

# **REPORT FOR: HEALTH AND WELLBEING BOARD**

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**Date of Meeting:** 5 March 2015

**Subject:** **INFORMATION REPORT – IMPLEMENTATION OF THE SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) REFORMS**

**Responsible Officer:** Roger Rickman, Divisional Director, Special Needs Services, Children and Families Directorate, Harrow Council

**Exempt:** No

**Wards affected:** All

**Enclosures:** None

## **Section 1 – Summary**

This report sets out the arrangements for implementing the SEND reforms introduced by the Children and Families Act 2014. The reforms represent a significant set of cultural, systemic and procedural changes that are designed to improve outcomes for children and young people with special educational needs and disabilities.

**FOR INFORMATION**

## **Section 2 – Report**

### **Introduction**

The requirements of the SEND reforms are specified in a wide range of statutory and non-statutory guidance that has been issued by the Department for Education and the Department of Health over a period of time.

A new special educational needs and disability code of practice: 0 to 25 years was issued first of all in July 2014 and has twice since been reissued most recently in January 2015. There is new advice and guidance being issued on a regular basis. It is anticipated some advice and guidance will continue to be reviewed after the new special educational needs legislative duties have come into effect and further advice and guidance will emerge on elements of the legislation to take effect at a later date.

The duties and requirements of the reforms for local authorities (children's services and adult social care services) and their partners (clinical commissioning groups and health providers) and schools are wide ranging and multi-faceted.

### **Implementation of the SEND reforms**

Local authorities and their partners were required to implement a number of key aspects of the reforms by 1 September 2014 and there are a number of elements that can be developed over time.

A key feature of the new system is a much greater emphasis than previously on engagement with children and young people with special educational needs and disabilities and their parents or carers. The Harrow Parents for Disabled Children group has been a significant partner in developing key aspects of the reforms and steps are being taken, for example, at Shaftesbury School, to engage children and young people directly in the further development of the local offer.

There are important transitional arrangements for those with existing special needs statements and learning difficulty assessments and those on school action / school action plus and equivalents.

### **Key elements of the SEND reforms that were required to be implemented by September 2014**

#### **Local offer**

The local authority was required to publish an initial, accessible local offer developed together with key partners, covering the support available for those with and without special needs statements or education, health and care plans from birth to 25 years, including SEN support in schools.

As the local offer developed it was recognised it was not working effectively within the main council website especially as more information was added. There was clearly a difficulty in locating information easily, the search facility was problematic and links to information were not working reliably. The solution to this was to create what is called a sub-site within the main council web site which is a separate and dedicated area or part of the council website.

The Department for Education adviser has reviewed Harrow's local offer in October 2014 and it is considered the new sub-site looks much better in appearance, functionality and content than it did initially and was felt to provide a good platform for further development in the future. There has in several meetings been positive feedback from parents.

### **Information, advice and support**

The authority has put in place suitable arrangements for providing independent information, support and advice for parents and children and young people with special educational needs and disabilities across education, social care and health, including independent supporters.

The SEND information, advice and support service is provided under contract by Family Action who provided formerly the authority's parent partnership service. Family Action have gone through recently in consultation with the local authority a process of reviewing and restructuring the service provision in order to ensure it is best able to deliver the information, advice and support required locally.

In addition Barnardo's and Family Action will be providing independent support to parents and young people. Independent support is a government funded programme until March 2016 to provide additional support to parents, carers and young people during the implementation of the SEND reforms. Independent supporters are a mixture of paid staff and volunteers offering help targeted around the assessment and education, health and care plan processes. The Council for Disabled Children (CDC) has commissioned a range of organisations to provide independent support locally across England. In Harrow, the CDC has issued initial contracts covering the period up to March 2015 to Family Action SEND Information, Advice and Support Service and Barnardo's.

### **Mediation**

The local authority has for several years commissioned access to high quality mediation from an organisation called KIDS as do a large proportion of London local authorities. This will continue and the service will be increased as necessary.

It is now mandatory that families and young people to obtain a certificate to evidence they have contacted the mediation service before making an appeal to the SEN and Disability Tribunal.

## **Education, health and care assessment and planning**

The authority has developed a co-ordinated education, health and care plan assessment process that is being used to issue final education, health and care plans within the statutory timescale of 20 weeks.

There is an education, health and care plan template that was tested out with children and young people with special educational needs and their parents before being implemented from 1 September 2014.

The authority's assessment process and plan template have both been judged by the Department for Education as legally compliant with the code of practice and to provide a good basis for the development of education, health and care plans. A special comment has been made in relation to Harrow's approach to recoding aspirations for children and young people with special educational needs and disabilities within the plan.

## **Transitional arrangements**

A plan has been published as part of the local offer that was produced and developed with parents, setting out how the local authority will go about transferring children and young people who receive support as a result of a special needs statements and a learning difficulty assessment to education health and care plans overall by 1 April 2018. For those with a learning difficulty assessment the transfer to an education, health and care plan needs to take place by September 2016.

There are approximately 1,100 children and young people who have currently a special needs statement and around another 150 young people with a learning difficulty assessment. For children and young people with special needs statements, the transfer process must be completed within a maximum of 14 weeks.

Additional staff have been recruited to support the significant demands of the transfer process over the next three years.

The intention is to transfer as many statements and learning difficulty assessments as early as possible within the resources available. Plans are being developed with two of Harrow's special schools to frontload conversions for over two hundred young people.

## **Personal budgets, including personal; health budgets**

A clear policy is in place and included as part of the local offer, setting out the scope currently of personal budgets. At the initial stage personal budgets will apply primarily to short break provision for children and young people with disabilities and special transport arrangements and possibly for some therapy services. The arrangements for personal health budgets are being developed.

## **Joint commissioning**

Local authorities and clinical commissioning groups are required to work together with partners and parents at a strategic level to develop the special needs and disability systems that will best support the SEND reforms.

Joint commissioning is already in place with the health service and adult social care services for the following:

- speech and language therapy services;
- specialist equipment;
- children and young people with complex needs requiring health and social care arrangements;
- children and young people with complex needs attending special residential schools.

## **Section 3 – Further Information**

It might be appropriate to provide a further update in due course, for example, if the local authority receives an inspection of the implementation of the SEND reforms under arrangements being developed by Ofsted.

## **Section 4 – Financial Implications**

The financial implications of implementing the SEND reforms are being met in the council within existing resources together with additional government grant funding available in 2014-15 (£348K) and 2015-16 (£152K).

## **Section 5 - Equalities implications**

Was an Equality Impact Assessment carried out? No

If no, state why an EqIA was not carried out below:

The report provides information on the implementation of statutory requirements.

## **Section 6 – Council Priorities**

The Council's vision:

### **Working Together to Make a Difference for Harrow**

The report incorporates the following administration priorities.

- Making a difference for the vulnerable
- Making a difference for families

## **STATUTORY OFFICER CLEARANCE (Council and Joint Reports)**

Name: Dawn Calvert	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 10.2.15		

<b>Ward Councillors notified:</b>	<b>NO</b>
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### **Section 7 - Contact Details and Background Papers**

**Contact:** Roger Rickman, Divisional Director, Special Needs Services, Children and Families Directorate, telephone 020 8966 6334

**Background Papers:** none