

HAMPSHIRE COUNTY COUNCIL

Report

Committee:	CYP Select Committee
Date:	8 November 2017
Title:	Special Educational Needs and Disabilities (SEND) Reforms Hampshire area post implementation update
Report From:	Director of Children's Services

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1. Purpose of Report

- 1.1. The Committee last received a report on the SEND Reforms in May 2016 updating on the SEN Service post restructure and the experience of the Ofsted CQC pilot SEND inspection.
- 1.2. This report updates the Committee on business as usual progress, key developments and issues across the Hampshire area within education, health and social care services across the 0-25 age range. It will cover:
 - SEN Strategy, performance and recovery plan;
 - Development of a digital education, health and care hub;
 - Inclusion, SEN Support and the graduated response;
 - Role of the NHS SEND Designated Clinical Officer 0-25 and NHS update;
 - The SEND Joint Strategic Needs Assessment (JSNA) and feed in to Joint Commissioning across education, health and care 0-25;
 - The Hampshire Local Offer re-launch and integration in to the Children's Services Family Information and Services Hub (FISH) April 2017;
 - Early years and the 30 hours strategy in Hampshire;
 - Preparation for adulthood and the SEND Hampshire Post 16 strategy and action plan development;
 - Ofsted and CQC SEND Inspection readiness preparation;
 - SEN Special School Place Planning Strategy.

2. Contextual Information

2.1. The SEND Reforms went live 1 September 2014 as part of the Children and Families Act 2014 [Part 3], with an associated statutory SEND Code of Practice 0-25. The key changes have been:

- Strengthened the focus on parent carer and children and young peoples strategic and individual engagement working collaboratively with all agencies and partners. Hampshire continues to have a strong partnership with the Hampshire Parent Carer Network;
- Introducing Education, Health and Care Plans 0-25 for those with the most complex needs replacing statements of SEN and Learning Difficulty Assessments;
- Introduced the requirement for a 'SEND Local Offer' and improved impartial information, advice and support. The Hampshire Local Offer can be found through the following link:

<https://fish.hants.gov.uk/localoffer>

- Strengthened the focus on SEN Support and the graduated response particularly around early identification of needs and how effectively needs are met to improve outcomes for CYP with SEN;
- The need for joint planning and commissioning of services to ensure close co-operation across education, health and social care 0-25;
- A strong focus from year 9 on preparation for adulthood to ensure that young people can live their lives as an adult as independently as possible within the context of their needs and in line with the preparation for adulthood outcomes. A key element here is raising aspirations around employment.

2.2. A five year geographically random joint Ofsted and CQC SEND Inspection framework was introduced from May 2016. Whilst Hampshire took part in the successful pilot inspection process November 2015 to help inform the evolving inspection framework, the Hampshire area has yet to receive a formal inspection call (which is also the case for the Isle of Wight).

3. Consultation and Equalities

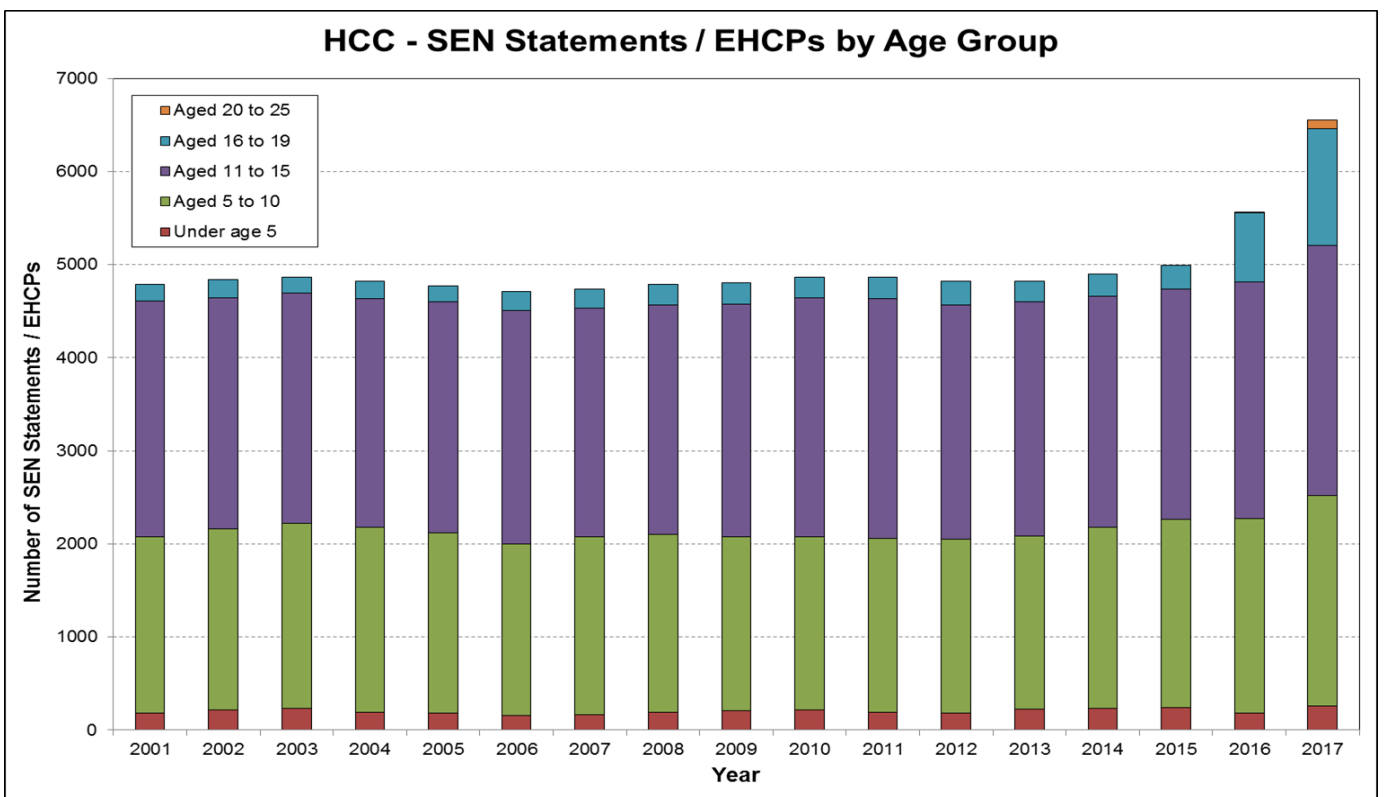
3.1. No consultation or equalities impact assessments have been undertaken as this is an information update.

4. SEN strategy, performance and recovery plan

4.1. The SEN Service "Children and Young People with special educational needs: Context and Key Priorities 2017-2019" document has been published on the Hampshire Local Offer, and can be seen on the link below:

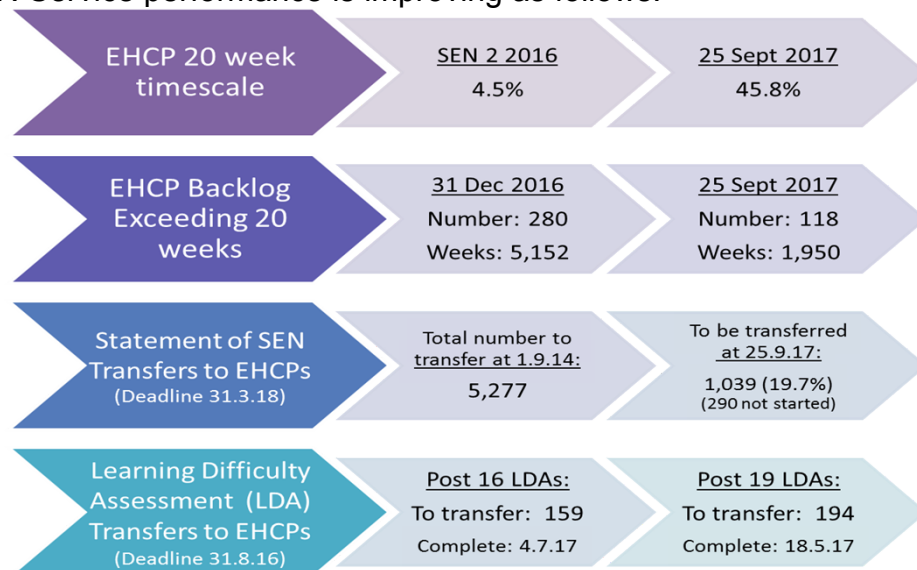
<http://documents.hants.gov.uk/childrens-services/cyp-sen-2017-19.pdf>

- 4.2. The SEN Service was restructured into a 0-25 service in September 2015 to place the service in a stronger position to meet the requirements of the Code of Practice. This restructure reduced the staffing by 19%, in line with the public sector budget reduction programme in Hampshire.
- 4.3. The SEN Service was also experiencing challenges from:
- Lack of an effective IT system that worked with the new reforms and enabled the service to operate more efficiently. Capita ONE was introduced June 2016, nine months later than intended, but without the self service capabilities desired by the service;
 - A statutory requirement to transfer all 5,277 statement of SEN to EHCPs, as appropriate, by 31 March 2018 (this is on track);
 - Statutory requirement to transfer all Post 16 Learning Difficulty Assessments (LDAs) to EHCPs, as appropriate, by 31 December 2016 (extended from 31 August 2016 and has been completed).
- 4.4. The academic year 2015/16 saw a 16% increase in requests for statutory assessment in the year following the restructure. The graph below depicts the change over time in terms of increasing volumes, broken down by age ranges. This highlights the growth 16-19, and particularly 20-25.
- 4.5. As at 31.8.2017 there were 7,274 EHCPs/Statements being maintained. This represents a 50% increase in the volume of EHCPs being maintained over the three years since the introduction of the SEND Reforms.



- 4.6. In addition the need to transfer existing statements into EHCPs led to considerable pressures in the system. Consequently the national SEN 2 return demonstrated that in the 2016 calendar year Hampshire completed 4.5% of EHCPs within the shortened statutory timeframe of 20 weeks. This understandably has led to frustration and dissatisfaction with parent carers and families going through the EHCP process, as well as significant pressures on the staff within the service. Notwithstanding this though, the service has prioritised and is on track to transfer all statements into EHCPs by 31st March 2018 which has been the government's primary target.
- 4.7. Since February 2017 there have been monthly SEN performance review meetings with the Director of Children's Services and the Assistant Director Education and Inclusion. Additional temporary resources were agreed to address the backlog.
- 4.8. SEN Recovery Plan objectives are as follows:
- Achieving 95% of EHCPs within the 20 week statutory timeframe by 31 March 2018.
 - This will bring the service back in line with the strong performance level under the previous legislation from 2013. Nationally the average number of EHC Plans issued within 20 weeks is 60%.
 - Eliminating the SEN service backlog (EHCP exceeding 20 weeks) by 31 December 2017
 - Completing Statement of SEN transfers to EHCPs by 31 March 2018 (statutory deadline)
 - Completing Post 19 LDAs by 30 April 2017 and Post 16 LDAs by 30 June 2017.

- 4.9. SEN Service performance is improving as follows:



- 4.10. The above timetable demonstrates that the Service has improved month on month since December 2016 and is on target to come in line with national averages very shortly.

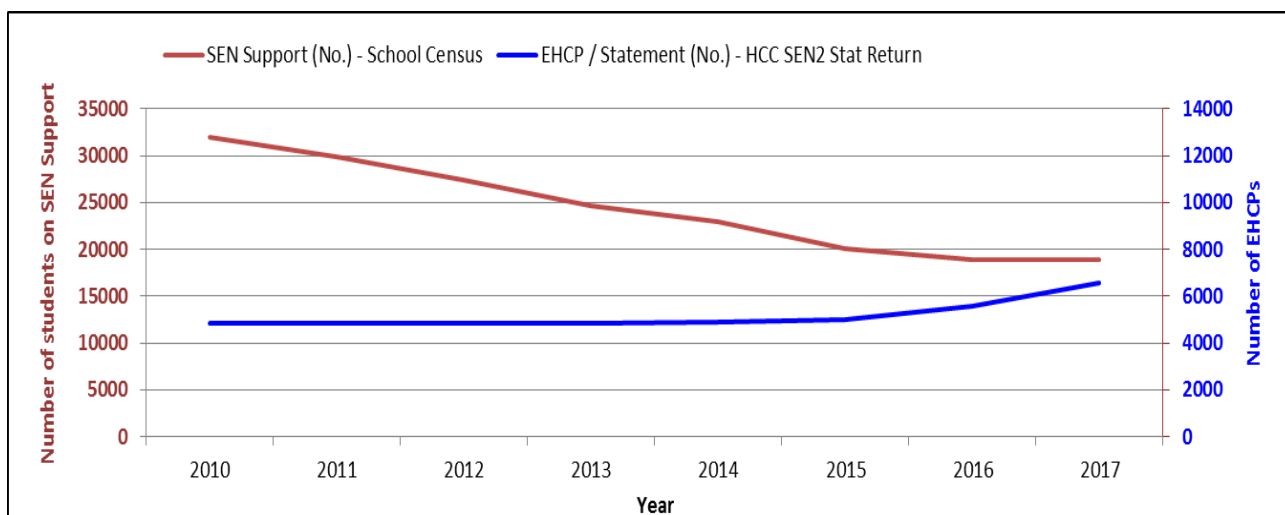
- 4.11. All Statement of SEN transfers will be completed by the Government's deadline of 31 March 2018.

5. Development of the digital EHC hub

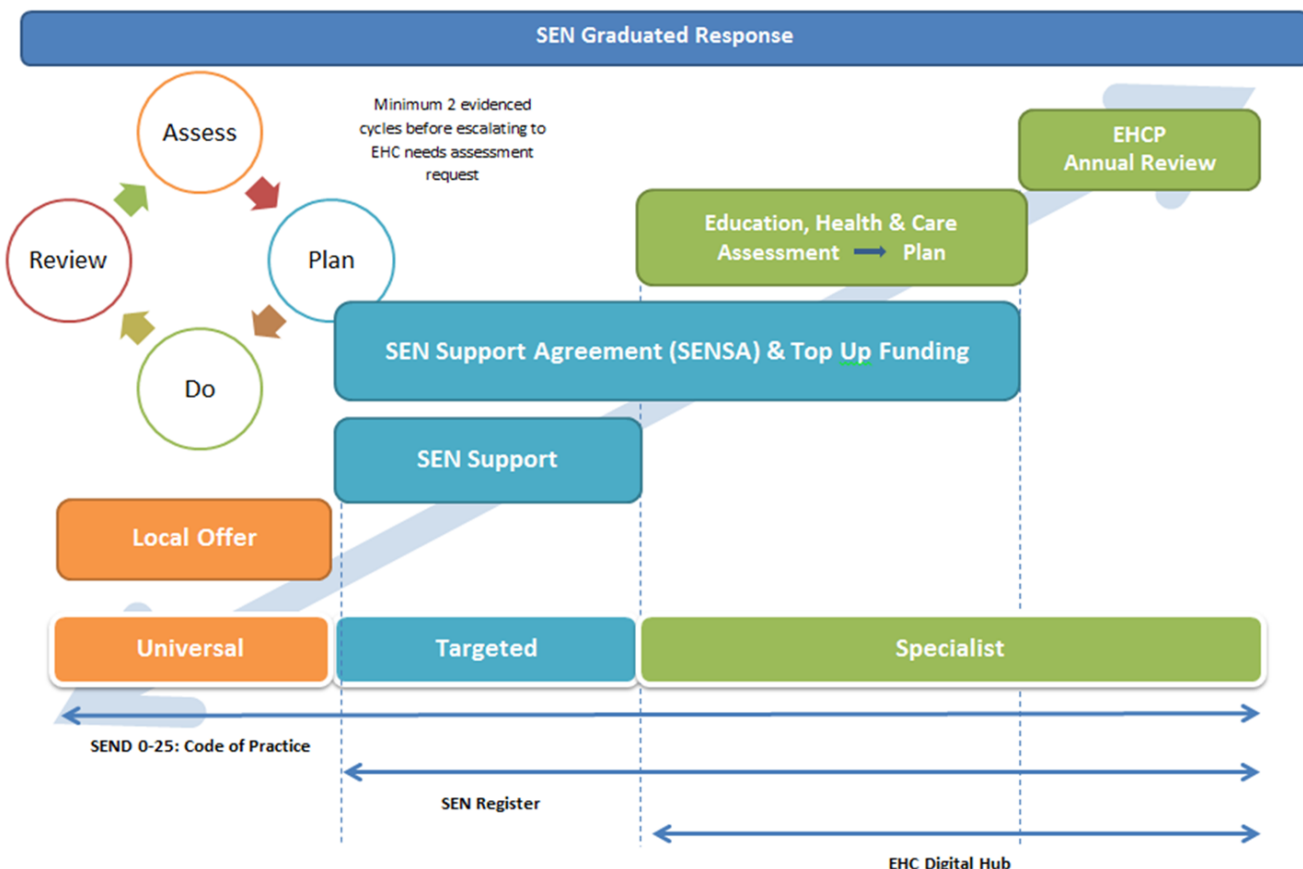
- 5.1. The Open Objects SEN 'EHC hub' is being developed as part of a collaborative partnership with the software company and four local authorities, one of which is Hampshire. This will be a highly secure web-based 'portal' through which parents / young people and professionals' requests for EHC needs assessment can be made and managed.
- 5.2. The system is being developed in Hampshire with an SEN Education Officer providing service expertise, and a multi-agency working group, including HPCN representatives, and supported by the Transformation Practice.
- 5.3. The strengths of the digital EHC hub will be:
- Enable parents / young people to upload their contributions directly into the draft EHC Plan – including written, video and audio clips;
 - Provides self service functionality with a visual timeline representation of where the family is within the EHC needs assessment process;
 - Provide automated email / SMS alerts to parents / young people and professionals when milestones are being approached (such as a deadline for professionals' to submit their advice) or when significant activity takes place (such as when the draft EHC Plan is published for consultation);
 - Directly populate the draft EHC plan with professionals' advice. This will include the Annual Review process digitally so that EHCPs are more easily amended (when necessary) rather than relying on the Annual Review report to "update" the EHCP.
- 5.4. It is anticipated that the digital EHC hub will go live in 2018.

6. Inclusion, SEN Support and the graduated response

- 6.1. Hampshire is just below England average for those on SEN Support at 11.0%, as well as for those with a statement/EHCP at 2.9%. However, the concerning trend is the reducing level of those on SEN Support and increasing trend for those with a statement/EHCP. In Hampshire approximately 60% of those CYP with a statement/EHCP are placed within a specialist setting.
- 6.2. The dynamic borne out in the chart below is causing a significant cost pressure on the high needs block in schools and colleges.



- 6.3. Work is underway with the Hampshire Inspection and Advisory Service (HIAS), including the SEN Inspectors (SENIs), to review and challenge inclusive practice in schools. This will review how needs are identified early and needs met. There will be additional lines of professional development on offer to support schools in improving practice.
- 6.4. Clear criteria for SEN Support are in place within the [SEN Support Guidance handbook](#) (and published on the Local Offer). This is based on a graduated response to identifying and meeting needs of CYP with SEND.
- 6.5. As part of the graduated response the Local Authority provides a suite of specialist support available to mainstream and specialist settings at SEN Support stage in addition to the work of the SEN Inspectors:
 - Hampshire and Isle of Wight Educational Psychology (HIEP) SLA
 - Special School outreach
 - Centralised Specialist Teaching Advisory Service (STAs)
 - HIAS school improvement support SLA.
 - Primary Behaviour Support Service
- 6.6. The diagram below sets out the graduated response in Hampshire with the first point being the Local Offer of information and advice to families, professional and young people with SEND and the assess, plan, do, review cycles of support in education settings.



6.7. All training provided by the SENIs has clear guidance about criteria for SEN Support and the difference between low attaining pupils and pupils with SEN. Training includes emphasis on the school's responsibility to ensure all teachers have the skills, knowledge and competencies to meet the needs of learners at SEN support following the 'assess, plan, do, review' model advocated in the SEND Code of Practice.

7. Role of the NHS SEND Designated Clinical Officer (DCO) 0-25 and NHS update

SEND DCO 0-25

7.1. The SEND DCO 0-25, Sue Thomas, commenced the role in January 2017 following approval for the role from the five CCGs in Hampshire. She has a background as a registered nurse. The role has a key function in supporting the NHS in its implementation of the Children and Families Act. The DCO contact email is as follows:

dco-hampshire5ccgs@nhs.net

7.2. There is national [guidance on the DCO role](#) published by the Council for Disabled Children.

7.3. Key facets of the role are:

- Leading the support provided to Clinical Commissioning Groups (CCGs) to ensure they meet their statutory duties for children and

young people with special educational need aged 0-25, providing assurance and scrutiny to the Director of Quality in each CCG.

- Developing effective ways of gaining the views of children, young people, families, and local communities with user experience of special education needs and/or disabilities. Sue Thomas is working closely with the Hampshire Parent Carer Network (HPCN) and young people's groups through the Hampshire Advocacy Regional Group (HARG) and KIDS Young Peoples Engagement Group (YPEG).
- Acting as strategic and operational health lead for the Education, Health and Care Plan Pathway and undertaking quality assurance sampling of EHCPs with health content.
- Providing support and challenge to senior medical colleagues, such as paediatricians and GPs.
- Acting as an expert resource on children and young people's health for information, advice, guidance and support for families and professionals.
- Acting as lead health contact for young people aged 19-25 and identifying the most appropriate lead clinician for the young Person's education health and care plan (EHCP).
- Leading and coordinating a network approach with DMOs/DCOs across the South East 19 group.

7.4. The DCO is leading on some specific projects including:

- Review of the pre-school advisory groups working with Services for Young Children;
- Review of Augmentative and Alternative Communication working with the Communication and Language Specialist Teacher Advisers;

7.5. In addition the DCO has been establishing her strategic network and influence across education, health and social care partners (commissioners and providers) so that she has high visibility across the Hampshire area.

8. National Health Service (NHS) SEND update

8.1. The NHS continue to develop their commitment to children and young people with special educational needs and disabilities, by ensuring that they take every opportunity to integrate and streamline their services with those of the council.

8.2. Within the last month, the children and maternity commissioning team have moved from their base in Eastleigh and are now based at EII Court, Winchester at Hampshire County Council Headquarters. This move is part of their continuing commitment to working closely with key partners to improve the experience of and outcomes for vulnerable children and young people.

- 8.3. There are currently several reviews which will deliver improvements to the way that children and young people experience how health services respond to them.

NHS statutory six week professional advice compliance for EHCPs

- 8.4. NHS England updated the NHS Standard Contract with effect from 1 April 2017 to be consistent with the legislative requirements of the Children and Families Act 2014 [Part 3 SEND] regarding the provision of NHS professional advice for CYP with SEND within six weeks following a request from the Local Authority. This has enabled the CCGs to gather information on NHS trusts compliance. Mechanisms have been put in place to ensure that relevant trusts report their compliance for each quarter. The target for each trust is for 95%. The NHS will report this figure regularly to the County Council.

Integrated Care Teams

- 8.5. The CCG's and Council colleagues have been working closely together to explore opportunities for joint working across health and the local authority for children and their families with complex health needs and disability. An Integrated Care Team (ICT) will be operational from 18.10.17 in the Basingstoke area with staff from the disabled children team, SEN case workers, early years, children's NHS nursing teams, and therapists
- 8.6. The ICT aims to improve outcomes and experiences for children with complex health and disabilities. They will provide person centred, co-ordinated child and family centred assessments making the most of local resources and preventing the need for multiple assessment processes across the agencies.

Continence and Toileting Service improvements

- 8.7. Earlier this year the CCGs made a decision to invest in the Specialist Teachers Advisory Service's (STAS) continence and toileting service for children who attend mainstream Hampshire schools. This decision was made after commissioners undertook a comprehensive review of children's continence services across the NHS and the council. The outcome of this investment is that many more children are now able to access treatment for enuresis, chronic constipation, and encopresis, in a timely manner.

Sustainability and Transformation Plan (STP)

- 8.8. Hampshire CCG commissioners are working closely with other local CCGs and Partners to deliver the priorities of the Hampshire & Isle of Wight (HIOW) Sustainability and Transformation Plan, which will positively impact on children and young people with SEND.
- 8.9. As part of this work we are reviewing how diagnostics for children with autistic spectrum condition and attention deficit hyperactivity disorder are conducted. We are aware that in various parts of the county, children have to wait too long for a diagnosis. The aim of the review will be to reduce variation and improve waiting times and help take pressure off CAMHS thereby helping this service improve their response to children with significant mental health difficulties.

- 8.10. A second work stream is focussed on improving how children in mental health crisis and requiring admission to hospital are responded to, keeping them closer to their homes and improving access to crisis care. The “local system” has recently been successful in being awarded investment of £0.5m to implement new ways of working.

Transforming Care for Learning Disabilities (TCP)

- 8.11. This work programme stems from the BBC’s Panorama expose of Winterbourne View care home and the subsequent review of Learning Disability Services. It is being led by colleagues in Adult Services in collaboration with children’s services and the CCGs. It seeks to ensure that children and adults with learning disabilities, and or autism and behaviour which challenges have the needs understood and met in a timely way which maximises their chances of having care close to home. As part of this, partners are working together to identify young people who are at risk of a hospital admission and develop an “integrated offer” to prevent the admission. The Learning Disabilities Joint Commissioning Board is steering this work.

Children’s Urgent Care Hubs

- 8.12. £190,000 additional funding has been received to establish children’s urgent care hubs throughout the area. These hubs are operational in Chandler’s Ford, Eastleigh and Southampton with further hubs opening in Basingstoke, New Milton, Portsmouth and South East Hampshire by the end of 2017. The hubs will support families by improving access to advice and support, to manage childhood illness.
- 8.13. We have undertaken substantial engagement with parents (through HPCN) and schools to understand how we best support children who have either autism or attention deficit hyperactivity disorder (ADHD). Their feedback will help us to design services which are responsive to the needs of local children ensuring they are supported both at home and school.
- 8.14. The children’s care hubs will support families and reduce the need for children to be admitted to hospital; they will also reduce the number of CYP with severe mental illness who are being cared for outside the county by supporting them at home and avoiding the need for admissions to hospital.

9. SEND Joint Strategic Needs Assessment (JSNA) and Joint Commissioning across education, health and care 0-25

- 9.1. A [SEND JSNA](#) has been developed collaboratively working across education, health and social care partners and led by Public Health. This is a needs assessment to inform future planning and commissioning of services.
- 9.2. A Joint Commissioning Board 0-25 is in place jointly chaired by Children’s Social Care and the NHS Child and Maternity Commissioning Service. There is strong commitment strategically for joint commissioning across agencies 0-25, and the process is developing at a considered pace.

10. The Hampshire Local Offer and FISH hub

- 10.1. There is a statutory duty to publish a Local Offer setting out in one place information about provision expected to be available across education, health and social care for children and young people in the Hampshire area who have SEN or are disabled, including those who do not have EHCPs.
- 10.2. The Hampshire Local Offer was co-produced from the outset, in 2012, with parental representatives from HPCN so that they could influence the content and look and feel to ensure it met their needs as a key information and advice repository. The system was hosted and supported on a day to day basis by Parent Voice.
- 10.3. Following a review of information and advice systems in place to support families in Children's Services nine systems were amalgamated in to one Family and Information Services Hub or 'FISH' using software from Open Objects. This now includes the Hampshire Local Offer, including all the previous content in the format developed for the original system.
<https://fish.hants.gov.uk/localoffer>
- 10.4. Health contribution and content is being further developed across NHS partners by the NHS SEND Designated Clinical Officer 0-25.
- 10.5. A broader internal and external publicity programme is being rolled out across Hampshire from Autumn 2017 and throughout 2018 to continue to raise awareness, understanding and content of the refreshed Hampshire Local Offer within FISH.

11. Early years and the [30 hours strategy](#) in Hampshire

- 11.1. A [strategy](#) has been produced on the 30 years children for children with SEND.
- 11.2. In terms of the implementation of increasing to 30 hours of free childcare for eligible parents of children with SEN, if they are attending mainstream settings, the expectation is that where ever possible the additional 15 hours will be available from the same provider. They will continue to receive the Early Years Provision that they have always received from Peripatetic Hubs, Area Inclusion Coordinators, Portage and the Thomas Outreach Project. The SEN Inclusion Fund will also be available for the additional 15 hours to provide additional resources in the same way and the allocated budget has been increased to include the estimated increase.
- 11.3. For the special school nursery places, SEN Hubs and resourced provision, there is no additional funding to increase capacity. The current capacity is always filled and to potentially halve this provision in order to provide 30 hours rather than 15 was not felt to be an efficient use of resources. For the eligible children within the SEN Hubs, they have generally been offered 15 hours within the SEN provision and then 15 hours within their mainstream provision with additional funding from the SEN Inclusion Fund. Where there is no capacity to offer the additional 15 hours, then the specialist team from the school, hub or resourced provision will liaise with parents to identify a

mainstream setting where they will provide a supported transition and ongoing liaison.

11.4. The following are identified risks to this strategy:

- There would be a potential increase in the funding required for additional support in mainstream settings. Whilst estimates have been made the actual increase is unknown at this time.
- Parents may struggle to balance the need to transport children to other settings with work if the child transfers to another setting during the day.
- Children being offered an SEN placement are unlikely to be offered 30 hours in their placement except in exceptional cases.

11.5. This strategy will therefore be closely reviewed and a 30 hours childcare conference is being organised for 18.11.17 to explore how parents and providers are being supported and to develop the good practice already in place.

12. Preparation for adulthood and the Hampshire SEND Post 16 strategy

12.1. The SEND Hampshire area pilot Ofsted and CQC inspection feedback in November 2015 identified aspects of good practice across agencies but cited a lack of a clear and cohesive strategy and plan for the Post 16 SEND cohort across the area.

12.2. A specific multi-agency task and finish group was established early in 2017 to compile a SEND Post 16 strategy and action plan informed by the views of children and young people. Workshops have been held and it is proposed that the strategy and action plan will be finalised in 2018.

12.3. The strategy will be based on the four Preparation for Adulthood outcome areas which are recognised best practice within the SEND Code of Practice:

- Employment
- Community Inclusion
- Independent Living
- Health.

12.4. Feedback has been sought from young people on their views and experiences based on the four PfA outcome areas. This has been analysed by young people in the KIDS Young Peoples Engagement Group (YPEG) and Hampshire Advocacy Regional Group (HARG) Peer Leaders. They are presenting their full findings to a workshop in October which will shape the strategy.

12.5. The principles of the Code are based on raising aspirations and expectations for young people and improving opportunities, particularly around employment for those young people with SEND functioning below level 2 in Further Education.

13. SEND Ofsted and CQC Inspection Readiness

- 13.1. A five year geographically random national SEND inspection framework was introduced May 2016. This is a joint Ofsted and CQC inspection across the area of education, health and social care 0-25 including SEN and particularly those on SEN Support. To date neither Hampshire nor the Isle of Wight have received the call which will come on a Monday morning 9-10am for inspection the subsequent week.
- 13.2. The SEND pilot inspection process has been constructive in preparing Hampshire (and the Island) for the inspection process and a pack of documentation has been produced to this effect based upon the Ofsted CQC SEND Inspection Framework and Handbook documents.
- 13.3. Led by SEN a detailed SEND 0-25 Hampshire Area Self-Evaluation and associated Action Plan have been produced working with all key partners across the area. This includes children's and adult social care, NHS partners, education and inclusion, Public Health and HPCN. These are key documents required by Inspectors setting out how leaders in the area are fulfilling the requirements set out within the SEND Code of Practice 0-25.

14. SEN Special School Place Planning (Sufficiency) Strategy

- 14.1. As part of its statutory duty to ensure sufficiency of school places, including special school places, the Local Authority has carried out a comprehensive analysis of current provision. By analysing the uptake of this provision and matching this against projected school population growth there is now a five year strategic plan being implemented to increase local special school provision.
- 14.2. As part of this Hampshire made a successful bid for a 125 place new special free school. In addition Samuel Cody Special School in Farnborough will have an additional 50 places for primary age pupils with moderate learning difficulties (MLD).

15. Conclusions

- 15.1. A system wide transformation of SEN, including at SEN Support in education settings, is in progress. It will take time for the changes to embed and to take effect, particularly influencing inclusion within mainstream settings.
- 15.2. Performance in SEN is improving, with further progress required. This is being closely monitored strategically within Children's Services and by the County Services Manager (SEN and STAs). A paper setting out the requirements of the SEN Service from 1 April 2018 as business as usual is in production. This will include the cessation of DfE SEN Reform Grant, the conclusion of the statement transfers, eradication of the EHCP backlog and EHCP performance on track.
- 15.3. Close working with partners across education, health and social care and with HPCN will continue.

CORPORATE OR LEGAL INFORMATION:**Links to the Strategic Plan**

Hampshire maintains strong and sustainable economic growth and prosperity:	no
People in Hampshire live safe, healthy and independent lives:	yes
People in Hampshire enjoy a rich and diverse environment:	no
People in Hampshire enjoy being part of strong, inclusive communities:	yes

Other Significant Links

Links to previous Member decisions:	
<u>Title</u>	<u>Date</u>
SEND Reforms Implementation	16 Sept 2015
Hampshire SEND Reforms Implementation Programme (Ofsted and CQC feedback)	25 May 2016
Direct links to specific legislation or Government Directives	
<u>Title</u>	<u>Date</u>
Children and Families Act [Part 3 SEND] 2014 http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted	September 2014
Statutory Guidance: SEND Code of Practice 0-25 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf	January 2015
Local area SEND inspection framework (Ofsted and CQC) https://www.gov.uk/government/publications/local-area-send-inspection-framework	April 2016

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

DocumentLocation

None

IMPACT ASSESSMENTS:

1. Equality Duty

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;

- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

This report is an information update for the Children and Young People Select Committee and therefore no impact has been identified

1.2. Equalities Impact Assessment:

- This report is an information update for the Children and Young People Select Committee and therefore no impact has been identified.

2. Impact on Crime and Disorder:

2.1. This report is an information update for the Children and Young People Select Committee and therefore no impact has been identified

3. Climate Change:

3.1. This report is an information update for the Children and Young People Select Committee and therefore no impact has been identified