

Support and Aspiration: A New Approach to Special Educational Needs and Disability

Consultation Response Form

The closing date for this consultation is:
30 June 2011

Your comments must reach us by that date.

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Please tick if you want us to keep your response confidential.

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Please mark ONE box which best describes you as a respondent.

<input type="checkbox"/> Parent/Carer	<input type="checkbox"/> Child/Young Person	<input type="checkbox"/> School/College
<input type="checkbox"/> Headteacher/Teacher	<input type="checkbox"/> SENDCO	<input type="checkbox"/> Governor
<input checked="" type="checkbox"/> Local Authority	<input type="checkbox"/> National Voluntary Organisation	<input type="checkbox"/> Local Voluntary Organisation
<input type="checkbox"/> Children's Service	<input type="checkbox"/> Professional Association/Union	<input type="checkbox"/> Educational Psychologist
<input type="checkbox"/> Parent Partnership	<input type="checkbox"/> Consultant/Professional	<input type="checkbox"/> Academic
<input checked="" type="checkbox"/> Other (please specify)		

The role of the Children and Young People Scrutiny Committee is to review, support, promote and improve the services for children and young people within the Lincolnshire County Council geographical area. The Group is a cross-party and politically led committee and comprises of 15 Councillors and 6 Added Members consisting of 3 Parent Governors and 3 Church Representatives. A sub group of Councillors have worked in partnership with officers of the Council to create this response.

Response of the Local Government Group to the Government's Green Paper: "Support and aspiration: A new approach to special educational needs and disability".

Introduction

1. The Children and Young People Scrutiny Committee (CYPSC) response to the SENDD Green Paper has been produced following a wide range of discussions.
2. Elected Councillors, through the Children and Young People Scrutiny Committee (CYPSC) have contributed to the response and benefitted from discussion with a wide range of Stakeholders.
3. Local Authority officers, Headteachers and Special Educational Needs Co-ordinators, Specialist Teachers of Dyslexia, Hearing and Visually Impaired, Autism and Aspergers, those working with young people out of school provision and those working with students 16–25, Educational Psychologists and Colleagues from Social Care, Children with Disabilities and Health related professions have also provided their views which have assisted in the formation of the CYPSC responses.

General Comments

1. The CYPSC welcomes the tone, direction, and aspirations described in the SENDD Green Paper. Of all the services local Councils provide for their residents, ensuring the safety and best educational, social care and health related outcomes of children and young people with a Special Educational Need and or Disability remains one of the most treasured and valued. As champions for all children and young people, Lincolnshire County Council work closely with parents, young people, schools and colleges, statutory partners and partners from the third sector to shape and deliver services that meet the needs of the most vulnerable children and young people in our area.
2. In Lincolnshire we have prioritised the needs and aspirations of this group of children and young people and strive to work closely together to offer a wide range of services and develop good partnership working with health and other agencies. There are many examples of good partnership working as they relate to our work on special needs issues, both at strategic, operational service levels and in the school and college systems. We strive to continue to offer these services within the resources we have available and are keen to ensure that we promote and learn from this good practice in Lincolnshire. We are aware however, that such good practice and continua of provision is not

spread equally throughout the country and that there is a common concern of the lack of consistency of practice between local areas.

3. As a Council we are already working to achieve the aims described in the Green Paper but on occasion find our ability to do so is often restricted by bureaucracy, legal impediments, lack of clarity of responsibility and the ways in which funding is made available.
4. **We strongly support increasing the ability of parents and young people to choose or preference the types of provision and support they need.** However, we are cognisant that as a Shire County, and in taking into account travel distances and the needs of individual children and young people, this choice may not always be possible within the context of the financial and human resources available to us. In Lincolnshire we have a very good continuum of specialist provision in our special schools and designated specialist unit provision and in our pupil referral units, as with mainstream education provision, on occasion a first choice could be limited by the nature of the supply and its cost and in adhering to the specific requirements of part IV of the 1996 Education Act and related case law, so in some circumstances it is likely that parents and young people will only be able to express a preference if parents feel they have a right to a choice when little exists, this could damage the relationship between parents and local authorities, maintained schools, state funded schools (including Academies, Special Free Schools and Free Schools, General Further Education Colleges and Independent Specialist Providers). It is important that in Lincolnshire we are afforded the strategic responsibilities to plan for the needs of children and young people in our County and that Councils have the means to develop a greater degree of choice of provider, especially local specialist provision. We welcome the consideration of extending personalised budgets to some aspects of SEND as long it is linked to the review of funding formulae. Personalised budgets however need to be introduced after trialling and should always be optional. Within that context the administrative burden of setting them up, awarding them and quality assuring them and linking them to educational, social care and health outcomes must be integral to how they will work as well as a means to reduce or cease them when there is clear evidence that a need has been met. There must also be in place a dispute resolution scheme.
5. Whilst we wholeheartedly support the proposal to create a single system from birth to 25, we know that this will require greater transformational change than

the Green Paper suggests. For example the school based SEND and college LLDD system need to be integrated into a single model, not simply 'better aligned' and there may be need for legislative change to ensure that all parties to the single education, health and social care plan truly work together and are equally accountable for outcomes and resourcing them. These plans will need to be detailed and backed up by guidance to ensure all adhere to their responsibilities outlined in them; this also includes parents, state funded schools (academies, special free schools, special schools and maintained schools as well as general further education colleges and independent specialist providers). Moreover, the role of the local authority in detailing and administering these will need to be specified, quantified and resourced accordingly. Further, the roles of the Special Educational Needs and Disability tribunal, the local government ombudsman and OFSTED will need to be clearly articulated and detailed in a new code of practice. Before we embark on a structural change process it will be essential to ascertain if it is really necessary and that our schools and colleges have the capacity to embrace such proposed change within the time scales proposed. We also request that consideration is given to how this proposed change will affect large Shire Counties.

6. We welcome the renewed focus on the outcomes of young people with a special educational need and/or disability and would emphasise that these can only be achieved if local authority specialist teaching, case work and educational psychology services are retained and resourced to ensure that schools and colleges are supported as well as parents, children and young people especially as they progress through the education system and enter into a productive adulthood.
7. We believe that developing the conversation with parents around what their child will be doing when he or she reaches adult life will fundamentally alter the nature of the relationship between parents and local Councils. Many parents echoed the views of one who said that "I was very aware that I was fighting for money and not for the best outcome for my child".
8. In Lincolnshire we are already working hard to reduce the number of assessments which children and young people need to access and are developing integrated models. We doubt whether we can create a single assessment covering education, health and care issues within the current legislative context **but** would welcome the government removing the legal duties to produce so many assessments. Local authority experience in

preparing Common Assessment Framework (CAFs) shows that the different legal duties for education, health and social care can prevent single assessments being developed especially as there are different thresholds and resource requirements. Whilst we are particularly keen to remove the need for separate assessments at 16, we welcome the production of detailed governmental guidance in this regard and advice or a statement as to how the government is considering piloting increased transparency in the assessment process, including extending the role of the voluntary sector. However we do not believe that assessment decisions can be separated from funding or human resource considerations. Whilst not wishing to dampen the aspirations parents have for their children, we would wish to see parents and young people being provided with realistic rather than idealistic assessments.

9. In Lincolnshire we are reducing the time spent making assessments, and shortening the time limits for SEND statements is welcomed but we must be sure that this can practically be achievable within the time frames specified. There is doubt that without additional resources being granted from central government that this aspiration can be fully achieved in all cases. We also need to ensure that the proposed education, health and care plan does not increase bureaucracy and add to the existing process, particularly as there are proposals for the implementation of triad processes and parents opting into and out of one or other systems.
10. We support the desire to encourage mediation but are dubious that it should be compulsory. Whilst we as a Council would welcome it, we are aware that there are a range of differing views from schools, colleges, health care providers and children and young people. We would not find it helpful or useful for all if this was to be a statutory requirement. We do, however, agree that there needs to be greater openness in the system, including a clearer statement of what children and young people are entitled to and what they are not entitled to. Expectations need to be based on realism and increased transparency for all, especially around assessment and funding which may reduce the desire of some parents to resort to legal action. We must also remember that the vast majority of parents are happy with the current system and recognise that where there are high levels of challenge this is often to do with the current legislative requirements as opposed to decisions made by local authority officers, schools, colleges and health agencies.
11. The Coalition Government has already taken steps to broaden the range and types of schools. It is right that this increase in diversity is also applied

nationally to special schools, not least to increase the choice available to parents and young people, though needs to be recognised that for children and young people with a special educational need and/or disability the provision may be available from every type of school, including the independent sector. Whilst this may increase choice, there are dangers that increased fragmentation will weaken specialist provision, render local authority strategy unworkable and lead ultimately to the marketisation of special educational needs and/or disability provision. The Lincolnshire Children and Young People's Scrutiny Committee is against such an approach. The Green Paper does not address how an increase in diversity of providers will ensure the sustainability of schools and colleges which specialise in particular conditions or disabilities, nor does it explain how progress will be measured from an individual's starting point leading to a successful outcome for the child or young person regardless of a medical label or categorisation of a specific need. It is the CYPSC view that local Councils, usually working together, believe that they are best placed to undertake this vital safeguarding and strategic role in championing the needs of this vulnerable group.

12. The Green Paper makes little mention of how independent special schools and colleges will be regulated and monitored. At present independent special schools are regulated by the DfE whilst independent specialist colleges are approved and monitored by the Young People's Learning Agency. As many independent schools are also specialist colleges, this increases bureaucracy and cost. Councils have good relationships with the independent sector and often act on behalf of other Councils in discussions with independent schools and colleges in their area. We believe that such host relationships work well and require further support. The notion that a child does not need a statement of special educational needs to be educated in a special free school requires further and detailed examination and analysis and may bring into question why a special free school is named a special free school in the first place.
13. Increasing the range and diversity of providers will require a thorough overhaul of how they are funded, commissioned and regulated. At present there are too many funding mechanisms and bodies which have led to hugely different levels of funding being made available to institutions for young people with similar needs. The development of a more coherent national funding formula for education is welcomed. However funding for children and young people with special needs and/or disabilities, especially those with more complex needs, must be flexible enough to meet the needs of each

individual child and young person within the educational establishment they attend. Therefore albeit within the context of a national formula decision making must remain within the gift of the local authority.

14. The additional funding associated with these 'high cost' children and young people should be allocated through local Councils to whichever type of institution the young person attends, including academies and free schools. Developing a more coherent funding model must avoid simplification which removes the flexibility of Councils and schools to work together to ensure the needs of the most vulnerable young people are met. The specifics of a personal budget must also be clearly detailed as to what it will pay for and to whom it is awarded, i.e., the child, the young person, the young adult or their parents. Within that context safeguards must also be in place to ensure that parents in challenging circumstances are not disenfranchised because of their own difficulties, social, emotional, health or educational.
15. Whilst we welcome the tenor of the proposed changes to how schools and colleges support young people with a range of additional needs, this requires a new focus on the outcomes expected for young people with special needs and the freedom to develop the educational and/or additional needs based programmes best suited to achieve these. Reducing the requirement to acquire unnecessary and valueless qualifications in both schools and especially colleges is welcomed, however it is important not to repeat the mistakes of the past: the new system must apply across the whole age range and in all types of provision – schools, colleges and the independent sector. We would welcome further consideration of the need for apprenticeships to be extended and funded with employers and believe that for some young people this will be an excellent means of entering the work place. However both apprentice and employer will need financial incentives.

Concerns

16. The Green Paper rightly focuses on providing more information and choice to parents; however too often it seems to forget that it is children and young people who are the subject of our efforts. Much more should be done to identify the wishes of children and young people especially as they get older and are more able to express their own opinions and views. Most parents struggle at some point to let their adolescent children develop their own views and route to adulthood, perhaps even more so with parents of young people with a special educational need and/or disability. As young people reach adult

life it is their wishes which should be considered ideally, but not always, with the support of their parents.

17. The Green Paper appears to emphasise significant structural change but is rather brief as to how this will be achieved. As such it is somewhat challenging to clearly agree or disagree with the questions posed. The CYPSC request that those reading our consultation responses consider if structural change is really necessary and question the need for this particularly in the context of current and future resource implications. We would also indicate that not all parents, children and/or young people are of the view that the system is failing and adversarial.
18. The debate about inclusion and specialist provision is outdated and unhelpful. The best provision combines both. Focussing on outcomes rather than the type of provision is much more productive, providing it is based upon realistic expectations and a strategic approach.
19. Whilst welcoming increasing choice for parents and young people through a more diverse range of providers, there is a significant risk it will further fragment the system and increase the financial resources required to meet need. The CYPSC is particularly concerned about the impact this will have on specialist provision locally, regionally and nationally. Locally, we expect special schools and specialist colleges to continue to build strong alliances with the mainstream sector. Nationally and regionally there are a small number of very specialist centres of excellence, often in the independent sector. The best of these too are building strong partnerships with mainstream schools, special schools and colleges. The Green Paper is not clear about who or where decisions will be taken about the range and type of specialist providers or indeed the application of value for money indicators. The commissioning and regulation of independent special schools, special free schools and colleges requires further discussion and consideration.
20. In time a national funding formula could create a greater degree of equity and coherence than the current funding system. However at present and in the immediate future the different ways of funding academies, free schools, special free schools and maintained schools limits the flexibility of Councils to respond to the needs of vulnerable children, especially in those areas where a large number of schools become academies, leaving a reduced quantum of funding in the Dedicated Schools Grant to deal with special needs and/or disability issues. We also request that the needs of large Shire Counties are

considered in depth as some of the proposals could significantly increase transport related liabilities for the Council. There is also a significant and strategic need to ensure that the Council is able to employ and direct the work of specialist teachers and Educational Psychologists and that the funding for the training of the latter is agreed and is paid for by government.

21. Whilst it is envisaged that the new funding model could provide a 'High Cost Pupil' grant for local authorities, it is not clear how that will be calculated or that it will be able to respond to sudden or unexpected changes in demand, or how it will reflect the extra costs incurred by Shire Counties.
22. The creation of a single education, health and care plan needs to be underpinned by strong commitments and obligations from all parties to contribute to it. Legislation may be required to ensure this plan is effective. Increased fragmentation could further enable those involved in planning and providing for those with Special Educational Needs and/or disabilities to continue to pass on the responsibility to others without any legislative accountability for either resource or provision. Many strong partnerships exist between local Councils and health bodies, but it is suggested that an underpinning legal obligation from health sector bodies to collaborate with and contribute to an education, health and care plan is required.
23. Local Councillors are held accountable by their residents for the services provided in their area especially on issues such as special educational needs and disabilities. That accountability will continue for such young people wherever they are learning, in academies, free schools or the independent sector. Consequently local Councils will expect government funded schools such as academies to provide information to the Council about the progress of the institution and of individual learners with special needs.
24. The proposed changes in the nature of school based special needs could create a less bureaucratic model of delivery, providing schools with greater flexibility to provide for young people with less complex special needs. The requirements of young people with special educational needs is not static and the means will have to be found to ensure that local Councils are kept aware of any young people in schools whose circumstances change to the extent that they require high cost support. It will also be vital to ensure that schools, free schools and academies have the capacity, expertise and legal accountabilities in place to ensure that identified need is met.

25. The current split between the SEND and LLDD systems is wasteful, costly and provides poorer outcomes for many young people. The development of a new education funding formula must fully integrate the two models, preferably providing funding for full time programmes and not individual qualifications. The ACSL Act 2009 transferred responsibility for LLDD functions to local authorities with a continuing role for the YPLA in maintaining the inherited LSC funding model. The establishment of the Education Funding Agency will require that many of the LLDD functions currently carried out in the YPLA can transfer wholly to local Councils, removing duplication and cost.
26. As described elsewhere in this response, Lincolnshire is either working or working towards meeting some of the proposals outlined in the Green Paper. It is good that the government wishes to develop policy based on such practice. However there is a risk that if change is implemented too quickly and without pause for reflective thought then this positive ground may be lost. Consequently more needs to be done to spread good practice. Council multi area SEND and/or LLDD partnerships could assist with this.

Chapter 1: Early Identification and Assessment

1. How can we strengthen the identification of SEND and impairments in the early years, and support for children with them?

- The role of the Health Visitor and Community Paediatrician must be clearly defined.
- Clear processes for involvement of professionals once a need is identified.
- Training for Early Years' practitioners with regard to removing barriers to inclusion based on a social model of disability.
- On-going strengthening of collaborative working between different professionals and services.
- Use of Early Support to empower parents to navigate the system and influence early intervention.
- There should be an implicit acknowledgement of how much has been achieved over the recent years and building upon this will serve to strengthen early identification and thereby early intervention.
- The best practitioners in LAs and Schools already do this effectively and have in place a system of disseminating best practice. Serious and numerically significant concerns are being raised as to whether it will continue to be possible to disseminate best practice in this way with the current funding agreements in place for Academies. These may need to be revised.
- Improved teacher training as has been outlined in numerous recent reports e.g. Rose, Lamb, Bercow.
- Specificity in defining SEND and implementing recommendations outlined in comprehensive reviews Rose, Lamb, Bercow.
- High quality training opportunities for **all teachers** to ensure ownership of SEND matters by **all practitioners not only SENDCOs** is fundamental to ensure early identification and appropriate and graduated intervention.
The training must equip trainee and existing teachers in Quality First Teaching and making reasonable adjustments, building upon the foundation laid by IDP rounds which provides a sound and cost effective basis as the materials are already existent.
- Improved communication between all agencies:
 - all agencies (including parents) to be aware of 'normal/usual' developmental stages,
 - agencies to be approachable to parents,
 - confidence to share all relevant information,
 - identification of who should be the lead professional & provision of funding/time for coordination with other agencies,
 - having clear routes that parents can follow for information & advice,
 - health visitors could be used as co-ordinators as they meet all new parents, and
 - minimise paperwork.
 - in terms of educational needs rather than social care or health, this would

necessitate some serious training for EY providers in the whole SENDD agenda.

2. Do you agree with our proposal to replace the statement of SEND and learning difficulty assessment for children and young people with a single statutory assessment process and an 'Education, Health and Care Plan', bringing together all services across education, health and social care?

No

x Not Sure

- Not sure due to the lack of detail.
- We believe this could only work if there were changes to the funding mechanisms and very clear messages about this being only for those children with very complex needs.
- It is hard to envisage how the funding mechanisms could change with regard to Health, Social Care and schools with Academy status.
- Currently there is insufficient information regarding the single assessment.
- Educational difficulties may not be linked to health or care issues.
- The principle of Education, Health and Social Care working collaboratively and cohesively is a sound one, especially in cases of complex and overlapping needs. All current research points overwhelmingly to the existence of overlapping conditions e.g. approx 18% of children are 'purely' dyslexic. The majority of dyslexic children have overlapping conditions such as dyspraxia, ADHD, ASD, dyscalculia.
- This proposal, however, is a very tall order to action given the radical changes to NHS and Social Care being implemented and coupled with budget reductions – can one be certain that the proposals in the SEND education Green Paper will be a priority for NHS and Social care?
- A great deal of time and effort will need to be invested to ensure that practitioners have a common language to ensure a basis for understanding.
- In theory a single assessment may be ideal but there are concerns about implementing this in practice.
- How will the child be reviewed and the support modified?
- Difficulties could arise due to time constraints, differing service criteria/priorities and budgets.
- Who will have the responsibility of co-ordinating everything?
- Is 'bringing together' a term meaning physically bringing people together or bringing reports and information together?
- There are practical, logistical and financial limitations and constraints with bringing people together.
- The success or otherwise of a single statutory assessment process requires that the structure/pathway is clear to all involved. Currently the proposals lack clarity.
- Interesting idea but how will this be achieved in practice? Currently these are

three different frameworks with differing statutory obligations (see 1:38). There are very real difficulties in engaging with other agencies; time constraints, genuine respect for one another's professionalism and effective dialogue. Who will be lead agent? What happens when an identified need does not necessitate the work of a multi agency approach (i.e. pure health need and no social or education issues identified?)

Thus:-

- It is not clear what is meant by a single Education and or Health Care plan and if one will be required for example if a child solely has a health need or an identified special educational need.
- The CYPSC wholly supports the concept of a single education, health and care plan, as long there is a duty on those partners to collaborate and contribute to the development and implementation of such a plan. We also consider that as a child reaches adolescence, the plan should be extended to include employment issues, except in those cases where employment is not a practical option.

3. How could the new single assessment process and 'Education, Health and Care Plan' better support children's needs, be a better process for families and repreSENDt a more cost-effective approach for services?

- Hopefully a single assessment would reduce duplication and make the process more co-ordinated and streamlined.
- This could, if implemented appropriately, empower parents to contribute to the process further and as equal partners.
- The process should be less bureaucratic and more focussed on providing support for those with the greatest need.
- Is there a danger of 'one size fits all'?
- Co-ordinating everything will be a major task and will need to be resourced adequately.
- In purely financial terms a single assessment process could repreSENDt a more cost effective approach. However, there must be acknowledgement that children's needs change over time especially in the field of learning and in some health related conditions.
- Rights and responsibilities clear and shared by all.
- Ensure that workforce across the areas of Education, Health and Care have expertise, depth of knowledge, experience and professional qualifications at an appropriate level in support of children and their families to determine best and most appropriate provision within the context of current need.
- The concern is that the single assessment goes with the child into adulthood – it may be that parents sign up for an assessment when the child is a minor which on reaching adulthood the individual may come to regret in terms of future employment and relationships.

- The question needs to be further explored in that is there any evidence that this proposal may be more cost effective? Conversely it may in fact be more costly?
- **Section 1:40 raises massive commissioning issues. Can this be achieved in the current economic climate and the proposed time scales?**

An integrated assessment model – which must include consideration of the provision which should be made – may reduce the number of separate assessments and greatly improve the transfer of information about the needs of children with Special Educational Needs and/or disabilities. This, in itself, may reduce the costs of professional and administrative support but is not yet proven to be the case.

4. What processes or assessments should be incorporated within the proposed single assessment process and 'Education, Health and Care Plan'?

The Common Assessment Framework; Early Years Action and Early Years Action Plus; Statement of Special Educational Needs; Individual Education Plan (IEP); School Action and School Action Plus; learning disability assessment of young people; children at school with health needs who have care plans; children who are looked after and who have care plans; and children identified as 'in need' under the Children Act 1989 because they have a disability.

- Need to have clarity regarding the purpose of the single assessment; one model will not fit all children.
- The assessments should either be to inform targets/next steps for the child or to empower parents to make informed choices/decisions.
- There seems to be confusion between the single assessment process and a common/single assessment tool. The process should be common but the tools will differ for different professions.
- Information from education setting.
- Information from parent/s carer/s.
- Information from child/young person.
- Observational assessments including views of personnel working most closely with the child e.g. Teaching Assistant.
- Diagnostic assessments.
- Professionally written individual assessment reports to ensure accountability.
- Minuted discussion record/s of meeting/s to ensure accountability.
- Multi faceted - each agency or professional will need to be consulted in their field.
- All concerned should be open minded to ensure that the most appropriate processes and assessments are implemented following discussions between parents, child/young person & professionals.
- The views of all professionals, parents and pupil if appropriate should be taken into account.

- In the process meeting a whole child profile needs to be established not just specific areas of needs.
- The potential use of voluntary and community sector in assessment again raises issues of both capability (without further training for those personnel) and capacity.

5. What is the potential impact of expanding the scope of the proposed single assessment process and plan beyond education, health, social care and employment?

- Issues may arise in relation to cost and access to services in terms of potential disparities and issues around accountability and thresholds.
- Theoretically it could improve co-ordination of services but there would be a need to ensure monitoring and accountability.
- Strengthening of service providers across transition points with clarity about who is responsible for delivering which service.
- Continuity if there is co-ordination between children and adult services to support transition and or legislating to remove the child/adulthood divide.
- There would need to be safeguards in place regarding changes in pupil's needs, Government policy and finance.
- This could result in giving some parents more confidence.
- It may also lead to giving professionals larger caseloads leading to the need for less flexibility in terms of criteria.
- Expanding upon concluding response to question 3 – it may be that to have a documented history of, for example, Asperger's Syndrome could have a negative effect upon perceptions of society later in life.
- As an example, the consensus is that given appropriate teaching, mentoring and the opportunity to socialise, people with Asperger's Syndrome are generally able to lead a full and independent life. It is essential that early records do not give a misleading picture of the young adult's current capability.

We welcome the focus on employment for older young people. However not every young person with a special educational need and/or disability will be able to work and others may find it difficult to enter the job market, especially at times of high unemployment. The focus for every young person with a special educational need and/or disability must include how he or she can live as independently as possible. The new assessment, plan and funding models must allow agencies as much flexibility as possible to plan for the long term and be able to invest in developing independent living skills during adolescence which will save costs in later years. These should include all aspects of a young person's life, including participation in cultural and leisure activities and how best to access these.

6a. What role should the voluntary and community sector play in the statutory assessment of children and young people with SEND or who are disabled?

The voluntary and community sector plays a vital role in supporting parents and young people who have special needs, from supporting individual families to running independent schools or colleges. There is already considerable involvement of the voluntary sector, locally and nationally. However there is scope for an increased role, especially in providing support for parents and young people as they work with a more diverse range of providers. Many voluntary organisations work closely with local authorities as they assess the needs of young people and seek affordable solutions to meet those needs.

- Experience shows that some voluntary and community sector currently have a tendency to over identify both in terms of need and resources. In the context of no additional funding this will lead to inequities and disparities, especially for those with the greatest level of need.
- What role do they want to play? What capacity and capability can they offer? What credibility do they have? Which voluntary sector bodies are likely to bid for such work?
- What Quality Assurance will be in place to ensure the greater parental confidence? With dwindling resources available for voluntary sector, which agencies are likely to remain for the time span needed?
- Training for this new style of assessment: who will deliver it?
- The LA is regarded as having a conflict of interest in assessment and then determining provision. The voluntary sector might easily fall foul of this conflict of interest also.
- 1:48: again ambiguity in text as this now suggests that voluntary bodies and community act as support for assessment not as assessors.

The Green Paper proposes a greater role in the assessment process for the voluntary sector, recognition needs to be given to the fact that perceived conflicts of interest apply as much to many voluntary sector groups as it does to local Councils.

6b. How could this help to give parents greater confidence in the statutory assessment process?

Developing confidence and trust about the system is the key challenge for all those working in the SEND and LLDD system. The NFER research, commissioned by the LG group, shows the lack of trust to be a key issue for parents and young people. This was echoed by Lamb. More than anything, parents need to know how the system works, who is responsible and what they are entitled to. Where this information is available, especially where there is a well established parent partnership, parents feel supported. Where they are not, then they feel that the system lack transparency and is a lottery, especially if the parents are not 'savvy about the education system' and assertive about their

needs. The voluntary sector can play a crucial role in providing independent support to parents and young people, explaining how the system works and challenging local authorities and health agencies where necessary. It is important to recognise that despite the findings outlined above many parents are happy with the current arrangements.

7. How could the proposed single assessment process and 'Education, Health and Care Plan' improve continuity of social care support for disabled children?

Where social care agencies and their partners in education and health focus on the long term outcomes in adult life, removing the bureaucratic transitions at 16 and 19, they increase the independence of young people with a disability and reduce the life time cost to social care, as well as improving the life of the young person.

Where agencies continue to focus on short term goal and cost reductions, outcomes will deteriorate and costs increase.

The single assessment could eliminate the necessity for the unnecessary repetition of assessments carried out by a different agency. This is time consuming and wearing for the child/young person and their families. However, it must be acknowledged that learning and physical needs change over time and it is esSENDtial therefore that there are regular reviews of progress and need. This is especially concerning for parents who report that they fear that cutbacks will mean less monitoring and reduced services.

Having a single assessment process should in itself:

- provide greater continuity,
- ease transition when moving areas,
- enable support to be put in quicker, and
- benefit in planning future needs of pupil.

For this to give optimum effectiveness, it will require careful continual review and liaison between all agencies and may require legislative change.

8. How could the arrangements for provision of health advice for existing statutory SEND assessments be improved?

- More focus on the health issues by health professionals with less advice on provision.
- Consideration given to barriers and their removal rather than medical model.
- Could be improved by strengthening strategic partnership working to ensure services are appropriate and available.
- Ensuring timely intervention when needs are identified
- Only requesting health information when there is an indication of health

issues

Arrangements/training/leadership should ensure:

- face to face discussions
- consistency
- flexibility among professionals
- equality of status
- understanding of each person's specific involvement
- no hierarchical role perception
- the intervention/s of the professionals involved need to be "joined up" and cyclical
- only appropriate assessments are carried out e.g. routine health assessments are not carried out if there is not a health issue, and
- joint responsibility for outcomes.

9. How can we make the current SEND statutory assessment process faster and less burdensome for parents?

Making changes to the SEND and LLDD systems, as proposed in the Green Paper, will take many years, not least because of the need for new legislation. Consequently organisations will continue to work with the present system and duties, but must be able to make changes where possible in line with the general direction of the Green Paper. Analysis of the use of SEND statements in local authorities shows a wide variation in how they are used and Councils will wish to continue adapting their procedures, not least to empower parents and young people to take greater responsibility for their plan. Through multi-area working, local Councils are seeking to simplify the current systems. The DfE needs to keep aware of these changes, simplifying SEND current SEND guidance in preparation for any new plan.

- Time frames could be shortened as indicated from 26 to 20 weeks.
- Provide clarity about what is routinely provided by schools/settings without a statement, thereby reducing parental anxiety about outcome of the assessment.
- Separate assessment process from provision. Once needs have been identified they can then be mapped to provision or pathways for parents to make choices.

From experience, for parents who have a good relationship with the school it does not appear to be a burden.

- Streamline processes and procedures and ensure clarity of purpose.
- Ensure all involved understand their rights and responsibilities and these are communicated effectively i.e. in a way that is understood.
- LAs continue to focus upon monitoring and accountability of processes and

delivery of specialist expertise from specialist teachers and Educational Psychologists to all state funded schools.

- Simpler paperwork.
- Enhance the role of school personnel more specifically.
- More school based assessment before referral to professionals.
- Improved liaison between all parties.
- Shorter time limit on collation of reports as suggested in Green Paper though it needs to be recognised that shortening timescales might not be a quick fix. If the process is worth pursuing, then a realistic timescale needs to be set to ascertain the full picture. Other agencies have agendas of work which we all need to learn to respect.
- A simplification of the SENDD Legislative framework where accountabilities and responsibilities are outlined for all including parents.

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Chapter 2: Giving Parents Control

10. What should be the key components of a locally published offer of available support for parents?

- National branded framework ensuring equity across different areas and the local authority.
- LAs become the champions of parents as it is proposed that LAs publish school provision including what parents should routinely expect in schools. (Who will do this for Academies and Free School settings?)
- School provision should state:
 - Curriculum offer.
 - Teaching offer.
 - Assessment and identification of barriers to learning.
 - Pastoral offer.
 - What should be routinely available to all pupils and in addition to pupils with SEND within school.
- There should be a range of information available across county:
 - Available services listed and how they are to be accessed.
 - Local Authority provision/Central services how accessed and cost.
 - Out of County provision and how accessed and cost.
 - Voluntary provision how accessed and cost.
 - Private provision how accessed and cost.
 - Education-school based options how accessed and cost.
 - Health availability and costs.
 - Social Care availability and costs.
 - Children's centres.
 - Information about what they can provide - pre-school/primary/secondary/18+.
 - Training facilities, day care, residential facilities.
 - How to access-names, addresses and contact numbers.
 - Status-fees etc.
 - Available specialist expertise.

2:20 most (good) schools already express this in their SEND Policy.

- Descriptions of:
 - How the system works in that area.
 - What support and services are available relating to transport and including transport and respite care.
 - Whether a key worker is provided – once a key worker's role is defined.
 - The key contacts in the local authority, health and voluntary sector.
 - Where parents and young people can get independent support and

advice.

- The responsibilities of parents and young people.
- How they can raise issues and if not satisfied, complaints procedures for YPLA, OFSTED, State funded schools.

11. What information should schools be required to provide to parents on SEND?

- Explicit provision mapping detailing what is routinely available.
- Information/progress for lower attaining children at school based stage.
- Areas of expertise within the school and what they commission from for example, the Local Authority.
- There is an expectation that the new SEND policy (itself the subject of a consultation) with its requirements of schools (and academies and Free settings?) will be simplified. It should at least expect schools to state its:
 - Statutory responsibilities.
 - Approach to SEND- including ethos.
 - Consultation process on SEND issues.
 - Routinely available SEND provision.
 - Qualifications of SENDCO, SEND TAs.
 - Details of recent SEND Training.
 - Departmental approach to SEND matters.
 - Status of SENDCO in school i.e. is on MMT or SMT.
- Must be parent/user friendly and written in simple English.
- Needs to state what is available for pupils with SEND with some basic criteria.
- Explains how to access.
- States who to contact - within school and outside.
- Available specialist expertise from central services and/or voluntary/private sector.
- Programmes/provision which may be available if appropriate over and above class work e.g. Accelerate/Accelerate, Read, Write, inc
 - How they might be delivered-age group, timescale, frequency.
- Other school based options - Teacher/TA expertise/qualifications.
- Differentiation - within class, groups, 1:1.
- As an SEND group, the specifically different provision available: curriculum, teaching, assessment and pastoral – as currently happens. Brief statement on SEND as currently happens via Annual Report to/from Governors.
- Parents are more interested on a personal basis: “what is happening for my child...”
- Any OFSTED grading or comment in regards to SEND.

12. What do you think an optional personal budget for families should cover?

Local Councils already provide personalised budgets to adults and young people and there are many examples of this approach being used in education. In SENDD we need to be clear about what this includes. For example, the school and college funding model already provides ways of ensuring that schools and colleges receive funding which enables them to provide both mainstream and specialist provision to a particular level. Additional funding is also provided by local authorities or health to schools and colleges for those learners with high levels of need. Some of this funding could be provided to the young person or parent, if they wish to make their own arrangements. This could include aspects of:

- Specialist equipment.
- Travel.
- Some therapies.
- Accommodation, including employing individual support.
- Will need to be applied to needs/reviewed at each stage-pre-school/E years/KS1/2/3/4/Adult.
- The optional personal budget must be equitable and available for all.
- As highlighted in the introductory text care must be taken that administrative costs are not prohibitive and that those parents experiencing difficulties or are for whatever reason unable to access an optional budget are supported to access it.

There are significant concerns around costing this proposal. School leaders are concerned about how it will be operationalised and about how value for money can be demonstrated.

13. In what ways do you think the option of a personal budget for services identified in the proposed 'Education, Health and Care Plan' will support parents to get a package of support for their child that meets their needs?

Having received a personal budget, parents and young people will only be able to use it if there are sufficient providers available. These ought to be approved and registered organisations, so as not to put vulnerable children and young people at risk. Those in receipt of personalised budgets will require support in how they use their budget and are held accountable for its use.

- Enable choice for parents.
- May be hard to commission new services in a timely way in response to need.
- Services that are under-used may be at risk.
- Could be very beneficial in areas of high need/densely populated where families could unite to drive change.
- This may put an additional burden of management on families who are already under significant pressure.
- Place significant burdens on school or college staff.
- The whole area of personal budgets looks confusing and contentious. This could be a new industry in its own right to administer and regulate.

- What happens when the personal budget pot is spent up and a new need identified and no funding to meet it? Who monitors the effective way in which personal budgets have been spent?

This proposal requires much more work and thought about how if implemented it would work effectively.

14. Do you feel that the statutory guidance on inclusion and school choice, *Inclusive Schooling*, allows appropriately for parental preferences for either a mainstream or special school?

Yes

No

Not Sure

- The debate about inclusion and specialist provision is outdated and unhelpful. The best provision combines both. Focussing on outcomes rather than the type of provision is much more productive.
- May still be dependant on funding and alternative mechanisms for funding.
- More importantly information about what each school can provide is needed - to assist in decisions about what is right for the child's potential - what can be achieved in the long term regardless of the type of institution.
- **2:52:** One must ascertain how far this statutory guidance is currently adhered to before implementing any future change.

15. How can we improve information about school choice for parents of children with a statement of SEND, or new 'Education, Health and Care Plan'?

See the answer to question 10.

As the range of schools and colleges providing for young people with special educational needs increases, it is esSENDtial to ensure that information about these providers is made available to help those making choices.

But the following issues need to be considered:-

- Need clarity of information for parents re. Academies/Free schools etc.
- Need clarity regarding services available at different schools (evidence based pros and cons) to help inform decisions.
- More availability of independent advice to support parents in making their decision.
- Adherence to current legislative requirements.

16. Should mediation always be attempted before parents register an appeal to the First-tier Tribunal (SEND and Disability)?

X Yes where appropriate

 No

Not Sure

Please read our considerations of this issue in the introductory text above.

In principle however Councils, health providers, parents and young people should be required to at least consider using mediation services before resorting to a tribunal. It is in the best interest of the child that an agreed solution can be reached and all parties should be encouraged to make these hard decisions themselves, rather than leave it to other bodies. It is not unreasonable to expect that, before a case is referred to a tribunal, a local mediation service should at least make a decision whether or not a mediated approach will be successful. In the interests of the child – as well as cost – such a process must not delay the final decision.

How might it work?

- Ensuring Elected members lead mediation committees which are local and accountable
- Works best with all working together.
- Designated time is needed in all agencies and voluntary sector work support schedules.
- Opportunities for joint meetings.
- Joint training sessions.
- Systems for communication in common language established.
- Sharing views.

But mediation takes time, money, resources. It seems to be preSENDted as a “quick fix” and this is unlikely to be the case.

17a. Do you like the idea of mediation across education, health and social care?

X Yes where appropriate

 No Not Sure

17b. How might it work best?

- It's a wonderful idea, but will only work if all parties are obliged to take part and agree with the outcome.
- The question conceals a more important issue: Should the processes involved in a single system apply in the same way across all types of provision and agencies? If the answer is yes, then a revised code of practice – including the right to appeal to tribunals – should operate not just in education but also in social care and health.
- If mediation is to be successful across education, health and social care a great deal of joint training and opportunities to meet will be required in order to ensure that we have a shared and common language. Clarity of purpose

and creativity and flexibility in thinking across professional fields will be key to the success of this laudable aim.

- It would be good if all services were equally held to account but currently this is not the case. How many cases will there be without Legal Aid? Children and the right to appeal looks fraught with interesting possibilities and potential legislative change may be time consuming.

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Chapter 3: Learning and Achieving

18. How can we ensure that the expertise of special schools, and mainstream schools with excellent SEND practice, is harnessed and spread through Teaching Schools partnerships?

- Encourage staff to go and train others and provide **time and money** for this (including cover for those being trained).
- Go and see what's happening in other schools.
- Use/buy in Learning Support Services and other specialist teachers.
- By creating local databanks of excellent Quality Assured provision and practice. Establishments who either take in trainees or provide courses/support etc. will need extra funding and staffing as such quality training takes away key staff from the very role for which they are in school, namely supporting the SEND student within that place. How many Teaching Schools will there be locally? Will there still be a role for the current support we have which we value greatly? Providers of training/expertise need to be people we know can deliver.
- 3:13 a cheap training route and not welcomed by all teachers.
- There is a wealth of experience in special schools and colleges, including those in the independent sectors and many stunning examples of the impact they have on the lives of young people. The best practice is where such specialist expertise is developed and shared with mainstream schools and colleges. The SEND and school sector is much further ahead in this regard than specialist colleges and the latter could learn from the experience in the school sector. This includes special schools co-locating with mainstream schools on the same site, a feature of many recent capital developments.
- In developing their provision for young people with special needs, mainstream schools should be expected to partner with a special school that can provide support and challenge. Special schools should equally be expected to offer such services – perhaps at a cost to the mainstream school.
- FE colleges should also be expected to call upon specialist support which may be available from special schools which have young people aged up to 19, but also from independent specialist colleges. Since the passing of the ASCL Act in 2009, many independent specialist colleges have established strong links with FE colleges, often supported by their local authority partnership.

The Green Paper proposed significant changes to training and development, locating much of it in schools. This could benefit teachers, including those on their initial training, but only if teaching schools work with other schools, colleges and local authorities.

The Green Paper suggests that FE college links be arranged through LSIS. This may provide a national solution, but the development of more specialist support in FE colleges is best delivered through local partnerships of schools and

colleges. Continuing separate SEND training models for schools and colleges is not helpful – surely this is one area where a single plan can be devised?

19. How can we ensure that we improve SEND expertise, build capacity and share knowledge between independent specialist colleges, special schools and colleges?

See the answer to question 18. Local authorities should be expected to support the development of local SEND / LLDD partnerships of schools, colleges and independent providers. Such partnerships may well be on a multi-area basis.

- Potential difficulties in ensuring that this takes place within local authorities where some schools have opted out of LA control.
- In principle this should be facilitated by LA School Improvement Services given their wider brief and overview of the LA.
- Need an emphasis on good inclusive practice in schools from a governmental level to ensure that this happens.
- Initial Teacher training should include placements within special provision and mainstream schools.

20. How can we continue to build capacity and SEND specialist skills at each tier of school management?

- Government emphasis on the development of good inclusive practice.
- Accountability of head teachers re progress of children with SEND.
- Training for leadership teams teaching and support.
- At least one dedicated trained TA in every school to provide intervention work – this should be ring fenced (i.e. no cover etc).
- SENDCO must be on the SMT. Continue with the SENDCO qualification.
- All teacher training must have significant element of SEND training.
- Head and teachers must include SEN development as a part of their on going professional development.
- The LA is able to play a key role in provision of high quality training, advice and mentoring.
- There is insufficient training for most tiers around SEN ensure all Heads have training (more than a quick look) as part of NPQH. Continue the funding for National SENCO and broaden the reach so that longer established SENCO's can be updated. NLEs and LLEs – what are they and do we have many in practice? How will the SLE role be funded?

21. What is the best way to identify and develop the potential of teachers and staff to best support disabled children or children with a wide range of SEND?

It is important that there is a greater input on teaching vulnerable children in initial teacher training courses and that more time is spent during teaching practice working with young people with special needs.

- On-going CPD for all staff.
- Easy access to professionals who can support and coach staff especially in receiving advice from specialist teachers and Educational Psychologists
- The LA is able to play a key role in provision of high quality training, advice and mentoring. As an example, the National SENCO Award training in LCC - this year 75 new SENCOs trained (this represents a quarter of SENCOs in LCC schools).
- Also:
 - Through performance management.
 - Shared knowledge through mentoring and coaching.
 - Those teachers should then be able to access appropriate courses and disseminate to colleagues

22. What is the potential impact of replacing School Action and School Action Plus and their equivalents in the early years with a single category of SEND in early years settings and schools?

- Potentially one single category could lead to a much wider range of SEND within this category, although this is clearly not the intention.
- Several categories of SEND are seen as being able to be addressed via good teaching. This relies on changes to teacher training.
- Increased identification initially until teachers become more skilled in routinely meeting the diverse needs of children:
 - dependent on the criteria of SEND
 - some need to identify severity? Not sure
 - must ensure decent records maintained
 - maintain graduated response?
 - school must be clear in response (i.e. intervention)
 - might be less focused on offering graduated approach to students with SEND
 - might mean more focused intervention carried out by school
- single category of SEND does not include emotional needs for outside school environment but behaviour and learning needs are impacted on by factors outside the educational environment
 - will it mean a return to the medical model/ "within child"
 - possible manipulation of process for a range of inverse incentives
 - fuzzy boundaries about when/if specialist services become involved
 - possible more equitable access to support from people working in school (outside agencies + SENCO)
- H.E.C plan:
 - who makes the decision about the plan?
 - who would write it up?
 - representation from Health, Social Care and Education
 - Who holds the plan and who is accountable and who holds the

resource?

- Would prefer to keep School Action and School Action Plus as this reflects on the system/school being stuck rather than the problem being “within” the child/medical model of deficiency.
- Greater transparency of funding for single equivalent group.
- Responsibility for progress?
- Issue with inherent “within” child assumption . . .
- What did we learn from history . . .
 - This would be winding the clock back to the time pre 5 -staged provision which was the forerunner of SA and SA+. Before the introduction of the staged procedure, many children failed to have their needs identified and met. Early intervention was a pipe dream.
 - The staging has given a scaffolded approach with regular opportunities for monitoring, review and implementation and building trust and a collaborative relationship between school, parents and support agencies.
 - The Parents I have spoken to and what SENCOs on the National Award training report is that parents are anxious that taking away these stages will have the effect of taking away the scaffold and leave children to flounder as countless children did prior to the introduction of the staged procedure.
 - We must ensure that children with individual and complex needs are not lost in a homogenous mass.
 - Potentially disastrous. The graduated response works well; one size does not fit all. “It will mean fewer children identified as SEND”: there are not suddenly significantly fewer children with SEND, even given the fact that over identification of need might have occurred in some cases, nationally. Arguably, there are under identified needs also!
 - Clear guidance for all schools, produced nationally? Is this feasible, practical? Cognition and learning might be data measurable but BESD would still be open to a wide variance in opinion.

23. How could changing the school and early years setting-based category of SEND embed a different approach to identifying SEND and addressing children's needs?

- There needs to be a radical cultural shift in attitudes to inclusion, removing barriers and supporting children with complex needs in order for a different approach to be embedded.
- Possibility of Early Years settings shifting responsibility and asking for ‘outside help’, sooner, as there is no funding to manage SEND within their own facilities and resources.
- Unhelpful to separate SEND and emotional needs e.g. from home environment, as one impacts on the other. Important to look at child’s development holistically and work jointly with home and school system.
- How would SEND be identified:

e.g. by a professional
by a school

- Would this place unexpected demands on current services outside school.
- There would need to be very clear guidance to schools regarding:
 - SEND.
 - Appropriate and focused teaching.
 - Will require clear role of school improvement/professionals linked identification of SEND and increased time from an Educational Psychologist
 - Will probably require a joint monitoring approach e.g. SEND/School improvement.
- Aim for early identification and looking at solutions rather a label – changing the name will not change the approach.
- High quality training will be what changes the approaches.

24. How helpful is the current category of Behavioural, Emotional and Social Development (BESD) in identifying the underlying needs of children with emotional and social difficulties?

Very helpful

Helpful

Not very helpful

Not at all helpful

X Not sure

Young people with behaviour, emotional and social development concerns may be identified through a variety of routes. Re-visiting definitions is neither required nor helpful, rather than creating a tighter focus on achieving the best support and interventions to help children and their families. Children with behaviour problems are usually those in some kind of stress, possibly for quite a short period. Local authorities and schools must retain the ability to include children with behaviour and emotional difficulties in education, care and health plans.

- Issues in the home do result in SEND difficulties.
- We agree that BESD is an over used label for aspects of but not all behaviour.
- For certain pupils' early intervention is a way in which to prevent future emotional and social difficulties.
- Learning mentors should be **appropriately** trained and should be funded accordingly.
- Specialist programmes should be funded which include: in class, then school attached unit and then outside unit.
- The word behaviour is often misunderstood and incorrectly used to mean bad/undesirable behaviour rather than observed behaviour which may include emotional and learning needs.
- The label is overused to identify one type of difficulty but in its broad and true SENDse behaviours affect all aspects of learning and emotional health.

- Currently not enough time and expertise for focused assessments to make accurate identifications of need.
- Early intervention is esSENDtial so that labels are not given inappropriately but there are funding issues: far more training is essential to have appropriate identification at an early stage must be put in place – getting rid of the label does not get rid of children’s needs.
- BESD is what is manifested within the educational setting or home setting. Children are not labelled casually. Good schools will always look beyond any label to determine causation and from there further determine the most appropriate interventions to adopt to try and support the student and effect some change.

25. Is the BESD label overused in terms of describing behaviour problems rather than leading to an assessment of underlying difficulties?

Yes

No

X Not Sure

The ongoing debates about labels and descriptors too often obscures and interferes with efforts parents, teachers and local Councils wish to make to improve the outcomes for vulnerable young people.

As above.

26. How could we best ensure that the expertise of special schools in providing behaviour support is harnessed and shared?

We do not agree that all BESD special schools are able to provide support to others, however Special schools, specialist colleges and alternative providers, including pupil referral units have excellent skills in dealing with some of our most challenging children and young people. So too do staff working in secure children homes. Where there is greater collaboration between all of these providers so the outcomes are more likely to be understood and shared.

- Need to ensure special school staff have capacity to go into mainstream schools and coach staff.
- Need to ensure that special school staff are working with the underlying reasons for the behaviours and developing children’s coping strategies. Through a variety of actions such as, ensuring vibrant networking is encouraged between teachers of special and mainstream schools and/or special school staff running periodic workshops/seminars and/or special school staff offering training to mainstream school staff in specific areas of expertise within BESD. As more Special Academy Schools come into existence, such approaches are likely to take place within a market economy. This may be an issue for LA mainstream schools who ideologically may not

want to buy such Services or are unable to afford to do so.

- Local cluster groups to share expertise,
- Special schools should have high calibre outreach services and staff from other schools should be able to visit these schools and also have visits back from experts.
- Build in finances to release teachers to observe and learn particular expertise and skills from more experienced/trained teachers.

Can learn from others in similar situations and experts, far more sharing of expertise needed between schools,

27. What are the barriers to special schools and special academies entering the market for alternative provision?

There are many issues :

- Much – but not all – alternative provision is rightly short term and aimed at getting young people back into schools or special schools. Whilst there is no reason why academies or special schools should not be able to provide such short term provision, the challenge in doing so will be high.
- Ensuring that funding follows the learner and yet ensure sufficient cash to deliver alternative provision will not be easy.
- Accountability for the outcomes for young people needs to be clear: shifting accountability frequently from one provider to another is not helpful.
- The cost of provision and support required to ensure safeguarding arrangements and effective learning are consistently in place
- The key barrier is the fact that they may not see it as their primary role.

28. What are the ways in which special academies can work in partnership with other mainstream and special schools and academies, and other services, in order to improve the quality of provision for pupils with SEND and disabilities?

Special academies and specialist colleges should be required to provide their specialist expertise and facilities to other schools which should also be obliged to harness the specialist skills in special schools. Academies may do this through local partnerships or academy groups.

29. What are the barriers to special academies becoming centres of excellence and specialist expertise that serve a wider, regional community and how can these be overcome?

- What will make these any more excellent or otherwise than any other school?
- Well trained staff, more staff, smaller class sizes would all contribute to excellence in any school. The evidence to date is that the academies are not consistently providing quality learning experiences for children with SEND – given the enhanced funding that academies receive they should be in a better

position to prove best inclusive education for these children.

- Quality assurance of provision may be a significant barrier.
- Specialist schools or colleges (of whatever form) need to understand the nature of specialist support and skills in the area they operate in. Developing specialist support and facilities is expensive and, particularly for some conditions or disabilities, requires a small number of providers. Local Councils should be expected, in their plans for education and care, to identify their need for specialist support and facilities, working with other Councils at a multi-area level. The development and regulation of specialist schools and colleges including in the independent sector requires significant and further consideration.

30. What might the impact be of opening up the system to provide places for non-statemented children with SEND in special free schools?

- Could cause problems with strategic planning and planning for future need within an authority area.
- Possible inequalities in regard to local access and the quality of provision and what is taught.
- Parental preferences may be due to misinformation.
- What checks and balances will be put in place?
- New schools will have no “history” to inform parental choices.
- Labelling is not helpful, children have the right to be educated in the school that will meet their needs whether special or not.
- Children in special schools have a wealth of talents, these need to be recognised as well as learning needs.
- As statements are being reduced this should happen-opening up system should happen so that special schools stay open and ensure a range of provision exists.
- Non statemented children might get lost in a system which has little in place in terms of accountability to anyone, it seems.

This is likely to cause confusion and needs some serious thought regarding implications, sustainability and legislative frameworks.

31. Do you agree with our proposed approach for demonstrating the progress of low attaining pupils in performance tables?

Yes

x No

Not Sure

In principle this could work well and lets parents know how well schools support lower attaining pupils, however it could be construed that:

- It is impossible to provide accurate comparative statistical data across different schools if limited to lowest 20% of a school's pupils.

- Depends on what is included in the progression data e.g. learning behaviours, attention, independent learning skills.
- No as it is not appropriate for all children. The assumption is that the NC levels (beyond level 1) are a good way of assessing children and this is not always the case.
- Many SEND children make excellent progress but not in these measurable terms, all progress should be celebrated. P-Scales and published material such as PIVATs should be encouraged.
- Sometimes progress is made in non academic areas such as focusing for a period of time, social skills, etc. - this cannot easily be tracked and measured in a uniform way upon which judgements can be made but it still represents significant progress for that child.

Our SENDCOs comment that :-

“Performance tables always have been crude measures. This is a step too far. There are many reasons why progress is slow, spiky in profile etc. The under performance of teachers is not always the reason why progress is not made.”

“There is a key issue of ensuring that young people enter work or training appropriate to their skills and attributes – raw measures could lead to a new barrier being developed.”

32. What information would help parents, governors and others, including Ofsted, assess how effectively schools support disabled children and children with SEND?

Making large amounts of un-mediated data about school performance available to the public cannot be seen as the only way of providing information to parents and young people.

Local Councils play a key role in helping their citizens understand the performance of institutions in their area, and many Councils are developing new ways of doing this. They are hampered however by the different ways of gathering information in the SEND and LLDD systems and in health, making meaningful comparisons difficult. Schools, including academies and free schools should be obliged to share information about their performance with their local Council to enable authorities to fulfil their role as champions of young people.

How information about the performance of individual providers is gathered and communicated to parents and young people, including those with a disability requires further consideration, perhaps through a pilot project.

When carrying out inspections in schools and colleges Ofsted should be obliged to make a separate statement about the quality of SEND/LLDD provision, in a

similar way as they do for sixth forms in schools, requiring a more in depth expertise than at preSENDt. A school or college should not be able to achieve an overall outstanding grade if its SEND or LLDD provision is not good or better.

In addition the following factors may need to be considered:-

- Clear provision mapping for each pupil with SENDD and the impact of the provision.
- Questions to ask to assess effectiveness in that particular school and or college may include:
 - How effectively does school communicate to parents?
 - Staff training and qualifications of staff.
 - What expertise do governors have?
 - How do you assess happiness?
 - Class sizes?
 - Resources available.
 - Community links.
 - Links with other schools.
 - Transition management.
 - Using SEND services such as specialist teaching services and Educational Psychologists which may need to be bought in - who checks effectiveness of teaching?
 - Is there a holistic approach to need, not just label, identification and actions.

Parents via regular dialogue with school and or college. Governors need to have a real interest in SEND and not be a token SEND Governor. On line data will not necessarily reflect the real picture of SEND provision and outcomes.

Chapter 4: Preparing for Adulthood

33. What more can education and training providers do to ensure that disabled young people and young people with SEND are able to participate in education or training post-16?

- Having an education health and care plan should support transition into adulthood.
- Education and training providers should have explicit information available to guide choice.
- Planning should be in place from year 9.
- Allow mainstream education providers to have the confidence/freedom to develop a more practical or life skills based curriculum rather than being restricted and by the expectations of the National Curriculum. Early intervention and appropriate strategies developed and explicitly taught from an early age could significantly improve access to post 16 education and independence in general.
- Balance the focus on academic goals and encourage practical/life skill approaches across all settings and providers.
- Reduce the pace of delivery by identifying realistic/achievable goals and targets.
- School and college to work better on effective transition. An understanding on both parts of the value of the vocational route for some students (the current emphasis on EBacc is not compatible here).

We recognise that:

Many schools and colleges, including those in the independent sector, are already providing high levels of support for young people with SEND, including those with high level needs. That so many achieve so much is despite the system, not because of it. There are a number of actions required to remove the barriers to schools and colleges doing even more:

1. The Department for Education should create a single team of civil servants responsible for SEND from 0-25, bringing together the existing SEND and LLDD teams and incorporating health agencies.
2. The whole system should focus on the expected adult outcome for young people with a disability, freeing up funding and removing barriers to creating flexible and innovative approaches.
3. Responsibility for the outcomes of young people with special needs aged up to 25 should be in one place, with local authorities.

The continuation of the dual responsibility through local authorities and YPLA is unhelpful, ineffective and costly. Local authorities wish to take full responsibility for the education of young people with special needs aged 16-25 but to do so require the funding and means to commission. Whilst understanding the need to

operate within a degree of national funding equity, local authorities are hampered by the inflexibility and complexity of the YPLA funding mechanism for learners with LLDD which seems to favour providers at the cost of better outcomes for young people and often at a higher cost.

4. Whilst focussing on how we describe aspects of administration is rarely productive, having two systems which carry out the same functions in very similar ways but using different terms for everything is not helpful. As a single new system develops we need to settle on one agreed language.
5. Treat schools and colleges in the same way, including on issues such as workforce development. What type of institution a young person with special needs attends should not determine the amount of funding provided, as happens at preSENDt.
6. Teacher training, qualifications and development opportunities for school teachers and college lecturers should be better integrated. Colleges and schools should be encouraged to develop their workforce in partnership and barriers to do so removed. Special schools and academies which become teaching schools, should share their expertise with other schools and colleges. This model should be extended both to general FE colleges which have expertise in special needs and to independent specialist colleges. Further consideration needs to be given to how national agencies such as LSIS can contribute to this process. Independent specialist colleges should not be prohibited from accessing support from LSIS, merely because of the differences in how funding flows to institutions from government departments.
7. Allow schools and colleges to provide education and training programmes which encourage independence and working skills, not just gaining a qualification.
8. There have been many projects which have encourage supported employment and independent living for young people with more complex needs, often improving their quality of life and reducing the lifetime cost to the state. However too many barriers continue to inhibit the ability of agencies at a local level to pool budgets and accountabilities to achieve these ends. Government departments, especially education, health, BIS and the DWP could do much more to remove these barriers.
9. Local authorities, schools and colleges can do much more to share information about young people with special needs, reducing the current level of assessments. The DfE should radically revise the guidance on Learning Difficulty Assessments, particularly regarding when assessments should take place.

34. When disabled young people and young people with SEND choose to move directly from school or college into the world of work, how can we make sure this is well planned and who is best placed to support them?

Education care and health plans should identify how young people with special needs continue learning through to at least the age of 18, removing the need for

additional transition arrangements at 16. In 2008 local authorities were given responsibility for ensuring learning difficulty assessments (LDAs) were undertaken, along with other duties carried out by Connexions companies. In Lincolnshire we have introduced measures to improve the quality of LDAs initially integrating this function with our SEND systems but are hampered by the separate legislative regulations of the SENDD and LLDD systems. This is also most unhelpful to parents of young people. Young people themselves find this area bewildering. Further work is required to disseminate the good practice in our and other local authorities in reforming the assessment of young people with special needs and disabilities.

In addition it may be useful to:

- Develop phased approaches matched to the pace and level of the individual. Initially led by the education setting but develop collaboratively with the staff who will assume the mentor role in the work place.
- Identify the individual level of support needed and begin to develop the requisite skill/s from emerging skill levels.
- Place the emphasis on looking at the needs through the young person's perception not on associated adults views.
- Begin with exploration of the requirements of the work place and undertake a complete review of the young persons skills/strengths and needs in terms of ability to undertake the tasks of the work place and their level of social/physical well being needs. The pace of the transition must be led by the progress of the structured/cumulative/small steps programme of preparation.
- Increased training and awareness of complex needs for Specialist Careers advisors so that they are equipped to identify funding and suitable opportunities and be enabled to match individuals with meaningful job opportunities.
- The perception and empathy/tolerance of the young person's needs in the workplace and with the general work force.

35a. Do you agree that supported internships would provide young people for whom an apprenticeship may not be a realistic aim with meaningful work opportunities?

Yes

x No

Not Sure

35b. How might they work best?

Using internships as a name has a number of negative associations. They are too often regarded as opportunities found by the well off parents for their children or as ways of employers getting free labour. We do however support the development of appropriately resourced apprenticeships for young people with SENDD. This area must be incentivised for both employer and young person.

36. How can employers be encouraged to offer constructive work experience and job opportunities to disabled young people and young people with SEND?

There are many examples of employers developing new opportunities for young people often with quite complex needs particularly through supporting people and other projects. Not all young people with special needs have learning difficulties and many employers find that they value specific skills which some young people have.

In Lincolnshire SENDD and 14-19 staff are encouraging schools and colleges to link with local enterprise partnerships to ensure that these issues are discussed with local employers. Public sector organisations such as the civil service, local authorities and health have an important role to play as employers, learning where needed from the private and voluntary sectors.

In addition the following should be taken into consideration:

- Financial incentives with a staged delivery level to cover expenses of employment – less production/time away from the work place for medical issues.
- Robust safeguards that the employer will value and develop skills for the young person and that the “employment” will focus on skill development not be used as cheap labour for menial tasks.
- Being a full part of the planning team and their voices being recognised and valued.
- Provision of advocacy support at least through the initial stages and in the case of some individuals be ongoing.
- Confidence that the support and funding will be sustained and long term.
- Realistic and sustained funding levels – ensuring and emphasising that the “life plan” is sustained and implemented. (1:40 page 36)
- On going training and evaluation of needs.

37. How do you think joint working across children's and adult health services for young people aged 16 to 25 could be improved?

In Lincolnshire we already have transition boards in place to consider these issues and the best include schools, colleges and health colleagues as well as repreSENDtatives from the voluntary sector.

Local authorities should be free to decide how best to undertake these roles in future, particularly the role of wellbeing boards and children's trusts. Increased flexibility and pooling of budgets will be achieved if different government departments make it easier for agencies to invest in better education opportunities for young people aged up to 25 with special needs, increasing their independence and reducing the need to rely on expensive services in health or social care in adult life.

38. As the family doctor, how could the GP play a greater role in managing a smooth transition for a disabled young person from children's to adult health services?

Local authority health and wellbeing boards, with GPs as members, should receive reports from the local authority on SENDD issues, including outcomes for young people.

We are concerned that this proposal may not be the best or effective use of GPs skill set and could be costly to implement.

There are many other health professionals involved who are often better placed to advise. Further consideration needs to be given to this proposal.

39a. Do you agree that our work supporting disabled young people and young people with SEND to prepare for adulthood should focus on the following areas: *(please tick those with which you agree)*

ensuring a broad range of learning opportunities

moving into employment

independent living

transition to adult health services

none

not sure

These are all important: but the focus should be on increasing the independence of the young person involved, which may require continued levels of support through adult life. However increased independence, including employment, will reduce the long term cost to the state.

- With careful planning to ensure it is a productive and meaningful experience with suitable funding and sustainability.
- Vulnerability from social needs and differences in terms of social communication, interaction and awareness of social appropriateness.
- Recognising the extreme diversity of need from total dependency to those with anxiety, social, emotional and communication issues.
- Policies and strategies to ensure emotional well being.
- Intensive and empathetic support of the family of the young person so that they enabled to confidently and appropriately support the young person positively to gain independence.
- On-going support for those who can never be fully independent (and acknowledging these people actually exist).

39b. What else should we consider?

We must not forget that young people with special educational needs and or disabilities also wish to be able to take part in social and cultural activities develop friendships and relationships independently from their families – just like

everyone else. Enabling this to happen requires an interaction with a broader range of agencies. Including a potentially significant role for third sector organisations.

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Chapter 5: Services Working Together for Families

40a. Do you agree with the following three core features of the role of local authorities in supporting children and young people with SEND or who are disabled and their families? *(please tick those with which you agree)*

<input checked="" type="checkbox"/> strategic planning for services	<input checked="" type="checkbox"/> securing a range of high quality provision	<input checked="" type="checkbox"/> enabling families to make informed choices and exercise greater control over services
<input type="checkbox"/> None	<input type="checkbox"/> not sure	

As described before the responsibility for the outcomes for young people with special educational needs and/or disabilities should rest in one place: with local authorities. However they can only achieve this if they work in partnership with parents, young people and many agencies and that they have the financial and administrative means to do so.

There does need to be additional core features, including the need to ensure that there is on-going accountability for monitoring of services.

- Ensuring the Young person has an appropriate means of voicing their view/hopes/concerns.
- A means of reaching agreement when opinions and expectations cannot be reconciled.
- Clarity of what can be expected and what is funded for each level of identified need and identification of who is responsible.

40b. Are there others? If so, please specify.

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Sure
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The local authority role is actually about the whole life outcomes for the young person, not just their educational achievement – see the answer to question 39.

41. How can central government enable and support local authorities to carry out their role effectively?

The government should transform the legislation for SEND and LLDD, enabling local Councils, schools and colleges to work with parents and young people to achieve the best outcomes. Nationally the government should clearly describe how funding will be provided and how it flows to schools and colleges. Whilst we in Lincolnshire welcome the opportunity to provide descriptions of the services they provide at a local level, we need to do so within a national framework which

seeks to provide a degree of entitlement without stifling local flexibility or accountability. Achieving this would make it easier for education care and health plans to transfer from one area to another should a young person or his or her parents move. It would also help parents and reduce conflict situations arising.

In addition further and detailed consideration should be given to:

Nationally agreed criteria to ensure equitable distribution of funding.

Give specific expectations of what is to be funded and to what level

Clarity in the allocation of the funding. Realistic levels of funding to ensure that the agencies expected to plan and provide are funded to do so.

Ensuring consistent levels of funding, expectations and provision nationally and allowing for the considerable problems of transport and access to provision in rural areas to prevent injustice and anomalies.

Ensuring that examples of good practice are disseminated and implemented nationally. Not a post code lottery.

By respecting their current contribution, not fragmenting service provision and promoting the role of specialist teachers and Educational Psychologists Professionals who work with children with disabilities and enabling health professionals to focus on assessment and meeting need via the provision of appropriate resources.

42. What would be the best way to provide advice to GP consortia to support their commissioning of services for children and young people with SEND or who are disabled and their families?

Unable to make an informed comment.

43. What would be the most appropriate indicators to include in the NHS and public health outcomes frameworks in the future to allow us to measure outcomes for children and young people with SEND or who are disabled?

- Auditing what has been provided.
- Outcome data provided to individuals.
- Emphasis on baseline information that can be used as a comparator with outcome data.
- Providing clarity to parents re: pathways to services.
- Implementation of a scaled plan which clearly shows individual progress against the steps needed to achieve the long term goals for the individual.
- Recognise the individual differences in need and the pace differences in the acquisition of goals.
- Recognise the need for over learning and building on existing skills.
- Focus on wellbeing and mental health indicators.
- Ensuring that there are not too many Indicators.

44. What are the ways in which the bureaucratic burdens on frontline professionals, schools and services can be reduced?

By having a single simpler system common to all ages and wherever children and young people learn.

The Code of Practice could be simplified and this would be welcome as long as it was to become a document that is genuinely fit for purpose. IEPs are time consuming but there needs to be a clear strategy for monitoring intervention and assessing outcome and future steps, in the areas of education, health and social care.

Consider legislative change to ensure this.

45. In addition to community nursing, what are the other areas where greater collaboration between frontline professionals could have the greatest positive impact on children and young people with SEND or who are disabled and their families?

Contributions from Educational Psychologists are key, as are those from the health related practitioners including, physiotherapy, occupational therapy, speech and language therapists and the provision of highly trained children with disability social workers.

46. What more do you think could be done to encourage and facilitate local services working together to improve support for children with SEND or who are disabled?

A statutory requirement in relation to health authorities to commit resources to meet the recommendations that they make.

By ensuring that when case reviews are held at schools and or colleges it is a requirement that all agencies attend particularly medical professionals.

47. How do you think SEND support services might be funded so that schools, academies, free schools and other education providers have access to high quality SEND support services?

Local authorities value the flexibilities in the Dedicated School Grant system which allows schools and Councils to understand the pressures on SEND and agree how much funding should be held back at local authority level to pay for central specialist services.

Over the year local Councils and schools have developed different ways of doing this. In future such models are threatened by an increase in academies which

reduce the quantum of available funding in the DSG. The establishment of a high cost pupil grant to local authorities may provide a solution to this but means need to be found to provide a similar degree of flexibility to the DSG system. Where local authorities work in partnership they must be able to pool such budgets. Consideration should be given to including post 16 funding in colleges in this process, extending the range of DSG discussion to include colleges.

Ensuring as a minimum that specialist support services are retained by local authorities, particularly those relating to the administration of the SEND and LLDD systems, specialist Teaching and Educational Psychology Services.

48. What are the innovative ways in which new models of employee-led organisations, such as mutuals and cooperatives, could improve services for children and young people with SEND and their families?

Whatever the structural shape the following is pertinent to Lincolnshire.

49. In addition to their role in the assessment process, what are the innovative ways in which educational psychologists are deployed locally to support children and young people with SEND or who are disabled and their families?

Educational Psychologists and health professionals from a wide range of therapeutic service areas within Lincolnshire work on a range of different levels to support children, young people and their families through applied psychology. This includes work at a strategic level across the county and district Councils, in addition to strategic work in schools. Examples include:

- Disseminating the three strands of the IDP (Inclusion Development Programme) across schools.
- Delivering the SPOT (Supporting Parents of Teenagers) programme.
- Facilitating SENDco cluster groups – forums for training, networking and problem solving groups of SENDco.
- National Autistic Society EarlyBird, EarlyBird Plus and Help! Programmes – courses for parents of children with autism, including school staff.
- Co-ordinating training for Early Years education providers – courses specifically developed and delivered by the Psychology Service.
- Devising and delivering a module on developmental psychology for the training programme of the Graduate Teachers Programme (GTP).
- Teacher Coaching – a solution focused based approach to empowering and developing the skills of teachers.
- Training – a CBT based intervention aimed at reducing anxiety and depression in children and young people.
- Contributing to the delivery of the CWDC induction programme.

Educational psychologists also have a valuable role in contributing to the development and dissemination of county wide evidence based resources and

bespoke interventions. Such implementation of countywide resources includes:
First Move – a daily intervention targeting fine and gross motor skills.
First Call – a daily intervention targeting speech, language and communication skills development.
Jolly Jellyfish – supporting young children’s development of phonological awareness through early intervention.
The development of ‘preventing anxiety’ resources for schools.
AIM4LINCS – autism inclusion mark materials.
‘Listen to me’ – hearing the voice of the child materials.
Circle of Friends.
Fun Friends and the FRIENDS programme.
Supporting Parents of Teenagers (SPOT).
Paired reading.
Precision teaching.
Attachment training.
Behaviour management training – BFA and MEP.
Provision mapping.

Educational Psychologists work to apply psychology in flexible and innovative ways to support problem solving. This includes using process based approaches underpinned by an interactionist perspective which ensures consideration is given to environmental factors, others and peers, as well as the child. Such approaches include:

- A range of consultation based techniques – negotiating, co-ordinating and facilitating.
- Applying solution based methodologies.
- Research.
- Therapeutic interventions.
- Motivational Interviewing.
- Parent workshops/information sessions where providers make explicit what they are able to offer and to whom.
- Workshops for professionals where providers make explicit what they are able to offer and to whom.
- Providing independent advice.

50. How do you envisage the role and service structures of educational psychologists evolving to meet local demands?

- They must remain within the employment of a local authority organisation.
- There should be a universally available core service which is free at the point of delivery.
- LA’s should be able to provide the core service in whatever way is efficient and cost effective.
- Statutory Assessment functions.
- Provision of a consultative service (to schools) for children and young people

with significant and complex difficulties from -0 to 19+ years?

- Consideration as to the means by which these services are accessed.
- EP Services could be set up to offer a range of additional services which are not part of the core offer.
- Organisation needs to take account of the availability of EPs to deliver additional services and the broader strategic skill sets of Educational Psychologists.

51. What are the implications of changes to the role and deployment of educational psychologists for how their training is designed and managed?

As with other professions in education, the costs of training Educational Psychologists to reach the required qualification to be employed should be met nationally, not by local authorities who should be responsible only for ongoing professional development.

Local authorities should remain the employer of Educational Psychologists.

52. What do you think can be done to facilitate and encourage greater collaboration between local authorities?

Local Councils have for many years been working in partnership with other Councils on SEND issues and, since 2009, been working in sub regional and regional groups to make collective decisions about high cost learners in the LLDD system. Such collaboration aims to improve services for the most vulnerable young people and do so in more effective ways making systems and information to parents more coherent. In the new system, local authorities should be incentivised to work in partnership and allowed to develop their own way of doing so. Any new legislation should ensure that:

- groups of authorities can publish a joint local offer, rather than one for each local authority,
- one authority can act on behalf of others, with their agreement,
- funding can be routed directly to one authority acting on behalf of others, at their request,
- individual authorities have the means to act as the host authority for independent special schools and colleges in their area, simplifying accountabilities and relationships with this sector, and
- the make up of multi-area local authority partnerships is not constrained by regional or other super imposed boundaries.

Consideration however needs to be given to the collaboration capacity and functions of large local authorities such as Lincolnshire.

It would also help if national funding made available to the Local Government Group for development purposes could be identified to support such inter-

authority partnerships.

53. What do you think are the areas where collaboration could have the greatest positive impact on services for children, young people and families?

The key areas are for collaboration between Councils, schools and the voluntary sector are:

- Joint statements for parents and young people about what support services are available and how assessments and decisions are made.
- Joint assessment systems and reviews.
- Collaborative development and commissioning of new facilities and providers to fill gaps in provision provided this is resourced financially and that robust commissioning arrangements are in place.
- Joint commissioning of independent providers and placements in order to ensure value for money and as it relates to outcomes.
- Focus on outcomes in adult life, increasing independent living and employment opportunities.

54. How do you think that more effective pooling and alignment of funding for health, social care and education services can be encouraged?

See the answer to question 52.

The key to changing the behaviour of different agencies is to create financial stability which allows organisations to take a long term view, investing now to improve the outcomes of young people in adult life.

Consideration needs to be given to how Councils provide financial information about pooled resources, including the section 52 statement so that such instruments do not act as a disincentive to pooling budgets where appropriate.

This in practice will require significant thought and may require legislative change particularly relating to the pooling of some health related budgets.

55. What are the ways in which a Community Budget approach might help to improve the ways in which services for children and young people with SEND or who are disabled and their families are delivered?

See previous answers.

56. What are the ways in which we could introduce greater local freedom and flexibility into the ways in which funding for services for children and young people with SEND or who are disabled is used?

Ensure that local authorities through the direction of accountable elected

members are freed up to strategically plan and deliver the services required for all regardless of where the child or young person attends school or college.

57. What are the areas where the voluntary and community sector could have the greatest positive impact on services for children and young people with SEND or who are disabled and their families, and what are the ways we can facilitate this?

Local Councils could not achieve what they do without the collaborative support of voluntary agencies and are working closely with them in developing new approaches to SEND provision. The voluntary and community sector is involved in almost all aspects of the system – assisting with assessments on occasion, providing information and support for parents and young people and directly providing services, including independent special schools and colleges.

As the diversity of providers grows the boundaries between different types of organisations will become more confused. Whilst the voluntary sector can have a greater role in the assessment process, it too has to deal with issues of conflicts of interest in the same way as local Councils. Parents and young people are less concerned about who is responsible, more that it is clear, transparent and accountable.

Supporting the voluntary sector comes at a cost however and with reducing Council budgets the voluntary sector will be less well supported than in the past.

The role of the third sector requires much more thought than is presently outlined in the Green Paper as to their role and accountabilities.

58. How do you think a national banded funding framework for children and young people with SEND or who are disabled could improve the transparency of funding decisions to parents while continuing to allow for local flexibility?

The development of a more coherent national funding formula for education is welcomed. However funding for young people with special educational needs, especially those with more complex needs, must be flexible enough to meet the needs of each individual learner at a local level and within a local learning environment. The additional funding associated with these 'high cost' young people should be allocated through local Councils to whichever type of institution the young person attends, including academies and free schools. Developing a more coherent funding model must avoid simplification which removes the flexibility of Councils and schools to work effectively together to ensure the needs of the most vulnerable young people are met.

There must also be a realisation for all that resources are not infinite and that placement must be needs referenced within the local context and resources available.

59. How can the different funding arrangements for specialist provision for young people pre-16 and post-16 be aligned more effectively to provide a more consistent approach to support for children and young people with SEND or who are disabled from birth to 25?

This question misses the point: we need a single system from 0-25 not simply a better aligned pre 16 and post 16 model (in itself a poor description of SEND which is up to age 19 and LLDD 16-25).

Any model which continues the present divide between SEND and LLDD will seriously restrict the ability of local Councils to create a single, integrated approach which is needed to improve the outcomes for young people with special needs and to raise the trust and confidence levels of some parents and young people.

60. Please use this space for any other comments you would like to make.

The Green Paper is very detailed but at times it is contradictory and difficult to establish what the text actually means. This is the view of a very wide range of stake holders including Headteachers, practitioners, parents and others.

61. Please let us have your views on responding to this consultation (e.g. the number and type of questions, was it easy to find, understand, complete etc.)

This was a very long set of questions, many of which were repetitive which made completing it and no doubt making sense of the questions all the harder.

Extending the consultation period to four months was very helpful and we must find ways of continuing the dialogue between all those who have been involved so far. In Lincolnshire we would welcome this.

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

Please acknowledge this reply x

Here at the Department for Education we carry out our research on many different topics and consultations. As your views are valuable to us, would it be

alright if we were to contact you again from time to time either for research or to SENDd through consultation documents?

Yes

No

All DfE public consultations are required to conform to the following criteria within the Government Code of Practice on Consultation:

Criterion 1: Formal consultation should take place at a stage when there is scope to influence the policy outcome.

Criterion 2: Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

Criterion 3: Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

Criterion 4: Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

Criterion 5: Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

Criterion 6: Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

Criterion 7: Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

If you have any comments on how DfE consultations are conducted, please contact Donna Harrison, DfE Consultation Co-ordinator, tel: 01928 738212 / email: donna.harrison@education.gsi.gov.uk

Thank you for taking time to respond to this consultation.

Completed questionnaires and other responses should be SENDt to the address shown below by 30 June 2011

SENDd by email to SENDd.greenpaper@education.gsi.gov.uk or by post to: Consultation Unit, Department for Education, Area 1C, Castle View House, East Lane, Runcorn WA7 2GJ.