

Open Report on behalf of Heather Sandy, Executive Director - Children's Services

Report to:	Children and Young People Scrutiny Committee
Date:	09 September 2022
Subject:	Update on the Special Educational Needs and Disabilities Transformation Programme

Summary:

This report provides the Children and Young People Scrutiny Committee with an update on the Special Educational Needs and Disabilities (SEND) transformation work. It includes an overview of the aims of the programme; the impact of the work so far and summarises further activity being undertaken to build on the successes of the transformation to date.

Actions Required:

The Children and Young People Scrutiny Committee is invited to review the update and seek assurance on the progress made through the transformation work.

1. Background

Over the last two years the Local Authority (LA) has been working with strategic partners, including School Leaders, Lincolnshire Parent Carer Forum, Lincolnshire Young Voices, and Health representatives to review the way the partnership works in supporting children and young people with SEND. The data and intelligence gathered throughout the initial stages of the transformation programme told us:

- Lincolnshire has more pupils with SEND than the England average.
- The Local Offer was not sufficiently understood to divert partners and parents to early intervention.
- The number of 'refusals to assess' was down from around 30% to 6% (nationally the figure was around 26%).
- The county had experienced an exponential rise in the number of Education, Health and Care (EHC) Plans – 3,300 in September 2014; 6023 in September 2020.
- In audit, 69% of children with an EHC Plan could have had needs prevented, reduced or delayed.

- In Fast Forward Trials – 45% of children going through assessment could have had their needs met more effectively without a Plan.
- There were misaligned expectations – EHC Plan was seen as the ‘best’ means of support.
- Only 3 of 589 EHC Plans ceased in 2020 were whilst young people were still in education.
- If the partnership did nothing:
 - The demand for EHCPs was estimated to grow by 39% from 6,023 (September 2020) to reach 8,417 by March 2023.
 - Demand on the High Needs Block would increase by over £20m a year by financial year 2022/23, outstripping anticipated growth.

The partnership agreed a series of 'System Ambitions' which have formed the basis of the *High Needs Strategy* (Appendix A). The ambitions were to:

- Strengthen the Local Offer and *Graduated Approach*
- Introduce a SEND advice line (Ask SALL) for Special Educational Needs Coordinators (SENCOs)
- Introduce Valuing SEND to support decision making and benchmarking
- Define and promote practice standards within the Statutory Assessment Pathway
- Develop a strengths-based approach to Annual Reviews
- Support step-down with focus on transition from special to mainstream school
- Introduce Safe Base provision within mainstream schools
- Hold to account and mitigate system pressures through primed performance

The SEND transformation programme:

A raft of activities began in 2020 to support Lincolnshire's *Inclusive Ambition* which incorporates a system ambition that aims to ensure that the majority of children with special educational needs can fulfil their potential in mainstream settings where practitioners are clear how to meet their needs and the right support is available to do so at an early stage.

In January 2022, the digital version of **Valuing SEND** (VSEND) was launched with hundreds of SENCOs signing up to use the digitalised version of the former Excel tool. This complements the **Inclusion Toolkit** which sets the practice standards for Lincolnshire and provides SENCOs and other professionals with high quality practical support to guide and enhance their day-to-day practice. The VSEND tool helps settings to develop a single, rounded picture of the needs of children and the support they require to succeed and prosper within and outside of their education - from birth to adulthood (across early years, primary, secondary, special and post 16 education). The tool can be used as the foundation for planning and commissioning support, monitoring progress and evaluation of support at a child and cohort level, and to enable earlier and more co-ordinated intervention. The use of these tools is promoted through Ask SALL, the Graduated Approach briefings, the National SENCO Award course (for Lincolnshire) and in feedback to settings following requests for statutory assessment. The Panel considering requests for EHC Needs Assessments is urging settings to use VSEND to gain a holistic understanding of

the child's needs and the setting's readiness to meet them. It is becoming increasingly evident that schools and other settings that use the VSEND tool have a more sophisticated understanding of the child's needs and a greater awareness of what additional support they require to continue to meet the needs of their pupils.

The **Local Offer** received a complete overhaul and was re-launched in June 2021 on a new platform [SEND Local Offer – Lincolnshire County Council](#). It provides updated content and practical advice for families and settings about how to support children and young people experiencing difficulties rather than how to seek diagnoses or simply refer into specialist services. Access to the digital Inclusion Toolkit and VSEND is through the Local Offer, and it is also the route to contact Ask SALL and for booking places at the Graduated Approach briefings. The Local Offer also enables access to previously recorded Graduated Approach briefings and other information videos. Promotion and feedback events are on-going as the effort to make the Local Offer the main portal for information regarding SEND continues.

The **Workforce Development** learning platform was commissioned on 10 February 2022 via a Public-to-Public Collaboration Agreement, under Regulation 12(7) Public Contracts Regulations 2015 between Lincolnshire County Council and Lincolnshire Wolds Federation, as lead agency for the SEND Alliance. The SEND Workforce Development Learning Platform will mirror the existing training platform provided by the Lincolnshire Safeguarding Children Partnership (LSCP) which has proved most successful in providing training, resources, and support to professionals. The delivery model will be implemented over four phases/three years. Phase 1 is concluded with prioritisation being given to content creation and launch of the online learning platform for all Lincolnshire Special Schools. By the summer of 2023 full sector-wide implementation will have taken place. In Year 2, the third phase will see the learning platform open to parents and carers of children and young people with SEND along with their advocates/representatives and other interested stakeholders. In phase 4 the service will transfer to self-funding. A sustainability plan has been established for this to happen.

A **Transitions Protocol** was developed in the summer of 2021 to provide targeted intervention to support children and young people to step-down from specialist provision to mainstream. Four young people have successfully reintegrated into inclusive mainstream environments which can better support their outcomes and aspirations. Further work is underway to identify other young people that might be ready to consider a transition from Special School to mainstream.

In September 2020, **Ask SALL**, Lincolnshire's SEND advice line for SENCOs was launched. The advisers provide advice and guidance to settings and, where appropriate, can offer a follow up appointment with an Educational Psychologist (EP). Since the advice line started, 47% of Lincolnshire schools have called the line at least once. Thirty-nine settings have called more than four times. 61% of calls are from primary schools with the highest number of users in North Kesteven and South Kesteven (34%) and the fewest in Boston and South Holland (18%). 25% of calls have been referred on to an EP. The most significant primary needs that callers seek advice about are Communication and Interaction, or

Social, Emotional and Mental Health (SEMH). Specifically, 50% of the calls relate to concerns about social/emotional/behavioural difficulties.

In calls where the SENCo indicated that they were considering making a request for an EHC Needs Assessment prior to seeking advice, the cases are tracked. On average, 18 cases per month over the last 12 months have not progressed to a request for statutory assessment following advice and guidance from Ask SALL.

A **multi-disciplinary (assessment) panel** was formed in November 2020 to consider requests for EHC Needs Assessments and ensure that practice standards are evidenced in the *graduated approach* prior to request for assessment. Over several years the number of 'no to assessment' decisions had fallen significantly. In part this was because of the low threshold test but on further analysis, it was clear that many requests were highly emotive and included 'catastrophic' language to describe children's needs which was not supported by the evidence presented. Decisions were therefore not always being made based on the true *needs* of the child. Colleagues in settings described being left unsure what to do next when the Panel made a 'no to assess' decision. Families often saw the 'no to assessment' decision as meaning their child be left without any support.

The Panel comprises specialist teachers, an Educational Psychologist, specialist Early Years practitioners, Ask SALL advisors and a SEND lead. The expertise of members enables the panel to scrutinise the evidence and provide comprehensive feedback to settings if a 'no to assess' decision is made. Additionally, settings may be contacted by one of the Ask SALL advisors if further advice and guidance is required to support the setting in continuing to meet a child's needs through the *graduated approach*.

Prior to the introduction of the multi-disciplinary panel, the number of 'no to assessment' decisions had dropped to as low as 6%, having been around 30% in the early years of the reforms and in the latter years of the 'old' Statementing process. Since the introduction of the Panel and robust feedback to settings, 'no to assessment' decisions have been made, on average over the last 12 months, in 26% of cases. This has dropped slightly but it is also clear that more cases coming for statutory assessment are the 'right' ones and there is generally good evidence of a robust *graduated approach* having been adopted prior to the request for assessment. The majority of 'no' decisions are accepted.

Impact

The transformation work described above is aimed at ensuring that children and young people are supported as early as possible, with the right support to avoid their needs escalating. The tools that have been introduced have been generally well received and are being used increasingly across Lincolnshire schools and Early Years settings. The feedback from users of the advice line is overwhelmingly positive with 98% of survey respondents saying they would use it again.

Indications are that the work is having an impact on the number of EHC Needs Assessment requests received in 2021 (3% increase from the previous year compared to a 23% increase nationally).

In 2021, Lincolnshire experienced a 15.5% reduction in the number of *new* EHC Plans compared to a 3% increase nationally.

The local area's overall number of EHC Plans increased by 4% in 2021 compared to a 9.9% increase nationally.

In 2021, 33 EHC Plans were ended because settings were confident that the young people's special educational needs could be met without the continued need for a statutory Plan (3 in 2020).

Lincolnshire currently has 6,813 EHC Plans which is well below the anticipated increase (8417 by March 2023) without the introduction of the transformation programme.

A workshop about the Local Offer, facilitated by the Lincolnshire Parent Carer Forum in June this year, received positive feedback from parents and carers:

'Love how LO now is so transparent about what LCC and Schools are doing around SEND. Parents can trawl around the wealth of information and check that they are being well served according to the outlines detailed in the LO'.

'The search facility in the Services directory has improved immensely with the ability to filter by area etc - big improvement instead of scrolling through loads of listings'.

Cost avoidance

At this time, cost avoidance is linked to two main areas of activity; the Ask SALL advice line and the multi-disciplinary panel as this is currently where cases can be tracked, and data extracted. Since September 2020, the authority has been able to negate a degree of additional expenditure that would have been incurred through further growth in the number of EHC plans. A total of £2.188m has been avoided across the period September 2020 – April 2022 based on the 'do nothing' trajectory line, with further cost avoidance of £1.124m anticipated between now and the end of the 2022/23 financial year (March 2023).

Next Steps

There is more to be done to promote the benefits of using the tools available to support not only young people but also settings in identifying 'gaps' in their offer which may easily be remedied through training or accessing additional support. The next step is also to promote the use of VSEND in the Annual Review process; to use the tool as an objective measure of the progress the young person has made, recognising strengths, and thinking about whether it is possible to step-back to the *graduated response*.

In the autumn of 2022, there will be focused audit work undertaken, on a sample of cases, at key decision-making points to provide assurance that the tools, resources, and support that have been introduced have been accessed and implemented robustly prior to

entering the statutory assessment process. Auditors will be looking for clear evidence that all 'ordinarily available' support had been used and that the child was likely to require enhanced support available through an EHC Plan.

The Local Offer working group, comprising a range of stakeholders, has a well-established process of review and development. The workshop in June highlighted the need to improve information available for those transitioning to post-16 and Preparing for Adulthood. There is on-going work aligned to the Supported Employment Project and Lincolnshire's Further Education colleges to ensure that more information on post-16 options is available to families and young people.

It is imperative that the wider system supports the transition from specialist to mainstream education for those young people who are ready. Establishing a robust transitions ethos will not only free up spaces in Special Schools for the next cohort of young people who need specialist support but will also provide those moving back to mainstream with the opportunity to access education that meets their wider aspirations. This area of work also aligns with the development of the SEMH Strategy aimed at identifying the *right* support in the *right* setting for young people with a primary need of SEMH. The focus again is on meeting as many young people's needs as possible in their local mainstream setting, providing them with the best opportunity to access a curriculum that supports their ambitions.

2. Conclusion

Lincolnshire continues to have a committed and ambitious partnership, keen to innovate the way in which young people with SEND are supported to achieve their potential. Whilst Lincolnshire remains above the national average in terms of the numbers of children identified with SEND, there are positive signs of changes in practice that move away from reliance on statutory interventions and build on the inclusive practice that many Lincolnshire schools adopt.

3. Consultation

a) Risks and Impact Analysis

Not applicable

4. Appendices

These are listed below and attached at the back of the report	
Appendix A	Lincolnshire's High Needs Strategy

5. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

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