

<b>CREATING OPPORTUNITIES AND TACKLING INEQUALITIES SCRUTINY COMMITTEE</b>	<b>Agenda Item No. 7</b>
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## **Report of the Service Director – Education, Resources and Corporate Property**

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### **PROGRESS ON SEND REFORMS**

#### **1. PURPOSE**

- 1.1 This report provides an update on progress made towards implementing the Special Educational Needs and Disabilities (SEND) reforms in Peterborough. A report was brought to the Committee on the 9<sup>th</sup> March and this report shows the progress made since this time.

#### **2. RECOMMENDATIONS**

- 2.1 That the Committee notes the content of this report and scrutinises the progress being made towards implementation of the SEND reforms in Peterborough.

#### **3. LINKS TO THE SUSTAINABLE COMMUNITY STRATEGY**

- 2.2 The SEND reforms support children, young people and families who are affected by special educational needs or disabilities, and are designed to ensure everyone can access information and services that are the most relevant, meaningful and helpful. Supporting all of our citizens to play a full and active part in society is a fundamental principle of the Sustainable Community Strategy, and these reforms therefore contribute towards this principle.

#### **4. BACKGROUND**

- 2.3 The Children and Families Act 2014 introduced far reaching changes in the way that children and young people with special educational needs and/or disabilities and their families are to be supported. The implementation date for most of the changes under this piece of legislation and the associated codes of practice was the 1<sup>st</sup> of September 2014.
- 2.4 Officers provided a comprehensive report to this Committee in September 2014 which gave context and background to the new legislation, and set out the ways in which its implementation was being carried out in Peterborough. A further update was brought in March.
- 2.5 By way of reminder, the Act was introduced to help to deal with some of the deficiencies of the previous system, which was experienced by many parents and families as confusing and often adversarial. Parents reported that they often felt that they had to fight in order to obtain support for their child, and that they were rarely offered choice about the support that they could access. The transition between children's and adult services was also reportedly experienced as highly traumatic for many families.
- 2.6 In response to these challenges, the Act established a number of underpinning principles, including:
- family centred assessments and planning, placing children, young parents and their families at the centre
  - the expectation that children, young people and their families know what is available locally to support them and that they are able to exercise choice and control over how they use these services

- the principle of transparency so that parents and their children understand what support is offered by schools, health and council services and any associated eligibility criteria
- the principle that assessment and care planning for children and young people is carried out in an integrated way in genuine partnership, and meets the needs of children and young people from 0-25
- the principle that as far as is possible, parents and their children can opt to receive a personal budget which they can use to plan their own care and support packages
- the highest possible expectations and aspirations for what all children and young people can achieve and a focus on how joint commissioning of services supports these aspirations through focusing on long term outcomes for children and young people

2.7 This report provides an update on implementing the reforms in Peterborough across the various work streams that are running.

## 5. KEY ISSUES

### 2.8 Local Offer

2.8.1 The Local Offer provides information about services, facilities, activities and support available for children, young people and their families across Peterborough and in our adjoining areas.

2.8.2 The legislation sets out what *must* be contained within the Local Offer, as well as what *should* be contained within it. These requirements include information relating to:

- special educational provision
- health services
- social care services
- other educational provision
- training
- travel arrangements for children and young people to schools, colleges and early years education settings
- preparing for adulthood, including housing, employment and leisure opportunities

5.1.3 Peterborough's Local Offer went live on 1<sup>st</sup> September 2014 and can be found by searching the City Council web site. Officers reported previously that the launch of the Local Offer was the first phase of ongoing work to create a more dynamic and interactive version. This work has been the focus of this workstream since September, and an updated version has now been launched alongside the refresh of the City Council website.

5.1.4 Alongside this, the content on the Local Offer has continued to be developed and grown, with more and more information being added to it. This process will continue as 'business as usual' activity so that the widest possible range of information is available which is both current and relevant.

5.1.5 Critically, the Local Offer, as with all other aspects of the reforms, continues to be co-produced with Family Voice Peterborough. This relationship will continue in order to ensure the needs of parents and families is utmost in our planning, design and delivery.

5.1.6 The Local Offer Development Group (LODG) continues to look at the further development and improvement requirements against local feedback and national expectation, including engagement with parents, children, young people and other stakeholder. A particular area of concern is the lack of feedback from those using the local offer. Further work needs to be undertaken to look at ways of raising awareness of the local offer across the community and amongst staff within and beyond the local authority. Broad areas of focus recently have been:

- Improving the Local Offer: A successful Parents Focus Group was held on 8 June, which identified some areas of corporate development on the website, and some for the Local Offer specifically. This included the desire of parents to incorporate coloured icons on the website,

which mirror the marketing materials – this has been agreed and will happen shortly. A further workshop will be held in July to look at the wider design parameters and what's next.

- Providers' database: The LODG has also met with the commissioners to review the process and governance of the content of the Local Offer Providers database and resource requirements moving forward. There is urgent need to agree how, when and by whom the database will be maintained.
- Accessibility: a key requirement of the Local Offer is that there are other mechanisms adopted to improve the reach and accessibility of the Local Offer. This has not yet been widely explored and has been agreed as a focus for work in the coming months.
- Engagement: Whilst engagement with some groups is good, there is need to widen the general scope of engagement. In particular, but not exclusively, the group has identified the need to address ways of engaging with Children and Young People and groups supporting families with autistic children or young people. Some specific activities to take this forward have been identified but this needs to be strengthened and further actions identified. There continues to be good engagement with parents through Family Voice, but the group will consider if there are other activities needed to reach parents via other routes.
- Feedback: The LODG has recognised that the current mechanism to obtain feedback on the Local Offer is not sufficient, and will be developing a short survey in order to actively seek comments.
- School Information report: Feedback from schools has highlighted that they are concerned about the robustness of their SEN offer. The offer is linked to the Ofsted requirement for a school information report which should be informed by LA expectations of what schools should offer to children and young people with SEN. Intelligence indicates that not all of our schools are aware of this requirement. It is proposed to travel quickly with this work in the Autumn by facilitating a 'one off' meeting with volunteer SENCOs, parent representatives etc. to co-produce the LA expectation and offer. This will be followed by a focussed event for schools (and other group /service representatives) which will encompass the requirements of the SEN information report and the LAs expectations/offer. It is hoped to secure Brian Lamb and a representative from Ofsted for this event.

## **2.9 Engagement and Participation**

- 2.9.1 A further requirement of the SEND reforms is to ensure that there is a clear and robust mechanism in place to engage with children, young people and their families and to provide opportunities for them to participate in design and decision making across all aspects of the reform agenda and beyond.
- 2.9.2 The Council is developing an overarching Customer Strategy which will set out the core principles and methodologies for ensuring we are a customer-focussed organisation. With our partners, including Family Voice, we have agreed to develop a SEND-specific engagement strategy as a subset of the overarching Strategy document. In the interim and as reported last year we have adopted a short Charter which sets out the principles of collaboration with families, and this is modelled on an approach taken by Brighton and Hove Council during the pathfinder phase of the reforms.
- 2.9.3 Our partnership with Family Voice Peterborough (FVP) continues to be productive. Family Voice held their annual conference on the 3rd June and was held at Kingsgate Conference Centre. The conference was well attended with 125 delegates in total. 35 parents attended and reported their CYP needs as autism, downs syndrome, hearing impairment, mental health needs, Speech and Language needs (SLN) , Learning Difficulties (LD), Behavioural needs, Attention Deficit Hyperactivity Disorder (ADHD) and Genetic Conditions; there were parents from different ethnic backgrounds in attendance. The keynote speaker was Brian Lamb OBE who presented on the SEND reforms and Local Offer and then hosted two workshops; one on The SEN Report and Local Offer and one on Effective engagement with parents in schools for better outcomes.

- 2.9.4 FVP facilitated further parent carer support and engagement via the use of a 'Pop up' shop on Bridge Street for the second time; this time the shop was only open for a two week period from 1st to 15th June which coincided with volunteer's week and carers week. Support for the shop was provided by PCC Early Years, Carers Trust, SEND partnership, Autism Outreach and Hearing Impairment Services.
- 2.9.5 There has been two key focus groups that have taken place recently and more are planned. The focus groups provide a wider group of parent carers the opportunity to participate and also make it easier to explain what information is required and what the expected outcomes for the sessions are. These have covered Local Offer checking and Personal Budgets, both of which the outcomes are reflected in this report.
- 2.9.6 Key ongoing participation workstreams include 'Hard to Reach Groups' and 'Child Adolescent Mental Health services (CAMHs)'. There is a range of other workstreams we are being supported in and the list below cover the key areas not covered elsewhere in the report.
- Emotional Health and Wellbeing
  - Self-harm
  - Schools Engagement
  - SEND Strategy
  - EHC processes and documentation
  - Outcomes focussed advice
  - Health engagement with child development centre
  - Carers Partnership Board
  - Learning Disability Partnership Board
  - CCG Maternity, Children and Young People Programme Board
  - Peterborough Stamford Hospitals Foundation Trust Maternity, Children and Young People Programme
  - Health Child Programme
  - Child and Families Joint Commissioning Board
- 5.2.7 We continued to be indebted to the hard work and commitment of all the supporters and staff at FVP. True co-production has created a better outcomes for all the children and young people (and their parents) in Peterborough.

## **2.10 Personal Budgets**

- 2.10.1 One of the main elements of the SEND reforms is the expansion in the role of personal budgets in the way that support services are provided to children and young people with special educational needs and disabilities and their families.
- 2.10.2 Since September 2014, any child and their family who is in receipt of services through an EHC (or who has a Statement of Special Educational Needs) can request a personal budget. Personal health care budgets are already available for children and young people who meet continuing healthcare criteria, and this will be extended from April 2015 to include all children and young people with a long term condition who would benefit from a personal health care budget.
- 2.10.3 A personal budget can be funded from budgets associated with providing social care/family support, health care support and funding from the education high needs block. The latter is the budget that funds services to meet the needs of children and young people in education that cannot be met by the schools' delegated funding alone. If the school or college agrees, the base and notional SEN funding for a particular pupil can also be used towards a personal budget. Local authorities are under a duty to prepare a personal budget if requested to do so.
- 2.10.4 Families could, for example, decide that they want to employ their own support workers to provide care and support to their child. With the agreement of the school, this could mean that the child or young person has the same people supporting them in the child and home

environments, providing a better continuity of care than is often the case where the school appoints separate support workers who work with children only in the school setting.

- 2.10.5 Peterborough has made good progress in developing, approving and publishing its Personal Budgets policy, and is one of the few authorities to have achieved this. The focus in recent months has been to establish the supporting internal processes to deliver the policy, identify any training needs, and develop the supporting communications/information materials. A small working group has undertaken a high level run through of the process in April, considered a real case in early May, and more recently met to further clarify the process.
- 2.10.6 The long term aspiration is that professionals will provide an indicative personal budget during the needs assessment phase (when they are asked to provide their outcome focussed advice), and a finalised personal budget when the plan is finalised. The challenging issues remain clarity about what is in and out of a personal budget, the level of understanding that professionals have about the cost of services (particularly where they are part of a commissioned contract) and how and where the approval (particularly panel) mechanisms for care and health services fit in.
- 5.3.7 In the meantime, the high level process has been documented and mapped. An internal resource has been identified that will be the contact point to develop the actual Personal Budget detail, liaise with professionals, and issue it to the parents / young person.
- 5.3.8 The next stage of work is to do the more detailed development of the processes, and implement these arrangements. The number of requests to date has been low, but this will be actively monitored to ensure there is sufficient capacity to handle additional work.
- 5.3.9 This interim arrangement is very much focussed around links with the EHC planning process and the SEND reforms. The Council however will be developing and evolving in the coming months and years to deliver a joined up offer for lifelong services, and the longer term responsibility for this activity area may change as a result.
- 5.3.10 In order to ensure parental engagement, a focus group was held (facilitated by Family Voice) with parents who had children in the age ranges of 7 through to 15. The following areas were covered
- Myth busting – what do you know, or think you know already?
  - What do you think should be included in a Personal Budget?
  - EHC Walk through – where are key points for Personal Budget
  - Update on Joint Commissioning
  - Where are we now and what are the next steps
- 5.3.11 The event provided an opportunity for a better understanding of parent's requirements relating to communications messages and materials, as well as their expectations moving forward in relation to commissioning as well as personal budgets.
- 5.3.12 One of their clear messages in relation to personal budgets was that the list of what will/might/will not be in a personal budget, and which elements might then be taken as a direct payment. They felt this was a key part of the overall communications message in managing expectations of parents. The list of areas is currently being refined before being published.

## **2.11 Education, Health and Care Plans**

- 2.11.1 The majority of children and young people with SEN or disabilities will have their needs met within local mainstream settings. Some children and young people may require an EHC (Education, Health and Care) needs assessment in order for the local authority to decide whether it is necessary for it to make additional provision to support their learning in accordance with an EHC (Education, Health and Care) plan.
- 2.11.2 EHC will essentially replace current statements of special education needs with the main difference being that the new EHCP will bring a more integrated approach which focuses on individual outcomes and which takes place within a shorter timescale. EHC plans should be

forward-looking documents that help raise aspirations and outline the provision required to meet assessed needs to support the child or young person in achieving their ambitions.

2.11.3 The council has been supporting parents and children through the Education, Health and Care Plan process since the beginning of September. Our updated transition plan for moving pupils over from statements to EHC is included in appendix 1.

2.11.4 To give a context, during the academic year 2013/14 there were 151 requests for SEN statement assessments. As at the end of the June, the following position applies –

Number of requests received for EHC assessments	121
Number of EHC assessments agreed	103
Number of transfer reviews meetings completed	104
Number of EHC plans produced (including transfer reviews)	41
Number of EHC assessments and transfer reviews underway and incomplete	166

5.4.5 Since the last meeting significant additional materials have been developed related to the EHC process. We have completed the development of ‘at a glance’ process documents for assessment, review and transfer review processes. These are now active and in use. We are now reviewing the request for assessment document including the potential to include tools for screening the requirement for assessment from social care and/or health where there is currently no involvement from these services. We will also update the layout and content of the EHC plan in the light of local and national experience. The original templates was shared with the committee in September 2014.

5.4.6 A group has been put in place over the summer period to support the putting together of training materials for schools and colleges in preparation for the new term. The membership of the group may be adjusted for this ‘one off’ activity. A trainer has been appointed.

## 2.12 Communication Strategy

5.5.1 The SEND reforms have created a huge amount of change for both children, parents and professionals. A draft communications plan has been developed to focus on “who, what, when, where and how” to ensure these groups are informed. It has identified three key groups of people, what the key messages are for each group and what the proposed communication methods are.

5.5.2 In developing the plan, consideration has been taken of the ongoing engagement and training activities / requirements which supplement and complement the plan, without repeating or duplicating effort. There has been input to the plan from all the relevant work strands, including personal budgets, local offer, EHC processes, as well as parent’s views from Family Voice. The focus of the plan is very much on providing materials which can be viewed online, with the option for people to print in full or an extract by choice.

5.5.3 The key communication items being developed at the current time are –

Information Guide: we are required to provide information on the EHC process to families through the EHC process, but a 12 page A4 document is probably too lengthy for printing. Therefore, the printed version may be more of a summary.

Postcard: There will be mass production and distribution of the SEND postcard (to be circulated at the meeting), as this will be the primary tool to reach parents to direct them to the Local Offer. A limited run of these has already been undertaken and proven popular with parents.

Video Story: The video story is intended to cover all aspects of the reforms – the Local Offer, EHC plans, person centred planning. The main product will be a 5 minute video primarily to provide an overview of the reforms and direct people to the Local Offer.

## **5.6 Key Risks**

5.6.1 Implementing the reforms has brought about huge changes. We continue to monitor the risks arising from the change and mitigation actions have been agreed. The key risks around the reforms remain around:

- Ensuring all professionals are clear about the processes and their expectations at the various stages of the EHC process – training is being put in place and documentation improved.
- Capacity to ensure an effective and high quality transition from Statements and LDAs to EHC plans. The SEND reform grant is being deployed at key pinch points in terms of capacity.
- Ensuring, extending and embedding involvement and engagement from families, children and young people. We have continued to support FVP to ensure this is overcome.
- Ensuring the quality of EHC assessments and plans as workloads increase due to the pace of transition work next academic year. Quality assurance processes are being built into systems.
- Ensuring that timescales improve although workload will increase. Better data and monitoring should assist this process.
- Recognising the requirements of the pending SEN Ofsted framework whilst ensuring a reasonable pace of work to bring about cultural change – ‘evolution not revolution’. We will prepare a self-evaluation to ensure we are fully covering the Ofsted inspection workstreams.

## **6. IMPLICATIONS**

6.1 The programme to implement all aspects of the SEND reforms continues on target, and there remains a robust governance structure in place to ensure any issues are identified and resolved quickly. Any suggestions or recommendations made by the Committee to further improve or enhance our response to the reforms will be taken through the established programme governance framework.

## **7. CONSULTATION**

7.1 The Council has continued to work closely with a wide range of partner agencies and representatives of parents in the planning and implementation of the SEND reform programme. This approach will continue in order that key aspects of the reforms, for example the Local Offer, continue to evolve and develop to meet the needs of everyone who is affected by them.

## **8. EXPECTED OUTCOMES**

8.1 Work to continue to develop and implement all aspects of the reforms will continue.

## **9. NEXT STEPS**

9.1 The SEND reform programme board and associated working groups will continue to meet to ensure the reforms become appropriately embedded and that children, young people and families are able to access the right services more easily.

## **10. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

10.1 None

## **11. APPENDICES**

11.1 Appendix 1 – SEND Transition

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