

Bath & North East Somerset Council

MEETING/ DECISION MAKER:	Early Years, Children and Youth Policy Development & Scrutiny Panel	
MEETING/ DECISION DATE:	24 th Nov 2014	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	SEND reform update	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: SEND reform year 2 implementation plan		

1 THE ISSUE

1.1 An update on implementation of SEND reform in Bath and North East Somerset.

2 RECOMMENDATION

Members are invited to

2.1 Note the progress to date

2.2 Comment on the year 2 implementation plan,

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

3.1 Government have provided one-off grants to support the implementation work and 'new burdens' funding to March 2016.

3.2 There are significant capacity implications to the new way of working for the transitional period to March 2018 and beyond. This paper does not contain proposals to address this funding 'gap'.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

4.1 The Children and Families Act 2014 sets out new statutory duties for local authorities, clinical commissioning groups, education settings and other partners in respect of disabled children and young people and those with special educational needs aged 0-25.

4.2 The SEND code of practice 2014 approved by parliament in August 2014 is statutory guidance detailing the application of these new duties. The Equality Act 2010 sets out

existing duties to disabled children and young people which are embedded in the code of practice. Sitting alongside the code of practice is new statutory guidance for schools on their duties to children and young people with medical conditions.

- 4.3 This new legal framework for children and young people with SEND came into force from 1st September 2014 with the exception of new duties to young people with SEN in youth custody, which come into force in April 2015.
- 4.4 The Care Act 2014 introduces new requirements in respect of young people with SEND preparing for adulthood which dovetail with the SEND reform and come into force from April 2015.
- 4.5 SEND reform aims to improve life outcomes for young people with SEND. This is consistent with the overall vision of the B&NES Children & Young People's Plan that 'we want all children and young people to enjoy childhood and to be well prepared for adult life', and supports the plan's focus on health and equal life chance outcomes.

5 THE REPORT

- 5.1 Preparation for SEND reform in Bath & North East Somerset has been underway since summer 2013. A project steering group was established led by Mike Bowden, Deputy Director Children's Strategy and Commissioning and preparatory work was set out in a project plan organised into 5 workstreams.
- 5.2 PDS panel were briefed on the implications of SEND reform in November 2013 and had an update presentation in July 2014.
- 5.3 Key achievements of the work to date include:
 - Extensive engagement of parent carers through conferences, membership of working groups, briefings in schools and early years settings and participation in training alongside practitioners
 - Design and pilot of a process and format for education, health and care planning to replace statements of SEN
 - Publication of an initial area-wide local offer following public consultation and development of the Rainbow Resource database to provide a comprehensive, searchable 0-25 SEND local offer
 - Development and publication of an initial working draft SEND personal budgets policy
 - Workforce development and engagement through a stakeholder event, early years conferences, briefings for services and schools, introduction to SEND reform workshops and person centred thinking training.
- 5.4 The SEND reform requires a significant culture change across services and schools. We have developed a set of principles for supporting children and young people with SEND in B&NES which underpin this change. These are set out in the year 2 implementation plan (attached).
- 5.5 Significant further work is required to achieve the objectives of the reform in improving life outcomes for young people with SEND in B&NES. The implementation project will continue for a further year to summer 2015 and this work is organised into 11 workstreams set out in the attached project plan.
- 5.6 18-20% of children and young people have some level of SEN, disability and/or medical condition. In B&NES this means 8-9,000 children and young people aged 0-25. There has been significant work on developing early support pathways to ensure needs are identified early and the right level of support is

provided, and this work will continue. Most children and young people with SEND will be supported by universal or early help services without the need for specialist support. The duties on early years, schools and further education settings and our support and challenge to them including through will be critical in achieving this and several of the project workstreams aim to develop early and SEN support at different stages.

- 5.7 750-800 children and young people at school age at any one time require specialist SEN support through statements of SEN. These will be replaced by education, health and care (EHC) plans through an ambitious transfer plan (published on the B&NES SEND reform web page). We anticipate completing 80-100 EHC needs assessments and up to 300 transfer reviews between Sept 2014 and July 2015. The number of EHC plans is likely to increase as children and young people aged 0-25 who require specialist SEN support are now eligible. The project plan includes not only the transfer plan but also work to establish effective cross-service work to deliver effective EHC planning and links with SEN support in education settings.
- 5.8 The scale of this task, combined with the requirement to embed person centred approaches, thinking and planning in our EHC planning has required a significant increase in capacity in the SEN team. This will need to be kept under review as we complete transfers of statements to EHC plans by April 2018, and develop the ability of schools and other services to work with EHC plans in a person centred way.
- 5.9 However, increased numbers of EHC plans and the need to ensure more proactive person centred review of EHC plans to keep them on track to achieve ambitious life outcomes in adulthood mean that the capacity requirement into the future to underpin specialist SEN support is likely to be greater than it was in the past. 'New burdens' funding for SEND reform already announced helps with this until March 2016, but there is a funding shortfall and work is underway on proposals to address this.
- 5.10 Parents of children with EHC plans and young people aged 16 and over with a plan are now entitled to request a personal budget. This will bring together any SEN, health or care funding linked to the plan into one 'pot' and give parents and young people more choice and control over how support is provided. We have published an initial working draft SEND personal budgets policy. Any requests this year will be treated as pilots and we will be working with support from In Control, a national organisation with expertise in personal budgets in adult care, who have established a network of local authorities implementing SEND personal budgets.
- 5.11 In order to continue the work of SEND reform into the future we will need to establish a strategic commissioning partnership to meet our duties in respect of joint commissioning, engagement of young people and parent carers in keeping our local offer under review and using information from EHC planning to inform commissioning. Any partnership arrangements we establish must be accountable to the Health and Wellbeing Board.
- 5.12 The Family Information Service will maintain and develop the published local offer including the rainbow Resource database. Alongside this the Parent Partnership Service (PPS) has been successful in attracting government funding to develop independent support with SEND for both parents and young people.

PPS will work in partnership with other organisations to ensure a comprehensive information, advice and support offer for children and young people with SEND and their families. These include KIDS (a national organisation working with disabled young people) who have won a regional government funded contract to deliver independent support and Off the Record (who provide advocacy in B&NES for disabled children and young people).

5.13 A training programme will continue into 2015 to introduce the SEND reform and support the development of EHC planning in practice. Training in person centred thinking will continue and this will be embedded in the children's workforce training strategy when the SEND reform implementation project is complete. SEND reform training will continue to include parents as both trainers and participants.

6 RATIONALE

6.1 To update members on SEND reform implementation in B&NES.

7 OTHER OPTIONS CONSIDERED

7.1 None.

8 CONSULTATION

8.1 This paper has been shared with Richard Morgan as nominated report clearance officer.

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	<p><i>Charlie Moat, Service Improvement Manager</i></p> <p>charlie_moat@bathnes.gov.uk, 01225 477663</p>
Background papers	<p><i>Briefing to PDS panel on implications of SEND reform November 2013</i></p> <p>http://democracy.bathnes.gov.uk/ieListDocuments.aspx?CId=461&MId=3676&Ver=4</p> <p><i>Presentation to PDS panel update on SEND reform July 2014</i></p> <p>http://democracy.bathnes.gov.uk/ieListDocuments.aspx?CId=461&MId=3680&Ver=4</p> <p><i>Bath & North East Somerset SEND local offer</i></p> <p>www.bathnes.gov.uk/localoffer</p> <p><i>B&NES SEND reform page</i> www.bathnes.gov.uk/SENDreform</p> <p><i>B&NES SEND reform facebook page</i></p> <p>www.facebook.com/SENDreform</p>
<p>Please contact the report author if you need to access this report in an</p>	

alternative format