

CHILDREN AND YOUNG PEOPLE SCRUTINY PANEL

7TH SEPTEMBER 2017

Special Education Needs and Disability and Inclusion Ofsted/CQC Inspection

Report of the Director for People

Strategic Aim:	Special Education Needs and Disability (SEND) and Inclusion	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr D Wilby, Portfolio Holder for Education Mr R Foster, Portfolio Holder for Children and Young People (Safeguarding)	
Contact Officer(s):	Bernadette Caffrey, Head of Early Intervention, SEND and Inclusion	01572 752943 bcaffrey@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS

That the Panel:

1. Receive the Special Education Needs and Disabilities (SEND) Peer Review report and the SEND Ofsted and Care Quality Commission (CQC) Inspection report.
2. Note recommendations for future action.

1 PURPOSE OF THE REPORT

- 1.1 The SEND Peer Review and the Ofsted and CQC inspection processes are intended to test the effectiveness of the local area in implementing the disability and special educational needs reforms as set out in the Children and Families Act 2014.
- 1.2 The presentation and the attached Peer Review report and the Ofsted Report provide panel with detail of the review and inspection process and the outcomes of both processes and next steps.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 There are statutory obligations placed on Local Authorities, health providers and schools, to support children with additional needs and disabilities, such as the SEND Code of Practice 2015, and the Safeguarding in Schools Guidance (DfE) 2015.

- 2.2 By 1 April 2018, Local Authorities must have transferred all children and young people with statements of Special Educational Need (SEN) and who are eligible for an Education, Health and Care plan, (EHCP) to the new SEND system. An education, health and care (EHC) plan is for children and young people aged up to 25 years who need more support than is available through special educational needs support in school. EHC plans identify educational, health and social needs and set out the additional support to meet those needs.
- 2.3 The above encompasses the Local Authority's obligation to provide/create sufficient places for all pupils including those with SEND and the requirement for Local Authorities to have a SEND 'Local Offer'.
- 2.4 The SEND and Inclusion service was integrated with the Early Intervention services in February 2017. Work towards meeting the obligations of the SEND Code of Practice 2014, started prior to that, and since the service integration a review and transformation of the service and the practices has happened. This included the creation of a multiagency SEND Strategic Group to progress key local actions, such as those identified in Point 10.2 and Point 10.3 below, to improve SEND and Inclusion services across the partnership.
- 2.5 Rutland County Council and its partner agencies were subject to a SEND Peer Review on the 3rd and 4th July 2017. It was conducted by a team of four reviewers from Leicestershire, Derbyshire, Lincolnshire and Nottinghamshire.
- 2.6 Subsequently between 10 July 2017 to 14 July 2017, Ofsted and the Care Quality Commission (CQC) conducted a joint inspection of the local area to judge the effectiveness of the area in implementing the disability and special educational needs reforms as set out in the Children and Families Act 2014. The inspection process focussed on the effectiveness of the local area in identifying, assessing and meeting the needs, and improving outcomes for children and young people with special educational needs and/or disabilities.
- 2.7 The information from both the review and the Ofsted inspection processes will inform the next iteration of the Self Evaluation Form (SEF) and the operational and strategic actions in the SEND Action Plan. The Strategic Group will progress the wider transformation of SEND provision in Rutland and to securing the right set of skills and the appropriate provision so that more children are educated and enjoy a healthy family life, closer to home and at lower cost

3 CONSULTATION

- 3.1 Consultation is required in respect of the capital project as described in Point 4.2 below.
- 3.2 The SEND Code of Practice, (2015), make it explicit that Local Authorities and its partners must engage and 'co-produce' with, children and young people and their families on their support plan and on the design and review of services. Key partners and stakeholders will be consulted within the described monitoring and review process

4 FINANCIAL IMPLICATIONS

- 4.1 £500,000 DfE Grant and the £200,000 agreed by Cabinet in December 2016, is earmarked to be utilised for SEN provision. The Council will receive the first

tranche of the Grant of £167,000 in April 2018/19.

- 4.2 The June 2017, DfE Guidance is explicit that the capital grant is specifically for improving and developing SEND provision and sets out a prescribed timeline and a requirement to evidence that the Local Authority has consulted and produced a project plan.
- 4.3 Key learning from the review and inspection process that will support the development of a capital programme include as follows:
 - 4.3.1 parents wish to educate and support children's family life, closer to home,
 - 4.3.2 increased use of EHCPs in secondary phase, over reliance on out of county placements
 - 4.3.3 greater parental choice and control and greater use of personal budgets
 - 4.3.4 improve education attainment and life chances for children and young people and build on existing good practice in early years and post 16
 - 4.3.5 reduce spend on transport and placements
 - 4.3.6 support to schools to manage and retain pupils with emotional and behavioural difficulties

5 LEGAL AND GOVERNANCE CONSIDERATIONS

- 5.1 The Local Authority and its partners has a number of key statutory obligations to children and young people with disabilities and special educational needs, which includes; identification in the early years, the delivery of early help and targeted support and the provision of specialist support. This includes:
 - 5.1.1 The Aiming High service supports the Council's statutory duty under the Breaks for Carers of Disabled Children Regulations 2011 (or the Short Break Duty) which requires Local Authorities to provide a range of short break services. This arrangement reflects the Children and Families Act 2014 and Care Act 2014 the latter which places greater emphasis and importance on giving children with disabilities and their carer's greater choice and control in the support they need.
 - 5.1.2 Local authorities must carry out their functions with a view to identifying all the children and young people in their area who have or may have SEN or have or may have a disability (Section 22 of the Children and Families Act 2014).
 - 5.1.3 When carrying out their statutory duties under the Children and Families Act 2014, Local Authorities must do so with a view to making sure that services work together to promote children and young people's wellbeing or improve the quality of special educational provision (Section 25 of the Children and Families Act 2014)
 - 5.1.4 Local Authorities and Clinical Commissioning Groups (CCGs) must make joint commissioning arrangements for education, health and care provision for children and young people with SEND (Section 26 of the Act) and local

governance arrangements must be in place to ensure clear accountability for commissioning services for children and young people with SEND from birth to the age of 25.

- 5.1.5 Local authorities must publish a Local Offer, setting out in one place information about provision they expect to be available across education, health and social care for children and young people in their area who have SEND.

6 EQUALITY IMPACT ASSESSMENT

- 6.1 An Equality Impact Assessment is not required at this point, however it will require completion as part of the stakeholder consultation in relation to the capital programme described in Point 4.2 above.

7 COMMUNITY SAFETY IMPLICATIONS

- 7.1 There are no community safety implications

8 HEALTH AND WELLBEING IMPLICATIONS

- 8.1 Local Authority Health and Wellbeing Boards are required to develop Joint Strategic Needs Assessments and Joint Health and Wellbeing Strategies to support a joined-up approach to prevention, identification, assessment and early intervention, and the joint commissioning arrangements for those with disability and special educational needs. This will be addressed in the SEND Commissioning Strategy describe in Point 10.2 below.

9 ORGANISATIONAL IMPLICATIONS

- 9.1 The service will update the SEND Action Plan, to include strategic milestones and outcome measures and timescale for completion in relation to the areas of development identified in the Peer Review and Ofsted reports.

10 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 10.1 The SEND Peer Review and Ofsted Inspection resulted in a positive outcome for Rutland. The strengths identified significantly outweigh the areas for development. Ofsted found committed leadership and effective partnership working across the area and evidenced that children's needs are identified early, their needs are being met and the outcomes for children with SEN and or disability are good in Rutland.
- 10.2. A number of key developments had been identified by the service in its Self-Evaluation Form (SEF) and Action Plan and these reflect what the inspection process identified, such as;
- 10.3 The 'Local Offer' is in place but the 'on-line' information needs significant development to improve the accessibility, functionality and development of the platform as a whole, which will be enhanced through further co-production with parents and young people.
- 10.4 Our JSNA - SEND Needs Assessment and the review of our commissioning

arrangements will enable us to create a robust SEND Commissioning Strategy that will inform our placement planning and our intention to support children closer to home.

- 10.5 The multi-disciplinary High Needs Panel is providing more robust decision making and value for money around placements, including decisions on SEND transport. The Panel will address more creative utilisation of the High Needs Funding to intervene and provide support to children and young people earlier.
- 10.6 The performance and quality of our SEND service and the monitoring of spend on services is now subject to regular monitoring, accountability and scrutiny within the Directorate performance processes and to the Health and Well Being Board via the Children's Trust governance arrangements
- 10.7 A review of the Education Psychology service is underway with a view to having a new contract in place from August 2018.

11 BACKGROUND PAPERS

- 11.1 There are no additional papers

12 APPENDICES

Appendix A – Ofsted SEND Inspection report

Appendix B - Peer Review report

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.