

Report of the Director of Children's Services, Education and Skills

Update on Implementation of Children & Families Bill

Summary

1. Families with disabled children and children with special educational needs have welcomed the changes implemented in York following the inception of the Children and Families Act 2014. The introduction of new Education, Health and Care plans replace the old statement of special educational needs. These new plans set out more holistically the needs of each children and young person in a way that better supports subsequent multi agency planning for their improved outcomes.

Notwithstanding some excellent early progress in York it has become clear that a review of existing service structures is now needed to sustain the effective delivery of these new requirements.

The community of children's services providers in York fully recognises that children and young people must be at the heart of any future service development. Very helpfully, feedback from work to date confirms that parents, carers and young people are enthusiastic to be further involved in the development of local services.

The goal of the proposed future service structure change is to ensure a well coordinated and seamless support offer to families. This includes those families who access universal services right through to those who require intensive support interventions.

Recommendations

2. Members are requested to:

- take note of the progress in the implementation of the special educational needs and disability reforms and the plans to establish an integrated service (including social care, SEN specialist teaching service, specialist early years services and the SEN coordination team)

Reason: parents are seeking easier access to services, with support for need, not limited by artificial barriers of service boundaries

- note the intention to make future assessment approaches proportionate to need with key working approaches to be expanded through the development of a family support role.

Reason: these workers would coordinate services for those families where there is multiple agency involvement, proactively signposting them to activities/support to meet needs

Background

3. The Children and Families Act 2014 was passed in March 2014 and implemented in September 2014. The Act introduced significant changes to the delivery of services for disabled children and children with special educational needs. The focus of these reforms is around four key areas:

- improving outcomes for children and young people and their families
- the views, wishes and feelings of the child or young person, and the child's parents, must be central to the planning of provision
- children, young people and parents should participate as fully as possible in decisions and be supported to enable participation in those decisions
- young people should be supported from the earliest time to plan for adulthood, extending the special educational needs (SEN) offer up to 25 years, if a young person needs additional time for their learning

4. *The vision is of children and young people with special educational needs and disability achieving well in their early years, at school and in college; finding employment; leading happy and fulfilled lives; and having choice and control over their support.*¹
5. In York this is echoed by the vision set out in 'Dream Again' York's Children and Young People's Plan.

Our Vision

6. *York is a city making history and its children are our future. Every child and young person in York deserves to live their dreams. We will stretch, support, nurture and release them to do so. Working with them and their families, we will make York the best place in Britain in which to grow up.*²
7. The Care Act 2015 reinforces many of the requirements set out in the Children and Family Act 2014. It requires that Local Authorities (LAs) provide care for adults with needs and that the wellbeing of people must be considered and information provided to enable people to access services and support they need. All planning must be person centred and clients should be supported to participate in decisions as appropriate. Carers are eligible for an assessment in their own right, and services to support them or short breaks for their children, even if their children are not eligible for support.

Local Responsibilities

8. LAs and Clinical Commissioning Groups (CCG) are required to implement and monitor statutory responsibilities including:
 - early identification of needs of children and young people with special educational needs
 - informing parents and CCG when special educational needs have been identified
 - working with partners to meet the needs of children and young people with special educational needs

¹ Special educational needs and disability supporting local and national accountability March 15

² 'Dream Again' Children and Young People's Plan 2013-16

- ensuring the provision outlined in an Education, Health and Care Plan (EHCP) is provided
 - providing carers' assessments for carers of disabled children and meeting the carers needs, including provision for children, even if they don't require support in their own right
9. The Health and Wellbeing Board, lead member and YorOK Board are responsible for the monitoring of the implementation of the Special Educational Needs and Disability (SEND) reforms. Education settings, through their respective governance and leadership arrangements I are responsible and have duties to use their best endeavours to make the provision required to meet the special educational needs of children and young people.
10. For schools, regulation is through Ofsted and the annual report that schools have to provide to parents on their children's progress. Academies continue to have a duty to cooperate with the Local Authority.

Ofsted for Special Educational Needs and Disability (SEND)

11. The Department for Education (DfE) announced in March that 'the combination of local accountability measures, data and analysis and independent inspection will show how the SEND system is performing.' The inspection will be a **local area inspection** which will be based on a set of agreed measures to support local and national accountability and to support it with a national survey of users' satisfaction in summer 2016.³
13. The DfE has identified **three key areas** the LA and their partners need to focus on:
- positive experience of the **Special Educational Needs and Disability** system for children, young people and their families
 - positive outcomes for children, young people and their families
 - effective preparation for adulthood
14. In order to effectively meet the needs of children, young people and their families, it is necessary to re configure local service structure arrangements to ensure they work in a new way, not restricted by service boundaries.

³ See Annex 1

15. What families ask for:

- high quality provision, that supports children and young people to fulfil their potential, moving into adulthood with meaningful engagement in their community through work, volunteering or positive activities
- a genuine partnership in decision making for their child
- clear information in our local offer that empowers them to make choices
- assessment without jargon, de-stigmatising access to support
- key working approaches, where someone holds the coordination of support and signposts families appropriately
- proportionate responses to requests for support with appropriate sharing of information, so that parents do not need to keep retelling their story
- staff to work with their child who really understand their needs and are proactive in breaking down barriers to full participation in all their non disabled peers take part in
- greater collaboration between specialist and universal services to enable York to be a fully inclusive city
- intensive support in the home, when things are really tough

16. To meet these needs it is proposed:

- services are provided at three levels: targeted, identified and specialist.⁴ Staff with the right skills work together across agencies and provide differentiated appropriate support
- to further integrate local service arrangements. It is proposed that key working approaches are to be provided by the development of a family support role at the targeted level of support. These workers would coordinate services for those families where there is multiple agency involvement, proactively signposting them to activities and support to meet needs
- service delivery will be delineated across 3 key phases: early years, school aged to 14, transition age 14+
- staff will support the holistic needs of the child/young person and family regardless of their professional background.

⁴ See Annex 2

Specialist teachers, social workers and support staff and others have a shared understanding of support that is needed and who is best able to provide this in a coordinated, effective and efficient way

- assessment processes are reviewed to provide more accessible, coordinated and proportionate assessment, referrals come to a joint panel and decisions re support consider who will provide a more holistic support that previously given by one agency
- parent peer support is provided from trained parents to demystify access to short breaks
- parent mentoring will support families with trained, Disclosure and Barring Service (DBS) checked volunteers who offer independent, non judgemental support to families with high levels of need. This weekly support to families has kept children in York and helped families stay together in stressful situations
- specialist intensive support for families in greatest need, including Family Intervention Rapid Support Team, (FIRST) will work with those with the highest level of need and provide support to skill staff to work with parents before they reach crisis point. Skilled staff from our specialist residential short break service will continue to work with FIRST to provide interventions in the home, supporting families where they need the help most
- early planning for a bedded unit to provide intensive support for families in crisis, to prevent children and young people going to expensive out of city provision, which can cost £1k per week
- quality assurance and support to early years settings, schools and colleges/post maintained education settings
- continued support to care, leisure providers and education settings promotes high quality inclusive settings and support

17. This will provide:

- a seamless service with the right level of coordinated support, the right person working with a family, irrespective of their professional background
- proportionate assessment, including reduced assessment for 100 hours per year short breaks

- peer support from parents, encouraging easier access to services
- increased trust in 'the system' as parents are advocating the approach and benefits
- earlier support for families who have previously had multi agency involvement and often had to wait for all the agencies to 'talk to each other' and understand what each one is doing
- more families confident that York local offer will meet their child's needs and support progression alongside meaningful engagement in activities/support. This will support a reduction in numbers leading to tribunals
- increased support/training for colleges and post maintained education providers supporting high quality provision that leads to progression and ensures young people are supported effectively to complete education courses and move on to employment, volunteering or positive activities in the community
- continued support for early years settings and schools to ensure all teachers own special education as their responsibility and that Special Educational Needs Coordinators (SENCOs) are equipped to lead schools/early years settings to maintain high quality provision children and young people out of school, due to ill health and mental health needs, will be supported back into school through personalised programmes of support families only needing to tell their story once

Consultation

18. Consultation with parent carers of disabled children has been undertaken involving CANDI parent forum and members of other parent groups. Informal consultation with the SEN coordination team, the specialist teaching team, the health and disability team and the specialist early years support team have been held in a number of meetings.

There is an ongoing dialogue with the wider school community and educational settings.

Options

19. Option 1: maintain the current service arrangements

Option 2: Continue to develop the plans for an integrated service as outlined in this paper

Analysis

20. The second option is recommended as it provides a service that meets the holistic needs of disabled children, young people and their families. Developing an integrated service will enable the teams to work together more effectively, with the right staff supporting the family irrespective of professional background. Families have consistently reported that key working approaches with one person supporting a family with information, signposting and coordination of support can make the most significant difference in outcomes and wellbeing. Ensuring assessment is proportionate to need with key working approaches provided by a family support role at the targeted level of support will increase parent satisfaction and reduce escalation of need.

Council Plan

21. The implementation of the Children and Families Act and the special educational needs reforms aligns with the Council Plan to protect vulnerable people.

Implications

Financial

22. Discussions have begun about how services will be re-shaped to be responsive to the needs and vision outlined in this paper. Although the detailed analysis of the financial implications of the proposals set out at paragraph 16 has yet to be undertaken, it is likely that additional expenditure will be required. The implications of this will need to be addressed as each proposal is formally considered for approval prior to implementation, with any additional costs having to be contained within the overall CSES directorate budget.

Human Resources (HR)

23. A HR business partner will be included on the project Board that will oversee the developments described above.

Equalities

24. The implementation of the Children and Families Act 2014 support our duty to meet the Single Equalities bill, promoting equality of opportunity, making proactive adjustments of services to improve access of services for disabled children and their families.

Other

25. There are no Legal, Crime and Disorder, Information Technology or property implications arising from this report.

Risk Management

26. Risks if not achieved:
 - increased numbers of families continue to ask for out of city provision, as they do not trust the local offer
 - resources are not used effectively and efficiently. Expensive staff will continue to provide lower level support and sign posting that family support workers would be better placed to do
 - families continue to say that the jargon surrounding access to services, such as short breaks, forms a barrier to them
 - under resourced service will prevent the timely completion of Education, Health and Care Plans ineffective support for early years settings, schools and colleges will continue or increase the gap between attainment and progression between children with special educational needs and disability and children who are looked after with their peers
 - Special Educational Needs and Disability (SEND) Ofsted outcomes will be poor with evidence that families do not have a positive experience of the SEND system for children, young people and their families, positive outcomes for children, young people and their families or effective preparation for adulthood
 - low levels of parent satisfaction in DfE parent survey planned for summer 2016 leading to potentially significant reputational damage for the Local Authority and its partners

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Approved

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

- Special educational needs and disability supporting local and national accountability March 15
- Special educational needs and disability code of practice: 0 to 25 years: Statutory guidance for organisations which work with and support children and young people who have special educational needs or disabilities: January 2015
- Special educational needs and disability code of practice: 0 to 25 years: Statutory guidance for organisations which work with and support children and young people who have special educational needs or disabilities: January 2015
- Key responsibilities/legislative guidance

Annexes

Annex 1 – Draft accountability framework for Special Educational Needs and Disability

Annex 2 - Measuring the success of the Special Educational Needs and Disability system

Annex 3- Integrated Service Offer

Annex 4- Key Responsibilities/Legislative Guidance

Abbreviations in the report and annexes

CAMHS- Child and Adolescent Mental Health Services

CANDI- Children and Inclusion

CCG- Clinical Commissioning Group

CIN- Children In Need

CoP- Code of Practice

CYP- Children and Young People

DBS- Disclosure and Barring Service

DfE- Department for Education

EHCP- Education, Health and Care Plan

FIRST- Family and Rapid Intervention Service

LA- Local Authority

LAC- Looked After Children

LDD- Learning Difficulties and Disabilities

OT- Occupational Therapist

MSP- My Support Plans

POET- Personal Outcomes Evaluation Tool

PMHW- Primary Mental Health Worker

SB- Short Breaks

SEN- Special Educational Needs

SENCO- Special Educational Needs Co-ordinator

SEND- Special Educational Needs and Disability

SEYST- Special Early Years Support Team

STT- Specialist Teaching Team

YILTS- York Independent Living and Travel Skills