and Social Needs (BESN) and Speech Language and Communication Needs (SLCN). Through a substantial building programme we have delivered additional places in our Special schools and satellite provision located in mainstream schools.

15. We have also reduced the proportion of pupils placed in the non-maintained sector as an alternative to a Kent maintained Special school from over 13% to 12%. We are working in partnership with local specialist providers approved under Section 41 of the Children's and Families Act, to increase choice for families and provide best value for public resources.

Key areas for growth in 2017-2019

16. There are still gaps in our provision and the Kent Education Commissioning Plan has identified where the pressures are most significant. It is anticipated that the demand for specialist places will continue. Despite the introduction of high needs funding to provide specialist support without the need for an Education, Health and Care Plan (EHCP), we have yet to see a reduction in requests for statutory assessment. It is likely that the increase over the last three years will continue, particularly in light of demographic growth. The forecast increase in numbers is as follows:

<i>FORECAST</i>						
No of EHCP	Jan-16	Mar-17	Mar-18	Mar-19	Mar-20	Increase 2016 to 2020
Under age 5	343	343	352	356	358	4%
Aged 5 to 10	2441	2801	2550	2575	2600	6%
Aged 11 to 15	2995	3050	3334	3433	3567	19%
Aged 16 to 19	1241	1244	1250	1280	1295	4%
Aged 20 to 25	23	27	38	51	64	
TOTAL	7,043	7,465	7,524	7,695	7,884	11%

We are proposing to increase the number of commissioned places as follows:

SEN Provision	2016-17 Latest	2017-18 Target	2018-19 Target	2019-20 Target	2020-21 Target
Special School (and Free Schools)	3,688	3,876	3,987	4,162	4,289
Commissioned SRP places	859	927	951	987	1,003
Indep and Non Maint Schs FEC	533	530	500	420	500
Special schools in other LAs	108	95	90	75	70
Post 16 (excl 6th forms)	900	795	858	928	968
Funded places:	6,088	6,223	6,386	6,572	6,830
Mainstream high needs*	1,916	1,875	1,800	1,700	1,600
Total children and young people	8,004	8,098	8,186	8,272	8,430

* As the current bulge of Primary aged pupils moves into Secondary education, and mainstream Secondary schools arrange support through pupil groupings and differentiation, the number receiving high needs funding is likely to reduce.

17. We plan to create an additional 36 places for autism in specialist resourced provision in mainstream schools (24 in Secondary schools) and 12 places for social emotional and mental health needs in Secondary schools.

18. We plan to create 600 new Special school places. We will do this by increasing the number of places in Kent maintained and academy Special schools by at least 100 and through commissioning of places in new Special Free Schools:

Free School	2018-19	2019-20	2020-21
Primary ASD	16	40	56
Secondary ASD	45	90	112
B&L Sheppey	36	60	84
PSCN Dover	48	72	84
ASD SLD North	30	40	60
	175	302	396

Summary of our priorities for 2017-2019

19. We want to ensure that we are identifying the most vulnerable children as early as possible and that our response to their difficulties means that timely provision is effective in improving their outcomes. In going forward the priorities in the revised SEND Strategy are to:

1. Improve the progress rates and attainment outcomes for all children and young people with SEN and those who are disabled, so that we close the achievement gap between them and other children and achieve outcomes which are above national expectations for similar pupils. To achieve this improvement it will be essential to increase school attendance for SEND learners and ensure they are not excluded from school.
2. Improve provision for, and easy access to, appropriate local services in childcare, education, care and health which meet the needs of families and ensure fewer children will need to be educated out of their local area and out of the county. This includes delivering the additional places in Special Schools, new Free Schools and Specialist Resourced Provisions as set out in this Strategy.
3. Develop the quality and capacity of early years providers, schools and colleges, in order to meet the needs of local families and their children with SEN and disability, especially in supporting learners with autism and speech and language needs. We will ensure the necessary training, advice and support is provided to increase capacity in meeting these needs.
4. Ensure there is effective use of High Needs funding in delivering the kinds of support and interventions for learners that impact successfully on improving their progress and attainment. As part of this we will carry out a review of High Needs funding in mainstream schools and colleges to identify the most effective practices and to achieve the best value from the available resources.
5. Develop the broadest range of providers to increase parental choice and offer provision which offers a flexible match to the needs of children and young people. We aim to have a continuum of provision across mainstream and special education, colleges and training providers, so that the needs of all

children and young people in Kent can be met locally. We expect this to result in less need for extended journeys and reduced costs for SEN transport.

6. Improve transition planning at age 14 and, in partnership with schools and colleges, develop a wider range of learning options and pathways post 16 that cater well for the needs of SEND students, including high quality work experience and support for traineeships and apprenticeships. In this way we expect to see a significant reduction in the numbers of SEND learners who are NEET.
7. Build parents' confidence in the support provided and improve the engagement of parents by providing them with timely information, advice and support, and a high quality statutory assessment process which delivers to timescales. It is a priority to ensure that children and young people with SEND, and their parents and carers, are involved in decision making at every stage of the process.
8. Deliver the whole life pathway for disabled children and young people, and their families, so that they receive more integrated support especially as they transition to early adulthood. We aim to ensure disabled children and families have timely access to appropriate community equipment and wheelchair services to meet their current and future needs. Where it is helpful we also aim to make available personal budgets to families when it will improve independence and choice.
9. Deliver greater local integration and co-ordination of education, health and care services and plans for children and families in Kent ensuring this is extended to young people aged 25 where it is appropriate, and promote positive and seamless transitions at all stages between the ages of 0-25.
10. Develop new outcome focused approaches to joint commissioning and integrated working that promote early intervention and prevention whilst also ensuring that KCC and NHS Clinical Commissioning Groups meet their new statutory duties linked to the provision of services within the Education Health and Care Plan.
11. Develop innovative approaches to addressing gaps in services through joint commissioning and using evidence-based practice and research to improve the quality and availability of provision 0-25, with good transition to adult services.
12. Ensure the provision of high quality specialist services as appropriate and necessary, such as educational psychology, speech and language therapy and child and adolescent mental health support.
13. Ensure we embed a culture of evaluating the impact of what we do, that the outcomes for children and young people are regularly reviewed and we monitor and invite feedback on parents' experiences of schools and systems.
14. Improve the effective and efficient use of our resources to meet increasing demand and remove perverse incentives so that costs do not escalate.

Legal Implications

20. The Children and Families Act 2014 reduced the timescale for statutory assessment from 26 weeks to 20. It extended the age range of young people covered by the Act to 25, replacing separate legal provisions for young people in schools and colleges with a single EHCP and new rights of appeal. It introduced new duties on the Council to publish a local offer of available services on Kent.gov and to jointly commission services with health commissioners.

Equalities Implications

21. Children and young people with special educational needs are at greater risk of underachieving than their non-SEN peers. In Kent, over 7,000 children and young people have greater difficulty learning and it is necessary for the authority to put in place an Education Health and Care Plan to ensure they receive the necessary provision. Within this group there are approximately 600 pupils who face a dual disadvantage because they are in public care. The SEND Strategy aims to ensure every vulnerable child can be identified at the right time, attend a good local school and achieve good progress in their learning and good outcomes at every age.

Public Health Implications

22. Lead Officers for Public Health are partners in the delivery of the SEND Strategy. Provision of Health Visiting Services is a key aspect of ensuring better healthcare and earlier identification of children with additional and sometimes complex learning needs.

Conclusion

23. Much has been achieved in expanding SEND provision, ensuring better quality education and support for SEND learners, developing a wider range of options for parents and increasing high needs funding and the capital funding to expand and improve Special Schools. As a result there have been improvements in attainment and progress for SEND learners, although attainment gaps remain very wide and progress rates need to improve further.

24. The range of support, advice and training for schools and direct additional support for the teaching of SEND learners, through the LIFT process, has improved and levels of satisfaction with the local arrangements are high. As we continue to see the incidence of ASD increase we need to do more to ensure all schools have the expertise needed to support and teach these pupils so that they make good progress.

25. We have significantly increased high needs funding and more pupils are supported through this mechanism without the need for a lengthy statutory assessment and Education Health and Care Plan. This has increased earlier intervention and achieved better targeting of the available resources to the needs of

individual pupils. However referrals for statutory assessment continue to increase, which is costly and time consuming, and where pupils can be supported just as well through high needs funding we need to do more to give parents confidence in this approach.

26. Finally we have successfully implemented the SEND reforms, introduced Education Health and Care Plans and a new statutory assessment process with the closer involvement of parents, delivered a new Local Offer and made good progress in transferring Statements to the new Plans.

27. In taking the SEND Strategy forward to 2019 we recognise there is more to do to keep pace with changing needs and levels of demand, and to improve educational outcomes further.

28. In particular we want to continue to improve our provision for ASD learners across all schools, and work more effectively in partnership with Health Service Commissioners and providers to improve speech and language provision, other therapies, specialist nursing and mental health support.

29. We are also giving more priority to improving earlier identification and capacity in the early years, to ensure children's needs are identified at the right time and earlier interventions can have greater impact on supporting their development. This involves continuing to improve SEND support in Early Years settings and more integrated working with Health Visitors and Children's Centres.

30. Looking ahead we also need to continue to increase provision, in Special Schools and Specialist Resourced Provisions in mainstream schools, as well as ensure that new Special Free Schools deliver the additional places we need in parts of Kent where there are still gaps in our SEND provision. Consequently we aim to ensure that fewer children will need to be educated out of their local area and out of the county and as a further consequence we expect to see a reduced level of need for SEN transport.

31. As we continue to see high needs funding increase, and indications are that the National Funding formula will cap this, we aim to work in partnership with schools to develop more effective ways to use high needs funding in mainstream schools. We will review high needs funding and implement any changes from September 2017.

Recommendation(s):

The Education and Young People's Services Cabinet Committee is asked to note the progress in delivering the SEND Strategy and comment on/endorse or make a recommendation to the Cabinet Member on the proposed decision to approve the new revised Kent SEND Strategy for 2017-19 which sets out the Council's priorities for action leading up to 2020.

7. Background Documents

Children and Families Act 2014

<http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>

SEND Code of Practice:0-25

<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

8. Contact details

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KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:

Roger Gough,
Cabinet Member for Education and Health Reform

DECISION NO:

17/00038

For publication

Subject: Special Educational Needs and Disability (SEND) Strategy 2017-2019

Decision:

As Cabinet Member for Education and Health Reform I agree to note the progress in delivering the SEND Strategy and approve the new revised Kent SEND Strategy for 2017-19 which sets out the Council's priorities for action leading up to 2020.

Reason(s) for decision:

Much has been achieved in expanding SEND provision, ensuring better quality education and support for SEND learners, developing a wider range of options for parents and increasing high needs funding and the capital funding to expand and improve Special Schools. As a result there have been improvements in attainment and progress for SEND learners, although attainment gaps remain very wide and progress rates need to improve further.

The range of support, advice and training for schools and direct additional support for the teaching of SEND learners, through the LIFT process, has improved and levels of satisfaction with the local arrangements are high. As we continue to see the incidence of ASD increase we need to do more to ensure all schools have the expertise needed to support and teach these pupils so that they make good progress.

We have significantly increased high needs funding and more pupils are supported through this mechanism without the need for a lengthy statutory assessment and Education Health and Care Plan. This has increased earlier intervention and achieved better targeting of the available resources to the needs of individual pupils. However referrals for statutory assessment continue to increase, which is costly and time consuming, and where pupils can be supported just as well through high needs funding we need to do more to give parents confidence in this approach.

Finally we have successfully implemented the SEND reforms, introduced Education Health and Care Plans and a new statutory assessment process with the closer involvement of parents, delivered a new Local Offer and made good progress in transferring Statements to the new Plans.

In taking the SEND Strategy forward to 2019 we recognise there is more to do to keep pace with changing needs and levels of demand, and to improve educational outcomes further.

In particular we want to continue to improve our provision for ASD learners across all schools, and

work more effectively in partnership with Health Service Commissioners and providers to improve speech and language provision, other therapies, specialist nursing and mental health support.

We are also giving more priority to improving earlier identification and capacity in the early years, to ensure children's needs are identified at the right time and earlier interventions can have greater impact on supporting their development. This involves continuing to improve SEND support in Early Years settings and more integrated working with Health Visitors and Children's Centres.

Looking ahead we also need to continue to increase provision, in Special Schools and Specialist Resourced Provisions in mainstream schools, as well as ensure that new Special Free Schools deliver the additional places we need in parts of Kent where there are still gaps in our SEND provision. Consequently we aim to ensure that fewer children will need to be educated out of their local area and out of the county and as a further consequence we expect to see a reduced level of need for SEN transport.

As we continue to see high needs funding increase, and indications are that the National Funding formula will cap this, we aim to work in partnership with schools to develop more effective ways to use high needs funding in mainstream schools. We will review high needs funding and implement any changes from September 2017.

Cabinet Committee recommendations and other consultation:

To be added after the EYPS Cabinet Committee meeting to be held on 30th March 2017

Any alternatives considered:

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:

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Signed

Date