

Committee:	Dated: 10/10/2022
Safeguarding Sub-Committee	
Subject: Special Educational Needs and Disability (SEND) – Update Report	Public
Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?	<p>Contribute to a flourishing society</p> <ol style="list-style-type: none"> 1. People are safe and feel safe 2. People enjoy good health and wellbeing. 3. People have equal opportunities to enrich their lives and reach their full potential. <p>Support a thriving economy</p> <ol style="list-style-type: none"> 8. We have access to the skills and talent we need.
Does this proposal require extra revenue and/or capital spending?	N
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain’s Department?	N/A
Report of: Andrew Carter, Director of Community and Children’s Services	For Information
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Summary

- The City of London’s Special Education Needs and Disability (SEND) Strategy 2020–24 sets out three key outcomes to be achieved by 2024. This report provides an update on the progress in implementing the second key outcome, which is to ensure that all children and young people with SEND are well-prepared for and have successful transitions to adulthood.

- The Department for Education (DfE) has published a number of changes to the legislation and guidance, including through consultations, that impact on the support that children and young people with SEND receive for their education. The two main consultations have been the SEND and Alternative Provision Green Paper – *SEND review: right support, right place, right time* (published March 2022) – and the Schools White Paper – *Opportunity for all: strong schools with great teachers for your child* (published March 2022), now the Schools Bill (May 2022).
- In June 2022, consultations were also published on reviews of education, health and care (EHC) plans: proposed timescales, and on proposals for a revised OFSTED and Care Quality Commission (CQC) local area inspection framework.
- This report also informs Members of how we are responding to these consultations, and of the potential impact of these changes on City of London (COL) children and young people with SEND.

Recommendation

Members are asked to:

- Note the report.

Main Report

Background

1. The COL's SEND Strategy 2020–24 presents the City's aspirations. The three key outcomes in the SEND Strategy are:
 - i. We have a robust and inclusive multi-agency approach to identifying, assessing and meeting the needs of children and young people with SEND.
 - ii. All children and young people with SEND are well-prepared for and have successful transitions to adulthood.
 - iii. Children and young people with SEND are integral and valued members of the City of London community.
2. A self-evaluation form (SEF) and action plan are in place to plan and track the progress of outcomes. These are monitored by the SEND Programme Board.
3. This report provides Members with an update on the progress towards the second priority area, following the completion in July 2022, of the year-run multi-agency SEND Transitions Task and Finish Group.

The SEND Transitions Task and Finish Group

4. In July 2021, a Task and Finish Group was set up by the Education and Early Years Service to focus on and make some improvements in key areas that will support how the COL prepares children and young people with SEND for adult life from the earliest years. The SEND Code of Practice (2015) details that preparation for adult life should include a focus on: further education, training, and employment; living

independently; being included within the local community; and being healthy. To ensure that the group was able to progress these four key areas, it was arranged as a multi-agency group which included the Education & Early Years Team, Children's Social Care and Early Help, Adult's Social Care, health, schools, colleges, housing, SEND Information, Advice and Support Service (SENDIASS), City Parent Carer Forum representatives, young people, and commissioning.

5. The group monitored the progress towards the areas of work within an agreed action plan, which included:
 - The development of a 'Steps to Adulthood' pathways guidance document for parents, carers, and young people with SEND to provide a range of accessible information on preparing young people with SEND for adult life. (See Appendix 1.)
 - Reviewed and updated EHC and SEND documentation and forms, in line with this work.
 - A Preparation for Adulthood Hub, which is live on the SEND local offer website, and which will continue to be developed.
 - Early Years SENCO Level 3 Training, documentation and guidance, reviewed and updated to include how to prepare children with SEND for adult life from the early years.
 - An audit tool developed by the Council for Disabled Children for local authorities was completed by Education, Health and Social Care and used as a form of quality assurance to judge their effectiveness.
 - A new youth service has been commissioned that will provide a range of social activities within the local area that are accessible for children and young people with SEND.
 - The COL's housing policy has been reviewed and now includes young people with SEND as a priority group for housing allocation. Guidance has been developed for parents' carers and young people with SEND on how to apply for housing, and the different options available.
 - The offer of independent travel training, through the EHC annual review process, for all young people with SEND from the earliest appropriate age.
 - A 'Ready, Set, Launch' transition model from children's to adult's health services has continued to be developed and a consistent approach is applied across the COL and Hackney and Tower Hamlets Integrated Care Board (ICB), to ensure that the model will apply similarly for all COL residents.
 - A sports programme at Golden Lane Leisure Centre has been commissioned. This provides children and young people with SEND with access to a range of sporting facilities and clubs and has been actively taken up and well received by many children and young people with SEND in the COL.

6. For children and young people with SEND, the Task and Finish Group has meant a refocus across the different service areas on ensuring that we are planning for adult life. While aspirations are discussed in the Early Years, formally including this in writing will further ensure the effectiveness of planning for children with SEND.
7. The work that has been undertaken by the Task and Finish Group will ensure good outcomes for young people as they become adults, and also prepare the COL for the proposed new inspection framework. The focus will not so much be on the processes in place and how the COL is meeting the statutory obligations, but more on the impact that our partnership arrangements are having on the lives of children and young people.

Future work in this area

8. We will continue to develop and monitor this key strategy outcome to ensure that children and young people with SEND are well prepared for, and have successful transitions, to adulthood. Future work includes a focus on the development of an offer that supports young people with SEND into employment. The initial plan is for the Adult Skills and Education Service to scope out an approach to this work by identifying the gaps in this area and creating a plan that supports young people to have effective pathways into securing paid employment.
9. There is work to be done with the Adult Education and Skills Service to develop the pathways and offer within the COL for further education, training, and employment opportunities for young people with SEND. For children and young people with SEND, it is essential that information, support, and guidance starts from age 14 and over, when they are in national curriculum Year 9. Adult Services must join in these conversations at the earliest opportunity to ensure that young people are on the correct and appropriate pathway into securing the most appropriate further education, training, or employment opportunities.

The SEND and Alternative Provision Green Paper

10. The SEND and Alternative Provision Green Paper – *SEND review: right support, right place, right time* was published in March 2022 for consultation. The Education and Early Years' Service arranged an event with key partners across education (including representatives from schools outside the local area which are attended by COL children and young people with EHC plans), health, social care (children's and adult's) representatives from the City Parent Carer Forum, SENDIASS), commissioning, policy, and the homeless services, with 30 people participating to draft the COL's response to the consultation. The COL's response represents the views of these partners.
11. In the main, partners welcomed the proposals and considered that these would go some way to realising the Government's visions of offering "children and young people the opportunity to thrive, with access to the right support, in the right place, and at the right time, so they can fulfil their potential and lead happy, healthy and productive adult lives".
12. The proposals were considered in the context of the COL, where the majority of children and young people are educated outside of the local area. Points raised included that, in considering national standards and SEND partnerships, it is

necessary to ensure that: there are effective mechanisms for data sharing; there are good communication systems between partners; information is accessible for all; and that the voices of families are heard. We must build on what is working well, and ensure training is available for all partners.

13. The SEND and Alternative Provision Green Paper was also considered in the light of the Schools White Paper – *Opportunity for all: strong schools with great teachers for your child* (published March 2022), now the Schools Bill (May 2022), and the COL voiced its concerns regarding the tensions that exist between the targets in the Green Paper for inclusion of children and young people with SEND in mainstream schools, and the target set in the White Paper for 90% of primary school children to achieve the expected standard in Key Stage 2 reading, writing and maths by 2030. The COL's concern is that this is an unrealistic target which will lead to some mainstream schools not wanting to accept children with SEND.
14. The COL's response to the consultation on the SEND and Alternative Provision Green Paper is provided at Appendix 2.
15. The COL has also responded to a consultation on the annual review of EHC plans and proposed timescales. Views were being sought on the deadline for LAs in issuing proposals to amend an EHC plan following an annual review and the timescales for requesting information to inform the review. The COL did not have any objections to the proposals as, if these are implemented, they will bring further clarity to the annual review process.
16. The final consultation, which we would like to draw Members' attention to, is the consultation on the proposals for a revised OFSTED and CQC local area inspection framework.
17. The current framework looks at how effective local area partnerships are at identifying, assessing, and meeting the special educational needs of children and young people with SEND. The new framework will focus on the experiences and outcomes for children and young people and the impact on their lives. The voices of the children and young people will therefore be central to these inspections.
18. To strengthen accountability, the new framework will introduce an ongoing cycle of inspection outcomes. There are three potential inspection outcomes proposed in the document – *A new approach to area SEND inspections: consultation document* These are:
 1. *The local area partnership's SEND arrangements typically lead to positive experiences and outcomes for children and young people.*
 - *The next area SEND inspection will be within approximately 5 years.*
 - *Ofsted and the CQC ask that the local area partnership updates and publishes its strategic planning based on the recommendations set out in this report.*
 2. *The local area partnership's SEND arrangements lead to inconsistent experiences and outcomes for children and young people; the local area partners must work jointly to make improvements.*
 - *The next area SEND inspection will be within approximately 3 years.*

- *Ofsted and the CQC ask that the local area partnership updates and publishes its strategic planning based on the recommendations set out in this report.*
3. *There are widespread and/or systemic failings leading to significant concerns about the experiences and outcomes of children and young people with SEND, which the local area partnership must address urgently.*
- *A monitoring inspection will be carried out within approximately 18 months; the next full inspection will be within approximately 3 years.*
 - *Her Majesty's Chief Inspector requires the local area partnership to prepare and submit a priority action plan (area SEND) to address the identified areas for priority action.*
19. Other areas to note in the proposals are that inspection teams will now include inspectors from social care, so the inspection team will comprise inspectors from education, health and care.
20. In line with the SEND and Alternative Provision Green Paper, inspections will also focus on children in alternative provision – the majority of whom have SEND – by evaluating how LAs commission, use and oversee alternative provision.

Areas/proposals from the green paper and other consultations, which we will be progressing

21. We are preparing to develop some areas outlined in the consultations and considering the following:
- Further developing local SEND partnerships by having discussions with SEND Leads and Directors in neighbouring LAs regarding a local inclusion plan.
 - Discussion with neighbouring LAs opportunities for joint commissioning services and investigating low incidence joint commissioning.
 - Undertaking visits to educational settings, which host COL children and young people with EHC plans, to undertake a quality assurance of provision. The last visits were June/July 2021. The next visits are to be undertaken during this academic year, with a focus on gathering information on SEND support.
 - Building on previous and current work around the co-production working group with the City Parent Carer Forum, to ensure that the views of parents and children and young people continue to be at the heart of what we do. This will build on the existing meetings run by City Parent Carer Forum, Contact, SENDIASS and LA officers.
 - Reviewing the Local Offer in light of suggestions made in the SEND and Alternative Provision Green Paper.
 - Considering how we may have an 'expert by experience' representative on the SEND panel and across other board meetings.
 - Discussing with the City GP the notion of annual health checks from the point of diagnosis, not just at the age of 14.

- Discussing with the Special Educational Needs and Disability Co-ordinator (SENDCO) Forum the suggestion of improving the current SENDCO mandatory qualification.
- The roll out of the SEND Ranges (descriptors which provide a core framework for all professionals working with children and young people with SEND), will provide a good forum to discuss funding and the provision that is ordinarily available in schools.
- Ensuring regular visits to The Aldgate School, building on the SEND Review undertaken in the spring term 2022.
- There will be opportunities for Health colleagues with the development of the ICB's to address where the gaps are in provision and what is working well.
- Working with Commissioning around Alternative Provision for COL children and young people.

Corporate & Strategic Implications

22. **Strategic implications** – Corporate outcome: Contribute to a flourishing society by ensuring that children and young people with SEND and their families have equal opportunities to enrich their lives and reach their full potential.
23. **Resource implications** – The SEND functions are resourced through the Dedicated Schools Grant – High Needs Block.
24. **Financial implications** – The SEND functions are resourced through the Dedicated Schools Grant – High Needs Block.
25. **Legal implications** – The duties on local areas regarding provision for children and young people with SEND are contained in the Children and Families Act 2014. This legislation sits in the context of the Equality Act 2010. The Ofsted/CQC Inspection Framework sets out the legal basis and the principles of inspection.
26. **Risk implications** – If children's SEND issues are not identified early, assessed and supported, this will impact on their educational attainment, progress and wider lifetime chances.
27. **Equalities implications** – All children and young people, regardless of their special educational needs or disabilities, will be part of a community where they can learn, achieve and participate in activities with other children and young people, and will be prepared to have a fulfilled adult life.
28. **Climate implications** – N/A
29. **Security implications** – N/A

Conclusion

30. The SEND Service continues to implement the SEND Strategy to achieve the outcomes by 2024. Over the academic year 2022–23, this work will be informed by the Government’s vision for children and young people, as set out in the SEND and Alternative Provision Green Paper, the Schools Bill, and the proposed new SEND local area inspection framework. This should help us prepare for the SEND local area inspection under the new framework, which is due to be implemented in 2023.

Appendices

- Appendix 1 – Steps to Adulthood Guide
- Appendix 2 – The COL’s Response to the SEND and Alternative Provision Green Paper

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