

<b>Report to:</b>	<b>Health and Wellbeing Board</b>
<b>Relevant Officer:</b>	Dr Simon Jenner, Principal Educational Psychologist/ SEND Service Manager, Blackpool Council.
<b>Relevant Cabinet Member</b>	Councillor Graham Cain, Cabinet Secretary (Resilient Communities)
<b>Date of Meeting</b>	7 September 2016

## **SPECIAL EDUCATIONAL NEEDS AND DISABILITY (0-25 YEARS) UPDATE**

### **1.0 Purpose of the report:**

- 1.1 To update the board on the progress of the implementation of the 2014 Children and Families Act across agencies and outline recent developments in the area. Written and verbal reports were previously made to the Health and Wellbeing Board in 2014 and October 2015.
- 1.2 To update on the new CQC /OFSTED inspection framework for SEND (0-25 year olds and their families) in a local area.

### **2.0 Recommendation(s):**

- 2.1 To receive a presentation that outlined that current work continues to meet statutory obligations and to prepare for external inspections.
- 2.2 To agree to continue to have a monitoring report on the implementation of the SEND aspects of the Children and Families Act and the impact of this. This should be on a yearly basis.

### **3.0 Reasons for recommendation(s):**

- 3.1 Blackpool is continuing to meet its statutory obligations and has been praised by the Department for Education as being one of the few national authorities to meet 100% of new statutory timelines.

Blackpool area needs to be ready for potential inspections. A self evaluation has indicated that there are still some areas that will form part of inspection needing further work.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

None. The obligations are laid in statute and the CQC /OFSTED inspection framework is applicable to all local areas nationally.

#### 4.0 Council Priority:

4.1 The relevant Council Priority is: "Creating stronger communities and increasing resilience"

#### 5.0 Background Information

5.1 The 2014 Children and Families Act was implemented in September 2014 (the youth offending aspects from April 2015). A national Code of Practice was released, outlining statutory and non statutory duties. There were significant changes for Special Educational Needs and disability, as outlined below, with Blackpool progress noted against the headings. Work streams that met since 2012 continue to meet, on a less regular basis, to review the implementation, including any changes required. These groups are currently being revised in terms of, for instance, avoiding duplication.

- **The approach to identifying Special Educational Needs was changed from service led to person centred**

Significant training in person centred approaches, across health and education, continues to occur, with trainers trained in the area. The Department for Education Area Advisor, local charities and parent groups have noted how person centred the approach is now within Blackpool. The Council has been asked to share the approach with other local authorities regionally.

- **Statements of SEN have been replaced by Education, Health and Care (EHC) Plans**

The Council has maintained our 100% record for completing these on time and regional moderation further develops them. Councils have to convert all existing Statements of Special Educational Needs to Education, Health and Care Plans within the next 2 years. Close work with health has ensured this is occurring, and

Blackpool is one of the few regional local authorities to be on track to do so.

- **Approaches have to be outcome focussed and aspiration driven**

This has been a key ethos change away from the needs driven approaches used previously. Parents have commented how the person centred/ outcome focussed approach has made a big difference. The Council will need to ensure that the ethos change for service delivery is maintained as other pressures (budgetary/ meeting statutory targets) occur.

- **Increase to a 0-25 age range**

The Act covers to the age of 25, whilst previously it was to the end of schooling. Post school it covers when the young person is in education and/or training. We are further investigating new national data about the number of young people with Special Educational Needs achieving qualifications, that indicate Blackpool students are not doing so well, which contradicts our local data.

- **Personal budgets**

If there is an Education, Health and Care Plan the young person post 16, or parent, can have access to a personal budget for aspects of this. Blackpool has significant take up of the Care budgets, but none for health or education, so further work is occurring here.

- **Coproduction**

All strategic and personal plans have to be coproduced with parents and young people. Blackpool has been praised by parents and charities for this, especially for personal plans. Further work is occurring to ensure this continues.

- **Local Offer**

There is a duty on the local authority to host an offer of all provision available within the area for children and young people with Special Educational Needs and their families. It also acts as a conduit for service users to feed into the joint commissioning process. Following the work to ensure the offer meets all legal obligations, the next stages are to encourage more input via it into joint commissioning and to continue to work with users to ensure it meets their needs.

- **Joint Commissioning**

This has to occur between the Clinical Commissioning Group and the Council. A strategic operation group was set up and this is being looked at as part of the group structure. The Joint Strategic Needs Assessment, other assessments and service user comment will all feed into this.

- **Early stages of support**

Work is ongoing to ensure that needs are identified at as early a stage as possible and statistics indicate that this is the case. However there are corresponding increases in needs amongst early years (due for instance to more babies surviving

traumatic births), a rise in the number of cases of autism identified and Blackpool being a net importer of need.

Work has occurred with early year's providers, schools and colleges to improve their identification processes and provision. Further work is occurring to meet the increasing demands on early years and this may need to occur across agencies. It has longer term implications for the service.

- 5.2 CQC and OFSTED have been charged with inspecting local areas in relation to Special Educational Needs. The initial 8 inspections have occurred. The annual report to the Health and Wellbeing Board represents best practice and Board will be viewed positively by the inspection. This inspection will cover a local area, not just one agency, including strategic leaders, health (adult and children), the council (adult and children services) and providers (schools, colleges, early years settings, care providers for example).
- 5.3 There has been much work to prepare for the inspection, including a self evaluation framework (across agencies, the Clinical Commissioning Group has also done a national one), setting up a children and young peoples group, an up to date analysis of data (for the first time comparative national data sets have just been published), writing story boards to outline the main areas of work for the inspection (both for the team and for likely to be interviewed), establishing a SharePoint site to store information for the inspection and strategic preparation group called at directorial level. A recent peer challenge event from other North West local authorities also occurred.
- 5.4 Main areas of success identified are initial multi-agency work, the work around Education, Health and Care Plans, the ethos established locally and involvement of parents in the production of the initial strategies/ processes. Areas still to be worked on include key stage 4 results, re-energizing joint commissioning and other strategic groups, some aspects of the recent national data which need further investigation, such as post 16 outcomes and co-production across all areas.
- 5.5 In terms of data for the Board a report is being written to be incorporated into the Joint Strategic Needs Assessment. This is currently being updated with the most recent data and should be available for a Board meeting later in the autumn.
- 5.6 Does the information submitted include any exempt information?
- 5.7 **List of Appendices:** No
- None

**6.0 Legal considerations:**

6.1 The statutory obligations under the 2014 Act are monitored and continue to be met. National case study judgments from high courts and first tier tribunals are considered as part of future decision making.

**7.0 Human Resources considerations:**

7.1 None.

**8.0 Equalities considerations:**

8.1 Under the Equalities Act the needs of those with disabilities are met. Race/ gender / free school meal data is kept to ensure no discrimination occurs.

**9.0 Financial considerations:**

9.1 The obligations are met within budget and the three new burdens grants from central government to all local authorities (covering the financial years 2014/5, 2015/6 and 2016/7). The Council is yet to hear of a grant for 2017/8, although the Council has been told this is likely, but will be the final year.

**10.0 Risk management considerations:**

10.1 If the Council fails to meet statutory obligations in terms of the Act the authority and/or health bodies would be at risk from individuals taking legal action and/or central government /CQC / OFSTED taking action.

**11.0 Ethical considerations:**

11.1 The needs of a vulnerable group within the town continue to be met appropriately.

**12.0 Internal/ External Consultation undertaken:**

12.1 There is a duty under the Act to co-produce all policies with parents and children/ young people (CYP). Positive feedback has occurred from parent and charity groups to the Department for Education about parental engagement and engagement with children/ young people was seen as not being a major concern on a Department for Education monitoring visit. However, it was been highlighted by internal self evaluation that engagement with children/young people could be better and work is has occurred to ensure this occurs. Further work to ensure that the legal duties to co-produce needs to occur on an ongoing basis. This has been an emphasis for the initial CQC/ OFSTED inspections.

**13.0 Background papers:**

13.1 None