



MONDAY 14 DECEMBER 2020

UPDATE ON SEND TASK GROUP RECOMMENDATIONS

Purpose of report:

To provide the Children, Families, Lifelong Learning and Culture Select Committee with an update on progress in implementing the recommendations of the Special Educational Needs and Disabilities Task Group which was established to evaluate the support provided to children with Special Educational Needs (SEN).

Introduction:

1. In October 2019, the CFLC Select Committee established a SEND Task Group to review the provision of SEND places, the support available for early intervention and the resourcing available for SEND services. During October – December, the Task Group held three evidence sessions attended by senior Council officers, Special Educational Needs Co-ordinators (SENCOs) and other senior education leaders including special and mainstream Headteachers and the Chief Executive of the Schools Alliance for Excellence (SAfE).
2. The findings and recommendations of the Task Group were presented to Cabinet in March 2020 and were accepted. There were nine recommendations, the final of which is to report back to the CFLC Select Committee by December 2020 on progress. This report provides a progress update on actions that have taken place to implement each of the Task Group's recommendations.

Progress on implementing the Task Group recommendations

3. Throughout the coronavirus pandemic, there has been tremendous partnership working across the Council and with schools and settings to maintain educational provision for all children and particularly the most vulnerable. In Surrey, during the first lockdown in the Spring, children with an Education, Health and Care plan (EHCP) continued to attend school where it was safe to

do so. 23% of Surrey children with an EHCP attended school compared to 16% nationally.

4. Despite the continued challenges of the pandemic and new lockdown arrangements, work continues to ensure that the vital programmes introduced pre-coronavirus are delivering the benefits anticipated, including additional places for children with SEND closer to home and early support without the requirement for a statutory Education, Health and Care plan.
5. The Task Group's recommendations and the progress made are as follows:
6. **Recommendation 1:** That, as soon as is reasonably practicable, nurseries be supported to provide appropriate support to children in early years through commissioning of outreach early interventions into nursery settings.
7. **Progress update:** The new Early Intervention Funding (EIF) was launched in April 2020 and is managed by the Early Years Governance Panel, which is made up of multi-disciplinary professionals from Education and Health teams. The funding is a supplement of Early Years Funded Entitlement and is designed to address the barriers to young children reaching their full potential. This includes special educational needs and disabilities as well as environmental factors such as early trauma and social and economic deprivation. The funding can be used to enhance the staff ratio, to provide training for the workforce, to support transitions into school and for other specific interventions all of which are focused on closing the attainment gap between the most disadvantaged and their peers. The panel process has built in review, monitoring and evaluation and is in the process of measuring success and impact on outcomes. The clear expectation is that through enabling early identification of need and interventions, there will be fewer unnecessary requests for Education Health and Care plans; there will be a reduction in the level and duration of future support later in children's school careers; and more children will be supported in mainstream rather than specialist provision. So far, over 250 schools and settings have accessed EIF with 427 children receiving early support.
8. **Recommendation 2:** That the funding arrangements for specials schools that provide outreach services for SEN children in mainstream schools be reviewed; and that the Executive Director of Children, Families, Lifelong Learning and Culture Directorate report with the findings of that review to the Children, Families, Lifelong Learning and Culture Select Committee no later than September 2020.
9. **Progress update:** The Outreach Review and options paper was completed in February 2020. The next steps, including the re-design of the offer, was paused as a result of the COVID 19 lockdown in March 2020. Council officers have

now restarted the process and are beginning the re-design of the Outreach offer for mainstream schools and expect to have a proposed model for consultation by the end December 2020.

10. **Recommendation 3:** That, with immediate effect, the Children, Families, Lifelong Learning and Culture Directorate work with independent providers of SEN support to ensure that there is adequate, cost-effective provision to meet the needs of service users; and officers work with independent providers of SEN support to develop robust systems for contract management to prevent supply-driven demand caused by the overstatement of service users' educational needs.
11. **Progress update:** The Council has now implemented the latest version of the National Schools and College Contract with all independent providers. These are model standard contracts recommended by the Association of Directors of Children's Services. These contracts enable robust contract management of these providers and monitoring of their service delivery. Furthermore, as part of this process of rolling out these contracts, the Council has issued 1143 Schedule 2 agreements with independent providers which set out clearly the funding arrangements for each individual pupil in an independent setting. This insight into individual pupil needs and their provision has informed the Council's Capital Strategy and the agreement by Cabinet on 29 September 2020 to expand maintained special school provision for September 2021. This will enable the Council to place children closer to home and to reduce placements in the independent sector, with its associated higher costs, other than in exceptional circumstances where a pupil's needs cannot be met in Surrey special schools and units within mainstream schools.
12. **Recommendation 4:** That, to reduce journey times for service users, the commissioning of SEN provision closer to demand and the development of outreach services in mainstream schools under the capital programme be accelerated with immediate effect.
13. **Progress update:** In Phase 1 of the SEND Capital Programme, Cabinet approved £33.2m investment in expanding local area specialist provision by 883 additional places on 24 September 2019, as well as agreement for three new DfE Free Schools, one of which is funded by Surrey County Council from the £33.2m investment. The new Free Schools will come on-line between 2021-2023 and create 532 places of the 883 planned.
14. More than 100 additional places have already been created for September 2020 through agreed reorganisation with local schools, with little or no requirement for capital investment. The remaining planned places of the 883 Phase 1 Programme will be delivered through SEND Capital Projects by 2023.

15. Analysis completed over the summer of 2020 revealed that priority expansion was necessary for Secondary and Post 16 special school provision in the South East, North West and North East quadrants. Specialisms in the following need types were also identified: Autism/ Communication & Interaction Needs, Social Emotional and Mental Health Needs and Cognition & Learning Needs (Moderate Learning Difficulties). The analysis revealed long-term deficits in planned places and an increase in forecast growth for these three need types.
16. For Phase 2 of the SEND Capital Programme, Cabinet approved a further £36m investment on 29 September 2020 for expansion and development of local special schools and specialist centres to create 213 additional permanent expansion places to meet the need identified in Summer 2020. There are a further six SEND Capital Projects in Phase 2, taking the total additional planned places to 1114 at an investment of £69.2m.
17. Analysis and planning for Phase 3 the SEND Capital Programme is underway. The forecasting tools have been further refined following Phase 1 and Phase 2, and provide robust technical data to inform proposals. All schools will be contacted in Spring 2021 about the specific requirements for Phase 3. Subsequent phases of the SEND Capital Programme will also be subject to further stakeholder engagement activity with the view to creating a new sustainable, co-produced and quality assured decision-making framework, to ensure that SEND System interdependencies across education, health and social care are considered fully in the SEND Capital Programme.
18. **Recommendation 5:** That, with immediate effect, commissioners work with SEND case officers to provide alternative pathways to support that do not require an Education, Health and Care plan.
19. **Progress update:** In July 2020, the Council introduced a new 'front door' for vulnerable learners, their parents and the professional who support them to access advice, information and support. The Learners' Single Point of Access (L-SPA) provides parents and professionals with direct access to advice on how to access the support they need. It has received nearly 3000 calls already, with up to 60% resolved at this first point of contact. From October, all Requests for Assessment are now coming through the L-SPA. Through the new Request for Support pathway, professionals or families can request support for a child or young person to access a wide range of support without the need for a statutory assessment, or if they are unsure of whether a child or young person's needs would meet statutory levels.
20. The L-SPA helps to navigate to services, support and specialist advice quickly so that children and young people can be supported faster and earlier. Their needs are holistically assessed through a multi-disciplinary lens to identify the best package of support for a child or young person and their family. The

attached video explains the L-SPA further:

<https://www.youtube.com/watch?v=BiF2vkTh56g>

21. With all requests coming through the L-SPA, the multi-agency team is able to analyse data in much greater detail; looking at the calls and requests coming through and identifying trends and themes by age group, by primary need, by geographical area, or by school. This insight will then be used to inform commissioning and to work proactively with schools to offer earlier intervention to meet needs earlier and to prevent EHC needs assessment requests.
22. **Recommendation 6:** That a review of the implementation and effectiveness of the Graduated Response be conducted; and that the Executive Director of Children, Families, Lifelong Learning and Culture Directorate report with the findings of that review to the Children, Families, Lifelong Learning and Culture Select Committee no later than October 2020.
23. **Progress update:** The implementation of the Graduated Response was evaluated, and the report finalised in July 2020. The key findings were that the use of professional expertise from SENCOs within the team, alongside Early Years Advisers and school-age funding through the Local Learning Fund (LLF), enabled a rapid introduction of the Graduated Response within the education sector. The mechanism of distributing funding to schools and settings, using multi-agency panels, also built key relationships and strengthened the engagement of settings with the Graduated Response.
24. The Graduated Response Advisers played a crucial role in the pandemic. They supported school-based SENCOs with undertaking risk assessments for all learners with EHCPs or who were considered vulnerable. Work has continued to monitor and understand the impact of the LLF funding to schools. As schools resumed in September, the Graduated Response team has re-established its 'business as usual' work with schools, and a new School-age Manager has been recruited and is in place to build further capacity.
25. Areas for development this year are to broaden the reach of the Graduated Response within the secondary and post 16 sectors. This will require targeted work with sector representatives in order to be able to further adapt the Graduated Response according to the needs of pupils within those settings.
26. **Recommendation 7:** That, with immediate effect, the development of, and communication with, Special Educational Needs Coordinators be improved to support the implementation of the Graduated Response Approach.
27. **Progress update:** Each Graduated Response Adviser is based within one of the four Surrey quadrants and, being locally based, has built a network across SENCOs for that quadrant. Each Adviser offers training, support and school

visits to SENCOs, using an analysis of the specific training needs of the SENCOs and the support they have requested. The impact of this has been demonstrated through higher quality LLF funding applications which better identify how the funding will build the capacity of the school for the longer term to deliver the Graduated Response.

28. **Recommendation 8:** That, with immediate effect, to assist schools to use their budgets to appropriately resource SEND provision, Special Educational Needs Coordinator networks be invested in to ensure SEND staff and Governors are engaged and aware of the challenges faced by the education system.
29. **Progress update:** Surrey's school-led partnership, Schools Alliance for Excellence (SAfE), has been commissioned to run refreshed SENCO networks for Surrey, the first meeting of which was due to take place, unfortunately, on the day of national lockdown in March 2020. Approximately 200 SENCOs had signed up, which is a greater volume than had attended previous meetings organised by the former commissioned provider. The meeting was re-scheduled for May, delivered by Zoom and focussed on the Graduated Response. Over 400 SENCOs attended. Further SENCO network meetings were held in September outlining the new L-SPA and SENCOs provided valuable feedback which was used to adjust the new service. With SAfE, the Council's senior education and vulnerable learners officers have since lockdown held regular virtual briefings for Governors, with attendance of up to 400 Governors.
30. **Recommendation 9:** That the Children, Families, Lifelong Learning and Culture Directorate report by no later than December 2020 to the Children, Families, Lifelong Learning and Culture Select Committee on the implementation of recommendations 1, 3, 4, 5, 7 and 8 of this Report.
31. **Progress update:** This report fulfils this recommendation.

Conclusions:

32. Despite the challenges of coronavirus pandemic, significant progress has been made on implementing the Graduated Response and Learners' SPA to support schools with new pathways to earlier support for children with SEND, on building the capacity of SENCOs as a crucial workforce in schools and on extending the SEND Capital programme to provide specialist provision based on robust evidence of need. Where some work was paused due to lockdown, such as the work with schools to redesign the Outreach offer to mainstream schools, this has now been resumed and is progressing as planned.

Recommendation:

33. The Select Committee is asked to note the significant work underway to implement the SEND transformation programme and the recommendations of the SEND Task Group.

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