

Children's Services Commissioned Autism and Learning Difficulties (ALD) Service

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1. Introduction

The Autism and Learning Difficulties (ALD) Service (also referred to as Working Together Team), is commissioned on behalf of Lincolnshire schools to provide support for autistic children and young people (CYP) and CYP with mild, moderate and severe learning difficulties and social communication challenges which impact on their cognitive development and learning potential. The Service is one of three¹ outreach support services that are part of the Inclusive Lincolnshire Strategy to help build resilience across schools to support all pupils and promote a collective responsibility to reduce exclusion.

The current Service agreement is due to end on 31st August 2022.

A commissioning review of the ALD Service commenced in February 2020. The review considered local and national policy requirements, local need (both pre and during Covid), feedback from service users/professionals, the performance of the ALD Service, comparisons against other local authorities and the supplier market. The service has also been considered as part of a wider review of other emotional wellbeing and behaviour outreach support services available in Lincolnshire and as part of the SEND Transformation Project and the Building Communities of Specialist Provision Together in Lincolnshire in relation to SEND workforce development.

Aim of the Commissioning Plan

To inform decision makers of:

- The key findings of the reviews.
- The recommended model for an ALD Service from September 2022 onwards and how this will integrate with mental health, emotional wellbeing and behaviour outreach support services.
- The funding requirements of the recommended model.
- The recommended approach for re-commissioning an ALD Service.

2. Current Commissioning Arrangements

The lead provider of the ALD Service/Working Together Team (WTT) is Gosberton House Academy. WTT is a collaborative body formed between three special school academies in Lincolnshire: Lincolnshire Wolds Federation, Spalding Special Schools Federation and Gosberton House Academy.

The Service commenced 1st September 2015. It was originally delivered via a memorandum of understanding; however, following the school's conversion to an academy, this is now through a Public to Public Collaboration Agreement². The agreement is due to cease on 31st August 2022.

In 2015, Lincolnshire Schools' Forum agreed the Designated Schools Grant should fund this Service and it was agreed Children's Services would lead the commissioning. The current annual value of the agreement is £617,500.

¹ Alongside the Behaviour Outreach Support Service and Physical Disability Outreach Service.

² A Public to Public Collaboration Agreement is a legally binding agreement between different public bodies that want to co-operate together to address public sector objectives that they have in common. Regulation 12(7) of the Public Contracts Regulations 2015 allows parties to enter into these agreements and as such they do not need to be subject to a competitive procurement process.

3. Autism and Learning Difficulties Service Review Findings

3.1 Policy Background and Statutory Duties

Appendix A provides further detail of how the ALD Service aligns to and supports national and local policy, strategies and priorities but below sets out the key legislative requirements of the Council that are supported by the service.

Legislation

The Council has no explicit statutory duty to provide an ALD service but the service does support the Local Authority's statutory responsibilities in relation to:

- The **Autism Act 2009**, sets out local authorities statutory duties in relation to supporting the needs of autistic people in the community. This includes supporting young people move into adulthood.
- **Section 17(1)** of the **Children Act 1989** imposes a general duty on local authorities to safeguard and promote the welfare of children in need in their area, including providing a range and level of services appropriate to those children's needs.
- The **Health and Social Care Act 2012** places duties on local authorities in relation to addressing health inequalities of CYP.
- The **Children and Families Act 2014** sets out the general principles and duties on local authorities and health bodies to work in partnership when commissioning provision for CYP, including CYP with SEND. This includes supporting CYP with their development and helping them to achieve the "best possible educational and other outcomes". **Part 3** of the Children and Families Act 2014 specifically relates to CYP with SEND.
 - **Section 25** places a duty on local authorities to ensure the integration of educational provision and training provision with health and social care provision where this would promote the wellbeing of CYP with SEND and improve the quality of the provision available to CYP with SEND.
 - **Section 44** provides for reviews and reassessments for pupils with EHCPs, including pupils permanently excluded in order to identify the most suitable new education provision.
- The **Special Educational Needs and Disability Code of Practice: 0 to 25 years, 2015** sets out the legal requirements that must be followed and explains the duties of local authorities, health bodies, schools and colleges under Part 3 of the Children and Families Act, 2014.
- The **Education Act 1996, 2002 and 2011** sets out the responsibilities for local authorities in relation to ensuring the welfare and inclusion of and promoting high standards of education for children and young people. These include:
 - **Section 19** of the **Education Act 1996** imposes a duty on local authorities to make arrangements to provide "suitable education at school, or otherwise than at school" for compulsory school aged pupils, including pupils with SEND and/or excluded from school. This includes making arrangements for suitable full-time education for pupils permanently excluded no later than the sixth day of the exclusion (this duty is also set out in **Section 100** of the **Education and Inspections Act 2006**).
 - **Section 51A** of the **Education Act 2002** imposes a duty on local authorities (or academy trusts) to arrange independent review panel hearings where parent/carers appeal against a governing body decision not to re-instate the pupil. Panel meetings must be arranged within 15 school days from the day the parent/carer application was made. This includes statutory duties and guidance on arrangements for, and members of, independent review panels.
- **Section 51A** of the **Education Act 2002** and the **Education (Amount to Follow Permanently Excluded Pupil) Regulations 1999** set out the financial statutory guidance for local authorities following a permanent exclusion, including arrangements for adjusting budget shares for

maintained schools and pupil referral units and arrangements local authorities may wish to enter into with academy trusts.

- The **Equality Act 2010** sets out the statutory duties for all public bodies to ensure they play their part in making society fairer by tackling discrimination, promoting equality of opportunity for all and fostering good relations.

Local Priorities

- **The Council's Corporate Plan** – this Service supports: *Enable everyone to enjoy life to the full; Create thriving environments and Provide good value council services.*
- **The Inclusive Lincolnshire Strategy, 2015** - a joint strategy between the Council and the Lincolnshire Learning Partnership (LLP) *to build resilience across all schools to support all pupils, promote collective responsibility and reduce exclusion.*
- The Council's **Children's Services commissioning priorities** include supporting children to reach their potential by ensuring that they are safe and healthy, ready for school (including emotionally ready), and ready for adult life.
- **Building Communities of Specialist Provision Together in Lincolnshire** sets out the strategic vision for Lincolnshire in relation to enabling Lincolnshire pupils with SEND to access an integrated All Needs education system which provides excellent education, health and care interventions in their local community. This includes reviewing and developing a SEND workforce development strategy for special schools that can also be rolled out to the wider SEND workforce within mainstream settings.
- **The Public Health 5 Year Plan and Children's Public Health Priorities** seek to ensure that CYP feel happy, stay safe from harm and make good choices about their lives, particularly children who are vulnerable.
- Lincolnshire's **Strategic Education Plan** in relation to creating the conditions so that every school and every child thrives.
- Lincolnshire's **All-Age Autism Strategy 2019-2022** sets out Lincolnshire's plan to improve support and services for autistic people, aligned to the government's general plan.
- Lincolnshire's development of its **Early Childhood Strategy** provides a strong basis to further improve outcomes for children to the end of their foundation stage. The Strategy sets out the primary aim to increase the Good Level of Development (GLD) of all children across Lincolnshire and to improve Lincolnshire's outcomes when compared to statistical neighbours. A key step within the Strategy is ensuring that parents and professionals work together to ensure transition arrangements meet the needs of the child to better prepare children for school and to make the most out of the reception year.
- Lincolnshire's refreshed **Early Help Strategy 2021-23** is a collaborative approach for every professional working with or engaging with children and families, regardless of organisation, status or position. "Putting Children First" and "Working Together with Families to Enhance Children's Present and Future Lives". The approach of the Early Help system in Lincolnshire is to provide support to families to prevent needs from escalating including by ensuring CYP and their families receive the right support, at the right time, by the right professional and for the right duration.
- Lincolnshire's **SEND Transformation Project and the High Needs Strategy** sets out the ambition to improve how the system will work together with families to secure the best possible life chances for CYP with SEND. This includes improving the earlier identification of and meeting the needs of CYP with SEND, working with schools and other educational settings to strengthen the graduated approach with the ultimate goal of providing the right support at the right time and in the right place for all CYP and their families in Lincolnshire.

Summary of Key Findings

- The Council does not have a statutory duty to commission an ALD Service however the service does support a range of statutory requirements that are specific to the Council and the delivery of recommendations made in national policies and local priorities.
- The Joint Local Area SEND Inspection identified the joint commissioning with schools as good practice to reduce the fixed term and permanent exclusion of CYP with SEND.
- There is a clear commitment across all local priorities to ensure CYP with SEND and their families have access to the right support at the right time.
- Future commissioning of an ALD Service needs to be aligned to national and local priorities, including Building Communities of Specialist Provision Together in Lincolnshire and Lincolnshire's SEND Transformation Project (High Needs Strategy).

3.2 Needs Summary

- There is c. 124,565 CYP aged 5 to 19 years in Lincolnshire (resident age population profile, 2019). Projections show that by 2025 this will increase to 131,581 (Lincolnshire Population Projection Tool, 2018). Over the past two years this population for this aged group has projected to have risen by approximately 1% to 126,003.
- There are currently 359 Lincolnshire schools and academies covering a combined number on roll of 103,736 pupils (May 2021).
- There are 2,126 pupils on roll across 19 Lincolnshire special schools and academies (May 2021); an increase of c.15% since May 2016. However the general growth in population is not proportionate to the percentage increase of pupils in Lincolnshire special schools and academies.
- The prevalence rate of autism for CYP in the UK is currently 1% of the UK population, i.e. 1 per 100 children (NHS Digital). For school aged children based on the prevalence rate there is expected to be c.1,245 autistic CYP in Lincolnshire.
- Between January and December 2019 there were 1,081 referrals for an autism assessment by Community Paediatrics in Lincolnshire. C. 50% (500) were diagnosed as being autistic which is high and would indicate an over-diagnosis. An improved multi-agency assessment pathway has since been established and has had a significant impact already reducing waiting times and appropriately screening.
- Many autistic CYP can successfully access and thrive in mainstream education and some may need additional support to do this. Between January 2018 and January 2021 in Lincolnshire the percentage of pupils with SEN support with the primary need of Autistic Spectrum Disorder (ASD) increased by 0.4% from 6.7% to 7.1% and there was a slight decrease of 0.1% of pupils with the primary need of Moderate Learning Difficulty (MLD) or Severe Learning Difficulty (SLD); from 29.5 to 29.4% MLD and 0.3% to 0.2% SLD. Overall the percentage of pupils with SEN support increased by 0.2% (12.6% to 12.8%).
- Nationally there has been an increase in CYP with an Education Health and Care Plan (EHCP) and the increase in Lincolnshire has been higher than many other areas. Between January 2018 and January 2021 EHCP numbers increased by 37% (4,560 to 6,236). The largest increases were for CYP under 5 (94%) and CYP aged 5-10 (59.5%).
- For state funded special schools nationally the top four primary needs of pupils with EHCP/Statement are Autistic Spectrum Disorder (ASD), SEMH, Severe Learning Difficulty (SLD) and Moderate Learning Difficulty (MLD). This is the same in Lincolnshire. The ALD Service supports three out of those four top primary needs. The table below provides a comparison for ASD, MLD and SLD rates in state funded special schools between 2015/16 and 2020/21. The number of autistic pupils increased by 44.5% (319 to 461) but as an overall percentage of

pupils in special school this was a 6% increase. The number of pupils with SLD also increased by 7% (248 to 266), however as an overall average percentage of pupils in special schools this decreased by 2%. The number of pupils with MLD decreased by 60.6% (619 to 224) but as an overall average percentage of pupils in special schools this was a 26% decrease. Lincolnshire has consistently lower rates than England and East Midlands averages for ASD and SLD and is now on par for MLD (Special Educational Needs in England, DfE, 2016 to 2021).

Approx % and actual number of pupils in state funded special schools with EHC/Statement with an identified primary need							
		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
Autism Spectrum Disorder	England	26% (26,041)	27% (28,790)	29% (32,276)	30% (35,627)	31% (39,471)	32% (42,965)
	East Midlands	22% (1,771)	25% (2,023)	26% (2,226)	26% (2,406)	29% (2,804)	30% (3,111)
	Lincolnshire	19% (319)	21% (360)	24% (425)	23% (426)	24% (459)	23% (461)
Moderate Learning Difficulty	England	16% (16,427)	15% (16,030)	14% (15,704)	13% (15,693)	12% (15,146)	11% (15,084)
	East Midlands	21% (1,723)	17% (1,433)	15% (1,332)	14% (1,274)	11% (1,108)	9% (988)
	Lincolnshire	(38%) (619)	28% (487)	23% (404)	18% (333)	15% (290)	12% (244)
Severe Learning Difficulty	England	24,888 (25%)	25,317 (24%)	25,832 (23%)	26,288 (22%)	26,846 (21%)	27,404 (21%)
	East Midlands	1,890 (24%)	1,969 (24%)	2,063 (24%)	1,992 (22%)	1,963 (20%)	1,981 (19%)
	Lincolnshire	15% (248)	16% (285)	17% (308)	16% (295)	14% (275)	13% (266)

*Performance: red- worse than comparators, amber- on a par with comparators, green- better than comparators.

- Lincolnshire is performing better than the majority of its statistical neighbours and is performing better than England and East Midlands Averages for permanent exclusions (PX) for SEND pupils both with and without an EHCP. The impact of the Covid-19 pandemic must be acknowledged in the data as nationally permanent exclusions decreased. The table below provides a data comparison of performance including before the pandemic (DfE's Local Authority Interactive Tool (LAIT), the DfE Local area SEND reports and the Government's published exclusions statistics):

		2015/16	2016/17	2017/18	2018/19	2019/20
% PX SEN pupils with EHCP	England	0.13	0.13	0.16	0.15	0.10
	East Midlands	0.16	0.22	0.22	0.15	0.10
	CIPFA Near Neighbours	0.28	0.32	0.23	0.21	0.16
	Lincolnshire	0.54	0.23	0.16	0.14	0.05
% PX SEN pupils without EHCP	England	0.32	0.35	0.34	0.32	0.20
	East Midlands	0.36	0.35	0.35	0.31	0.20
	CIPFA Near Neighbours	0.41	0.47	0.44	0.37	0.23
	Lincolnshire	0.62	0.36	0.35	0.36	0.16

*Performance: red- worse than comparators, amber- on a par with comparators, green- better than comparators.

- The percentage of suspensions for SEND pupils reduced from 14.9% in 2018 to 6.4% in 2020 but SEND pupils were still more likely than their non-SEND peers to be excluded (Lincolnshire average overall 4.66% in 2018 and 2.88% in 2020). Benchmarking also shows that Lincolnshire is also performing better than the majority of its statistical neighbours and is also performing better than the England and East Midlands averages.

- The Council for Disabled Children commissioned an England wide consultation, as part of the Making Participation Work Programme (funded by the DfE), between February and March 2021 to explore the impact of Covid-19 on the lives of CYP with SEND. Over 600 CYP, 128 parents and 110 professionals contributed to the consultation. Key findings from the consultation were published in August 2021 and included:
 - CYP said they didn't get chance to practice social skills during lockdowns which can make it hard, a bit awkward or difficult when they see people again.
 - CYP felt lonely, sad or depressed when they could not be with friends or family. They also became more anxious and their behaviour was challenging for those looking after them.
 - Some YP preferred communicating with people online, which actually made it easier for them and helped them to learn how to connect with friends online. Some YP and their parents also felt that having meetings online with professionals and support workers worked really well.
 - Recommendations included keeping some choice and options for virtual support for CYP with SEND and provide more training for school staff and teachers about supporting CYP with SEND.

Summary of Key Findings

- The general population of CYP in Lincolnshire has increased and so proportionally numbers of CYP with SEND would be expected to rise. There has been a rise in the number of CYP with an EHCP and a rise in the number of CYP attending special school in Lincolnshire.
- Prevalence data suggests there should be c. 1,245 autistic CYP of school age in Lincolnshire.
- In one year alone (2019) the Community Paediatrics Service received 1,081 referrals for an autism assessment and c. 50% of CYP were diagnosed as autistic. This is a high diagnostic rate. Improved pathways have been developed to prevent misdiagnosis and provide more joined up support with CAMHS.
- The percentage of CYP with a primary need of Autism Spectrum Disorder (ASD) accessing SEN Support has slightly increased (6.7% 2018; 7.1% January 2021) but there has been a slight decrease in the percentage of CYP with a primary need of Moderate Learning Difficulty (MLD) or Severe Learning Difficulty (SLD) and despite rising EHCP numbers overall Lincolnshire has a smaller percentage of pupils in their state funded special schools with ASD and SLD than the England and regional average. This can be interpreted that despite potentially having more autistic CYP than prevalence data would suggest this isn't resulting in an over representation in special schools.
- In Lincolnshire the suspension and exclusion of pupils with SEND has reduced significantly, despite rising numbers of CYP with SEND. Lincolnshire is performing better than the England and regional average.
- Children's Services is working with key partners to address the concerning trends outlined around increasing EHCPs and numbers in special school through its SEND transformation programme as well as supporting timely and appropriate assessment for ASD.
- It is clear that any ALD service in the future must continue to support autistic CYP and CYP with mild, moderate and severe learning difficulties and social communication challenges to thrive in mainstream schools with the right support from trained professionals. There must be a strong focus on supporting CYP's needs without an EHCP.

3.3 Evidence Summary

National Institute of Clinical Excellence (NICE) Guidelines

- **Learning disabilities and behaviour that challenges** (2018) highlights the importance of understanding the cause of behaviour that challenges and identify through assessment the steps that can be taken to help CYP change their behaviour and improve their quality of life.
- **Antisocial behaviour and conduct disorders in children and young people: recognition and management** (2017) states many CYP with a conduct disorder may have had poor or punitive experiences of care and be mistrustful or dismissive of offers of help as a result. Recommends CYP should routinely receive care and treatment from a single team or professional that can offer a positive, caring and trusting relationship; not passed from one team to another unnecessarily and do not undergo multiple assessments unnecessarily.
- **Management and support of children and young people on the autism spectrum** (updated June 2021) highlights that recent studies suggest 70% of individuals with autism also meet diagnostic criteria for at least one other (often unrecognised) mental and behavioural disorder with 40% meeting criteria for at least two other disorders, e.g. anxiety, ADHD. Recent studies also highlighted the need for health, social care and education sectors to work together in the community to support CYP with autism and learning disabilities through a multi-professional and multi-agency collaborative approach.

Supporting CYP with SEND

- Improving coordinated multi-agency support for children with SEND, parents and families, including early intervention support, can contribute significantly to improving the outcomes and life chances for children with SEND.
- Public Health England, DfE and NHSE set out eight principles to **promote emotional health and wellbeing in schools and colleges** these include an ethos and environment that promotes respect and values diversity, working with parents and carers and curriculum teaching and learning to promote resilience and support social and emotional learning.
- **The Autism Education Trust's (AET)** eight principles of good autism practice that should inform inclusive education for all CYP (early years to Post-16) mirror the above principles and include workforce development, collaboration with parents and carers and targeted support and measuring success.
- Several international studies have indicated that a lack of autism knowledge in teaching staff can have a negative impact on autistic children's experiences within their school and future life chances. This is also the case where there is a lack of knowledge of other SEND needs.
- International research suggests that the most effective way to support CYP's behavioural concerns, including CYP with Autism Spectrum Disorder (ASD)/Attention Deficit Hyperactivity Disorder (ADHD) and learning difficulties is to offer a range of interventions to suit their needs and individual preferences. For example:
 - **Cognitive Behavioural Therapy (CBT):** Widely recognised as an example of evidence-based good practice by NICE, NHSE and DfE for a wide range of emotional wellbeing and mental health concerns and when modified and combined with other intervention components it is also recommended for CYP with behavioural problems, including ADHD or autism.
 - Creative therapies such as **Play Therapy, Arts Therapy, Music Therapy and Lego Therapy** are other examples of evidence-based practice. **Lego Therapy** is an example of intervention support that can be provided for autistic CYP, however, the evidence-based is currently limited. There is also some evidence of **Music Therapy and Arts Therapy combined** having a positive impact for vulnerable groups of CYP.

- The majority of research undertaken on permanent exclusions and driving factors are small-scale and therefore findings are limited. An independent **literature review on the continued disproportionate exclusion of certain children**, commissioned by the DfE in 2018 on behalf of Edward Timpson CBE highlighted:
 - Certain vulnerabilities (individual or combined) of CYP put them more at risk of exclusion, including CYP with SEND, SEMH needs, poverty, low attainment, ethnic minorities.
 - The lack of sense of belonging in a school was identified as a critical causative factor for exclusions. In particular, where CYP did not feel they "belonged" they were more likely to have poor relationships with their peers and teachers and more likely to feel that their needs were not understood or met.
 - Exclusions of CYP with SEMH and additional needs were primarily due to schools and staff feeling they had inadequate experience or training to identify and meet those needs.

Life course approach

- Evidence shows that there are key development stages for CYP which can impact on their physical and emotional wellbeing. This can be further exacerbated for CYP with SEND, especially where their needs impact on their ability to learn, socialise and/or make friends.
- The World Health Organization (WHO) highlights that adolescence (ages 10 to 19 years) is the phase in CYP's lives where they are developing between childhood and adulthood and experiencing rapid physical, cognitive and psychosocial growth, which can affect how they interact with the life around them.
- NICE guidance on CYP's social and emotional wellbeing recommends providing early intervention support for CYP; ensuring good quality training for professionals; support parents/carers to better understand their child's needs and providing a range of evidence-based interventions for CYP and families.

Trauma informed practice

- Adverse Childhood Experiences (ACEs) can be defined as highly stressful events or situations that occur during childhood and/or adolescence. A ground-breaking study conducted in 1995 by the Center for Disease Control and the Kaiser Permanente Health Care Organisation in California referred to three specific kinds of adversity faced by children in the home: various forms of physical and emotional abuse, neglect and household dysfunction. These experiences require significant social, emotional, neurobiological, psychological and behavioural adaptations to survive.
- ACEs increase the risk of CYP having difficulties with learning and engaging with others, as well as an increased risk of poor physical and mental health in later life.
- International research and studies from across the UK show that there is a strong relationship between experiencing adversity and trauma in childhood, and poor social and health outcomes in adolescence, adulthood and later life.
- An ACEs study undertaken on 17,000 people in the US found that people who had experienced ACEs had a higher chance of being diagnosed with ADHD, conduct disorder or autism (And et al. 2005), without first understanding the trauma and the causes for the behaviour attributed to the diagnosis. A further study of 100 children in 2017 who had been identified by schools as having ADHD, only three of the children had been found to be correctly diagnosed (none of which had experienced ACEs), the remaining children had all experienced multiple traumas (Burke Harris, 2017).

Summary of Key Findings

- Key development stages of CYP's life will impact on their emotions and behaviour, which can be even more heightened for CYP with SEND.
- The experience of trauma and adverse childhood experiences can have a profound effect on CYP's emotions and behaviours and their ability to learn. CYP are often perceived to have poor conduct or ADHD/ASD but are showing distress.
- Permanent exclusions can have many negative long term consequences for all aspects of CYP's lives.
- Parents/carers and professionals need an understanding of key developmental stages and their impact on CYP, as well as the impact of trauma so they can proactively support CYP that present with challenging behaviour in an informed and compassionate way, before labelling children with special educational needs and before issuing sanctions.
- Understanding CYP's SEND needs and how to meet their needs is essential to ensuring that CYP receive the right support. Schools need to be confident in identifying and supporting CYP with SEND, including CYP with autism and/or learning difficulties in order to ensure CYP can be better supported within their mainstream settings.
- Whole school approaches to ensure inclusive education for all CYP, including the upskilling of professionals and parents/carers, is essential to improving the lives of CYP with SEND and increasing their life-chances into adulthood.
- Any future ALD Service should offer a high-level of training to schools to help staff understand the needs of autistic CYP and/or CYP with learning difficulties in order that schools are more confident and empowered to better support CYP within mainstream settings. Intervention support must be provided with an understanding of cognitive development, emotional wellbeing, trauma and SEND. It will be important for an ALD Service to have close/joint working with emotional wellbeing and behaviour outreach support services, SEND teams and early help as appropriate so that CYP and families can be supported both in school and at home.

3.4 Autism and Learning Difficulties Service Performance

The ALD Service is a term time only service and is one of three separate but complementary outreach support services for schools aimed at providing a holistic, integrated range of specialist intervention that help schools to better support pupils (aged 4 to 19 years) displaying behaviour that challenges which compromises their learning and school attendance or the learning of their peers.

The Service works with schools to provide support for autistic CYP and CYP with mild, moderate and severe learning difficulties and social communication challenges which impact on cognitive development and learning potential. This includes training and workshops and targeted outreach support to empower and up-skill school staff with the knowledge, tools and confidence to create inclusive autism-friendly environments and support CYP to remain in their mainstream settings. ALD Outreach Workers deliver both the training and outreach support and whilst there is no minimum training offer, all schools must have completed whole school Autism Education Trust (AET) training in Making Sense of Autism (Level 1 AET training) before making a referral for outreach support.

Other key aspects of the ALD Service for noting:

- The **Inclusive Lincolnshire Strategy (December 2015)** was introduced to address the rising and unsustainable rate of permanent exclusions in Lincolnshire. The ALD Service is an essential part of that Strategy and the Strategy continues to drive down the rate of permanent

exclusions from Lincolnshire schools, with permanent exclusions of CYP with SEND reducing since 2015/16 despite the increasing numbers of CYP with EHCPs.

- The Service is actively involved in Lincolnshire's strategic, multi-agency approach to developing high quality support for autistic CYP through their close links with the **Lincolnshire Autistic Society (LAS)**.
- **National Autistic Society (NAS)** – The Service has received a national commendation following NAS's Autism Accreditation Review and was awarded an Advanced Award. The accreditation committee noted that the Working Together Team were "an exemplary model".
- **Autism Education Trust (AET)** accredited training programmes are offered to schools, parents/carers and the Council's Early Years Specialist Teachers as well as bespoke training and workshops. WTT currently hold the exclusive licence in Lincolnshire to deliver AET training. In September 2019, their licence was extended to include Post-16 autism awareness training.
- **Lincolnshire Autism Partnership Board (LAPB)** – the Service form part of the LAPB Training and Awareness group.
- **Partnership working** has taken place with the Council, BOSS, Healthy Minds Lincolnshire and Kyra Teaching School, including the development of transition materials for schools and colleges. The ALD Service also supported the delivery of training to Lincolnshire schools and colleges through the DfE's Wellbeing for Education Return Project (led by Healthy Minds Lincolnshire). Other partnership working has also previously included Lincoln University and some Lincolnshire Initial Teacher Training providers to deliver autism training to students.
- **Referrals** go directly to the Service from schools.
- **A new case management system** was implemented in the 2020/21 academic year in order to better demonstrate outcomes for Lincolnshire CYP.
- **Early Years transitional support** is offered during the Summer Term for pupils starting Reception.

Service Performance: September 2020 and July 2021, including pre-Covid comparisons where available:

- At the start of the academic year 83% (840 out of 1,120) of the caseload was seen actively (a 24% increase in the active caseload at the start of the previous academic year as a result of the new case management system).
- Only schools should refer to this Service and referrals to the Service between 2018/19 (pre-Covid) and 2020/21 academic years were as follows:

2018/19 AY	2019/20 AY	2020/21 AY
792	419	492
	(-47%)	(+17%)
82% accepted	73% accepted	94% accepted

- 40% of referrals received (197) were for transition support for children due to transition from early years into primary (a 15% reduction compared to the previous academic year but a 20% increase compared to 2018/19 academic year).
- A further 390 CYP were supported via pre-referral or planning discussions with schools, without the need for a formal referral (10.5% increase compared to the previous academic year but a 41% reduction compared to 2018/19 academic year).
- c.6.5% of the active caseload needs escalated and required further additional support from the Service which included multi-agency working through the school in order to support the CYP and their families (new reporting metric for 2020/21).
- 1.1% of the average caseload (32) received fixed term exclusions (similar to the previous academic year and a decrease of 0.5% compared to 2018/19 academic year).
- Only 0.1% of the average caseload (1) closed due to permanent exclusion (similar 2018/19 and 2019/20 academic years).

- c.6% of the average caseload (57) closed due to transferring to in-county specialist provision (increase of 4% compared to the previous academic year and an increase of 5.7% compared to 2018/19 academic year). No CYP on the caseload were transferred to out of county specialist provision.
- c.1.5% of the average caseload (15) closed due to parents/carers deciding to electively home educate their child (approx 1.3% increase compared to 2018/19 and 2019/20 academic years).
- As at the end of July 2021, 62% of the caseload was seen actively (an increase of 32% compared to the previous academic year and an increase of 22% compared to 2018/19 academic year).
- As at the end of July 2021, 56% of the active caseload were in receipt of SEN support (70% end of December 2020), 10% were awaiting an EHC needs assessment (6% end of December 2020) and the remaining 34% were in receipt of an EHCP (24% end of December 2020). (New reporting metrics for 2020/21).
- An average of 90% of schools showed improved confidence in meeting the needs of CYP following intervention support.
- AET accredited training continued to be offered virtually during Covid-19: 1,290 professionals attended Making Sense of Autism training (a 9% increase compared to the previous academic year) and 80 professionals attended Good Autism Practice training. On average 89% of professionals who responded rated the training as good quality.
- 83 parent/carers accessed Autism training delivered by the Service (a slight increase when compared to the previous academic year) with parents/carers who provided feedback demonstrating the training had improved their confidence to better support their child.
- 4 Early Bird and 4 Teen Life sessions were also delivered virtually which were accessible to parents/carers, family members and professionals.

Summary of Key Findings

- The Service is nationally recognised as an example of excellent practice by NAS and receives positive feedback by those who access it.
- In addition to providing intervention support, the service also supports CYP via the professionals working with them at the pre-referral stage, thus reducing the need for a referral to the Service.
- There is still a high demand from schools for the Service to deliver intervention support and hold onto caseloads, although the percentage of the caseload actively being supported is increasing.
- 40% of the referrals were for transition support for children due to transition from early years into primary. More training needs to be offered to the early years workforce in order for them to be more confident in supporting the needs of young children with SEND, and their families, so that they are better supported to be ready for school and professionals are more confident in supporting the children and their families without the need for referral for transition support. In addition, clearer pathways/ multi-agency partnership working between Health Visitors, Early Years Specialist Teachers and Portage Workers at the point of the request for transition support to ensure children and their families are receiving the right support, at the right time and by the right professional.
- There is a high percentage of re-referrals to the Service and any future ALD Service provision needs to be better aligned to local priorities such as Building Communities of Specialist Provision Together in Lincolnshire strategy and Lincolnshire's SEND Transformation Project to ensure a coordinated and consistent approach to the SEND workforce development offer and when providing support within schools.
- There needs to be a stronger focus on more universal training and workshops being available to Lincolnshire schools and academies, alongside parents/carers and ensuring the training and workshop offer has been fully utilised before a referral for outreach support is considered.

This includes ensuring schools are fully embedding the AET principles as part of their whole-school approach to meeting the needs of autistic CYP.

- The number of CYP transferring to in-county specialist provision whilst being supported by the Service has increased and the new reporting metric for the 2020/21 academic year also identified increasing numbers of CYP with an EHCP. In addition to maintaining a focus on driving down exclusions of CYP with SEND, there needs to be a key focus on more CYP being supported to remain in their mainstream settings (where appropriate), without the need for specialist provision and more CYP having their needs met without the need for an EHCP.
- More needs to be done to improve the confidence of parents/carers in mainstream settings being able to meet their child's needs.
- Any future ALD Service needs to ensure clear pathways are in place between other relevant services to make it easier for CYP and their families to access support at the right. This includes sharing of expertise across relevant services in order to better support CYP, parents/carers and the professionals working with them. This includes working as part of an integrated and cohesive multi-disciplinary approach to meeting the needs of Lincolnshire CYP with SEND, and their parents/carers, to ensure access to the right support, at the right time and by the right professional.
- Almost every CYP returning into mainstream provision from independent/specialist provision needs to be supported through a multi-agency planning approach in order to identify how best to meet their needs.

3.5 Stakeholder Engagement Analysis

3.5.1 Case Mapping

A case mapping exercise was undertaken as part of the review of the ALD Service. The age of CYP ranged at the time of accessing support from the service ranged from 4 to 14 years and all had a diagnosis of ASD at the time of referral to the Service. In addition, case mapping undertaken as part of the initial emotional wellbeing and behaviour outreach support services review has also been taken into consideration where this has also been relevant to ALD. Below is an overall summary of the case mapping but further detail is available if requested:

Summary of Key Findings

- Positive feedback from CYP, families and professionals on support provided by service.
- Support provided helped to improve relationships between the CYP, school and family.
- Evidence of partnership working with nursery provision and Early Years Specialist Teachers to support a child transitioning into primary, with the Portage Service also involved in supporting the child/family in the earlier years. There needs to be a stronger focus on the ALD Service on working with the receiving primary school in order to ensure the school is able to meet the needs of the child when they transition into their Reception Year. This should include partnership working with Health Visiting, Early Years Specialist Teachers and the Portage Service to ensure the children and families are receiving the right support, by the right professional and at the right time.
- Evidence of referrals being made to both the Behaviour Outreach Support Service (BOSS) and the ALD Service, but limited or no partnership working between the two services to determine how best to support the CYP. There needs to be more partnership working between services in order to determine how best to meet the needs of CYP to ensure that they access the right support, at the right time and by the right professional.
- Evidence that more needed to be done to better upskill schools working with autistic CYP so that they are more confident in supporting autistic CYP within their mainstream setting. Training provided by the Service was not being fully embedded before targeted outreach support commenced. There needs to be a more coordinated universal offer via the

Lincolnshire SEND Workforce Development offer with a stronger emphasis on schools fully accessing the training and embedding strategies into practice before referral for outreach support is made.

- Support worked best when the service, school, parents/carers and CYP worked together to plan the most appropriate support for the C/YP and consistent strategies were being used both within the school setting and the home. More needs to be done to better upskill parents/carers alongside the school workforce in order for CYP to be better supported within the home and their mainstream setting.
- There was evidence of trauma for some of the CYP which was also impacting on mental health/emotional wellbeing and their environment at home. There is a correlation between emotional wellbeing and behaviour and identified SEND needs. Any future ALD Service needs to have a more streamlined child-centred partnership approach between other relevant commissioned services in supporting CYP with SEND.
- There was evidence of the ALD Service retaining CYP on the caseload for a number of years and not moving CYP through the service. Although this has improved following the implementation of the service's new case management system, any future ALD Service offer needs to ensure increasing the confidence of schools to support the needs of autistic CYP and CYP with learning difficulties, thus reducing the reliance for ongoing support from the Service.

3.5.2 Stakeholder Feedback

Stakeholder feedback has been more limited than planned due to the Covid-19 pandemic but still took into account feedback from:

- CYP and parents/carers (service users or potential service users)
- education providers
- professionals working with CYP across a wide range of organisations including health, the Council and Voluntary/Community organisations
- strategic partners

Summary of Key Findings

- Service users who were able to access the Service highly valued the support provided. SENCOs and Headteachers did consider the Service to be knowledgeable and responsible, however generally felt that it took too long to access support due to the training that schools had to undertake before accessing it.
- It was generally felt there was an inequity around locally available training and support and that this was only available to mainstream settings.
- Some parents/carers who accessed the NAS training felt that some of the modules were repetitive.
- Some professionals felt that the ALD Service offer should be extended to Early Years settings and support tailored to meet the needs of young children.
- A consistent, cohesive and equitable training offer is required for all professionals working with CYP with SEND and parents/carers across the County. This needs to be a multi-partnership coordinated approach through the Lincolnshire SEND Workforce Development offer in order to reduce duplication and ensure consistent key messages across all relevant services.
- There was a mixed picture from stakeholders of a joined up approach between SEND and the ALD Service. Any future ALD Service provision needs to be better aligned to local priorities with a stronger focus on supporting Lincolnshire's graduated approach to meeting the needs of Lincolnshire CYP.

- Improved professional dialogue and information sharing between commissioned services, Children's Services, health and education professionals is needed to enable better support not only whilst accessing a service but post-discharge.

3.6 Examples of practice in other Authorities

Examples of Practice in other Areas

A number of other authorities were contacted to establish their arrangements for supporting behaviour. Due to Covid-19 the response from local authorities was limited and therefore a desktop analysis of current arrangements and local authority data was also undertaken.

These included:

- **Derbyshire:** an Autism Outreach Service provides awareness training and general advice.
- **Leicestershire:** Children and Family Wellbeing Service (CFWS) is an integrated service for behavioural concerns and low to medium emotional wellbeing and mental health and behavioural concerns, including CYP with SEND. This is an early intervention service, with a specific focus for families with children 0-2 years.
- **Northamptonshire:** Have redesigned their autism outreach support in order to provide more specialist support at an early intervention level due to underlying emotional wellbeing, social or behavioural difficulties for a significant number of referrals, and not necessarily ASD or ADHD.
- **Nottinghamshire:** "Small Steps" service is an ADHD/ASD Service which supports CYP where behavioural concerns are indicative of ADHD/ASD. The Service provides workshops and support to parents/carers to better understand their child's behaviour before determining whether a referral to a more specialist provision is required. Where a referral is required the service supports the parent/carer to gather the evidence for the referral process. Parents/carers must access the workshop provision before a referral will be considered.
- **Single points of access:** Cumbria, Derbyshire, Northamptonshire and Nottinghamshire have single points of access where referrals are assessed before forwarding to relevant services. Nottinghamshire's Concerning Behaviours Pathway, for example, is a multi-agency approach to ensuring CYP receive the right support at the right time thus reducing the need for referral into more specialist provision.

Summary of Key Findings

- Where local authorities have re-focused support to provide more training and support to professionals and parents/carers for CYP with SEND, this has reduced the number of CYP requiring an EHCP, thus reducing the need for more specialist provision. However, where a focus has not remained on reducing permanent exclusions, although EHCPs have reduced permanent exclusions of CYP with SEND have increased.
- Given the evidence-based research that supports the need to understand CYP's behaviour in order to determine underlying causative factors before identifying CYP as having a special educational need, more early intervention support is needed to be provided by an ALD Service through an increased training and workshop offer to ensure CYP and their families access the right support, at the right time and by the right professional.
- A single point of access for referrals is a common theme across a number of authorities. More needs to be done to improve the pathways for referrals for ALD support, ensuring schools make use of AskSALL and there is appropriate consultation between relevant services to ensure a multi-partnership approach to meeting the needs of CYP and their families.

4. Recommended Model

The recommended model is summarised below, with **Appendix B** providing further detail.

The ALD Service should continue to focus on providing support to Lincolnshire schools and academies during term time to continue the positive impact on reducing the number of CYP with SEND being excluded from school. The Service should continue to provide support for autistic CYP and CYP with mild, moderate and severe learning difficulties and social communication challenges and continue to participate in accredited training programmes such as NAS and AET.

Training and Workshops Offer

The ALD Service will continue to offer resources and training and workshops in person, online and virtually as appropriate. The centrally held training and workshop offer will be coordinated with and offered through the Lincolnshire SEND Workforce Development Service to ensure a coordinated and inclusive offer that is part of a suite of training available via a range of different partners. The training offer will be available to mainstream settings, special schools and the wider early years workforce. It will also continue to include NAS and AET accredited training.

There will be a greater emphasis on the training and workshop offer, with core and non-core training and workshops being available to professionals and parents/carers to help better understand and support the needs of autistic children and young people and/or children and young people with mild, moderate and severe learning difficulties. There will be an expectation that education settings fully access the training and workshops available to them.

There will be a stronger emphasis on the Service supporting education settings to embed the principles of the AET training into practice alongside utilising the tools developed through the Lincolnshire SEND Transformation Project, e.g. Valuing SEND Toolkit and Inclusion Toolkit.

Outreach Support

Lincolnshire schools and academies will continue to be expected to access advice and guidance via Lincolnshire's AskSALL before the need for referral for ALD Outreach Support.

The ALD Service will be expected to work in partnership with Health Visitors, Early Years Specialist Teachers and Portage Workers when receiving requests for transition support for young children transitioning from their early years settings into their Reception Year to ensure the right support, at the right time and by the right professional. Where a request for transition support is accepted by the ALD Service there will be a stronger focus on working with the receiving primary school to ensure the school is confident in meeting the child's need when they transition into their Reception Year. Early years professionals requesting support via the ALD Service will be expected to access the training and workshops available to them via the Lincolnshire SEND Workforce Development offer.

Outreach support will remain a core offer of the ALD Service for Lincolnshire schools and academies, but only once schools have fully utilised the training offer available to them (unless there is an escalation of need). There will continue to be a strong focus on further reducing permanent exclusions of CYP with SEND, but there will also be a strong focus on providing more support and challenge to education settings to ensure that more CYP can remain in their mainstream setting without the need for more specialist provision and also increase the number of CYP who can have their special educational needs supported without the need for an EHCP.

There will be a stronger emphasis on delivering evidence-based interventions alongside school staff to increase the confidence of schools and reduce the reliance on long-term support. Parents/Carers will be supported alongside professionals within education settings to ensure consistent and evidence-

based strategies can be utilised within the home as well as the education setting. Schools and the ALD Service must work in a coordinated way with SEND, emotional wellbeing and behaviour outreach support services and not in isolation from each other. There should be a child-centred multi-disciplinary team approach.

5. Options Analysis

5.1. Options Overview, Criteria and Approach

a) Do Nothing

The Public to Public arrangement for the ALD Service is due to expire on 31st August 2022, and it is not a viable option to do nothing and allow this to expire unless no future service delivery is required.

b) Decommissioning

Whilst the ALD Service is not a statutory service, it does support the Council in fulfilling some of its statutory duties as covered in the Section 3.2. It is also anticipated that the ALD Service will support Lincolnshire's SEND Workforce Development offer. Decommissioning the ALD Service would be likely to result in significant gaps in provision and put more pressure on existing services, as well as increased pressure on the High Needs Block of the Designated Schools Grant. There would be no benefits to CYP and families in Lincolnshire of de-commissioning an ALD Service and the likely result would mean that our most vulnerable children are not identified quickly and further increasing the pressure on the Designated Schools Budget in relation to increasing EHCP requests.

c) Influencing

Commercial aspects of the service cannot be delivered without funding and it is not feasible to think that the service could be delivered through influence alone. Whilst the ALD Service offer is currently delivered via a Lincolnshire special school academy in partnership with other special school academies through the Working Together Team it is unlikely that the Working Together Team would be willing to deliver the service without any additional funding. It is also unlikely that schools will want to take sole responsibility for the commissioning of an ALD Service and it is therefore unrealistic to consider that they would centrally commission a service via the Council's influence.

d) Insourcing

The Council could consider insourcing the ALD Service and integrating the service into the Council's SEND teams. However, this is not a recommended option due to the risks identified below.

Benefits:

- Greater control and ability to influence the in-house offer.
- Greater integration with the Council's SEND offer.

Risks:

- TUPE implications and the need to employ staff on teachers' terms and conditions.
- Potential reduction in workforce if staff chose not to TUPE. As the Council is not an expert in delivering these services there would need to be an investment of funding to either upskill existing staff or on additional recruitment.

- Recruiting to new services can be difficult and there is no guarantee that any in-house service will be ready to launch with a full staffing complement that are sufficiently upskilled to deliver the service and could put vulnerable CYP at risk of not receiving the right support quickly enough.
- Property space to house additional staff is limited and the Council is currently working towards reducing its property portfolio further.

e) Partnership

The current commissioning arrangement for the ALD Service is via a Public to Public Collaboration Agreement under Regulation 12(7) of the Public Contracts Regulations 2015. As such they do not need to be subject to a competitive procurement process. The ALD Service was previously commissioned via an expression of interest to Lincolnshire Special Schools from which one expression of interest was received.

Although the response to the expression of interest process was low, this was a number of years ago and since that time Building Communities of Specialist Provision Together in Lincolnshire is a key priority for the Council and the Lincolnshire SEND Alliance has formed which includes education leaders from Lincolnshire's 19 special schools and academies, the Lincolnshire Parent/Carer Forum and relevant officers from the Council. It is therefore recommended that the ALD Service is commissioned via an expression of interest to the special schools and academies within the Lincolnshire SEND Alliance. This will promote transparency and equity in the re-commissioning opportunity, whilst also ensuring the best alignment of the public sector objectives of the schools and the Council and promoting Building Communities of Specialist Provision Together in Lincolnshire.

The recommendation is for the Public to Public Collaboration Agreement to be in place for up to three years from 1st September 2022 to 31st August 2025, with an option to extend for a further two years.

Benefits:

- Would continue to model a sector-led approach.
- Would continue to be provided by a school or collaboration that had the expertise to deliver the Service requirements. This would mean that existing relationships with Lincolnshire schools and academies would already be in place.
- Would support the Building Communities of Specialist Provision Together in Lincolnshire and would ensure continued partnership working with the education sector to improve outcomes for Lincolnshire CYP with SEND.
- Would continue to support the Inclusive Lincolnshire Strategy.
- Would support the Lincolnshire SEND Transformation Project and Lincolnshire's High Needs Strategy.
- Will support the development of a more cohesive and coordinated training SEND Workforce Development training offer.
- Would ensure a key focus on greater integration and partnership working with other relevant commissioned and in-house services.
- Would ensure a key focus on better aligning the service to national and local priorities across health, education and social care and that even more CYP and families get access to the right support at the right time and by the right professional through a seamless "step-in/step-out" approach.
- Would allow for a more detailed service specification to be developed in collaboration with the provider and provide more flexibility to align the service specification to local and national priorities as these develop.

Risks:

- There may be TUPE implications should the current provider not be successful. These implications could be reduced however as any new provider would be able to offer teachers' terms and conditions.
- Should the current provider not be successful there may be a risk that existing staff may not wish to TUPE into another education setting.
- Should the current provider not be successful there may be a risk that the new provider could not access a licence to deliver the AET accredited training. This would be mitigated against by exploring the option to transfer the licence with the AET to the new provider.

f) Procurement

The current ALD Service was not commissioned through an open competitive tender process and therefore the market has been untested. Market research showed that not many authorities are commissioning a separate ALD Service but are integrating their SEND offer either into existing provision or commissioning an offer that provides training and support to professionals and parents/carers only. There is evidence to suggest that although commissioning a SEND offer via external agencies is driving down EHCPs within those authorities that have a separately commissioned service, the number of CYP with SEND permanently excluded from schools is increasing.

This is therefore not a recommended option.

Benefits:

- Stimulate market competition to promote innovation and value for money.
- There is potential to broaden the provider market place in Lincolnshire.
- External providers may be able to attract additional funding streams to a service that the Council cannot access.
- Would ensure a key focus on greater integration and partnership working with other relevant commissioned and in house services.
- Would ensure a key focus on aligning the service to national and local priorities across health, education and social care and that even more CYP and families get access to the right support at the right time, with a seamless "step-in/step-out" approach.

Risks:

- The successful bidder(s) may not have the infrastructure in place to deliver the service.
- The successful bidder(s) may not have existing local knowledge and/or relationships with schools and therefore time will need to be spent in the first year of the service developing knowledge and relationships.
- Will not provide the opportunity to work within a collaborative partnership agreement and therefore less scope to develop the service specification as the service embeds.
- Would not support the Inclusive Lincolnshire Strategy in relation to a sector-led approach to delivering the service or the Building Communities of Specialist Provision Together approach.
- Significant TUPE implications associated with teachers' terms and conditions should the successful bidder(s) not be able to offer this.

- The procurement may receive higher costed bids, in particular due to the TUPE implications and overhead costs may be more as the service would not be delivered from a school base, making the service not sustainable for the Council.
- Could leave a gap in provision should the procurement not be successful whilst further commissioning options are explored, putting additional pressure on already busy commissioned and in-house services.

6. Recommended Option

The recommended commissioning option is 5.1e:

To re-commission an ALD Service through a Public to Public Collaboration Agreement under Regulation 12(7) of the Public Contracts Regulations 2015, via an expression of interest with the Lincolnshire SEND Alliance. The agreement would be in place for up to three years initially from 1st September 2022 to 31st August 2025, with the option to extend for a further two years.

6.1. Funding Recommendations for an ALD Service

The assumption for the financial costing for a future ALD Service model has been based on the current cost of the provision, whilst ensuring no reduction in the staffing resource to ensure the recommended model can be realised.

The current funding for the ALD Service is £617,500 per annum which is met from the Designated Schools Grant. This includes funding for 9 FTE of ALD Outreach Workers (10 Workers) who are employed on teachers' pay and conditions and account for 81% of the total contract value:

Cost Description	Annual Cost
ALD Outreach Workers (inclusive of on costs)	£497,906
Management Costs (Strategic Direction provided by HTs of WTT collaboration)	£39,678
Admin (across WTT collaboration)	£18,360
AET and NAS Membership, including Licence fees	£15,100
Non-Staffing Costs	£46,456
Total Cost	£617,500

Apart from any reduction to potential management costs there are no efficiency savings that can be made against the current model due to the majority of the cost being attributed to ALD Outreach Workers and costs associated with teachers' pay and conditions.

Whilst staffing models for an ALD Service would be at the discretion of the chosen partner, it is anticipated that there will be no reduction to the current ALD Outreach Worker staffing resource. Having undertaken a financial analysis of actual spend against the current agreement to the end of August 2021, it is anticipated that any future increase in staffing costs will be able to be met from the current funding envelope. Whilst there will be a requirement for some management and admin costs in a future service offer, it will be expected that these are kept to a minimum. In addition travel costs would also be expected to be reduced through the increased training offer, thus reducing the reliance on in-setting support.

Therefore the anticipated funding for a future ALD Service is anticipated to remain at £617,500 per annum, or £3,087,500 over the lifetime of the agreement.

Council Funding Implications

The evidence is clear that Council's commissioning of this service on behalf of schools is perceived positively by schools, with both SENCOs and Headteachers highly valuing the support provided. The evidence is also clear that the support provided by the Service is having a positive impact on reducing permanent exclusions of CYP with SEND in Lincolnshire, supporting more autistic CYP and CYP with moderate to severe learning difficulties to remain in their mainstream settings thus improving the lives of these vulnerable groups of CYP and families in Lincolnshire.

It is recognised that the Council is under significant financial pressure both as a result of Covid-19 and the pressures on the High Needs Block of the Designated Schools Grant. However, further investment in an ALD Service will continue to drive down exclusions for CYP with SEND, whilst also ensuring a strong focus on supporting the Council to meet its local priorities associated with Building Communities of Specialist Provision Together and the SEND Transformation Project in relation to ensuring more CYP with SEND can be supported within their mainstream settings, thus reducing demand on more specialist provision and ensuring more CYP can have their special educational needs met without the need for an EHCP.

6.2. Impact Assessment

The Council must engage with such persons as appear to them to be affected by changes to the current commissioning arrangements. Given that the recommendation is to re-commission an ALD Service it is anticipated that there will be no persons impacted on negatively. **Appendix C** provides the current draft Equality Impact Assessment (EIA), which will be further developed should this be required following decision making processes.

7. Appendices

Appendix	Title
Appendix A	Legislation, Policies and Priorities
Appendix B	Overview of Proposed Model
Appendix C	Draft EIA

Appendix A

Policy Background, Statutory Duties and Priorities

Legislation

Although these services are not statutory, the services identified above support the Local Authority's statutory responsibilities in relation to:

- the SEND Code of Practice 2015
 - the Children Act 1989 and 2004
 - the Children and Families Act 2014
 - the Health and Social Care Act 2012
 - the Education Act 1996, 2002 and 2011
 - the Equality Act 2010
 - the Autism Act 2009
-
- The **Autism Act 2009**, sets out local authorities statutory duties in relation to supporting the needs of autistic people in the community. This includes supporting young people move into adulthood.
 - **Section 17(1)** of the **Children Act 1989** imposes a general duty on local authorities to safeguard and promote the welfare of children in need in their area, including providing a range and level of services appropriate to those children's needs.
 - The **Health and Social Care Act 2012** places duties on local authorities in relation to addressing health inequalities of CYP.
 - The **Children and Families Act 2014** sets out the general principles and duties on local authorities and health bodies to work in partnership when commissioning provision for CYP, including CYP with SEND. This includes supporting CYP with their development and helping them to achieve the "best possible educational and other outcomes". **Part 3** of the Children and Families Act 2014 specifically relates to CYP with SEND.
 - **Section 25** places a duty on local authorities to ensure the integration of educational provision and training provision with health and social care provision where this would promote the wellbeing of CYP with SEND and improve the quality of the provision available to CYP with SEND.
 - **Section 44** provides for reviews and reassessments for pupils with EHCPs, including pupils permanently excluded in order to identify the most suitable new education provision.
 - The **Special Educational Needs and Disability Code of Practice: 0 to 25 years, 2015** sets out the legal requirements that must be followed and explains the duties of local authorities, health bodies, schools and colleges under Part 3 of the Children and Families Act, 2014.
 - The **Education Act 1996, 2002 and 2011** sets out the responsibilities for local authorities in relation to ensuring the welfare and inclusion of and promoting high standards of education for children and young people. These include:
 - **Section 19** of the **Education Act 1996** imposes a duty on local authorities to make arrangements to provide "suitable education at school, or otherwise than at school" for compulsory school aged pupils, including pupils with SEND and/or excluded from school. This includes making arrangements for suitable full-time education for pupils permanently excluded no later than the sixth day of the exclusion (this duty is also set out in **Section 100** of the **Education and Inspections Act 2006**).
 - **Section 51A** of the **Education Act 2002** imposes a duty on local authorities (or academy trusts) to arrange independent review panel hearings where parent/carers appeal against a governing body decision not to re-instate the pupil. Panel meetings must be arranged within 15 school days from the day the parent/carer application was made. This includes statutory duties and guidance on arrangements for, and members of, independent review panels.

- **Section 51A** of the **Education Act 2002** and the **Education (Amount to Follow Permanently Excluded Pupil) Regulations 1999** set out the financial statutory guidance for local authorities following a permanent exclusion, including arrangements for adjusting budget shares for maintained schools and pupil referral units and arrangements local authorities may wish to enter into with academy trusts.
- The **Equality Act 2010** sets out the statutory duties for all public bodies to ensure they play their part in making society fairer by tackling discrimination, equality of opportunity for all and fostering good relations.

Ofsted

Children's Services is inspected by Ofsted in specific requirements and an inspection undertaken in 2019 of children's social care services rated services for children and families in Lincolnshire as outstanding. The inspection Framework assesses the following areas in relation to children's emotional wellbeing and behavioural concerns:

- Children in care and care leavers are in good physical and mental health, or are being helped to improve their health. Their health needs are identified and met.
- Care leavers develop the skills and confidence they need to maximise their chances of successful maturity to adulthood, including parenthood. Care leavers have trusted relationships with carers and staff from the local authority and develop supportive relationships within the community, including with family and friends. They receive the right level of practical, emotional and financial support until they are at least 21 and, when necessary, until they are 25.
- Children, young people and families are offered help when needs and/or concerns are first identified. The early help improves the child's situation and supports sustainable progress.
- Assessments and plans are dynamic and change in the light of emerging issues and risks. Assessments (including early help assessments) are timely and proportionate to risk. They are informed by research and by the historical context and significant events for each child. They result in direct help for families if needed and are focused on achieving sustainable progress for children.
- Children in care and care leavers are protected or helped to keep themselves safe from bullying, homophobic behaviour and other forms of discrimination.
- Children and young people make good educational progress at school or other provision since being in care.
- Children and young people who do not attend school have prompt access to suitable good-quality registered alternative provision.

The **Joint local area SEND inspection in Lincolnshire** conducted by Ofsted and the Care Quality Commission (CQC) in 2018 to judge the effectiveness of the local area of Lincolnshire in implementing the disability and special educational needs reforms (as set out in the Children's and Families Act 2014). The inspection focused on the effectiveness of the local area in:

- Identifying CYP's special educational needs and/or disabilities.
- Assessing and meeting the needs of CYP who have special educational needs and/or disabilities.
- Improving outcomes for CYP who have special educational needs and/or disabilities.

Main findings from the inspection included leaders and manager's clear vision for meeting the needs of CYP with SEND and their aim to provide a local education system where CYP will get the right health, care and education provision in the right place at the right time; the strong arrangements in place to jointly commission services in the local area; the joint commissioning of services with schools to meet the needs of CYP, including the ALD Service (Working Together Team) and the Behaviour Outreach Support Service (BOSS) and the collaborative working between the LA and schools to ensure that

pupils remain in education, recognising that the proportion of fixed term or permanent exclusions for pupils with SEND in Lincolnshire was below national average.

Previous Policy Background

- **Special Educational Needs and Disability – A guide for parents and carers, 2014** provides a guide on the support system for CYP with SEND.
- **Schools Guide to the 0 to 25 SEND Code of Practice, 2014** provides advice for school governing bodies/proprietors, senior leadership teams, SENCOs and classroom staff.
- **SEND, Managing the 2014 changes to the system, 2015** provides guidance on changes to legislation relating to CYP with SEND.
- **Plans to support long-term local and national accountability for special educational needs and disability, 2015** describes the vision for the SEND whole system and the roles and responsibilities of local and national organisations in delivering the requirements in the Children's and Families Act 2014.
- **Transforming Care programme** aims to transform services and support for children, young people and adults with a learning disability and/or autism who display behaviour that challenges, including those with a mental health condition. *The underpinning approach to transformation must be based on a whole system approach to delivering high quality support and services for people*
- The Department of Health and NHS England established a Children and Young People's Mental Health and Wellbeing Taskforce which reported in March 2015 (***Future in Mind***) and set out ambitions for improving care over the next five year:
 - Promoting resilience, prevention and early intervention
 - Improving access to effective support
 - Care for the most vulnerable, which includes ensuring there is a strategic link between children's mental health services and services for children and young people with special educational needs and disabilities (SEND).
 - Accountability and transparency
 - Developing the workforce.

National Strategy/Guidance and Priorities

- **Promoting the education of Looked after Children and previously Looked After Children, 2014** provides statutory guidance for local authorities.
- **Promoting the health and wellbeing of Looked After Children, 2015** provides statutory guidance for local authorities, CCGs and NHSE.
- **Special Educational Needs and Disability Code of Practice: 0 to 25 years, January 2015.** Statutory guidance for organisations which work with and support children and young people who have special educational needs or disabilities. This Code of Practice provides statutory guidance on duties, policies and procedures relating to Part 3 of the Children and Families Act 2014 and associated regulations in England.
- **Statutory guidance for local authorities and NHS organisations to support implementation of the Adult Autism Strategy, 2015** sets out local authorities' and NHS organisations' duties to support autistic adults, including supporting young people moving into adulthood.
- **Reducing Distant SEND Placements Report, 2016**, identified the need for a more strategic approach to developing system-wide change and that key to success lied in the strategic leadership of the school system, a more coherent approach and a common vision.
- **Exclusions from maintained schools, academies and pupil referral units in England** (updated September 2017) sets out the legal responsibilities in relation to the exclusion of students from education settings.
- **Working Together to Safeguard Children, 2018** provides a guide to inter-agency working to safeguard and promote the welfare of children.

- A Public Health England report ***A spotlight on vulnerable children and young people, July 2020*** identified that during the Covid-19 pandemic there is a rising concern over the number of "hidden" vulnerable children that face many problems such as poverty and abuse. The report has recommended that care arrangements must continue to centre around the child and their needs and that mental health support available in schools needs to be considered.
- The **National Youth Advocacy Service** calls for agencies to work together to ensure that the impact of traumatic experience on children and young people is minimised and that partners should work together to build on the positives of the Covid-19 experience to enable and enhance recovery, improving inter-agency collaboration and working.
- **Behaviour Hubs** is a DfE 3-year funded programme to improve pupil behaviour. The programme pairs schools and Multi-Academy Trusts (MATs) with exemplary behaviour practices with other partner schools or MATs that want or need to improve pupil behaviour. The DfE are seeking to appoint approximately 20 outstanding lead schools from across primary, secondary, special and alternative provision sectors to work with schools that want to improve their behaviour culture. Schools will form hubs to share good practice and equip headteachers and school leaders with the tools to improve their approach. The programme is based on the principles and ideas outlined in Tom Bennett's (Author of *Creating a Culture: how school leaders can optimise behaviour* and founder of researchED) review of behaviour in schools which identified the core principles of successful schools, including:
 - Having a clear understanding of what the school culture is
 - High expectations of pupils and a belief that all pupils matter
 - Consistency and attention to detail in the execution of school routines, norms and values.
- **The National Disability Strategy, 2021** highlights the need to ensure support is available for those with SEND and ensuring a clear offer in mainstream education. The Strategy includes 100 immediate commitments which will be supported by £1.6 billion of funding alongside an agenda for future reform. There is a commitment to making sure CYP with SEND are at the heart of the Strategy including investing £300 million to create places, improve existing provision in schools and make accessibility adaptations for CYP with SEND.
- The **National Strategy for Autistic Children, Young People and Adults (2021-2026)** is the government's refreshed national strategy for improving the lives of autistic people and their families and carers in England and the changes that the government want to make as a result of Covid-19. The government have indicated within the Strategy that it is the intention to update the guidance for local authorities on commissioning autism services for CYP, however, it is not yet clear when this guidance will be updated and/or published. The Strategy outlines the changes that the Government want to make across six themes:
 - *Improving understanding and acceptance of autism within society.*
 - *Improving autistic children and young people's access to education, and supporting positive transitions into adulthood.*
 - *Supporting more autistic people into employment.*
 - *Tackling health and care inequalities for autistic people.*
 - *Building the right support in the community and supporting people in inpatient care.*
 - *Improving support within the criminal and youth justice systems.*

Local Priorities

- The **Council's Corporate Plan** – sets out what the Council wants to achieve for local residents and communities. The Corporate Plan underpins a "One Council" approach, ensuring all services are working towards shared goals and help different areas of the Council to work together more effectively. The Council's vision for *Working for a Better Future* includes the Council leading the way with others to support people and communities in the coming years to have:
 - High aspirations

- The opportunity to enjoy life to the full – including: to create accommodation options for greater independence and wellbeing; intervene effectively to keep vulnerable people safe, making sure children in care and care leavers get the best opportunities; design an accessible and responsive health and care system within local communities, protecting people and promoting wellbeing; promote and enable better mental health for all.
- Thriving environments – including: provide sufficient, high-quality and inclusive education places locally.
- Good-value Council Services – including: innovative services making best use of technology to meet the needs of our customers; effective and efficient partnerships operate across Lincolnshire and are responsible to emerging opportunities; people's needs are met in a timely, responsive and efficient way; high- quality public services are delivered in a cost effective way.
- **The Inclusive Lincolnshire Strategy, 2015** - a joint strategy between the Council and the Lincolnshire Learning Partnership (LLP) *to build resilience across all schools to support all pupils, promote collective responsibility and reduce exclusion.* In 2014, nationally both permanent and fixed-period exclusions were steadily declining, however, in contrast exclusions in Lincolnshire saw an increase with Lincolnshire ranked 135th out of 139 for permanent exclusions for all school types. Key priorities of the Strategy are:
 - Schools, the Local Authority and other agencies to meet young people's behavioural needs in school wherever possible.
 - Intervene early through high quality support in order to prevent further escalation of need and reduce exclusion.
 - Deliver a service which is integrated and is responsible to pupil, family and school needs.
 - Commission an outreach service which is able to support schools to provide for pupils with complex needs and challenging behaviour.
 - Arrange swift and equitable reintegration into an appropriate setting.
 - Improve and increase educational alternatives for young people aged 14-19 at risk of exclusion.
 - Improve outcomes, including attainment, for young people with challenging behaviour.
- The Council's **Children's Services commissioning priorities** include supporting children to reach their potential by ensuring that they are safe and healthy, ready for school (including emotionally ready), and ready for adult life.
- **Building Communities of Specialist Provision Together in Lincolnshire:** A strategy for CYP with SEND sets out the strategic vision for Lincolnshire in relation to enabling Lincolnshire pupils with SEND to access an integrated All Needs education system which provides excellent education, health and care interventions in their local community. The Strategy seeks to make significant changes to the existing special school provision by 2024 and has been produced by the Lincolnshire SEND Alliance (LSA) which consists of Lincolnshire education leaders, Lincolnshire Parent Carer Forum and the Council. The aims of the Strategy include:
 - *Develop a flexible education system with greater collaboration between mainstream and special schools, so pupils can access the mainstream curriculum and other opportunities.*
 - *Provide opportunities for mainstream and special school staff to enhance their knowledge of SEND, ensuring pupils are educated and supported by people who are the best that they can be. Provide opportunities for teaching and non-teaching staff to share best practice and engaged in continued professional development for the benefit of all pupils.*
- **Lincolnshire's Strategic Education Plan** developed in partnership with the Strategic Education Group, the Council, LLP, Lincolnshire Teaching Schools Together, Lincolnshire MAT CEO Network and the Diocese of Lincoln Board of Education sets out the priorities and system goals in order ensure all children and young people and schools are a collective responsibility, working together to set the conditions for schools to thrive and more teachers succeed with more learners. Priorities and system goals include:

- Wider Conditions: Create the conditions so that every school and every child thrives. The Working Together Team, Inclusive Lincolnshire Strategy and Mental Health Support Teams are key strategies that support these system goals.
- **Lincolnshire's All-Age Autism Strategy 2019-2022** sets out Lincolnshire's plan to improve support and services for autistic people, aligned to the government's general plan. The Strategy includes those placed out of county, Having the right support at the right time was one of the key themes nationally and locally.
- Lincolnshire's development of its **Early Childhood Strategy** provides a strong basis to further improve outcomes for children to the end of their foundation stage. The Strategy sets out the primary aim to increase the Good Level of Development (GLD) of all children across Lincolnshire and to improve Lincolnshire's outcomes when compared to statistical neighbours. The five key steps/milestones within the Strategy are:
 - Step 1: Parents access effective antenatal and postnatal care as set out within the Better Births strategy.
 - Step 2: Each child to attend all mandated health checks as set out in the healthy child programme.
 - Step 3: Parents and their children access quality, age appropriate and learning experiences at the earliest opportunity that best meet their needs.
 - Step 4: All children take up their three and four year old early years entitlement in high quality early years provision.
 - Step 5: Parents and professionals work together to ensure transition arrangements meet the needs of the child to better prepare children for school and to make the most out of the reception year.
- Lincolnshire's refreshed **Early Help Strategy 2021-23** is a collaborative approach for every professional working with or engaging with children and families, regardless of organisation, status or position. The vision of the Early Help system in Lincolnshire is "putting children first and working together with families to enhance children's present and future lives". This includes:
 - Children, young people and families will be helped to make changes for themselves, seen as a positive solution to the challenges they face, are able to get the right service at the right time and are understood as a whole family.
 - Supported by skilled professionals that understand and apply Relationship Based Practice, are restorative in approach and are well trained and supported.
 - Enabled and equipped by clear governance that puts children and families at the heart of planning and delivery with a clear framework and set of tools which builds on families strengths.

The approach of the Early Help system in Lincolnshire is to provide support to families to prevent needs from escalating by ensuring:

- Children have the best start in life
- Children learn and achieve
- CYP and their families are healthy and resilient
- CYP have safe and supportive families, relationships and networks
- CYP and their families receive the right support at the right time by the right professional for the right duration.
- Lincolnshire's **SEND Transformation Project** sets out the ambition to improve how the system will work together with families to secure the best possible life chances for CYP with SEND. This includes improving the earlier identification of and meeting the needs of CYP with SEND, working with schools and other educational settings to strengthen the graduated approach with the ultimate goal of providing the right support at the right time and in the right place for all CYP and their families in Lincolnshire. Developments that have been achieved so far through this project include more CYP with additional needs have been supported in mainstream schools without the need for an EHCP,

advice and guidance for SENDCOs is available via the Ask SALL telephone line and Valuing SEND and Inclusion toolkits have been developed to support settings in delivering the graduated approach. Next steps of the project include embedding the toolkits developed; direct work with schools and settings, using the strengths based approach and Valuing SEND toolkit to further develop the experience of the annual review process for families and professionals; developments around "Safe Base" provision and updating and improving Lincolnshire's Local Offer website.

- Lincolnshire's **wider mental health, emotional wellbeing and behaviour support services** review is currently taking place to understand the impact relevant services are currently having on Lincolnshire CYP in order to recommend the most appropriate provision for CYP to better support their mental health, emotional wellbeing and/or behavioural concerns in the future.
- Lincolnshire's **review of commissioned early years services** is currently taking place to understand the impact services are currently making for children and families in order to recommend the most appropriate provision for children in their early years and their families from April 2023 onwards.

Appendix B – Recommended Model for future ALD Service

	SEND Workforce Development – via SEND Workforce Development Offer		ALD Outreach Support		
	Offer	Changes	Offer	Changes	
Building Communities of Specialist Provision Together, SEND Workforce Development Service, Lincolnshire SEND Alliance, Education Settings, Parents/Carers	Children transitioning into their Reception Year	Universal training and resources focused on improving the confidence of professionals working with children, and their families, transitioning into their Reception Year. Training offer will be in line with the priorities set out in the SEND Workforce Development offer in as far as they relate to the ALD Service and will be advertised and booked via the SEND Learning Platform.	Greater expectation that early years professionals access the training support available by the Lincolnshire SEND Workforce development offer.	Partnership working with Health Visitors, Early Years Specialist Teachers and Portage Workers to ensure the right support, at the right time and by the right professional. Stronger focus on working with the receiving primary school to ensure the school is confident in meeting the children's need when they transition into their Reception Year.	No direct outreach support for early years settings is currently commissioned by the Council and there will be no change to this. However, where children in their early years need additional support the skill-set of other early years professionals such as Health Visitors and Early Years Specialist Teachers will be utilised to support them. Where transition support is an identified need from the ALD Service support will be provided to the receiving primary school to ensure they are confident in meeting the needs of the child when they transition into their Reception Year.
	Reception Year to Year 13	Universal workshops, training and resources for all Lincolnshire schools and academies, which also includes parents/carers and wider professionals, in line with the priorities set out in the SEND Workforce Development offer in as far as they relate to the ALD Service. This will include the AET training in accordance with the tiered model for SEND Workforce Development offer. Workshops and training offer will be advertised and booked via the SEND Learning Platform through the SEND Workforce Development Service. Close partnership working with the lead provider of the SEND Workforce Development Service to ensure training and workshops meet the identified needs of Lincolnshire schools and academies, parents/carers and wider professionals working with CYP and families with SEND. Encouraging schools to utilise tools and support developed through the SEND Transformation Project such as the Inclusion Toolkit, Valuing SEND Toolkit and AskSALL and embedding strategies into practice. AET training will continue to be a key requirement for schools to access, but with a greater emphasis on the ALD Service supporting schools to embed the AET training principles within their setting, utilising the AET framework. Strong focus on schools evidencing that they have fully accessed the training and workshop offer and utilised	Increased delivery of workshops and training. More training and workshops offered virtually which should provide more capacity to deliver training. Training and workshops to be promoted and booked via the SEND Learning Platform through the SEND Workforce Development Service. More rigorous training and workshop offer that is aligned to the workforce development priorities identified through the SEND Workforce Development project. Greater partnership working with key professionals and Lincolnshire SEND Alliance to ensure an inclusive and cohesive approach across the County to meet the needs of CYP with SEND. Greater focus on more expertise being available within a universal offer, thus reducing the reliance on more targeted provision. Better aligned to local priorities with greater emphasis on supporting Lincolnshire's graduated approach to meeting the needs of CYP with SEND.	ALD Outreach Support will only be available once universal training and workshop offer has been exhausted. ALD Outreach Support offer will have stronger emphasis on upskilling professionals within the school to improve their confidence in better supporting CYP within their setting. ALD Outreach Support offer includes engaging parents/carers in the support delivered within the school setting, including taking learning from Covid-19 with a blended offer of face to face and virtual support. Development of pathways with other relevant services to ensure multi-agency partnership approach to meeting the needs of CYP with SEND. More inclusive and cohesive approach to meeting the needs of CYP with SEND. Strong focus on ensuring more CYP can remain in their mainstream setting without the need for more specialist provision and increasing the number of CYP who can have their special educational needs met without the need for an EHCP.	Reduced capacity for ALD Outreach Support however given greater emphasis on schools accessing universal offer before referral for ALD Outreach Support, it is anticipated there should be less referrals for ALD Outreach Support. Greater emphasis on working with the professionals within the school in order to improve their confidence in supporting CYP within their setting. Greater partnership working with relevant services to ensure a more inclusive and holistic approach to meeting the needs of CYP with SEND. Greater emphasis on engaging parents/carers in the support provided within the school setting, making better use of virtual working for parents/carers unable to attend the setting in person. Better aligned to local priorities with greater emphasis on supporting Lincolnshire's graduated approach to meeting the needs of CYP with SEND.

Safeguarding, Early Help, Ask SALL, Social Care, SEND, Education Settings, CYP, Parents/Carers, Inclusion Toolkit, Valuing SEND Toolkit

		all the tools available to them before referral for Outreach Support. Also schools will be expected to encourage parents/carers to also access workshops available to them before a referral for Outreach Support is made.	Stronger focus on providing more support and challenge to mainstream settings to ensure more CYP can remain in their mainstream setting without the need for more specialist provision and also increasing the number of CYP who have their special educational needs supported without the need for an EHCP.			
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Equality Impact Analysis to enable informed decisions

The purpose of this document is to:-

- I. help decision makers fulfil their duties under the Equality Act 2010 and
- II. for you to evidence the positive and adverse impacts of the proposed change on people with protected characteristics and ways to mitigate or eliminate any adverse impacts.

Using this form

This form must be updated and reviewed as your evidence on a proposal for a project/service change/policy/commissioning of a service or decommissioning of a service evolves taking into account any consultation feedback, significant changes to the proposals and data to support impacts of proposed changes. The key findings of the most up to date version of the Equality Impact Analysis must be explained in the report to the decision maker and the Equality Impact Analysis must be attached to the decision making report.

****Please make sure you read the information below so that you understand what is required under the Equality Act 2010****

Equality Act 2010

The Equality Act 2010 applies to both our workforce and our customers. Under the Equality Act 2010, decision makers are under a personal duty, to have due (that is proportionate) regard to the need to protect and promote the interests of persons with protected characteristics.

Protected characteristics

The protected characteristics under the Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

Section 149 of the Equality Act 2010

Section 149 requires a public authority to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by/or under the Act
- Advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share those characteristics
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The purpose of Section 149 is to get decision makers to consider the impact their decisions may or will have on those with protected characteristics and by evidencing the impacts on people with protected characteristics decision makers should be able to demonstrate 'due regard'.

Decision makers duty under the Act

Having had careful regard to the Equality Impact Analysis, and also the consultation responses, decision makers are under a personal duty to have due regard to the need to protect and promote the interests of persons with protected characteristics (see above) and to:-

- (i) consider and analyse how the decision is likely to affect those with protected characteristics, in practical terms,
- (ii) remove any unlawful discrimination, harassment, victimisation and other prohibited conduct,
- (iii) consider whether practical steps should be taken to mitigate or avoid any adverse consequences that the decision is likely to have, for persons with protected characteristics and, indeed, to consider whether the decision should not be taken at all, in the interests of persons with protected characteristics,
- (iv) consider whether steps should be taken to advance equality, foster good relations and generally promote the interests of persons with protected characteristics, either by varying the recommended decision or by taking some other decision.

Conducting an Impact Analysis

The Equality Impact Analysis is a process to identify the impact or likely impact a project, proposed service change, commissioning, decommissioning or policy will have on people with protected characteristics listed above. It should be considered at the beginning of the decision making process.

The Lead Officer responsibility

This is the person writing the report for the decision maker. It is the responsibility of the Lead Officer to make sure that the Equality Impact Analysis is robust and proportionate to the decision being taken.

Summary of findings

You must provide a clear and concise summary of the key findings of this Equality Impact Analysis in the decision making report and attach this Equality Impact Analysis to the report.

Impact – definition

An impact is an intentional or unintentional lasting consequence or significant change to people's lives brought about by an action or series of actions.

How much detail to include?

The Equality Impact Analysis should be proportionate to the impact of proposed change. In deciding this asking simple questions “Who might be affected by this decision?” “Which protected characteristics might be affected?” and “How might they be affected?” will help you consider the extent to which you already have evidence, information and data, and where there are gaps that you will need to explore. Ensure the source and date of any existing data is referenced.

You must consider both obvious and any less obvious impacts. Engaging with people with the protected characteristics will help you to identify less obvious impacts as these groups share their perspectives with you.

A given proposal may have a positive impact on one or more protected characteristics and have an adverse impact on others. You must capture these differences in this form to help decision makers to arrive at a view as to where the balance of advantage or disadvantage lies. If an adverse impact is unavoidable then it must be clearly justified and recorded as such, with an explanation as to why no steps can be taken to avoid the impact. Consequences must be included.

Proposals for more than one option If more than one option is being proposed you must ensure that the Equality Impact Analysis covers all options. Depending on the circumstances, it may be more appropriate to complete an Equality Impact Analysis for each option.

The information you provide in this form must be sufficient to allow the decision maker to fulfil their role as above. You must include the latest version of the Equality Impact Analysis with the report to the decision maker. Please be aware that the information in this form must be able to stand up to legal challenge.

Background Information

Title of the policy / project / service being considered	Autism and Learning Difficulties (ALD) Service Review	Person / people completing analysis	Sara Gregory
Service Area	Children's Services Strategic Commissioning Team	Lead Officer	Charlotte Gray
Who is the decision maker?	Lincolnshire County Council/Executive	How was the Equality Impact Analysis undertaken?	Through review and previous and current stakeholder engagement
Date of meeting when decision will be made	TBC	Version control	V0.1
Is this proposed change to an existing policy/service/project or is it new?	Existing policy/service/project	LCC directly delivered, commissioned, re-commissioned or de-commissioned?	Re-commissioned
Describe the proposed change	Re-commissioning the ALD Service following a review alongside other relevant commissioned services to inform improvements to the existing service.		

Evidencing the impacts

In this section you will explain the difference that proposed changes are likely to make on people with protected characteristics. To help you do this first consider the impacts the proposed changes may have on people without protected characteristics before then considering the impacts the proposed changes may have on people with protected characteristics.

You must evidence here who will benefit and how they will benefit. If there are no benefits that you can identify please state 'No perceived benefit' under the relevant protected characteristic. You can add sub categories under the protected characteristics to make clear the impacts. For example under Age you may have considered the impact on 0-5 year olds or people aged 65 and over, under Race you may have considered Eastern European migrants, under Sex you may have considered specific impacts on men.

Data to support impacts of proposed changes

When considering the equality impact of a decision it is important to know who the people are that will be affected by any change.

Population data and the Joint Strategic Needs Assessment

The Lincolnshire Research Observatory (LRO) holds a range of population data by the protected characteristics. This can help put a decision into context. Visit the LRO website and its population theme page by following this link: <http://www.research-lincs.org.uk> If you cannot find what you are looking for, or need more information, please contact the LRO team. You will also find information about the Joint Strategic Needs Assessment on the LRO website.

Workforce profiles

You can obtain information by many of the protected characteristics for the Council's workforce and comparisons with the labour market on the [Council's website](#). As of 1st April 2015, managers can obtain workforce profile data by the protected characteristics for their specific areas using Agresso.

Positive impacts

The proposed change may have the following positive impacts on persons with protected characteristics – If no positive impact, please state '*no positive impact*'.

Age	<p>Perceived positive impact for school aged CYP as a more universal workshops and training offer available via skilled professionals to improve the confidence of professionals within their education setting so that they are better supported wherever possible within their mainstream provision.</p> <p>Perceived positive impact for parents/carers of school aged CYP in relation to improved confidence in their child's education setting to better support their child without the need for an Education, Health and Care Plan (EHCP) or more specialist provision (wherever possible).</p>
Disability	<p>Perceived indirect positive impact for CYP with SEND through the ALD Service being part of a Lincolnshire SEND Workforce Development offer that includes a wide range of partners, thus ensuring a more coordinated and inclusive approach to upskilling SEND professionals so that they are more confident in meeting a wide range of SEND needs within their education setting.</p> <p>No perceived positive impact for CYP with SEND in relation to ALD Outreach Support as the service will continue to provide this support for autistic CYP and/or CYP with mild, moderate and severe learning difficulties and social communication challenges where this is an identified need and all universal provision has been exhausted.</p>
Gender reassignment	<p>No perceived positive impact as there are no significant changes proposed to the current delivery model that will impact on this protected characteristic.</p>
Marriage and civil partnership	<p>No perceived positive impact as there are no significant changes proposed to the current delivery model that will impact on this protected characteristic.</p>
Pregnancy and maternity	<p>No perceived positive impact as there are no significant changes proposed to the current delivery model that will impact on this protected characteristic.</p>

Race	<p>Perceived positive impact for school aged CYP as a more universal workshops and training offer available via skilled professionals to improve the confidence of professionals within their education setting so that they are better supported wherever possible within their mainstream provision.</p> <p>Perceived positive impact for parents/carers of school aged CYP in relation to improved confidence in their child's education setting to better support their child without the need for an Education, Health and Care Plan (EHCP) or more specialist provision (wherever possible).</p>
Religion or belief	<p>Perceived positive impact for school aged CYP as a more universal workshops and training offer available via skilled professionals to improve the confidence of professionals within their education setting so that they are better supported wherever possible within their mainstream provision.</p> <p>Perceived positive impact for parents/carers of school aged CYP in relation to improved confidence in their child's education setting to better support their child without the need for an Education, Health and Care Plan (EHCP) or more specialist provision (wherever possible).</p>
Sex	<p>Perceived positive impact for school aged CYP as a more universal workshops and training offer available via skilled professionals to improve the confidence of professionals within their education setting so that they are better supported wherever possible within their mainstream provision.</p> <p>Perceived positive impact for parents/carers of school aged CYP in relation to improved confidence in their child's education setting to better support their child without the need for an Education, Health and Care Plan (EHCP) or more specialist provision (wherever possible).</p>
Sexual orientation	<p>No perceived positive impact as there are no significant changes proposed to the current delivery model that will impact on this protected characteristic.</p>

If you have identified positive impacts for other groups not specifically covered by the protected characteristics in the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.

A more universal training and workshops offer to better upskill and improve the confidence of professionals in Lincolnshire schools and academies working with autistic CYP and/or CYP with mild, moderate and severe learning difficulties and social communication challenges.

A more universal workshops offer as part of a SEND Workforce Development offer to improve the confidence of parents/carers in supporting their child and improve their confidence in their child's needs being able to be met within their education setting, thus reducing the need for more specialist provision (where appropriate).

Adverse/negative impacts

You must evidence how people with protected characteristics will be adversely impacted and any proposed mitigation to reduce or eliminate adverse impacts. An adverse impact causes disadvantage or exclusion. If such an impact is identified please state how, as far as possible, it is justified; eliminated; minimised or counter balanced by other measures.

If there are no adverse impacts that you can identify please state 'No perceived adverse impact' under the relevant protected characteristic.

Negative impacts of the proposed change and practical steps to mitigate or avoid any adverse consequences on people with protected characteristics are detailed below. If you have not identified any mitigating action to reduce an adverse impact please state *'No mitigating action identified'*.

Age	No perceived negative impact.
Disability	No perceived negative impact.
Gender reassignment	No perceived negative impact.
Marriage and civil partnership	No perceived negative impact.
Pregnancy and maternity	No perceived negative impact.

Race	No perceived negative impact.
Religion or belief	No perceived negative impact.
Sex	No perceived negative impact.
Sexual orientation	No perceived negative impact.

If you have identified negative impacts for other groups not specifically covered by the protected characteristics under the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.

Stakeholders

Stake holders are people or groups who may be directly affected (primary stakeholders) and indirectly affected (secondary stakeholders)

You must evidence here who you involved in gathering your evidence about benefits, adverse impacts and practical steps to mitigate or avoid any adverse consequences. You must be confident that any engagement was meaningful. The Community engagement team can help you to do this and you can contact them at consultation@lincolnshire.gov.uk

State clearly what (if any) consultation or engagement activity took place by stating who you involved when compiling this EIA under the protected characteristics. Include organisations you invited and organisations who attended, the date(s) they were involved and method of involvement i.e. Equality Impact Analysis workshop/email/telephone conversation/meeting/consultation. State clearly the objectives of the EIA consultation and findings from the EIA consultation under each of the protected characteristics. If you have not covered any of the protected characteristics please state the reasons why they were not consulted/engaged.

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Objective(s) of the EIA consultation/engagement activity

To help inform the review of the ALD Service in order to inform the most appropriate commissioning model for an ALD Service in the future that met the needs of autistic CYP and/or CYP with mild, moderate and severe learning difficulties and social communication challenges.

Who was involved in the EIA consultation/engagement activity? Detail any findings identified by the protected characteristic

<p>Age</p>	<p>Where possible stakeholder engagement was undertaken to help inform the review but due to the Covid-19 pandemic this was limited. In view of this stakeholder engagement activity undertaken to inform the CAMHS review, the Mental Health Support Teams project, a behaviour outreach support services review, the review of the ALD Service and stakeholder feedback from the ALD Service has also been taken into account. Overall this took into account feedback from children and young people, parents/carers, education providers, wider professionals working with children and young people across a range of organisations and other strategic partners.</p> <p>All engagements that had been taken into consideration and ran during the review ranged from between June 2018 and August 2021. Engagements have been presented in representation of the Children's Strategic Commissioning Team.</p>
<p>Disability</p>	<p>As above</p>
<p>Gender reassignment</p>	<p>As above</p>
<p>Marriage and civil partnership</p>	<p>As above</p>
<p>Pregnancy and maternity</p>	<p>As above</p>

Race	As above
Religion or belief	As above
Sex	As above
Sexual orientation	As above
<p>Are you confident that everyone who should have been involved in producing this version of the Equality Impact Analysis has been involved in a meaningful way?</p> <p>The purpose is to make sure you have got the perspective of all the protected characteristics.</p>	Yes – all engagement has taken into account feedback from the current review and previous engagement which has included feedback from a wide range of stakeholders, including service users and non-service users.
<p>Once the changes have been implemented how will you undertake evaluation of the benefits and how effective the actions to reduce adverse impacts have been?</p>	A post-project review will be conducted to identify any benefits already achieved. Any new service will be subject to contract management. This will involve tracking performing indicators and other information designed to monitor the effectiveness of delivery in meeting people’s needs, including feedback and views of service users.

Further Details

Are you handling personal data?	<p>No</p> <p>If yes, please give details.</p>
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Actions required	Action	Lead officer	Timescale
Include any actions identified in this analysis for on-going monitoring of impacts.			

Version	Description	Created/amended by	Date created/amended	Approved by	Date approved
V0.1	Issued following ALD review	Sara Gregory	7 th September 2021		

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