

Children and Families Scrutiny Committee

Date: 9th March 2023

Agenda No:

Title of Report:	SEND Services – Update Report
Purpose of Report:	To provide members of the scrutiny committee with an update on the delivery of SEND services across the county, the Green paper, and the pending Local Area Inspection
Recommendations:	For information and discussion
Officer(s) Contact:	Kirsten Harrison, Director of Education Amanda Henderson, Head of SEND service
Key Risks	<ol style="list-style-type: none">1. Continuing significant pressure on delivery of services due to a continued rise in the number of children and young people accessing SEND services.2. Slow pace of much needed national policy change3. Insufficient financial resources allocated in the Dedicated Schools Grant (DSG) to deliver the required level of support, generating a High Needs block deficit.

1. Context

- 1.1. As outlined in the report brought to Children and Families Scrutiny Committee on the 14th of July 2022, the delivery of SEND services both locally and nationally are under significant pressure, due to a continued rise in the number of children and young people accessing support through the statutory, Education Health and Care Plan (EHCP).
- 1.2. This rise started in 2014 when significant changes were made to the legislation (the SEND Code of Practice). Data published by the DfE shows that in the first four years (2014-18) the number of children and young people accessing support through an EHCP increased by 35% nationally. This contrasted with the previous five years (2010-14), which saw an increase of just 4%. This rise has not abated, in fact it has seen a sharper increase. In the period 2018 to 2022, there has been a 48% increase in EHCPs nationally.
- 1.3. This national rise has been replicated locally. In January 2018 Gloucestershire supported 3,290 EHCPs; by January 2023, the number had risen to 5,295 a rise of 61%. Since the global pandemic there has been a further increase in the trend, as shown in fig.1 below.

Fig.1 – New plans issued by academic year.

	2018/19	2019/20	2020/21	2021/22	2022/23 (30 th Nov 2022)
New EHCPs issued	491	527	598	788	235
Variance from p/y	-	+36	+71	+190	+73 (compared to same period)

- 1.4. National data will be updated shortly, but at the last collection, Gloucestershire still had a lower rate of EHCPs per 1000 (27.6) than both national (28.2) and statistical neighbours (28.3) despite these significant local rises.
- 1.5. The government recognises the need for national system and policy change to address these issues, which was outlined at the CFSC meeting in July 2022, will be delivered through the SEND Green paper.
- 1.6. The response to the Green paper from the DfE is much needed, but is still pending, and is now expected to be published before Easter 2023. The journey of the national consultation reflects how complex the issues are. The SEND Review started in September 2019, resulting in the development of the Green paper and the closing of the consultation at the end of July 2022; we now await the proposals on implementation.
- 1.7. Despite the Green paper consultation outcomes not yet being published, the new Ofsted Local Area SEND Inspection framework proposed within the Green paper was signed off by Ofsted in December 2022, and has been in operation since January 2023, with three local authorities having been inspected under the new framework at the time of writing.

2. Development of SEND and Inclusion services.

- 2.1. Whilst a national view on the development of SEND services is important, we have continued to develop our local services to try and meet the rising level of need we are experiencing.

2.2. Implementation of the [SEND and Inclusion strategies](#) is progressing well, with a number of milestones being delivered:

- Strengthened governance arrangements through the inception of the SEND and Inclusion Local Area Partnership Board (SILAP).
- Improving the EHCP process and casework
- Update and strengthening of the Local Offer.
- Opening of two new special schools (Brook 09/22 & Sladewood 09/23), an Early Years assessment centre and bids submitted to the DfE for two free school Special schools.
- Agreement and roll out of the common funding banding system to improve the quality and consistency of our funding models to schools.
- Enhancing our training and CPD offer to the SEND system.

Strengthened governance arrangements.

2.3. In Autumn 2022 the Joint Additional Needs Board, which oversaw the implementation of the previous strategies was wound down and the new partnership board launched (SILAP). This is in part to reflect and support the new strategic cycle, but to also re-invigorate the multi-agency engagement and commitment to support the development of SEND services as an effective Local Area Partnership. This is of particular relevance to the Integrated Care Board (ICB) where the Green Paper, Ofsted Inspection Framework and National Health Service England (NHSE) have been explicit regarding the ICB required commitment to SEND.

2.4. The emphasis on local area partnership engagement and oversight is crucial. Ensuring that children and young people with SEND get the right support, requires all agencies and professionals to work together, and alongside families, to shape a shared vision and plan.

2.5. To exemplify this, locally we know that there are rising numbers of children and young people with issues related to their Social Emotional Mental Health (SEMH). This is borne out in the number of children with SEMH as the primary need in their EHCP. How we address this rising concern around children's mental health must be considered collectively, so that social care, health, education, and families are all pulling in the same direction to affect change and provide the right support at the right time.

2.6. The new SILAP board has launched really positively and has now met four times. It has taken an active role in overseeing the development of a clear Local Area Partnership improvement plan and the preparation of services and agencies for the expected Ofsted Inspection.

Improving the EHCP process and casework

2.7. The quality of EHCP casework is an essential component of our SEND services. Caseworkers are the key contact point for the family and support them through the process from start to finish. As EHCP numbers have risen the pressure on the team has been significant, with timeliness and effectiveness both negatively affected as a result. In analysing the resourcing required, a manageable caseload was calculated

to be around 150 to 170 and caseworkers are currently typically operating at over 250.

- 2.8. To address this issue, we have taken a dual track approach. Firstly, to review and redesign the EHCP process to ensure it is as efficient and effective as possible. In doing this we have removed any unnecessary barriers or elements in the process and ensured that it is focussed on the quality of service and support for the child or young person and the family.
- 2.9. As part of this process, we have also procured and rolled out a digital tool to support the process for all new EHCPs. Using a web portal parents and professionals are now able to engage and contribute to the process through a single system, reducing the need for email exchanges which can cause delay. The system also allows parents to see progress of the EHCP request through the process and it links to our core data system (Capita) which reduces administration for caseworkers.
- 2.10. The second track is investment in staffing to meet the rising level of need. We are delighted that cabinet approved £1.6m to support SEND services in the recent MTFs allocation. This is enabling us to recruit much needed caseworkers and to increase specialist capacity in the Education Psychology service.

Updating and strengthening the Local Offer

- 2.11. The [local offer](#) details the services and support that are available for families with SEND. A full review of the content has been undertaken to ensure that it is up to date and accessible for families.

Specialist provision

- 2.12. The rising level of need has generated an increase in the need for specialist placements. In 2018/19 we commissioned 1,128 places in special schools. By the start of the academic year 2023/24 we will have increased numbers by 25% to 1,439. We have achieved this by fully maximising and expanding the capacity of our existing schools, opening two new special schools and an Early Years assessment centre.
- 2.13. In Autumn 2022 we submitted bids to the free school programme for two new schools, which, if the bids are successful, would provide an additional 400 places. We await the outcome of these bids, which is expected before Easter 2023. If unsuccessful, our existing devolved capital funding is sufficient to provide around 25% of these places and it will require consideration of how additional capital funding can be sourced to fill this gap to meet demand.
- 2.14. On the 26th of January 2023, a new specialist assessment and childcare provision was launched by Dingley's Promise, commissioned by and working with the Early Years' service. The provision will:
 - provide childcare entitlement for eligible children to gain support and assessment, where there has been challenges to meet need in mainstream provision.
 - facilitate multi-agency assessments and evidence-based interventions to support child development, working with both the child and the parent.
 - inform planning for the next stage of the child's education.

- provide an outreach service to support successful transitions to the child's next setting ahead of and beyond the child's transition into mainstream schooling.

Common Funding Banding System

- 2.15. The design and delivery of a common funding banding system was approved by cabinet in March 2021. The decision and associated papers can be found [here](#). This provides the background, rationale, and objectives for the new system. It is worth noting, that following this local decision, the [SEND Green Paper](#) was published and clearly referenced the Government's intention to move to a national banding system. The development of our local banding system will position us well to move to a national system when it is developed and implemented.
- 2.16. Following the cabinet decision, there has been a good deal of work done to design, develop and test the proposed system. The 'Banded Funding Project' was setup to design and deliver a universal banded funding system for pupils with EHCPs to replace the current Resource Allocation System (RAS) used for mainstream settings, and the existing Special School banding framework. By moving to a universal banding model across all maintained settings, both mainstream and specialist, this means that no matter where a child/young person learns, they will get the support they need.
- 2.17. The system aims to support the delivery of tailored, child-focussed support in a timely manner, facilitate more creativity and flexibility and, in turn, equip children/young people with SEND to reach their full potential. Support can be tailored to an individual child/young person's needs or to a group of children/young people with similar needs. The model will also support schools in being better able to plan interventions and manage their SEN budget with the knowledge of the number of pupils allocated a particular banding level.
- 2.18. For each category of special educational need (Social, Emotional Mental Health; Cognition and Learning; Communication and Interaction; Sensory and Physical) a set of descriptors ranging from Bands 1 to 6 have been developed which denote the increasing needs of children/young people. The banding descriptors provide detailed guidance as to relevant SEN that a child/young person may display, and the recommended level of provision required to meet these needs. These were discussed at the last Schools Forum and are included with these papers.
- 2.19. The descriptors will be cross-referenced with pupils' EHCPs to help assign an appropriate banding level. The development and testing of the descriptors were conducted in co-production with partners, including the Education Psychology Service, Advisory Teacher Service, EHCP Service, Gloucestershire Association of Special School Head Teachers (GASSH), healthcare professionals, Gloucestershire Parent Carer Forum (PCF) and a working group of Special Educational Needs and Disabilities Co-ordinators (SENDCOs).
- 2.20. From March to July 2022, the Banded Funding project team worked with schools across Gloucestershire to test the validity and usability of the descriptors; test the new banding process; collate costs of provision to inform the funding model; and seek feedback to further develop the descriptors and process.
- 2.21. The Banded Funding testing phase was successfully completed across ten maintained special schools/academies, four mainstream primary schools/academies and five mainstream secondary schools/academies. A total of

296 existing EHCPs were tested using the new descriptors. Following a review of the data collected during the testing phase, it has been agreed that Bands 1-4 of the descriptors will be utilised within mainstream schools and Bands 3-6 will be used within Special Schools. We recognise that some children and young people may have needs which exceed the top-level descriptors and therefore, where appropriate, bespoke packages will be considered.

2.22. The system will be implemented from the new financial year in April 2023 for all newly issued EHCPs and all Special School pupils. As Special Schools currently operate using a banding system, we are looking to migrate all maintained special school pupil bandings across to the new framework. With regards to pupils attending mainstream settings, we plan to consult further with all of the pilot mainstream schools and the Parent Carer Forum with regards to the migration process for EHCP pupils who were banded as part of the pilot phase. This will inform plans for migration of all mainstream pupils onto the new common banding framework. The Banded Funding project team plan to hold further information sessions for Gloucestershire's maintained schools, which will be shared in due course, to ensure colleagues are fully informed and equipped to use the new framework.

Training and CPD offer.

2.23. A highly trained and expert workforce is an essential component of an effective local area SEND system. As part of the development plan we are offering:

- Trauma Informed Restorative Practice training to schools and to GCC staff, helping them to better understand and respond to behavioural issues.
- Nationally accredited SEN training has been provided to the casework service to increase legislative and good practice knowledge.
- Workforce development funded by the DfE is taking place across education health and social care. This will strengthen partnership understanding and delivery of SEND responsibilities.
- SENCo Level 3 training for Early Years PVS staff – The third cohort have just been recruited.