

Report of the Children, Young People & Learning Policy Overview Committee 2014/15

Hillingdon's Implementation of the Special Educational Needs and Disability (SEND) Reforms



Members of the Committee

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RECOMMENDATIONS

The Children, Young People and Learning Policy Overview Committee recommends:

- 1) That Cabinet endorses the work being undertaken to develop the local Special Educational Needs and disabilities (SEND) offer in light of the national Reforms in this area.
- 2) That the Cabinet Member for Education & Children's Services considers the following recommendations in light of the Committee's review:
 - a) That the development of the Council's strategic approach to SEND Reforms ensures that relevant information is contained in the published local offer and that relevant Council staff are provided with the tools to enable them to support parents/carers in accessing the information effectively.
 - b) To fully involve parents/carers as the local SEND offer is developed.
 - c) That consideration be given to working with schools to provide more specialist and targeted training to school staff in relation to the local implementation of the SEND Reforms.
 - d) That arrangements be made to ensure that schools, parents/carers and young people within the Borough are able to provide feedback on their experiences in relation to the SEND Reforms, to enable the Council to learn from their experiences.
 - e) That an assessment of Hillingdon's implementation of the SEND Reforms be undertaken once the changes have become embedded, with consideration given to a progress report to the Cabinet Member and the Policy Overview Committee's meeting towards the end of 2015.

BACKGROUND TO THIS REVIEW

The Children and Families Act 2014 brought about the most significant Reforms to the statutory framework for Special Educational Needs and Disabilities (SEND) for 30 years. These changes to the law implemented a new system that seeks to help children and young people aged 0 to 25 with SEND. More specifically, the changes aimed to provide a system that was:

- Person centred;
- Outcome focused;
- Delivered through a co-ordinated and integrated model of support; and
- Inclusive of families in planning and decision making.

The Act introduced a statutory duty for local authorities to produce a 'Local Offer.' This sets out the services available within the Borough for children and young people with Special Educational Needs or a Disability (SEND) from age 0 to 25. The Offer also aims to make provision more responsive to local needs and aspirations by directly involving children and young people, parents/carers and service providers in its development and review.

The other major change introduced included the replacement of SEN (Special Educational Needs) Statements with Education, Health and Care (EHC) Plans. The SEN Statements set out a child / young person's SEN and any additional help that the child should receive. The new EHC plans are designed to be more comprehensive than the Statements. In addition to setting out the special educational needs and special educational provisions for the child or young person, the Plans also set out healthcare and social care provision. Plans can only be issued after a child or young person had received an EHC Needs Assessment. Following this assessment, the Council is responsible for determining whether to issue an EHC Plan.

The SEND Reforms were gradually implemented and came fully into force on 1 September 2014. From that date onwards, only EHC Plans would be issued. However, the process required to convert these statements into EHC was lengthy and with 1,600 children in the Borough with SEN statement, it was anticipated that this process would not be completed until 2018.

The purpose of this review by the Committee was to analyse Hillingdon's implementation of the Reforms to date in order to suggest areas of improvement. This was notwithstanding the significant work already undertaken by the London Borough of Hillingdon and other partners to affect the changes.

The Reforms undoubtedly constitute a significant challenge for a range of service areas across the Council. However, it is also considered that they represent a major opportunity for services to be shaped to make them more relevant, helpful and effective for children, young people and families.

The Committee recognised that given the wide ranging nature of the Reforms, it is likely to take several years for the Reforms to be fully embedded. It may, therefore, be appropriate for consideration to be given to reviewing implementation again in the future.

Context of the Recommendations

It was clear from the evidence received by the Committee that Hillingdon had already made some good progress in the implementation of the SEND Reforms. This had included commendation of the Council by the Department for Education (DfE) for its approach to project and programme management, including its self-assessments of progress and the links to the wider work of the Authority. The Department also noted that parents and health partners seemed well engaged in the Reforms and that the new assessment and planning process was thorough and based on best practice.

The Council met its legal obligation to make details of the SEND Local Offer available by 1 September 2014 by publishing this information on its website. The Committee acknowledged that this was a work in progress, due to the scale of the work required and the need for feedback to be sought from service users.

Significant progress had also been made in the process of transferring children and young people with SEN (Statement of Special Needs) to EHC (Education, Health and Care) Plans. A template had been agreed for the new Plans, which had been commended by the DfE for being fully compliant with guidelines. The Council had also produced a timeline for completion of the transfer process by the end of March 2018.

Council Officers acknowledged during the review that preparations for the SEND Reforms had begun relatively late in Hillingdon (February 2014). The Chair of the local Parents Carers Forum agreed that while progress was initially slow, significant progress had been made in early 2014 and that the Local Offer developed was meeting local needs. The local headteacher interviewed by Committee Members was also positive about Hillingdon's implementation plans.

An established project structure had been developed, with well attended sub-groups having been set up. These were responsible for the four main themes of the Reforms. Operational teams had supported the embedding of the required changes in documentation, information, practice and the provision of training to relevant staff.

The Committee was reassured to hear that there was a perception that Hillingdon was ahead of where it needed to be in terms of implementing and communicating the SEND Reforms. The Committee was also heartened that, despite some initial difficulties and tensions in working with external organisations on implementation of the changes, officers felt that the situation had improved markedly and that there appeared to be universal professional support of the key principles underpinning the Reforms. It was suggested that this would enable any barriers in the successful implementation of the Reforms to be overcome.

The London Borough of Hillingdon was also working to implement its Additional Needs Strategy. The Strategy was building upon work undertaken over several years to develop special schools and Special Resourced Provision (SRPs) in mainstream schools. The Strategy aimed to enable as many children and young people as possible to access local schools able to meet their special educational needs.

Given the positive evidence received by the Committee in relation to Hillingdon's implementation of the SEND Reforms to date, it is recommended:

1

That Cabinet endorses the work being undertaken to develop the local special education and disabilities (SEND) offer in light of the national Reforms in this area.

Although it is clear, that Hillingdon has already made some good progress in its implementation of the SEND Reforms, from the evidence considered by the Committee, it is also clear that there is scope for improvements to be considered as the Reforms continue to be implemented.

Hillingdon developed the SEND Local Offer quite rapidly in order to meet the statutory launch date of 1 September 2014. It had always been recognised that the Local Offer would require further development over time, particularly around the functionality and usability of information in relation to the Offer.

Feedback provided by service users to date had suggested that information within the Local Offer was not always presented in a format that was accessible to the various audiences that it had been designed for. These audiences included parents/carers, schools, external organisations and the young people themselves.

For example, it was noted that the Local Offer, accessed through the Family Information Directory website, was under development. Evidence from witnesses indicated that enhancements could be made improve the accessibility, categorisation and structure of such information available online. Officers reflected that the accessibility of the database containing information on the SEND offer could be improved. There was also a need to ensure that frontline staff had all the relevant information to enable them to engage effectively.

The Committee was advised that, given the nature of the SEND Reforms, it would take a number of years for the required systemic changes to be fully embedded. Some of the procedural work, such as the revision of templates, guidance documents and timescale plans required more immediate work that had already been undertaken. Moving forward, the emphasis would be on ensuring that the changes made so far were properly embedded and managing the workload concerning the conversion of the 1,600 SEN Statement to EHC Plans.

It is therefore recommended:

2a

That the development of the Council's strategic approach to SEND Reforms ensures that relevant information is contained in the published local offer and that relevant Council staff are provided the tools to enable them to support parents/carers in accessing the information effectively.

The Chair of the Hillingdon Parents Carers Forum agreed that they had been fully involved in and consulted on the implementation of the SEND Reforms so far. A number of working streams had been set up quickly and representatives from the Forum had participated in each one. She also considered that communication between relevant professionals had been good and that a spirit of trust and co-operation had been developed.

The Forum Chair had met with chairs of other parents forums and had noted that local experience of co-production with the local authority in the implementation of the Reforms had not been experienced in other areas. The only significant reservation expressed by the Chair was that the Local Offer working group had ended too quickly, before there was an acceptable Local Offer in place. Given that development of the Local Offer was ongoing, it was considered that there could be scope to re-establish this or a similar group.

Intensive work had initially been conducted in relation to all aspects of the SEND Reforms, including significant input provided by parents. However, it was considered that there was a risk that parents and carers could become disengaged with the ongoing process of embedding new ways of working and the refinement of the processes involved. Given the fundamental nature of, and reasons for the Reforms, it was seen as essential that parents and carers continued to remain at the heart of all developmental work in the longer term. This would ensure the maintenance of a cooperative approach.

It is therefore recommended:

2b

To fully involve parents/carers as the local SEND offer is developed.

The Council had conducted a series of generic, awareness raising sessions with schools as part of the preparations for the Reforms. Feedback from these sessions demonstrated a clear need to deliver more focused training to support schools in their pivotal role regarding the assessment and transfer process. The approach to EHC assessment and Plans was considered to be sufficiently different to the Statementing process that it replaced to require specific and targeted training. This would ensure that a person centred approach was adopted in all schools.

The Headteacher of a local secondary school advised that a range of child friendly briefing sessions had been held in relation to the SEND Reforms and that two conferences had been hosted at his school. Each of the conferences had been attended by around one hundred people. A Council representative had visited the school to advise how the new Education, Health and Care (EHC) Plans should be written and to provide critique of progress made. This support had been helpful. Training had also been provided for staff and governors, which had been well received.

While the information and training provided to the school to date had been good, the headteacher felt that specialist training should be provided in relation to the specific role of the Council and other organisations. This would ensure that schools were fully aware

of where responsibilities lie. It was suggested that this could be the focus of a future SENCO (Special Educational Needs Co-ordinator) conference.

It is therefore recommended:

2c

That consideration be given to working with schools to provide more specialist and targeted training to school staff in relation to the local implementation of the SEND Reforms.

As the Local Authority recognises the journey it is on to improve services and experiences for children, young people and their families it is important to understand what works best for service users. Traditionally, the key criticism from service users has been that they did not feel involved in the process. The transfer from Statements to EHC Plans was seen as being a significant opportunity to gain the views and input of a wide range of service users and their families. This learning should inform the way in which assessments are conducted in the future.

Officers recognised that the Council had met its statutory obligations, but felt that further consultation was required. It was anticipated that, in time, feedback would be obtained from families with experience of the plans. Consultation had been undertaken on the first EHC Plans to be completed and early feedback suggested that the process was having a positive effect on the customer experience. However, the number of families with experience of the new Plans was currently too small for further consultation with this group to yet be beneficial.

As noted previously, extensive feedback had already been provided through channels such as the Parents Carers Forum. However, more work, particularly around engagement with parents and communication of the offer, would be required. Measures were required to ensure that high quality feedback continued to be obtained as the Reforms were implemented.

There was also a need to increase the amount of feedback from the children and young people themselves. Officers acknowledged that historically, there had been a lack of meaningful and consistent engagement with children and young people with SEND. It was felt that the Reforms provided a good opportunity to address this. It was envisaged that work could be undertaken with young people to establish how they needed information to be presented and to enlist their support in creating the final product.

This feedback could come from the Parents Carers Forum, or from young people and parents, via the schools as well as directly through the website. Although it was already clear how to provide feedback on the website, consideration could be given to the development of a feedback form for this purpose.

The Council is required to engage in broad consultation in relation to the content of the Local Offer, therefore the opportunity exists to develop a network of trained advisors in a range of settings that the public regularly accesses. These advisors would then be in a position to support service users in getting the most out of the Local Offer.

It is therefore recommended:

2d

That arrangements be made to ensure that schools, parents/carers and young people within the Borough are able to provide feedback on their experiences in relation to the SEND Reforms, to enable the Council to learn from their experiences.

As noted previously, there was no expectation that, at this early stage, the SEND Reforms would have been fully implemented. This was acknowledged by the headteacher witness, who had no negative comments on the Reforms so far, but felt that it was too early to fully assess their impact.

In common with other local authorities, Hillingdon has implemented the changes gradually, while ensuring that its statutory duties have been discharged. The process will take a few years to complete. The Committee has acknowledged the need to hold in balance the desire for a 'complete' service and the iterative nature of the changes being undertaken. For these reasons, it is suggested that the Committee keeps a watching brief on developments to ensure that implementation of the Reforms are as effective as possible. This could involve a progress report later in 2015 and, if appropriate, further consideration as part of the Policy Overview Committee's future work programme.

It is therefore recommended:

2e

That an assessment of Hillingdon's implementation of the SEND Reforms be undertaken once the changes have become embedded, with consideration given to a progress report to the Cabinet Member and the Policy Overview Committee's meeting towards the end of 2015.

Appendix A - Terms of Reference

1. To gain a comprehensive understanding of the SEND Reforms and the Council's implementation thereof to date;
2. To gather evidence in order to gain an understanding of the implementation of the following areas of the SEND Reforms:
 - a. The Local Offer
 - b. Education, Health and Care Assessments / Plans;
3. To assess the impact on the Council, young people and families of the raising of the age of support to 25 with a focus on the Local Offer and EHC Plans;
4. To assess whether the aim of producing a person-centred and outcome-focused approach has been met;
5. To ensure that the new model is co-ordinated and integrated across Council services;
6. To ensure that newly developed systems allow families to be included in planning and decision making;
7. To evaluate plans and timelines for the conversion of Statements of SEN in to Education, Health and Care Plans;
8. To identify where aspects of the Local Offer and EHC Plans are not being implemented to a satisfactory level;
9. To identify where there are challenges and / or gaps in the new system; and
10. To put forward practical recommendations as to how the service could better implement areas of the Reforms.

Appendix B - Witnesses

The witness session for this single meeting review took place at the meeting of the Children, Young People and Learning Policy Overview Committee meeting held on 18 February 2015. This session heard from the following witnesses:

Witness Session (18 February 2015)
Jackie Wright, Head of Disability Services, LBH
Alex Bowman, SEND Programme Manager, LBH
Georgie Bhad, Chairperson, Hillingdon Parents Carers Forum
Wendy Caine, Treasurer, Hillingdon Parents Carers Forum

In addition to this formal witness session, some Committee Members attended a separate informal witness session. This was held with Mark Bland, Headteacher, of Abbotsfield School for Boys in Hillingdon.

Appendix C - Background Reading

To assist with the writing of this review, reference has been made to the following background information.

- § **Minutes and associated reports from witness sessions:**
<http://modgov.hillingdon.gov.uk/ieListDocuments.aspx?CId=323&MId=2110&Ver=4>
- § **Hillingdon's Local SEND Offer:**
<http://search3.openobjects.com/kb5/hillingdon/fsd/localoffer.page>