

**ROTHERHAM BOROUGH COUNCIL – REPORT TO HEALTH AND WELLBEING BOARD**

<b>1.</b>	<b>Meeting:-</b>	<b>Health and Wellbeing Board</b>
<b>2.</b>	<b>Date:-</b>	<b>June 4<sup>th</sup> 2014</b>
<b>3.</b>	<b>Title:-</b>	<b>Special Educational Needs and Disability Reforms : Update</b>
<b>4.</b>	<b>Directorate:-</b>	<b>Children and Young People’s Services.</b>

## **5. Summary**

This paper provides an update on the preparations in Rotherham to implement the Special Educational Needs and Disability Reforms.

The Children and Families bill was enacted in March and a new version of the SEND (Special Educational Needs and Disabilities) Code of Practice has been published. The final code of practice is expected in the next few weeks.

The changes are the largest reforms of how we provide information and support to children and young people with special educational needs and disabilities for over 20 years, bringing together the different systems in early years, schools and colleges and ensuring better integration with health and care. The reforms aim to improve the support provided so that children and young people with special educational needs are able to live independent and fulfilling lives in adulthood. Placing the needs of parents and young people at its heart, the new system focuses on those aged 0-25 placing new duties on local authorities, Clinical Commissioning Groups and early years providers, schools (of all types) and FE colleges. Late amendments to the bill increased the role of the local authority in providing mediation services for education, care and health and brought young people in Youth Offending Institutions into the scope of the Act.

Organisations in Rotherham, including parents and young people, continue to work in partnership to implement the reforms, however much detailed work needs to be prepared. Key tasks which need to be completed before September 2014 include:

- Putting children, parents and carers and young people at the heart of the new system
- Publish a Local SEND Offer
- Establish a new SEND assessment pathway for all of those aged 0-25 with special educational needs or a disability, including plans to transfer those with a SEN statement or Learning Difficulty Assessment (LDA) to the new Education Health and Care Plan
- Set up a new structure with the CCG to jointly commission education, care and health services for those with special educational needs or a disability.
- Ensure parents and young people can receive support through a personal budget if they request one.

## **6. Recommendations**

**Members of the Health and Wellbeing board are asked to note the developments outlined in the report and provide any comments on the proposed SEND Aspiration and Mission.**

## 7. Proposals and Details

### How ready is Rotherham for the reforms?

For the last 18 months the SEND Strategy Group has developed strong partnerships with parents and young people. Early Years providers, schools, colleges and care and health providers have contributed significantly in developing a co-production model. RMBC, Rotherham CCG and Learners First have jointly financed the temporary appointment of the SEND Strategic Lead. A fixed term arrangement, this work focuses on ensuring that all parties are prepared for the new duties. The SEND Strategic Lead reports to the SEND Commissioning Group, whose membership includes all the key partners. Department for Education officials recently visited Rotherham to check on how well prepared we are to implement the reforms. Their note of the discussion concludes "Rotherham has a strong tradition of inclusive work, good links with partners, and a clear view of what it wants from the SEND reforms in terms of personalization. However, there is much detailed work still to be done before September 2014." They were particularly impressed with the strong partnership with Rotherham CCG and the LA.

A SEND communications strategy has been developed and regular newsletters are now being published. Discussions with Learners First are underway to ensure that the workforce development plan for schools in 2014/15 focuses on Special Educational Needs issues, including the removal of the 'School Action' and 'School Action Plus' categories of Special Educational Needs.

Updates on meeting the key areas to be developed by September are included below:

### Parental Involvement

#### Parent Voice: "In it together"

Rotherham Parent Carers Forum is well regarded locally and nationally, with a membership of three hundred families and growing. The Forum jointly leads the Giving Parent's Control work stream, facilitating activities and consultations with parents and young people to support the development of Rotherham's Local Offer and Education, Health and Care plans. The Forum is leading and working closely with partners to run the "***In it together***" event on 4<sup>th</sup> July 2014 at New York Stadium. Co-hosted and planned by Rotherham Parent's Forum Ltd, Rotherham Council, the CCG and Learners First it will provide a marketplace of services and providers including the Local Offer, giving information and consulting with young people, parents and carers together with practitioners.

### Rotherham Charter

The Charter, developed in partnership between RMBC and the Parent Carers Forum, is nationally recognised as a strong model to represent the voice of parents in how schools and other services meet the needs of their children and young people. In light of the SEND reforms consideration is being given to extend the Charter's activities to services and settings supporting children and young people from birth to 25.

## **Young People**

In addition to the youth voice work undertaken by the Integrated Youth Support Service (IYSS), Rotherham Healthwatch has been commissioned to help identify what young people think about the SEND reforms, gathering the views of 16-25 year olds who had additional education needs while at school. The aim is to discover how their needs were met at school or in further education, work or job seeking. Healthwatch will prepare its report for July which will feed into our preparations to implement the SEND reforms.

## **Local SEND Offer**

A lead officer has been identified to carry forward the task of getting Rotherham's Local SEND Offer published for September 2014. Based within the Family Information Service website, the Local SEND Offer page will link with the Disability Service, Integrated Youth Support Service and Connect to Support website. The aim for this September 2014 is simply to gather Information from all providers about their existing SEND services and ensuring that parents and young people can access this information in one place. We will continue to discuss with parents and carers, young people and providers how best to make this happen.

## **Special Educational Needs and Disabilities (SEND) Assessment Pathway**

A task group has been established to develop a new pathway, including plans to transfer those with SEN Statements or a Learning Difficulty Assessment to the new Education Health and Care (EHC) plans. A wide range of partners including parents, services and providers have been involved in considering EHC plans and revised models of person-centred reviews and draft EHC plans are being trialled. These will continue to be tested out with parents, providers and services. A tight timetable has been set to plan a single coordinated multi-agency assessment pathway:

- SEND commissioning group to consider draft early in June
- trialling in June-July 2014
- process published in Local offer in July 2014
- Formal Cabinet approval early September 2014

Additional staffing for the SEN Assessment team has been agreed from the SEND grant to ensure the transition from statements to EHC plans.

## **Joint Commissioning Approach for SEND**

RMBC, the CCG and other key partners are progressing joint commissioning of SEND services. The joint commissioning priorities will meet the requirements of the Children and Families and Care Acts, the Health and Wellbeing Strategy, CYPS Plan and the Corporate Priorities.

## **Personal Budgets**

Personal budgets are a requirement within the Care Act and the SEND reforms. The Neighbourhoods and Adults service in Rotherham has robust structures and processes in place. These need to be replicated in CYPS SEND particularly in terms of the

Resource Allocation System (RAS). Significant work is required through joint commissioning to facilitate the market to shift their provision to personalised services.

### **Consultation on Rotherham's SEND Aspiration and Mission**

Whilst the SEND reforms are part of national legislation, it is important to be clear about what this means for children and young people in Rotherham. To help this process, consideration is being given to developing a consensus about the purpose of the SEND reforms. Building on the Government's stated aims, the following have been proposed and the discussion has already started with many groups, with the aim of reaching a final version in July 2014.

<b>Rotherham's</b>	<b>SEND</b>	<b>Aspiration</b>
	Rotherham children and young people with special educational needs will achieve well in their early years, at school and in college; lead happy and fulfilled lives and have choice and control.	

### **Rotherham's Special Educational Needs and Disability Mission**

Rotherham education, health and care services will create an integrated system from birth to 25. Help will be offered at the earliest possible point, with children and young people with special needs and their parents or carers fully involved in decisions about their support and aspirations.

## **7. Finance**

The Department for Education has provided Rotherham MBC with a £312,062 grant to assist the development of the SEND reforms in 2014-15. This funding will be used to deal with financial pressures arising from implementing the new duties and in line with the SEND strategy. Funding has already been allocated to increase staffing in the SEND assessment team and to cover the costs of producing the local offer, including consultation events. Consideration to provide funding to meet other pressures will be made and commissioned as needed. In addition to the SEND grant, Ministers have indicated that there will be some additional funding made available to councils to meet the long term costs of the new burdens in Children and Families Act.

## **8. Risks and Uncertainties**

Implementing the reforms carries considerable reputational and financial risk. Once the reforms have been implemented there will be significant change to how the needs of children and young people are assessed and have their needs met. The transition however may be disruptive and there is already evidence that, for example, more parents have requested a SEN statement in order to secure their child's provision.

The reforms aim to focus on developing the ability of young people with SEND to live independently in adult life, both improving the outcomes of their life and reducing their dependency on care and health support. Implementing the reforms however will incur additional costs, not least due to new duties including in the Children and Families Act. It is understood that discussions are on going between the Government and Local

Government Association regarding additional funding to be provided to local government to meet the costs of implementing these new burdens.

## **9. Policy and Performance Agenda Implications**

The SEND reforms particularly affect children's and adult services, but also other services including transport. A revised SEND strategy will be considered by the SEND Commissioning Group in June 2014 and with the RMBC Cabinet and CCG Governing Body and Health and Wellbeing Board thereafter.

## **11. Background Papers and Consultation**

Further information about the revised SEND Code of Practice can be found on the DfE website at <https://www.gov.uk/government/consultations/revision-of-the-send-code-of-practice-0-to-25-years>.

DfE advice to local authorities and health partners, "Implementing a new 0-25 special needs system" (April 2014) can be found at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/306534/Implementing\\_a\\_new\\_0\\_to\\_25\\_special\\_needs\\_system\\_LAs\\_and\\_partners\\_-\\_April\\_2014.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/306534/Implementing_a_new_0_to_25_special_needs_system_LAs_and_partners_-_April_2014.pdf)

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