

SURREY COUNTY COUNCIL

CABINET

DATE: 23 FEBRUARY 2021

REPORT OF: MRS JULIE ILES, CABINET MEMBER FOR ALL-AGE LEARNING

LEAD OFFICER: RACHAEL WARDELL, EXECUTIVE DIRECTOR FOR CHILDREN, FAMILIES AND LIFELONG LEARNING

SUBJECT: SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) TRANSFORMATION PROGRAMME UPDATE

ORGANISATION STRATEGY PRIORITY AREA: Tackling Health Inequality/Empowering Communities



SUMMARY OF ISSUE:

The SEND Transformation Programme was established as a means to achieve the strategic aims outlined in Surrey's SEND Partnership Strategy 2019-2022. The SEND Strategy is ambitious about improving outcomes for children and young people with special educational needs and disabilities and the whole system approach to achieve the step change needed. This requires educational settings, health commissioners and providers, Surrey County Council's social care and education services working together with children and their families to meet needs, within the context of national funding that has not kept pace with demand. The SEND transformation programme is designed to deliver improved outcomes for children and young people with SEND. This report outlines what the SEND Transformation Programme has achieved so far and the proposed focus for 2021 to embed and accelerate change.

The SEND Transformation Programme's is aligned with Surrey's Community Vision 2030, which seeks to realise the Council's ambition that everyone benefits from education, skills and employment opportunities that help them to succeed in life. The SEND Partnership Strategy 2019-2022 emphasises the better long-term outcomes for children and young people educated closer to home, with the right support so that children and young people who have SEND can live, learn and grow up locally to achieve their potential.

RECOMMENDATIONS:

It is recommended that Cabinet:

1. Reviews and notes the progress of the SEND Transformation programme so far and its impact for children and young people with SEND and their families,
2. Agrees the focus and priorities for the programme for 2021-22 to embed and accelerate change.

REASON FOR RECOMMENDATIONS:

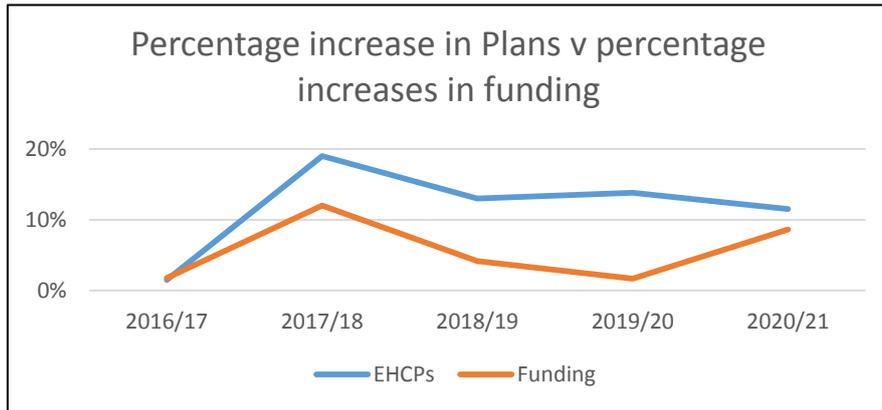
The Council has invested significant resources into the SEND Transformation programme, and it is important that the return on this investment makes a demonstrable difference and is targeted for maximum benefit. The programme has made great progress already in introducing

the foundations of early help and targeted support for children in mainstream settings and committed a further £79m capital investment to increase specialist provision in Surrey.

Despite the continued challenges of the pandemic and new lockdown arrangements, work continues to ensure that the vital projects and pathways introduced by the programme 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. In December 2020, following a meeting to monitor work to improve the attendance of children with SEND, the Department for Education and NHS England concluded that the Council and its partners have demonstrated clear and sustained progress on SEND and that six monthly monitoring of the action plan is no longer required.

Background:

1. The SEND Partnership Strategy has four key aims, which in turn underpin the focus of the SEND Transformation Programme. These are:
 - **Early joined up identification, response and provision:** As children's needs are identified and met at the earliest possible stage, children should have access to the right provision to reach their potential and demand for long term statutory support reduces.
 - **Children thriving in their local communities:** With most children attending their local mainstream school with the right help and support and enough special maintained provision for those who need it, children should be able to live at home with their family.
 - **Better experiences for families:** By providing families with the right information and advice and making the system easier for them, families should receive a consistently good quality service.
 - **Financial sustainability and better use of resources:** Our focus on improving outcomes and value for money, joint commissioning and decision-making should ensure that the high needs grant funding available will be sufficient to meet children's needs within 5 years.
2. This is set in the context of historical increases in demand for SEND provision, largely driven by changes in legislation in 2014 as well as increased complexity of children's needs, and funding from government that has not kept pace. The table below illustrates the percentage increases in statutory Education, Health and Care Plans (EHCPs) and increases in funding through the High Needs Block since 2016. The combination of such significant increase in demand and lower rates of funding increase have resulted in an unsustainable financial position, with a likely cumulative deficit of c.£80m at the end of this financial year. For this reason, fundamental transformation of SEND is key to creating a sustainable and balanced High Needs funding position.



Progress and impact so far:

3. In this first phase of the SEND Transformation work, there have been some tangible new interventions delivered that are enabling better early support for children and providing parents, carers and young people with information and support when they need it to promote resilience and independence.
4. The programme’s headline areas of delivery and progress are set out below.

5. **Graduated Response and Profiles of Need**

Through the transformation programme, the Council invested in a new Graduated Response approach. A new framework has been developed including a Profile of Needs for all professionals to use as a guide to understand the level of need and support available to meet that need. Schools working with the Graduated Response Team, SEND Caseworkers and a range of other professionals are able to consistently identify the right support for children with a wide range of needs.

6. **Learners’ Single Point of Access**

In July 2020, the Council introduced a new ‘front door’ for vulnerable learners, their parents and the professionals 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 over 4,200 calls to date, with up to 60% resolved at this first point of contact. 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.

7. 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. There is no threshold for support and the multi-disciplinary team of Educational Psychologists, occupational and Speech and Language Therapists, Mental Health Workers, social care, specialist teachers, early years advisors and SEN caseworkers work with the family and the school to help them access a package of support.
8. 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.

9. **Early Support Service and Intervention Fund**

The new Early Intervention Funding (EIF) was launched in April 2020 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.

10. The clear expectation is that through enabling early identification of need and interventions, there will be fewer requests for Education Health and Care plans required in order to meet needs appropriately; 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.

11. **Whole School SEND Leadership Programme**

In partnership with SAfE (the Schools Alliance for Excellence), the Council is supporting mainstream schools to participate in the Department for Education's (DfE) Whole School SEND Leadership Programme. This programme builds the capacity of schools to support children with a wide range of additional educational needs effectively. In this first phase, over 100 school leaders, representing 70 Surrey schools, are now actively taking part in the programme. This take up demonstrates the commitment of school leaders to inclusion for children with SEND. These schools represent the first wave of participation in the Whole School SEND programme; they will act as advocates for other mainstream schools to participate and grow the inclusion agenda in Surrey.

A peer review programme is underway involving national leaders in SEND and 67 schools across Surrey with the aim of identifying and strengthening best practice.

12. **Understanding need and demand – Autism, Social Emotional and Mental Health and 0-4**

The programme expanded in 2020 to provide a better and systemic understanding of SEND need and demand in Surrey, in order to inform strategy and commissioning. Analysis confirmed that of Surrey's circa 10,700 children with an EHCP, the primary need identified for one third is autism. To respond to this significant and growing need, the Council undertook a consultation in Autumn 2020 to understand the experiences of professionals, parents, children and young people in relation to autism and the support children receive at home, school, health settings and in the community. The consultation received over 1,000 responses, and the results are informing a new All-Age Autism Strategy in the next phase of the programme from Spring 2021.

New projects focussed on Social Emotional and Mental Health and early support for children aged 0-4 have also been added to the programme and will begin to inform commissioning with health in the next phase of the programme.

13. **SEND Capital Programme**

Cabinet has now agreed capital investment of £79m to create up to 1,600 additional specialist school places in Surrey to enable more children with SEND to attend school within the County and closer to home. The Council's analysis 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.

14. The specialist provision is being created through three new schools, two Free Schools and one Council funded, as well as expansion of existing high-quality Surrey maintained special schools and the creation of specialist units in mainstream schools. Two-hundred new places will be delivered for September 2021, and a further 400 for September 2022.

15. **Impacts**

As a result of this work, there are evidenced improvements in SEND. The 14-month trend is of a sustained reduction in EHC needs assessment requests. While some of the reduction may be attributed to Covid-19, there is evidence that children are accessing support through the graduated response and L-SPA that meets their needs without a statutory plan. There is a marked improvement in the timeliness of issuing EHCPs, so that for those children for whom a plan is necessary, they are accessing specialist provision quicker. There are also corresponding improvements in the timeliness of annual reviews for children with an ECHP, meaning that support can be amended appropriate to their current needs in order to achieve their objectives, and preparation for adulthood is consciously planned for at an earlier stage.

16. Alongside this, improvements in the oversight of provision for children with SEND in independent specialist settings are ensuring both placement value and also that children are receiving the appropriate provision in these settings.
17. In December 2020, following a meeting to monitor work to improve the attendance of children with SEND, the Department for Education and NHS England concluded that based on the evidence, the Council and its partners had demonstrated clear and sustained progress on SEND. They acknowledged that this positive result comes as the result of a great deal of commitment and hard work on the part of the local authority, the Clinical Commissioning Group, Family Voice Surrey, families and front-line staff across education, health and social care. They drew attention to the concerted effort to engage with parents and improved communication and information sharing, which is reaching a wider number of parents. Despite the unprecedented pressures arising from the Covid-19 crisis, these improvements have been made against an extremely challenging backdrop. They encouraged Surrey SEND partners to build on these successes to continue to support some of the most vulnerable children and young people in society and to continue the positive work with parents.

Impact of Covid-19:

18. As outlined above, the transformation programme is continuing to be delivered at pace despite the impact from the pandemic. Across the SEND partnership, significant effort

and resources are working to manage and mitigate the impact of the pandemic, and the commitment remains to deliver the vital improvement priorities.

19. Importantly for Surrey's most vulnerable children, there has been tremendous partnership working across the Council and with schools and settings to maintain educational provision for them. In Surrey, during the first lockdown in the Spring 2020, children with an Education, Health and Care plan (EHCP) continued to attend school where it was safe to do so. Twenty-three per cent of Surrey children with an EHCP attended school compared to 16% nationally.
20. However, anxiety caused by Covid-19 has created a much higher number of parents choosing to electively home educate their children. Referrals into the Children's Single Point of Access (C-SPA) have increased, as have crisis referrals to CAMHS compared to previous years in the same period. Children, particularly those with autism, have been unsettled by the absence of structure and routine. This does not change the areas of focus for the transformation programme, but it does mean the context is more challenging.

Focus for 2021-22:

21. In order to drive the next phase of the transformation programme and accelerate change, the focus has been honed for 2021-22 to prioritise those partnership activities that will have the biggest impact on outcomes for children with SEND and longer-term financial sustainability. This will build on the progress made so far by embedding the early help and preparation for adulthood offers and significantly increasing specialist provision in Surrey. The proposed four areas of focus are set out below.
22. **Inclusion in mainstream schools**

Aligning the SEND system offer to a focus on prevention and early intervention so that the vast majority of children with SEND have a supported mainstream and local education. Key to deliver this will be:

 - Quality first teaching in schools, teaching that emphasises high quality, inclusive teaching for all pupils in a class differentiated to their learning
 - Knowledge, skills and capacity building across our system to support children and their families
 - Releasing capacity and creativity in order to make the best use of our resources and expertise
 - Outreach and support hubs building on our inclusive practice and the experience of our good and outstanding specialist schools and centres.
23. Ensuring the right response on children's entry into the SEND system is crucial to address their needs early and to enable more children to develop, learn, participate and achieve in an inclusive, mainstream environment. The transformation programme is intensifying its aim to ensure quality provision is in place, both in and alongside mainstream schools, so that children have access to the support they need at an early stage thereby reducing the need for a statutory response, and equipping schools with capacity and skills to support a greater range of children's SEND.
24. In 2021-22, the programme will be delivering the integration of the Graduated Response into the Early Help offer, the integration of the L-SPA and the C-SPA, an expansion of the outreach offer for mainstream schools, including a new multi-

disciplinary 'Team around the School' approach, an improved Inclusion strategy and new alternative provision commissioning and provision. In partnership with schools and the Schools Alliance for Excellence, the programme will further support them in increasing their ability to be inclusive to a broad range of SEND needs.

25. Progress will be evidenced by more children's needs being met without having to request a statutory plan; a greater percentage of children with SEND educated in mainstream schools; and reduction in the number of children with SEND missing education or accessing education outside of the county.

26. Improving outcomes, increasing value and sufficiency of specialist school places

Realising the ambition to bring children and young people who have SEND closer to home, whilst also reducing reliance on high cost out of county provision and the Non-Maintained Independent sector (NMI), by substantially increasing capacity in the Surrey maintained special sector. Key to achieving this will be:

- Maintained schools able to support and retain children with a greater range of needs
- Reducing placement breakdown/increasing stability in local provision and improving outcomes for children who can continue to go to the same school as their siblings and their friends.
- Increased school devolution to promote creativity, innovation and better use of resources aligned with need

27. The capital programme investment that Cabinet has agreed will require significant partnership working across schools and settings, health commissioners and providers and the Council SEND, place planning, commissioning and property teams. The scale of the ambition to deliver 1,600 additional new specialist places is considerable.

28. However, analysis indicates that Surrey has an overreliance on Non-Maintained and Independent placements (NMI) when compared to other local authorities, due in part to historic under-capacity in Surrey's maintained specialist provision. This year, £69m is to be spent on 1,300 children in NMIs. An average placement at an NMI is £53,000 compared to an average placement in a Surrey maintained specialist provision of £23,000. Improved contract management of NMI provision also indicates that cost, quality and outcomes can vary considerably.

29. Preparation for Adulthood

For the 84% of young people with EHCPs in Surrey who are on the journey to independent adulthood, the ambition is for young people to be provided with opportunities to grow up in their local communities and develop the life skills they need for adulthood. Key to achieve this will be:

- System focus on whole child journey to independence
- Prioritising enabling children to thrive within their family and their community
- Choice and availability of supported pathways to a positive future

30. Last year, the Council established the Preparation for Adulthood programme to develop vocational pathways. In consultation with SEND Youth Advisors, a broader range of opportunities was identified including:

- **Pre supported Internships** - offering a five day a week programme of activity to young people with SEND with a focus on increasing the employability and confidence of the participants and allowing them to experience work in a supportive environment.
- **Supported Internships** - Unpaid, opportunities to experience the work setting, and lasting for a minimum of six months.
- **Traineeships** – unpaid placement that can last from six weeks to six months and are an ideal steppingstone to an apprenticeship.
- **Apprenticeships** – Earning a salary whilst studying for a nationally recognised qualification and getting ‘on the job’ training.
- **Vocationally aligned further education college provision** - Surrey boasts four ‘Good’ Ofsted rated vocational colleges who work collaboratively to meet the needs of students with SEND in order to achieve their aspirations and outcomes.

31. In 2020, the Council commissioned HALOW, Surrey Choices and Active Prospects to provide opportunities for 41 young people from September 2020. There has been a steady, year on year increase in the percentage of SEND learners on vocational pathways: 37% in 2018/19; 50% in 2019/20; and an estimated 63% in 2020/21. This translates to having 1,848 young people on vocational pathways in Surrey.

32. The focus of the transformation work in 2021-22 is to aim for more young people coming from independent and out of County settings to join these programmes, connecting them to the opportunities that exist for them in Surrey and promoting their independence. The programme is also being expanded to create a new SEND Apprenticeship offer.

33. **Partnership Accountability**

The contribution of all partners to improving outcomes for children and young people with SEND and taking accountability for their impacts is evident. The partnership is focussed on building on the transformation activity to date by:

- Moving to fully shared accountability model
- Building cultural change momentum
- Strengthening the information and resources families can draw on to meet their child’s needs

34. The SEND system requires the continued commitment from all partners to making a further step change for children with SEND. No one organisation can deliver the transformation required. The focus of the programme for 2021-22 will consciously provide a collective ‘call to action’ for improved outcomes and experiences for children and young people with SEND and their families.

CONSULTATION:

35. The SEND Transformation Programme is informed by family experiences of the SEND system and the drive to improve outcomes for children and young people. The Council has worked closely with Family Voice Surrey who represent parents with children and young people with additional needs and delivered a series of consultations and engagement activities to inform the development of its strategies and its

commissioning. The Council has also engaged directly with young people to shape provision for them.

36. The SEND Transformation Programme is also subject to regular scrutiny by the Children’s, Families, Lifelong Learning and Culture Select Committee. The committee established a SEND Task and Finish Group in Autumn 2019, which reported its recommendations to Cabinet in March 2020. A progress update on delivery of the recommendations was provided to the Committee in October 2020 and was commended for the progress which was demonstrated on SEND. The Select Committee will receive a further update on SEND Transformation progress in October 2021.

RISK MANAGEMENT AND IMPLICATIONS:

Risk to strategic shift to early help and sustainability	<ul style="list-style-type: none"> • The SEND System Partnership is a mechanism for engaging key partnership in the strategic delivery of the programme. • We are prioritising development of whole system insight to track progress, enable effective decision making and better targeting of service delivery
Risk to delivering sufficiency of placements and provision that matches need	<ul style="list-style-type: none"> • We have invested in our sustainability planning including improvement of analysis and forecasting capability, targeted commissioning and specifications that match need. • The delivery of our Capital Programme is proactive and geared for speedy delivery recognising the financial and operational impact of delays.
Risk to partnership and provider capacity	<ul style="list-style-type: none"> • The programme is co-produced to support partner buy-in and ownership through strengthened relationships, including through the SEND System Partnership Board and other stakeholder groups. • The Transformation Programme Board takes a lead role in planning, coordinating, scheduling and prioritising engagement and activity.
Risk to delivering culture change, narrative, consistency and system capability and quality	<ul style="list-style-type: none"> • The development of a powerful system communications strategy to ensure system-wide awareness • We will develop, embed and continually reinforce system narrative to support realistic and evidence based conversations with children and families. • We will continue to strengthen the L-SPA capability as a key factor in realising system and cultural change
Risks from national policy and funding context	<ul style="list-style-type: none"> • Continue to make a robust case to the government for funding and policy changes, and building evidence to support the case, including unintended consequences of the Children and Families Act 2014.

FINANCIAL AND VALUE FOR MONEY IMPLICATIONS:

37. The SEND Transformation Programme is funded within the Council’s agreed transformation and capital budgets agreed annually by Cabinet. The Transformation budget in 21/22 is £1.6m and the Capital programme is £79m in total. The strategies

included within this programme are designed to deliver the desired outcomes for children whilst moving to contain costs within the available budgets.

38. The 20/21 budget included a £24m overspend on the HNB. Current projections are that the outturn will be £33m, an additional overspend of £9m. To achieve this outturn cost containment of £7.8m is forecast to be delivered. In order to achieve a budgeted £24m overspend in 21/22, £24m of cost containment activity will be required after factoring in the current position and expected growth.

SECTION 151 OFFICER COMMENTARY

39. Although significant progress has been made over the last twelve months to improve the Council's financial position, the medium-term financial outlook beyond 2021/22 remains uncertain. The public health crisis has resulted in increased costs which may not be fully funded. With uncertainty about the ongoing impact of this and no clarity on the extent to which both central and local funding sources might be affected in the medium term, our working assumption is that financial resources will continue to be constrained, as they have been for the majority of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority in order to ensure stable provision of services in the medium term. As such, the Section 151 Officer supports the SEND Transformation programme. The outcome will be factored into the Medium-Term Financial Strategy.

LEGAL IMPLICATIONS – MONITORING OFFICER

40. The purpose of this report is to update Cabinet on an existing Transformation Programme. Cabinet is not required to make any decisions that have legal implications in relation to the Councils statutory obligations in relation to SEND services. This report references the SEND Capital Programme which has been the subject of a separate cabinet report.

EQUALITIES AND DIVERSITY

41. The SEND Partnership Strategy, to which the SEND Transformation programme aligns, was subject to a full Equalities Impact Assessment and was considered by Cabinet on 29 January 2019. This EIA has been reviewed and remains relevant to the projects and programmes schemes outlined in this cabinet paper: <https://mycouncil.surreycc.gov.uk/ieListDocuments.aspx?CId=120&MId=6322&Ver=4>
42. The strategy focuses on inclusion and ensuring that children and young people who have SEND can get a good education at a school close to their home. The aim of the strategy is to make sure that every child and young person who has SEND growing up in Surrey has the best possible start in life and equality of opportunity is maximised across the different need types and range of needs across the four quadrants of the county.

CORPORATE PARENTING/LOOKED AFTER CHILDREN IMPLICATIONS

43. The SEND Transformation Programme directly supports both the Surrey Corporate Parenting Strategy 2020 and SEND Partnership Strategy 2019. Improving the inclusion of children and young people who have SEND and/or who are looked after in Surrey mainstream and maintained special schools will enable better long-term outcomes, with children closer to home and more connected to local communities and support services.

SAFEGUARDING RESPONSIBILITIES FOR VULNERABLE CHILDREN AND ADULTS IMPLICATIONS

44. The council has a duty to promote and improve safeguarding in education as well as educational outcomes for all children and young people who are vulnerable or disadvantaged. The creation of additional specialist capacity closer to home supports highly effective joint agency monitoring to safeguard children, to reduce placement breakdown and increased demand on care services.

ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

45. The provision of education places closer to home will reduce the average journey times for learners with EHCPs and is aligned with the vision and aspirations of Surrey's SEND Transport Transformation programme.

PUBLIC HEALTH IMPLICATIONS

46. There are no public health implications as a result of this report.

WHAT HAPPENS NEXT:

47. The SEND Transformation Programme continues to report monthly to the SEND Board on progress in meeting key timescales, performance and impact. A programme of this size and complexity continues to require significant programme office capacity to ensure that delivery targets are met. Work is underway to secure additional programme and strategic capacity from April 2021 in order to ensure programmes and projects remain on track. The SEND System Partnership Board continues to galvanise stakeholder accountability so that system partners take ownership for the changes required.

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Consulted:

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Family Voice Surrey

School Phase Council Leads

Schools Forum

SEND Transformation Programme Board

SEND Board

Communications colleagues

Land and Property colleagues

Transformation Support Unit colleagues

Sources/background papers:

SEND Partnership Strategy 2019-22
