



People Overview and Scrutiny Committee

A meeting of the People Overview and Scrutiny Committee will be held at the Jeffrey Room, The Guildhall, Northampton NN1 1DE on Monday 21 November 2022 at 6.00 pm

Agenda

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| 6. | Support for children and young people with Special Educational Needs and/or Disabilities (SEND) (Pages 3 - 16)

To consider an overview of the provision and development of services supporting children and young people with SEND in West Northamptonshire. |
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Catherine Whitehead
Proper Officer
11 November 2022

People Overview and Scrutiny Committee Members:

Councillor Rosie Herring (Chair)	Councillor Karen Cooper (Vice-Chair)
Councillor Azizur Rahman	Councillor Harry Barrett
Councillor Imran Ahmed Chowdhury BEM	Councillor Raymond Connolly
Councillor Cheryl Hawes	Councillor Rufia Ashraf
Councillor Penelope Flavell	Councillor Greg Lunn
Councillor Emma Roberts	Councillor Janice Duffy
Councillor Sue Sharps	Councillor Nick Sturges-Alex
Councillor Mike Warren	

Information about this Agenda

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If you have any queries about this agenda please contact James Edmunds, Democratic Services via the following:

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Email: democraticservices@westnorthants.gov.uk

Or by writing to:

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Northampton
NN1 1ED



WEST NORTHAMPTONSHIRE COUNCIL

People Overview and Scrutiny Committee

21 November 2022

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

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 receive further reports including the SEND delivery plan as detailed in this report.

4. Reason for Recommendations

- 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

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 published 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 area 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.

The Council will coordinate the local partnership, comprising health services, social care, education providers, community and voluntary organisations and children and families to 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 3-year local SEND delivery plan

This work will be led by two new officers that the Council will employ. They will support the new governance structure and lead the co-production of the 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 and governance
- Current performance

6. Issues and Choices

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)

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.

Legal

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

7.2 Risk

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

7.3 Consultation

7.3.1 Not applicable

7.4 Climate Impact

7.4.1 Not applicable

7.5 Community Impact

7.5.1 The report covers services for all children with SEND so covers all communities across West Northamptonshire.

7.6 **Communications**

7.6.1 None

8. Background Papers

8.1 None



West
Northamptonshire
Council

Special Educational Needs and/or Disabilities (SEND) update

November 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
- strengthening accountability and driving continuous improvement through an ongoing cycle of inspections
- introducing 3 inspection outcomes,
- 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 families
- looking more closely at arrangements for children and young people in alternative provision

The outcome of the consultation is expected in autumn 2022 with the new inspection framework being implemented from early 2023

Significant increase in demand across all services

- Requests for assessments have increased by 25% from last year.
- No of children with an EHCP increased from 2,587 in 2021 to 3,046 in 2022
- Shortage of specialist services, including education provision
- Lack of high quality Alternative Provision
- Need for more joined up early intervention system

Demand for specialist services and support forecast to increase

- Demographic growth
- Improved assessment
- Impact of the pandemic

Local picture

- Pressure on all funding streams across education, health and social care.
- Key staffing/service challenges
 - Educational Psychology
 - Sensory Impairment Services
 - Speech and Language Therapy
- 22.8% EHC Needs Assessments completed within 20 week timescale this 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)

Recent Improvements

- Additional staffing within the EHCP 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
- 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 schools, SEND provisions in mainstream schools and the commissioning of a new 250 place 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 launched on 17 November to over 400 local professionals

New approach

- Cabinet agreement to
 - Support the development of a three year SEND Delivery Plan
 - Support the creation of a new governance board for WNC SEND services
 - This new board will be chaired by Cllr Baker, with the vice-chair being a member of the Northampton Parent Forum Group
- The new SEND Delivery Plan will be co-produced with all partners. This work will be led by two new officers to be employed by the Council. The delivery plan will include;
 - A needs assessment, forecasting the demand for specialist services
 - A self-assessment that provides that all stakeholders co-produce
 - An outcomes framework that defines how we will measure success

Next steps

- The new SEND governance is being developed through the current joint (WNC and NNC) SEND Accountability Board. A transition plan is being developed to ensure the new WNC only Board starts from April 2023.
- The new governance board will manage the implementation of the SEND Delivery Plan
 - Co-production workshops with all partners across WNC to determine priorities and ensure learning from previous experiences
- The board will oversee a number of working groups involving specialists from all relevant partner agencies, and always members of the NPFG
- Regular updates against the key performance measures to Cabinet and Overview & Scrutiny members