

## Special Educational Needs and Disabilities (SEND) Consultation Report 29 January 2019

### Purpose of report:

This report summarises the consultation response, assesses potential mitigation options, any changes to the proposals and suggests recommendations to be agreed by Cabinet.

### Recommendations:

It is recommended the Cabinet, having regard to the results of the public engagement and consultation activity in **Annex 2** and the Equality Impact Assessment in **Annex 2a** agree:

1. To note the broad support from consultation respondents for the proposed principles for transformation of SEND services, namely:
  - Children with special educational needs are identified earlier and supported in a timely and effective way in order to improve their outcomes and wellbeing.
  - There is an increased focus on earlier intervention and prevention to offer help and meet needs at the earliest opportunity, reducing the demand on high cost, high need interventions.
  - Children and young people are helped to become resilient and independent so that they can lead independent and fulfilling lives in their own communities.
  - The voices of our children, young people and families are heard so they can shape and inform how we work together to get the best results.
  - Surrey's early years settings, schools, colleges and other providers are able to support children to live and grown up locally and achieve their full potential.
2. To note the broad support from consultation respondents for the areas of transformation for SEND services, namely:
  - Early identification and support;
  - Developing local services and managing the market;
  - Partnership working; and
  - Improving policy and practice.
3. To note that further engagement and co-design activity will be undertaken with families, health partners, education and other partners to explore the feedback, ideas and concerns shared through the consultation and develop the council's draft SEND strategy into a jointly owned Surrey special educational needs and disabilities strategy and long term action plan.
4. To delegate to the Executive Director for Children, Families, Life Long Learning and Culture, in consultation with the Cabinet Member for All Age Learning, to approve the final joint strategy and the long-term action plan, once completed subject to paragraph 76 in the Part A report and further Cabinet decision as necessary.

5. In the event that any of the co-design activity work, strategy identification and/or action plan gives rise to a change in the delivery of services that necessitates consultation and public engagement that will be undertaken alongside consideration to our Public Sector Equality and Section 11 Children Act 2004 duties.

### Background:

1. The council spends much more than other, similar, local authorities on services for children and young people with special educational needs and disabilities (SEND), and yet a significant number of children, young people and their families tell us they are often disappointed with the support they receive and experience poor outcomes in the things that matter to them at the end of their special educational provision: independence, an active social life and work-readiness.
2. We have a key role in supporting children, young people and families to thrive. We aim to provide good and outstanding services to children and their families in need of help and support, including those with SEND.
3. We want to make sure that every child growing up in Surrey has the best possible start in life and that children and young people with special educational needs and disabilities should be able to live, learn and grow up locally. We also need to ensure that this provision is cost-effective, fair across the range of children and young people's differing needs and sufficient when taking into account predicted future rising levels of need.
4. We recognise that SEND impacts the whole family, including parents, carers and siblings, and that the whole family is key to supporting the child or young person with SEND and helping them to reach their potential. We therefore need to take a collective approach to ensure that support is in place to address not only the needs of the child or young person with SEND, but also their family.

### Consultation Proposals and Approach:

5. The council's draft special educational needs and disabilities (SEND) strategy is based around strengthening education for children and young people with SEND, developing inclusion into mainstream education settings and enabling more children and young people to get a good education, closer to home. The consultation sought feedback and views on investing more into SEND services to deliver earlier identification and support, creating additional specialist places in Surrey and upskilling the workforce to support children and young people with SEND to progress in their education.
6. The aim of this consultation was to understand the views of members of public on the council's draft SEND Strategy. The consultation was an opportunity for members of the public to have their say on the five proposed principles:
  - Children with special educational needs are identified earlier and supported in a timely and effective way in order to improve their outcomes and wellbeing.
  - There is an increased focus on earlier intervention and prevention to offer help and meet needs at the earliest opportunity, reducing the demand on high cost, high need interventions.

- Children and young people are helped to become resilient and independent so that they can lead independent and fulfilling lives in their own communities.
  - The voices of our children, young people and families are heard so they can shape and inform how we work together to get the best results.
  - Surrey's early years settings, schools, colleges and other providers are able to support children to live and grown up locally and achieve their full potential.
7. The consultation was also an opportunity for members of the public to have their say about the following four proposed areas of transformation outlined in the council's draft SEND Strategy:
- Early identification and support
  - Developing local services and managing the market
  - Partnership working
  - Improving policy and practice
8. The responses will be used to inform further engagement and co-design activities that will take place from February 2019 onwards, to develop a joint SEND strategy and a joint long-term action plan with families and partners. This co-design work will enable further exploration of the feedback, ideas and concerns shared through the consultation.

### Summarised Consultation Analysis

9. The consultation ran from 30 October 2018 to 4 January 2019 with 1,133 responses. There were responses from District and Borough Councils, Local Committees and other groups, including Family Voice Surrey.
10. A full report on the consultation feedback [can be found on the Surrey County Council website](#). Below is a summary of the key finding and themes.
11. Question 1 asked for views on six statements about current services and experiences which were based on previous feedback from young people and families. The majority of respondents (between 62% - 87% across the statements) agreed that the issues families have told us about in the past are still relevant. This confirms the need for a strategy that improves the experiences of children and young people with SEND and their families.
12. Question 2 in the consultation asked for respondents views on the five principles that the strategy would be based on (para 6 above). Analysis of the qualitative comments from respondents suggests a majority of respondents broadly agree with the five principles proposed. There was more of a split view in the quantitative feedback, with a slight majority agreeing or strongly agreeing with each of the principles. However, comments from a number of respondents suggest they were unsure whether they were being asked if the principles were currently followed, or if these were principles we would wish to follow in the future. The draft strategy document set out that these were proposed principles. It is clear from the consultation analysis that this perceived lack of clarity from consultees may have impacted their responses. Any future

consultation on detailed proposals will be designed to ensure that the matters being consulted on are clear and unambiguous.

13. Questions 3-6 in the consultation asked respondents for views on whether the four proposed areas of work identified (para 7 above) would better meet the needs of children and young people, families, and practitioners. The majority of respondents strongly agreed or tended to agree that:
  - The proposals under Early Identification and Support will better meet the needs of children and young people with SEND (63%) and their families (62%) and will better support professionals (67%)
  - The proposals under developing local services and managing the market will better meet the needs of children and young people with SEND (63%) and their families (62%) and will better support professionals (55%)
  - The proposals under partnership working will better meet the needs of children and young people with SEND (58%) and their families (58%) and will better support professionals (54%)
  - The proposals for improving policy and practice will better meet the needs of children and young people with SEND (60%) and their families (59%) and will better support professionals (55%)
14. A qualitative analysis of all the comments made by respondents indicates the following key points and themes:
  - Proposals need to be more specific in order for responders to understand the impacts
  - Lack of trust in Surrey County Council following the principles and delivering the proposals
  - Lack of funding, concern that the plans will need additional funding and worry the current financial climate will mean cuts to services.
  - Some responders described negative personal experiences highlighting an immediate need for improvements
  - Need for working together across education health and social care
  - Concern about disparity of support and services
  - The importance that the SEND Strategy addresses the wide range of different needs of children and young people with SEND and the different approaches and levels of support needed.
15. The feedback, ideas and concerns will be explored in more detail with residents and stakeholders through the further engagement and co-design activities that will take place from February 2019 onwards.

### Proposals Implications and Mitigation Options

16. The majority of respondents to the consultation agreed to the broad direction of travel set out within the strategy. This supports the early actions that the council is already taking in order to improve early identification and support, increase pre-statutory specialist support (such as education psychology and speech and language therapy) and increasing the number of specialist places for September 2019 and 2020.

17. There is some level of disappointment with current services and previous experiences in the qualitative responses. “Personal experience negative” was the most prevalent tag (113 responses) for question 1 which asks directly about feedback from families. It was also prevalent in question 2 which asks about the principles (62 responses); question 3, early identification and support (42 responses) and question 17, any other comments (65 responses). This confirms the need to co-design a strategy and action plan which tangibly improves experiences and outcomes.
18. “Lack of trust” was in the top two most prevalent tags across all 7 qualitative questions and was the most prevalent tag for 5 of those questions (ranging from 71 - 135 responses). This tag was selected where respondents to the consultation expressed a lack of trust and confidence in the council’s ability to deliver what is in the strategy or a general distrust in the way services are currently delivered. Further engagement and co-design events to support the development of a joint strategy and action plan and a robust communications plan will help to address this issue. Robust governance to oversee the delivery programme will ensure the proposals are delivered.
19. Some respondents felt that there was a lack of detail contained within the strategy about how SEND transformation was going to be achieved. “Proposal needs to be more specific” was selected in the top two most prevalent tags for the qualitative questions which ask about the four proposed areas of transformation; early identification and support (88 responses), managing the market (90 responses), partnership working (76 responses) and policy and practice (79 responses). There were also 52 responses tagged as “proposal needs to be more specific” for question 2 which asks about the 5 principles and 36 responses for question 17 which asks for any other comments. We will address this through the proposed co-design and engagement activity and the joint development of a detailed action plan with partners in spring 2019.
20. Some respondents stressed the importance of partnership working within the health, care and education sectors and that in order to achieve real transformation, change must be owned by all SEND system leaders across those sectors. “Insufficient partnership work” was a prevalent tag (63 responses) for question 4 which focuses on partnership working. In response we propose to develop a joint strategy with partners, rather than just a council strategy. In addition to this, a SEND System Partnership Board will be established to provide leadership and ensure delivery of the strategy for children and young people with SEND.
21. Some respondents expressed concerns about funding and questioned how the strategy could be fulfilled in the current financial climate. “Lack of funding” was a prevalent tag across all 7 qualitative questions. Question 1, previous feedback from families (74 responses); question 2, principles (106 responses); question 3, early identification and support (88 responses); question 4, market management (57 responses); question 5, partnership working (38 responses); question 6, policy and practice (36 responses) and question 17, any other comments (79 responses). The proposed further engagement and co-design work will enable more detailed consideration of investments and the practical implications of any changes.

### Changes to Consultation Proposals

22. This section sets out the actions and plans detailing how we will respond to the feedback and ideas shared with us by stakeholders.

23. Although the majority of respondents agreed with the proposed five principles and areas of transformation, a number of respondents shared concerns and additional ideas that have led to some additional and adjusted proposals.
24. In response to the comments about the importance of partnership working with the health, care and education sector settings, we are proposing that further engagement and co-design work needs to take place with families and partners in spring 2019 to develop this into a joint strategy, that is owned across the whole SEND system, rather than just the council.
25. This co-design and engagement work will also address the comments and concerns about the lack of detail on practical implications and achievement of transformative changes.
26. Some respondents told us about the importance of ‘diagnosing difficulties at the earliest stage, and then specialist help, support, therapies are provided straight away’. We are currently investing more in to our education psychology service and speech and language therapy service in order to do this. In addition, we will also be outsourcing education psychology statutory assessment in order to free up our in-house capacity.
27. During the consultation we have heard feedback on what works and does not work within the current system as well as new ideas on what could be done differently, and concerns about potential changes. The consultation analysis will be shared with service leads and partners and the responses we have received through the consultation will be used to inform the next stage of co-design and engagement work and the development of SEND services and provision for the future.
28. The consultation analysis and next steps on engagement and co-design events will be shared with residents in February 2019. This will also be published on our Local Offer website and through social media channels.

### **Risk management and implications:**

29. There is a risk that the proposed strategy which is underpinned by four key areas of transformation might not achieve the financial sustainability that is required. This risk is being mitigated by having robust programme governance and performance monitoring in place to review the impact of the strategy throughout the course of the programme.

### **Financial implications:**

30. The strategy is based around achieving financial sustainability within a three year period.

### **Supporting Information**

31. See the full consultation response analysis online at Surrey County Council’s website.
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**Sources/background papers: the following documents are annexed to this report**

Full Consultation Analysis [Surrey County Council website]

Annex 2a – SEND EIA

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