



## SUPPLEMENTARY INFORMATION

### People Overview and Scrutiny Committee

Thursday 15 September 2022

Agenda Item Number	Page	Title	Report Author	Reason for delayed publication
7.	(Pages 3 - 16)	Special educational needs and disability (SEND) support  To consider an update on the development of SEND support in West Northamptonshire.	Ben Pearson, Assistant Director - Education	Report not available at time of agenda publication

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## WEST NORTHAMPTONSHIRE COUNCIL

### People Overview and Scrutiny Committee

15 September 2022

<b>Report Title</b>	<b>Special Educational Needs and/or Disabilities (SEND) service update</b>
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<b>Report Author</b>	<b>Ben Pearson, Assistant Director – Education. Ben.pearson@westnorthants.gov.uk</b>
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#### List of Appendices

#### Appendix A – SEND update presentation

#### 1. Purpose of Report

1.1. To provide an update about services for children with Special Educational Needs and/or Disabilities (SEND)

#### 2. Executive Summary

2.1 This report provides an overview of the performance of the Council to provide statutory services to children with SEND.

2.2 The report includes an overview of national developments in relation to SEND, including the impact of the SEND Green Paper and changes to the local area inspection framework.

#### 3. Recommendations

- a) It is recommended that the People Overview and Scrutiny Committee note the updates in the report.
- b) It is recommended that the People Overview and Scrutiny Committee receives further reports including a detailed self-assessment and SEND delivery plan as detailed in this report.

#### 4. Reason for Recommendations (NOTE: this section is **mandatory and must be completed**)

- To provide an overview of the delivery of statutory responsibilities for the Council
- To provide an overview of the local area partnerships' preparedness for the new national SEND delivery plan and new inspection framework

## 5. Report Background

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The Council is responsible for securing and delivering services to children and young people with SEND from the age of 0 -25 years.

The statutory requirements for the Council and all partners are outlined in the Children and Families Act 2014 (CFA). The SEND Code of Practice outlines the legal requirements that all partners must adhere to in line with the CFA.

The Council is the lead partner for the local area and holds the responsibility for coordinating the local area response to ensure that all partners deliver the requirements within the CFA. The local area partnership will be inspected by OFSTED and the Care Quality Commission to assess the effectiveness of the local area.

In March 2022, the Department for Education (DfE) launched the [SEND Green Paper consultation](#) 'SEND review; right support, right place, right time' which is designed to understand how the reforms captured in the CFA have been implemented. This consultation is now closed.

As a response to the consultation, the DfE will publish a new SEND delivery plan in Autumn 2022.

In June 2022, OFSTED and the Care Quality Commission launched a [consultation](#) to change the way local areas are inspected. The main proposed areas of change are

- focusing on the impact that a local area partnership's SEND arrangements has on the experiences and outcomes of children and young people
- strengthening accountability and driving continuous improvement through an ongoing cycle of inspections
- introducing 3 inspection outcomes, which provide clearer information about how an area is performing, including an expectation that all areas produce and publish a strategic plan for SEND, which is updated following inspection
- gathering more evidence directly from children and young people and their families, ensuring that their views and experiences are central to our inspections
- looking more closely at arrangements for children and young people in alternative provision
- including social care inspectors in our inspection teams

This consultation is now closed. It is expected that OFSTED and CQC will finalise the new inspection framework in 2022 and start new inspections early in 2023.

It is proposed that the local area partnership led by the Council but comprising health services, social care, education providers, community and voluntary organisations and children and families, review the new national SEND delivery plan when it is announced, and the new inspection framework to produce

- a) A self-assessment to determine an overview of the local area's delivery
- b) A new local SEND delivery plan

It is proposed that the self-assessment and new delivery plan are presented to the People Overview and Scrutiny Committee early in 2023.

A presentation is attached that provides an overview of

- Statutory requirements for the Council and local area
- National SEND overview
- Local SEND overview
- Current performance
- Areas of focus

## **6. Issues and Choices**

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6.1 This report provides an overview of the requirements of the Council and current performance against statutory and locally developed outcomes.

## **7. Implications (including financial implications)**

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### **7.1 Resources and Financial**

There are no resources or financial implications arising from the proposals. Future reports will provide information about the Dedicated Schools Grant (DSG) funding the Council receives from the Department for Education to provide SEND services.

### **7.2 Legal**

The report and presentation outline the legal obligations for the Council as described in the Children and Families Act 2014.

### **7.3 Risk**

There are no significant risks arising from the proposed recommendations in this report.

### **7.4 Consultation**

7.4.1 Not applicable

### **7.5 Climate Impact**

7.5.1 Not applicable

### **7.6 Community Impact**

7.6.1 The report covers services for all children with SEND so covers all communities across West Northants.

7.7 **Communications**

7.7.1 None

**8. Background Papers**

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8.1 None



West  
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# Special Educational Needs and/or Disabilities (SEND) update

September 2022

- The Children and Families Act 2014 includes the statutory requirements for the Council and partners to implement reforms for children with SEND.
- All councils have statutory duties in relation to;
  - assessment of children and young people with SEND.
  - determining whether they require an Education, Health and Care Plan (EHCP);
  - the co-ordination of advice towards an EHCP,
  - production of an EHCP within specified timescales.
  - making decisions about type of provision and resources required to meet assessed needs.
  - ensuring needs are reviewed at least annually and taking action, as required, in response to review recommendations.
  - Embed co-production at all levels of decision making
- The statutory SEND Code of Practice outlines the legal requirements that all partners must adhere to in line with the Children and Families Act 2014.



# National picture

The 2014 reforms have led to increase in requests for support, an increase in identification of needs and an increase in EHCPs being agreed.

- Increase in requests for EHCP's nationally from 76,000 in 2020 to 93,000 in 2021
- Increase in school aged children with an EHCP from 3.1% in 2018/19 to 3.7% in 2020/21 (including 40,000 new EHCPs issued last year – an annual increase of 10%)
- Increase in responsibility for Councils to include all children and young people with SEND from 0-25 years of age
- Only 14% of Councils are currently meeting the demand for SEND services within their allocated High Needs Funding [Local Government Ombudsman report](#)
- Shortfall of specialist educational and care provision
- Ongoing impact of lockdowns – increase in requests for support and increasing complexity of needs

# National picture

In March 2022, the DfE launched the SEND Green Paper consultation ‘SEND review; right support, right place, right time’

The Green Paper focussed on 3 key challenges;

- *Navigating the SEND system and alternative provision is not a positive experience for too many children, young people and their families.*
- *Outcomes for children and young people with SEND or in alternative provision are consistently worse than their peers across every measure.*
- *Despite the continuing and unprecedented investment, the system is not financially sustainable.*

The consultation has now closed. It is expected that the DfE will publish a national SEND delivery plan in the autumn 2022

# National picture

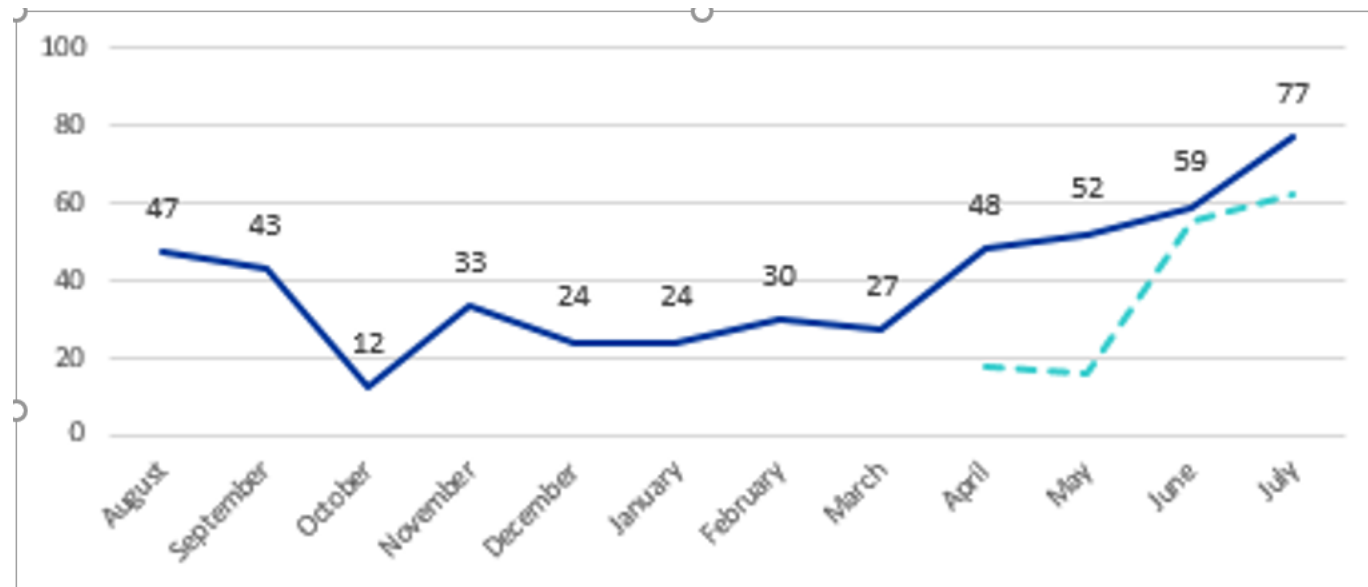
In June 2022, OFSTED and the Care Quality Commission launched a consultation about the way local areas are inspected. The main proposed areas of change are

- focusing on the experiences and outcomes of children and young people
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- introducing 3 inspection outcomes,
- an expectation that all areas produce and publish a strategic plan for SEND, which is updated following inspection
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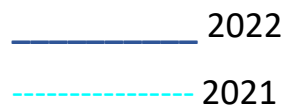
The outcome of the consultation is expected in autumn 2022 with the new inspection framework being implemented from early 2023

# Local picture

- In WNC there are 3,046 children with an EHCP - an increase from 2,587 in 2021
- The table below shows the monthly increase in new EHCPs being issued



## Key



Significant increase in demand across all services;

- Requests for assessments have increased by 25% from last year.
  - 967 requests for assessments for the last academic year (compared to 1,092 for the whole of Northamptonshire in the academic year 2019/20)
- 22.8% EHC Needs Assessments completed within 20 week timescale this calendar year compared to 59.9% nationally
- 50.4% of annual reviews held were completed within the 12 month deadline this year (there is no national comparable data at present)
- WNC are currently within their High Needs budget

# Recent Improvements

- Additional staffing within the EHC team – this has meant that the backlog of plans waiting to be written has been cleared
- Improved process to manage the backlog of annual reviews to be completed - these will be completed by the end of September
- Introduction of a dedicated Post 16 team who specialise in supporting children transferring into 16-25 provision
- Commissioning an additional 500 specialist placements, including expanding current special school, SEND provisions in mainstream schools and the commissioning of a new 250 placed Special School
- EHCP Quality Assurance process developed
- Consistent funding process to schools developed with national and local SEND leaders
- Co-producing our 'Graduated approach' with all partners

# Areas of focus

- Increase 20 week EHC needs assessment compliance.
- Increased compliance with annual review timescales
- Educational Psychology recruitment – not enough staff to complete the advice within timescales
- Agreeing and embedding co-production with all partners
- Improving access to Speech and language provision
- Improving the variety and quality of alternative provision
- Improving inclusive practice in all schools and services
- Increasing awareness of SEND in all partners

# Next steps

- It is proposed that the local area partnership produces a self-assessment against the published SEND delivery plan and new inspection framework
- It is proposed that the self-assessment and local delivery plan is presented the People Overview and Scrutiny Committee