

## Special Educational Needs – Update Report

### Report of the Head of Education and Learning

*Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.*

**Recommendation:** Members of the committee are requested to note the report, the specific challenges faced by the local authority and current action to mitigate against these.

#### 1. Background/Introduction

Since September 2014, SEND 0-25 has operated under a new SEND Code of Practice, which for the first time brought together a joint responsibility amongst education, health and care services and professionals to jointly identify, plan for and meet the needs of children with special educational needs.

Within this Code, there are strict timescales (see below) which allow for a decision to be made about the special educational provision which must be implemented.

Timescales – needs assessment	
Day 1	request received
At 6 weeks	Decision to assess or not to assess
At 10 weeks	Advice requested should be received
At 16 weeks	Decision to issue or not to issue a plan & draft plan issued
Weeks 16-20	Must give parent 15 calendar days to respond and settings 15 calendar days
At 20 weeks	Final EHCP issued

An underlying theme in the new code is a partnership approach, working with families to meet the needs of children and young people; this is a clear expectation of all partners. It's important to understand that whilst a partnership approach is expected it is the **educational needs** that determine whether a statutory Education Health and Care plan (EHCP) is required. In Devon, a SEND Improvement Board is in place that monitors the joint responsibilities across the services and how these align with our SEND Strategy.

#### **SEND headlines regarding education provision include:**

The number of children and young people supported by EHCPs has increased – Jan 2018 DfE data return reported 4093 (10% increase from 2017).

Educational outcomes of children with SEN are good and higher than national average. Special Schools in Devon (1087 children) are judged good or better by Ofsted.

All transfers from statements to EHCP were completed within the DfE timeframe.

Feedback received from families following assessment is generally positive showing good levels of satisfaction.

## 2. Current Issues and Action taken

The First Assessment process has been under considerable pressure and this is evident in delays completing assessments within the statutory 20-week timescale.

DCC investment in increased staffing capacity started on 1 April 2018 and intensive monitoring has been put in place to ensure the impact of this investment is visible.

Progress is now being made on the backlog of cases but this will take time to clear.

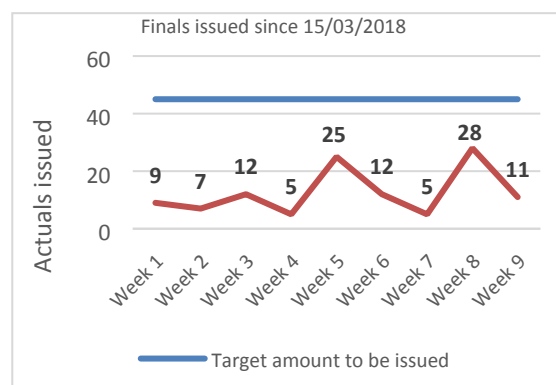
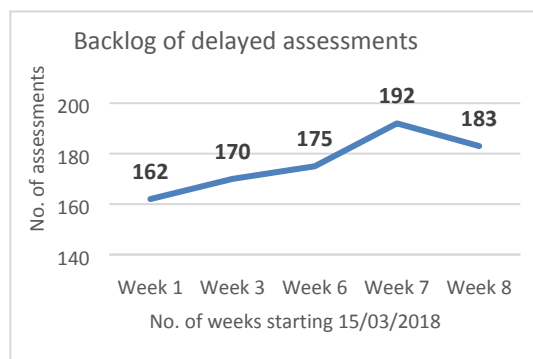
For each child there may be multiple professionals from whom advice must be requested; advice must come from at least Educational Psychologists, Health and Care. Current reports show a high level of returns are made on time, however just one piece of advice being returned late means the plan cannot be completed and the whole timescale is delayed. Delays can also occur between draft and final plan (weeks 16 to 20) due to negotiation and disagreement with schools or parents about which school and/or College to name.

The number of children who are anxious about school is increasing and we have several families who are reluctant to see a mainstream school as part of the solution.

Recent evidence from Educational Psychologists' research across different Local Authorities shows a more robust approach may be needed to challenging schools' information, and the possible solutions that they could implement ahead of requesting an assessment (week 6 on the timescales) than is currently in place.

### Current action and progress

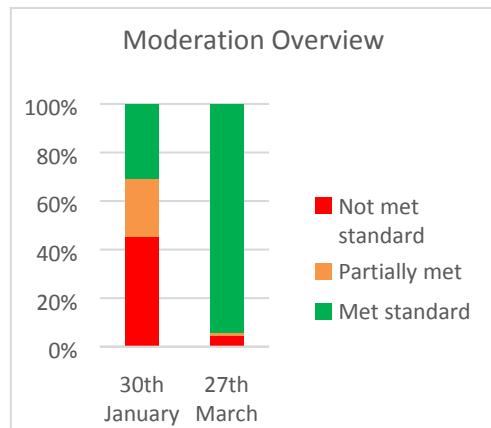
- Capacity issues addressed and focus on First Assessment work April to August.
- Weekly targets for teams in terms of output of work – 160 plans per month, yet to reach expected levels but significant improvement has been made. Improved communication has been made. Improved communication about delays, through letter and DIAS.
- Review across multi-agency professionals who provide advice, addressing both process and quality.
- Clearer process and challenge before requests made.
- Clearer communication to schools, professionals and parents about roles in SEN processes.



The Quality of Plans produced is not always consistent and some parents express concerns around the specificity of the provision that is detailed in the Plan.

A multi-agency Quality Assurance Framework is in place. This was agreed and started in Jan 2018. EHCPs are moderated and a Red, Amber Green rating is used against the quality standards put in place by the Council for Disabled Children. This will continue to be monitored and themes of improvement will be managed through the SEND Operational Delivery Group.

Currently practice shows expectations of continued amendments to a draft Plan. This results in a prolonged exchange of emails and Plans. Professionals who have already contributed are often approached to amend on behalf of parents.



**Current action and progress**

- Weekly Quality Assurance processes in SEN team.
- Bi-monthly multi agency QA process – shows standards in the second sample had improved considerably from the first
- Practice to meet legal requirement of one opportunity for comment from parents.

Appeals have remained relatively stable at around 1.4% of the total cohort. Complaints, aside from delays, are changing in complexity.

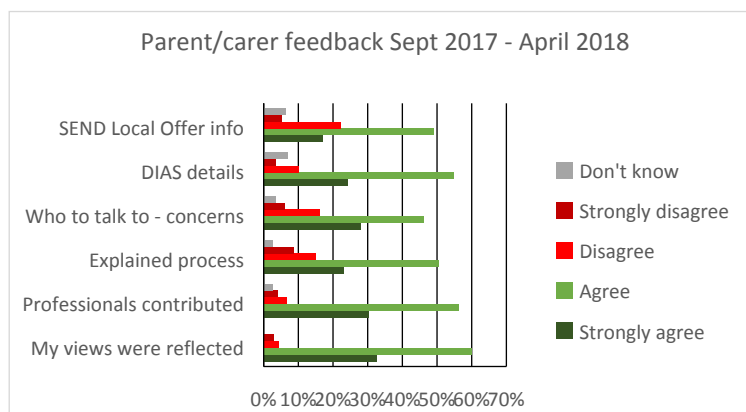
Reaching the SEN 0-25 team is reported as increasingly difficult.

**Feedback**

Responses were received from 200 new assessments; the majority of parents who responded were positive about their experience.

**Appeals**

Appeals are directly affected by the change from statement to EHCPs; an increasing number of issues extend beyond the education part of the plan.



**A Different Conversation**

Training and support across the SEND agencies is looking at 'A Different Conversation'. This is recognising that the parent knows the child much better than professionals, often the parent wants someone to listen to them as they feel let down by services, the key is seeing that things are happening and having an explanation of how we are going to work together to try to reach an agreed solution.

**Communications – reaching the SEN Team**

DCC has introduced a new telephony system which has resulted in additional complications; families believe calls are not being answered when they are in fact queued with no information. We are investigating solutions to reduce frustrations and provide clear information to callers. We are asking that families and schools bear with us during this time.

Dawn Stabb  
Head of Education and Learning

**Electoral Divisions: All**

Cabinet Member for Children, Schools and Skills: Councillor James McInnes  
Chief Officer for Childrens Services: Jo Olsson

**LOCAL GOVERNMENT ACT 1972: LIST OF BACKGROUND PAPERS*****Contact for Enquiries:***

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