

CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL

Date: Monday 6th September, 2021
Time: 10.30 am
Venue: Virtual Meeting

Please note this is a virtual meeting.

**The meeting will be livestreamed via
the Council's YouTube channel at
[Middlesbrough Council - YouTube](#)**

AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Minutes - Children and Young People's Learning Scrutiny Panel - 26 July 2021 3 - 8
4. Special Educational Needs and Disabilities (SEND) - An Introduction 9 - 22

Officers will be in attendance to provide the scrutiny panel with a general overview/introduction of the topic, including:

- an overview of the legal framework in which statutory agencies must work to support children and young people with SEND;
- an outline of how SEND can affect a child or young person's ability to learn; and
- an update on the local developments within Middlesbrough.

5. Education and Covid-19 Recovery

The Executive Director of Children's Services will provide a verbal update.

6. Overview and Scrutiny Board - An Update

The Chair will present a verbal update on the matters that were considered at the meeting of the Overview and Scrutiny Board held on 28 July 2021.

7. Any other urgent items which in the opinion of the Chair, may be considered.

Charlotte Benjamin
Director of Legal and Governance Services

Town Hall
Middlesbrough
Thursday 26 August 2021

MEMBERSHIP

Councillors D McCabe (Chair), L Mason (Vice-Chair), A Hellaoui, D Jones, T Mawston, M Nugent, M Saunders, P Storey and G Wilson

Assistance in accessing information

Should you have any queries on accessing the Agenda and associated information please contact Georgina Moore, 01642 729711, georgina_moore@middlesbrough.gov.uk

CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL

A meeting of the Children and Young People's Learning Scrutiny Panel was held on Monday 26 July 2021.

PRESENT: Councillors D McCabe (Chair), L Mason (Vice-Chair), A Hellaoui, D Jones, T Mawston, M Nugent, M Saunders, P Storey and G Wilson

OFFICERS: S Butcher, G Moore and K Smith

21/7 DECLARATIONS OF INTEREST

There were no declarations of interest received at this point in the meeting.

21/8 MINUTES - CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL - 28 JUNE 2021

The minutes of the meeting of the Children and Young People's Learning Scrutiny Panel, held on 28 June 2021, were submitted and approved as a correct record.

21/9 ADDRESSING POVERTY ISSUES AND THE IMPACT ON LEARNING - AN UPDATE

In respect of the scrutiny panel's 2020 review of Addressing Poverty Issues and the Impact on Learning, the Head of Achievement, Education, Prevention and Partnerships was in attendance to provide an update on the progress made with the implementation of the agreed recommendations/actions.

It was advised that, as a result of the scrutiny panel's investigation, there had been a review of current practices and new initiatives had been developed.

The following points were made:

- The mapping exercise concluded that partnerships were already established. It had been found that collaborative practice was already in place, which was led by Middlesbrough Council's Financial Inclusion Group (FIG). In addition to the FIG, the Employment Network Group (ENG) and Northern Skills Group led by Middlesbrough College brought together the expertise and experience to focus on routes to employment.
- The Local Authority's Community Learning Team was working hard to establish links to employment, such as 50 Futures. It had been recognised that families had been accessing support from the Community Learning Team, throughout the pandemic, to develop I.T. literacy.
- Carmel Research School (a network of schools that supported the use of evidence to improve teaching practice) was developing a program to support disadvantaged pupils. The program was tasked to break the link between family income and educational outcomes, improving success and life chances for disadvantaged pupils in particular. Work was scheduled to be started in September 2021 and numerous Middlesbrough schools had been selected to engage with the program.
- The mapping process had provided reassurance that multi-agency working was already in place and relevant stakeholders were working together to collectively mitigate the impact of poverty on learning.
- To mitigate the impact of poverty on pupils, each school had been encouraged to produce a bespoke poverty proofing policy.
- Monitoring tools were used to measure poverty rates and trends. Education monitored Pupil Premium outcomes and the percentage of pupils eligible for Free School Meals (FSM) from Early Years to Key Stage 4. Pupil Premium data was regularly monitored and analysed to assess the attainment gap between disadvantaged pupils and their peers.

- The Local Authority's Learning & Education Strategy prioritised achievement gaps for disadvantaged pupils looking at their progress and attainment over time, from pre-school through to work readiness.
- The welfare reform report (produced by the FIG) monitored access to financial advice, including housing support.
- The Revenue and Benefits Team had implemented systems, which ensured that those families who were entitled to benefits received them and that the correct amount of benefit was received.
- Education tracked every pupil cohort, including the most vulnerable children, and data was readily available. The data enabled the Local Authority to identify and prioritise schools and deliver targeted support.
- The Local Authority had recently brought the Unclaimed Benefits Campaign and Hub Advice Service under one project. That collaboration had been developed by the FIG and was led by the Welfare Rights Unit. Partner organisations were Citizens Advice Bureau (CAB), Age UK, Cleveland Housing and Advice Centre (CHAC) and Achieving Change Through Enterprising Solutions (ACTES).
- Parent support advisors worked diligently in school to ensure the appropriate information was received by parents.
- The FIG addressed issues in respect of parental concern, whereas from an education perspective, the Local Authority challenged and supported schools to promote pupil outcomes and ensure inclusion.

In response to Members' queries, it was advised that, in terms of the FIG membership, previously there had been no education representation. The Head of Achievement, Education, Prevention and Partnerships now attended meetings, provided input and engaged with the group. It was also added that, regardless of a pupil's eligibility in respect of Free School Meals (FSM), schools continued to support each pupil and offer parents subsidised food and clothing.

In response to a Member's query regarding the use of data to challenge schools, it was advised that school review monitoring visits took place. There was a categorisation process that enabled the Local Authority to identify the support and challenge that was necessary. Prioritisation was fundamentally dependent on whether a school was developing, emerging or secure. It was also added that:

- reading, phonics and mathematics were key areas that had been identified when analysing data;
- mathematics and English hubs had been re-established to support schools; and
- reviews of schools professional development were undertaken by the School Readiness Manager and the Ethnic Minority Achievement Team (EMAT) Manager.

It was also commented that the Head of Achievement, Education, Prevention and Partnerships held discussions with governing bodies to determine the impact of training and other professional development opportunities.

In response to a Member's query regarding assessing the impact of school poverty proofing policies and practices, it was advised that pupil outcome data was tracked, monitored and analysed. It was also conveyed that there was a constant oversight of vulnerable families.

A Member raised a query regarding holiday provision for pupils eligible for FSM. It was advised that 10 secondary schools were providing summer holiday provision, which was being funded by the DfE. Although pupils could not be required to attend, the Local Authority was able to promote the offer to increase participation. In addition to that, there was the Holiday Activity Fund (HAF), managed by Public Health, which provided the opportunity for all disadvantaged and SEND pupils to access free activities during the summer holidays. In terms of primary schools, two schools (Park End Primary School and Captain Cook Primary School) had delivered holiday activities over the Easter break. It was clarified that, although primary schools were not providing summer holiday provision, the HAF was delivering activities over the summer break.

A Member raised a query regarding the Carmel Research School in Darlington. It was advised that 12 Middlesbrough schools, covering both primary and secondary sectors,

had been invited to engage with the program. Carmel Research School had assessed school-level data to determine which schools would benefit most from engaging with the program.

In response to a Member's query regarding remote learning and support for English as an additional language (EAL) learners and their families, it was advised that guidance had been translated and circulated by the EMAT.

A Member commented that it would be beneficial for the scrutiny panel to be notified of how many schools had signed up to the school uniform pledge.

The Executive Director of Children's Services advised that the Local Authority was taking a corporate approach to tackling poverty and the work would be taken forward by the wider leadership team.

AGREED

That the progress made with the implementation of the agreed recommendations/actions be noted.

21/10

DRAFT FINAL REPORT - BEHAVIOUR, DISCIPLINE AND BULLYING IN SCHOOLS

A discussion ensued and Members commented on various aspects of the report including the responsibilities and knowledge of governing bodies, the importance of schools dealing with incidences of bullying in accordance with DfE and Ofsted guidance and the impact of the COVID-19 pandemic on exclusions.

In respect of paragraph 9, bullet point 5, a Member requested that the responsibility of the governing body to publicise the school behaviour policy also be referenced.

Draft recommendations had been tabled at the meeting for the scrutiny panel's consideration.

A Member expressed concern in respect of Middlesbrough's exclusion rates and highlighted the need for the scrutiny panel to monitor and examine rates on a six monthly basis. Recommendation b) was amended accordingly to accommodate that proposal.

A Member commented that it would be beneficial for the scrutiny panel to have sight of the outcomes associated with recommendations d) and e). The Democratic Services Officer advised that an update on the implementation of proposed recommendations/actions would be submitted to a future meeting of the scrutiny panel and the outcomes of those particular recommendations would form part of that update.

Following discussion, the following recommendations were agreed for inclusion in the final report:

- a) In respect of the new Inclusion, Assessment and Review Service and the 'Team Around the School' approach, that:
 - i. a full and comprehensive evaluation is undertaken, which takes into account the impact of COVID-19 and the risk management controls currently in place within schools; and
 - ii. the key findings, outcomes and outputs of the evaluation are reported to the Children and Young People's Learning Scrutiny Panel, including feedback received from children and young people.
- b) That the Local Authority holds schools to account more transparently for their exclusion rates by:
 - i. monitoring, analysing and recording exclusion data at a school-level;
 - ii. undertaking regular focussed visits to those schools with high rates to assist with putting measures in place to reduce fixed-term and permanent exclusions; and
 - iii. reporting exclusion data to the Children and Young People's Learning Scrutiny Panel on a 6 monthly basis.

- c) That, where exclusion rates are high, the Local Authority:
 - i. provides an enhanced bespoke package of support to assist schools in identifying and meeting the needs of children with SEND and additional vulnerabilities; and
 - ii. delivers training to demonstrate the detrimental impact of exclusion on a pupil's life and life chances.
- d) That the Local Authority shares good practice with schools by facilitating peer reviews and providing case study illustrations of good behaviour management practices.
- e) That a guidance document is developed and circulated to schools on the importance of language and its influence on changing perceptions and attitudes.
- f) That schools are encouraged to undertake an anonymous survey of staff and students about their views on behaviour, discipline and bullying and that feedback is utilised to improve behaviour management practices.

AGREED

That, subject to the inclusion of the agreed recommendations, the final report on Behaviour, Discipline and Bullying in Schools be approved and submitted to the Overview and Scrutiny Board for consideration.

21/11

EDUCATION AND COVID-19 RECOVERY

The Executive Director for Children's Services provided the scrutiny panel with an update on education and COVID-19 recovery. Members were advised that:

- The Local Authority's relationships with schools had improved considerably throughout the COVID-19 pandemic and it was crucial that those positive working relationships continued.
- In terms of children not attending school, due to COVID-19:
 - in September 2020, 163 were absent;
 - in October 2020, 498 were absent;
 - in November 2020, 617 were absent;
 - from December 2020 to May 2021, figures reduced to 46; and
 - throughout June and July, figures rose once again to 677.
- During the academic year, 63% of the pupil population had one or more episodes of virtual learning.
- In terms of children looked after, daily attendance was monitored and reviews and risk assessments were undertaken.
- A service had been commissioned, the Vulnerable Children's Attendance Program, which enabled the Local Authority to collect and analyse data and information on vulnerable children that were not attending school, including those who were subject to child protection plans and children in need plans.

In response to a Member's query regarding updates on vaccinations for pupils, it was advised that the Local Authority met regularly with headteachers and daily updates were circulated on guidance and bulletins published by the Department of Education (DfE).

NOTED

21/12

OVERVIEW AND SCRUTINY BOARD - AN UPDATE

The Chair advised that at the meeting of the Overview and Scrutiny Board, which had been held on 29 June 2021, the Board had considered:

- the Executive Forward Work Programme;
- an update from the Chief Executive in respect of the Council's response to COVID-19 and other organisational matters;
- an update on Town Centre Regeneration, the Future High Streets Fund, as well as an overview of the plans for the transformation of the Town Centre;
- the Strategic Plan 2020-23 - Progress at Year-End 2020/21;
- the Revenue and Capital Budget - Year-End Outturn Position 2020/21;

- the Ad-Hoc Scrutiny Panel's Final Report on Members Communications; and
- the Scrutiny Chairs Updates.

NOTED

21/13

ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.

The Chair advised that the work programme was scheduled to be considered and approved by the Overview and Scrutiny Board on Wednesday 28 July 2021.

Members were reminded that that the scrutiny panel had selected the following topics for investigation during the 2021/22 municipal year.

In-depth reviews

- Special Educational Needs and Disabilities (SEND)
- The Impact of COVID-19 on Education and the Council's Recovery Plan

Short review/one-off meeting

- Post-16 Education

NOTED

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CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL

6th September 2021

Special Educational Needs and or Disabilities

Caroline Cannon: Strategic Lead for Inclusion and Specialist Support Services

SUMMARY

1. The purpose of the paper is to provide:
 - a. an overview of the legal framework in which statutory agencies must work to support children and young people with SEND;
 - b. an outline of how special educational needs and disabilities (SEND) can affect a child or young person's ability to learn; and
 - c. an update on the local developments within Middlesbrough

INTRODUCTION

2. The Children and Families Act and the Special Educational Needs and Disabilities Code of Practice (2014 updated 2015) pushed forward the Government's commitment to improve services for vulnerable children and young people and support strong families.
3. The Children and Families Act transformed the system for disabled children and young people and those with Special Educational Needs, so that services consistently support the best outcomes for them. The reforms created a system from birth to 25 through the development of coordinated assessment and single Education, Health and Care Plans; improving cooperation between all services responsible for providing education, health or social care; and giving parents and young people greater choice and control over their support.
4. The principles that the **SEND Code of Practice** works to ensure that **SEND** provision has regard to the views, wishes and feelings of the child or young person and their parents, the importance of the child or young person participating as fully as possible in decisions, and the need to support the child or young person and their parents to help them achieve the best possible **educational** and other outcomes
5. The majority of statutory duties in relation to Special Educational Needs and or Disabilities rest at a local area level, predominantly with local authorities but now also with Clinical Commissioning Groups. The Children and Families Act 2014 strengthens local authorities' key duties in respect of children and young people with Special Educational Needs and or Disabilities across the 0-25 age range, regardless of where

they are educated. It places duties on health and education settings to use their best endeavours to meet the needs of children and young people with Special Educational Needs and or Disabilities; and requires local authorities and other listed bodies to have regard to the statutory guidance set out in the Special Educational Needs and or Disabilities Code of Practice: 0-25 years. See Appendix 1 SEND Code of Practice.

6. The broad duties for the Local Authority, are to:

- Ensure that children, their parents and young people are involved in discussions and decisions about their individual support and about local provision
- Ensure that children, young people and parents are provided with the information, advice and support necessary to enable them to participate in discussions and decisions about their support
- Consult children with SEND, their parents and young people with SEND in reviewing education and social care provision and in preparing and reviewing the Local Offer
- Prepare and publish a Local Offer
- Carry out their functions with a view to identifying all the children and young people in their area who have or may have SEND
- Keep their education and training provision and social care provision for children and young people with SEND under review
- Make sure that services work together where this promotes children and young people's wellbeing or improves the quality of special educational provision and work with partners to assess local needs
- Have arrangements in place to jointly plan and commission education, health and social care services jointly for children and young people with SEND
- Carry out EHC needs assessment and follow the statutory steps to issue and deliver EHCP when considered necessary
- Review EHC plans annually, including reviewing the child's support
- Consider request for personal budgets where a child or young person has an EHCP
- Ensure the availability of independent mediation services.

7 In terms of Health and CCGs they must:

- Commission services jointly for children and young people (up to age 25) with SEND, including those with Education Health and Care (EHC) plans
- Work with the local authority to contribute to the Local Offer of services available
- Have mechanisms in place to ensure practitioners and clinicians will support the integrated EHC needs assessment process, and
- Agree Personal Budgets where they are provided for those with EHC plans

- 8 Educational settings have responsibilities to support children and young people 0-25 as outlined in the SEND Code of Practice (For full details see appendix 1 SEND Code of Practice)
- 9 All early years providers are required to have arrangements in place to **identify** and **support** children with special educational needs or disabilities (SEND).
- 10 Within Early Years it is particularly important that there is no delay in making any necessary special educational provision. Delay at this stage can give rise to learning difficulty and subsequently to loss of self-esteem, frustration in learning and to behaviour difficulties. Early action to address identified needs is critical to the future progress and improved outcomes that are essential in helping the child to prepare for adult life.
- 11 Where an Early Years setting identifies a child as having SEN they **must** work in partnership with parents to establish the support the child needs. Where an Early Years setting makes special educational provision for a child with SEN they should inform the parents and a maintained nursery school **must** inform the parents. All settings should adopt a graduated approach with four stages of action: assess, plan, do and review.
- 12 For schools they must
 - a. Publish a school SEN information report
 - b. Identify children with SEN and ensure provision is in line with the SEN code of practice.
 - c. Appoint a Special Educational Needs Coordinator
 - d. Invest in whole school and targeted training for staff
 - e. Provide inclusion teaching and support practice is embed throughout the school and that all teacher understand that they are teachers of SEN
 - f. Provide information on school arrangements for SEN to parents and Governors
 - g. Consider pre-emptive arrangements for pupils present and future with a disability.
- 13 Within schools high quality teaching, differentiated for individual pupils, is the first step in responding to pupils who have or may have SEN. Additional intervention and support cannot compensate for a lack of good quality teaching. Schools should regularly and carefully review the quality of teaching for all pupils, including those at risk of underachievement. This includes reviewing and, where necessary, improving, teachers' understanding of strategies to identify and support vulnerable pupils and their knowledge of the SEN most frequently encountered.
- 14 In deciding whether to make special educational provision, the teacher and SENCO should consider all of the information gathered from within the school about the pupil's progress, alongside national data and expectations of progress. This should include high quality and accurate formative assessment, using

effective tools and early assessment materials. For higher levels of need, schools should have arrangements in place to draw on more specialised assessments from external agencies and professionals.

15 Schools should provide support through a graduated response to meet the child's needs. A focus should move to a SEN Support Plan if greater support is identified, however if this is not sufficient in meeting the child's needs then a request for an EHC assessment should be actioned.

16 FE colleges, sixth form colleges, 16-19 academies and independent specialist colleges have the following specific statutory duties:

- a. **The duty to co-operate with the local authority on arrangements for children and young people with SEN.** This is a reciprocal duty. It means that, in carrying out their functions under this part of the Act, a local authority **must** co-operate with the named bodies who, in turn, **must** co-operate with the local authority.
- b. **The duty to admit a young person if the institution is named in an Education Health and Care (EHC) plan.** Young people have the right to request that an institution is named in their EHC plan, and local authorities have a duty to name that institution in the EHC plan unless, following consultation with the institution, the local authority determines that it is unsuitable for the young person's age, ability, aptitude or SEN, or that to place the young person there would be incompatible with the efficient use of resources or the efficient education of others.
- c. **The duty to have regard to this Code of Practice**
- d. **The duty to use their best endeavours to secure the special educational provision that the young person needs.** This duty applies to further education colleges, sixth form colleges and 16-19 academies. Its purpose is to ensure that providers give the right support to their students with SEN. It does not apply to independent specialist colleges or special schools, as their principal purpose is to provide for young people with SEN. They **must** fulfil this duty for students with SEN whether or not the students have EHC plans. This duty applies in respect of students with SEN up to age 25 in further education.

17 The impact of special educational needs and disabilities on the ability of children and young people to learn and achieve alongside their peers can be very significant. Although the range of special educational needs and disabilities that children and young people may experience is highly diverse and complex, there are issues stemming from them that are commonly seen and that are barriers to learning. Self-image and confidence can be affected from an early age and mental health can suffer, which will have a negative impact on academic progress. Anxiety occurs very frequently, often resulting in reluctance to attempt new tasks,

due to a fear of making mistakes or of being seen to fail. The child or young person may feel different from their peers and they may, for a variety of reasons, struggle to form and maintain friendships and to cope with the social aspects of life at school and college. Life chances can in some cases be adversely affected; the range of pathways into employment that are available to the young person may be reduced, their ability to be involved in community activities may be limited, aspects of their physical and mental health may be poor and they may struggle to live independently.

- 18 Early and accurate identification of need, together with carefully tailored, sensitively delivered, person-centred intervention, is therefore of vital importance in ensuring the best possible outcomes for this very vulnerable group of children and young people.
- 19 Within the SEND Code of Practice the definition of SEND is that a child or a young person has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for him or her. A school age child or young person has a learning difficulty or disability if he or she:
 - a. Has significantly greater difficulty in learning than the majority of others the same age
 - b. Has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post 16 settings
- 20 There are four main areas of need that are listed within the SEND Code of Practice where learning can be affected by SEND. These areas are
 - **Cognition and learning needs**
 - **Communication and interaction needs**
 - **Physical, medical and sensory needs**
 - **Social, emotional and mental health needs (SEMH) needs**
- 21 **Cognition and learning** needs encompasses a very wide spectrum of needs. A small number of children may have profound and multiple learning difficulties, affecting all aspects of their development and functioning, some will have severe learning difficulties, while others will have mild to moderate learning difficulties. A further group will have specific learning difficulties with literacy (dyslexia, which is the most common developmental difficulty, affecting 10% of people and ranging from mild to severe) or numeracy (dyscalculia) or motor planning (dyspraxia).

The impact on learning can be that:

- The child or young person may become acutely aware of his/her areas of difficulty and may then become fearful of learning tasks and lose confidence in their own abilities.

- If dyslexic, the child or young person may be able to answer questions and express good ideas orally, but be unable to record the information. They may also dislike reading, partly because the content of books that they are able to read may not be age appropriate.
- Without direct support and/or differentiated tasks, the child or young person may lose learning time because they are unable to access the work they have been given. They may develop strategies to make it look as though they are working.
- The child or young person may mask his/her difficulties through inappropriate behaviour that is intended to prevent others from noticing their difficulties e.g. distracting other pupils, not starting a task when told to do so, leaving seat and wandering about, etc. (A pupil with SEMH will sometimes have underlying difficulties with learning.)
- The child or young person may reach adulthood without having acquired the basic levels of literacy and numeracy (and in some cases social skills and confidence and/or personal independence) that they need in order to be able to manage in adult life.

22 Communication and interaction needs includes children and young people who have difficulties with speech production, with expressing their needs, wishes and opinions, and with understanding language that they hear. There is once again a wide spectrum of need; some will be preverbal, while others will have needs that are much less obvious. Some children and young people have social communication and social interaction needs; they may struggle to understand and pick up on the conventions of social behaviour and conversation. Such needs are very typical of those diagnosed with autistic spectrum conditions. Some ways in which speech and language needs may impact upon learning are as follows:

- The child or young person may have difficulties with speech sound production that make their speech difficult to understand. This may cause them frustration and they may give up trying to make themselves understood. They may struggle to make and maintain friendships, which will have an adverse impact on their social development and confidence at school.
- The child or young person may not understand longer and more complex utterances used in the classroom, may feel stressed and frustrated and may struggle with listening and attention. This may lead others to perceive that they are misbehaving.
- The child's speech immaturities may impact upon the acquisition of literacy skills.
- Children who have receptive language difficulties but who can read fluently may be assumed to have a higher level of understanding of text than is actually the case.

- The child may struggle to acquire key vocabulary needed for learning (e.g. language relating to concepts such as time, size, shape, position).

23 Some ways in which needs in the area of social interaction and social communication may impact upon learning are as follows:

- The child or young person may not understand the turn-taking nature of conversation, and/or may find eye contact difficult, so may have difficulties with informal social interaction.
- They may have very restricted interests and may talk at length about these topics, which other children may find off-putting or disconcerting.
- They may understand language at a very literal level and struggle to make inferences. They may also be puzzled by jokes and figures of speech.
- They may prefer subjects based on facts and precision, such as science and maths and may struggle with subjects that involve 'reading between the lines' and extended writing, e.g. English.
- They may struggle with tasks involving collaboration with others.
- They may be very dependent on structure and routine and may find change (and transitions of any kind) very stressful.

24 **Physical, medical and sensory** needs includes children with medical conditions, physical disabilities and sensory impairments who form a particularly diverse group with highly individual needs. Their condition or disability may make it difficult or impossible for them to make use of the educational facilities normally provided.

25 With regard to sensory needs, as stated in the SEND Code of Practice, many children and young people with vision impairment (VI), hearing impairment (HI) or a multi-sensory impairment (MSI) will require specialist support and/or equipment to access their learning, or habilitation support. Children and young people with an MSI have a combination of vision and hearing difficulties.'

26 Factors impacting upon learning for children with medical conditions and physical disabilities may include:

- Mobility difficulties that may require adjustments to the curriculum and adaptations to the physical environment.
- Their requirement for support for personal care and/or daily routines and learning activities.
- Time off school for medical appointments and treatment.
- Periods of being unwell during which they are not able to access education.
- Fragile self-image and self-esteem, particularly if the child or young person has a chronic or degenerative condition, or has suffered a life-changing accident.

- Difficulties in making and maintaining peer relationships, possibly due to one or more of the above.

27 **Social, emotional and mental health (SEMH)** needs frequently become apparent through challenging behaviour that young people present in school, which must be interpreted so that the underlying need can be identified. Very often, the behaviour is rooted in early trauma, attachment issues, loss, or an undiagnosed neurodevelopmental disorder such as an autistic spectrum condition.

28 Currently, anxiety and depression seem to be more prevalent in children and young people than ever before, and this may well be linked with the Covid-19 pandemic and the social isolation and reduced learning opportunities that arose from this.

The impact on learning of SEMH can be one or more of the following:

- The child or young person may be excluded from school and lose valuable learning time, as well as being separated from peers.
- They may require targeted teaching in a dedicated space away from other pupils in order to access learning.
- They may become disaffected and refuse to attend school, thus losing out on learning opportunities and falling behind peers.
- Their social skills and confidence may be adversely impacted e.g. if their behaviour alienates peers, or if they become too anxious to interact with others.
- They may engage in self-harming behaviour.
- They may develop anxiety based school avoidance (EBSA).
- They may place themselves or others in danger.
- They may become a persistent substance abuser, affecting their ability to engage in learning.

EVIDENCE/DISCUSSION

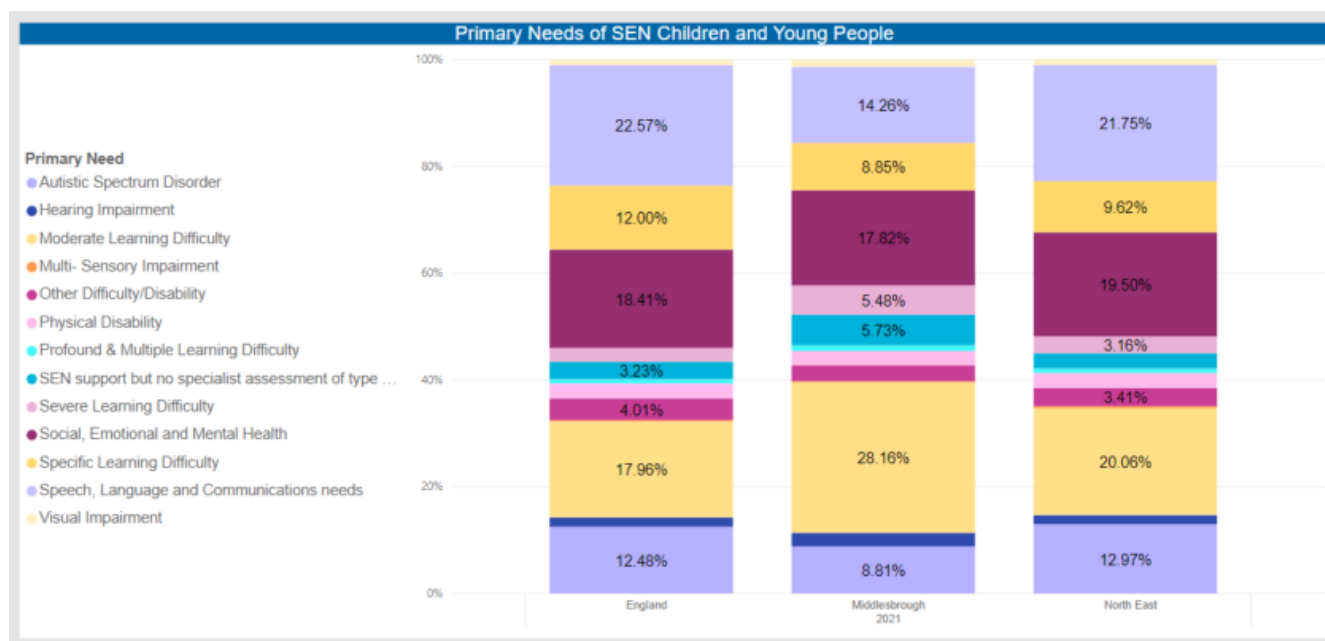
29 Nationally there are approximately 431,000 children and young people across the whole 0-25 age range with an EHCP. Within Middlesbrough, there are approx. 4800 children and young people classed as SEND, of this figure, approximately 1300 have an EHCP.

30 Nationally, of these children and young people with an EHCP there are around 325,000 children and young people who attend state-funded nursery, primary, secondary and special schools, non-maintained special schools, pupil referral units and independent schools. This represents 3.7% of the population. In Middlesbrough, this figure is 3.7% which is on par with the national figure, and slightly lower than the regional figure of 3.81%.

31 The table below shows a % breakdown of EHCPs by age range alongside the regional and national levels. There are some slight differences, but overall Middlesbrough is broadly comparable with national figures.

Age Range	Middlesbrough	North East	England
Under 5	4.6%	3.5%	3.8%
5- 10	31.9%	32%	33%
11-15	34.4%	37%	35.2%
16-19	22.7%	21.6%	21.1%
20-25	6.4%	5.9%	6.9%

32 The table below shows an analysis of the overall SEN cohort by primary need, including SEN support and those with an EHCP (around 4800 children).



From this, we can conclude that children and young people with a primary need of social, emotional and mental health needs, moderate learning difficulties and autism make up a significant proportion of the total cohort of children and young people with SEND in Middlesbrough (at around 60%).

33 As mentioned above the SEND Code of Practice was introduced to ensure that children and young people receive the support that they require through a single assessment process across Education, Health and Social Care. It is important to note that through the implementation of the SEND Code of Practice came the

creation of a new Local Area Inspection framework. This is a joint inspection across Education, Health and Social Care.

- 34 In March 2017 Middlesbrough Local Area was inspected by Ofsted and the Care Quality Commission as part of a new SEND inspection process, for the quality of our Special Educational Needs and Disabilities provision for children and young people. The inspection included scrutiny of the contribution of Education, Social Care and Health in ensuring that children and young people with Special Educational Needs and Disabilities make good progress and have their needs met in a timely manner. The outcome of the inspection in 2017 resulted in a Written Statement of Action to address significant concerns
- 35 In July 2019 the same Ofsted and CQC inspection team revisited the local area to inspect the sustained progress since March 2017 and to identify if sufficient progress had been made on each of the four areas for development. The Lead HMI Inspector explained that the inspection team observed sufficient progress in each of the four areas and that Middlesbrough (LA and Health) no longer needed formal monitoring.
- 36 The Local Area SEND Inspection Framework is currently being updated and it is anticipated that the new framework will include children and young people accessing Alternative Provision. Further news of the framework will be shared later this year.
- 37 To ensure that the local area continues to meet its requirements as outlined within the SEND Code there is in place a SEND Strategic Group. This strategic group has membership from the LA, Health, Educational Settings and Parents. There are a number of work streams focusing on key areas linked to our key priorities as identified within the SEND Strategy. The SEND Strategic group reports to the Children's Trust.
- 38 We continue to move forward with key developments to ensure that the needs of children and young people with SEND 0-25 in Middlesbrough are met. To support this work we have:
 - a. Ensured during COVID that children and young people with SEND have been supported across Education, Health and Social Care
 - b. Worked with families seeking feedback on provision and support within the local area. This work includes
 - i. working with our local parents forum Parents4Change

- ii. membership of parents on key work streams to support coproduction and key priorities
 - iii. feedback surveys
 - iv. parent virtual drop-in sessions
 - v. implementation of our parents partnership across Middlesbrough which supports the voice of all parent groups across the town.
- c. Implemented our new Outcomes Framework which was developed to collect data on progress for children and young people around softer outcomes. This is now embedded within our Annual Review paperwork and is seen as an example of good practice.
- d. In October 2019 we led on a Free School bid for a Tees Valley Free School for children and young people with Social Emotional Needs and for those with Autism. This bid was successful and the new school will be based in Redcar. Work is currently underway and we hope to see this open in October 2022. Between now and then, River Tees Multi-Academy Trust deliver an interim provision for students with these needs, and these students will join the new school when it opens. We will have 12 students attending in September, who would have needed to attend out of area independent schools without this interim arrangement.
- e. We have worked with our partners in Tees Valley Education to build a Free School on the site at Natures World which is called Discovery Special Academy and is currently based at Tees Valley Education's site at Brambles Primary Academy. This is for children with severe learning difficulties, some children who may also have needs in more than one area such as a physical disability or sensory difficulties and will be open on the new site in September 2022.
- f. We have worked with secondary colleagues to develop secondary mainstream Autism provision. A new base has been built on the Acklam Grange School site which now has 7 young people accessing this provision. This will rise to 16 over the next 3 years.
- g. We have worked with Outwood Academy Acklam to make provision for students with Autism. This will create up to 20 places for students with Autism Spectrum Conditions.
- h. Horizons Multi-Academy Trust have developed a satellite of Abbey Hill School within the campus on the Hollis Academy site. This will have 16

ASD students from September that need specialist ASD provision and would have gone to out of area independent schools instead. This is set to take on 8 new students per year, up to 40 students. This new provision has been named by the young people as Fairfax.

- i. We continue to work closely with Post-16 providers to develop a range of provision which fully supports our young people as they move into adulthood. By doing so we have increased the range of Post 16 opportunities for young people with special needs. Feedback from young people has identified that they feel listened too and are accessing the provision which they feel meets their needs and prepares them for adulthood.
- j. We have worked with our specialist settings to think of alternative ways to deliver provision, meet needs and increase capacity within the local area. This partnership work has seen more children and young people access local provision
- k. We have restructured a number of services through consultation with staff and stakeholders to provide greater support to children, young people, schools and settings at the earliest of stages. This includes our Alternative Provision Service, Inclusion, Assessment and Review Service and our Resources Team. This new service includes increased capacity and a seamless model of delivery. The new model is currently in a phased implementation.
- l. We have continued to invest in our Educational Psychologist service to ensure greater support is available to our most vulnerable children and young people. Our Educational Psychologists are providing a range of support to schools and settings as a result of COVID. The service continues to develop its traded arm to their delivery model where schools can purchase additional support through a service level agreement.
- m. Through COVID we implemented new ways of working to ensure the needs of children, young people and their families are met. This included putting in place a Lead Professional model which ensured all children and young people with an Education, Health and Care Plan had their plan risk assessed in line with government requirements. This model supported any changes to the plans and changes in agreed support.
- n. We have maintained good completion rate of Education Health and Care Plans during COVID which ensures that children and young people with SEND are assessed within the required timeframe. In the recently

published data it should that Middlesbrough's completion rate was 99% which was 9th nationally. This is a significant achievement considering the increased pressures as a result of COVID.

- o. We have worked with the new Designated Clinical Officer within Health to strengthen support systems and improve ways of working. This support has been invaluable during COVID as we have ensured those children with complex health care needs are monitored and supported.
- p. We have relocated and renamed our Early Years Specialist Support Service which was based in James Cook Hospital. This will now be called our Early Years and Primary Outreach and Inclusion Specialist Support Service. This will be based permanently at Hemlington Initiative Centre.
- q. We are currently in the process of developing a SEND/Inclusion Hub which will also be based at Hemlington Initiative Centre. The Hub will be used for families to access training and support. There will also be an accessible kitchen for young people who are visually impaired to support with independent skills as they move into adulthood.
- r. We have worked with Health to develop a new neurodevelopmental pathway which will be implemented in September 2021. This pathway will provide greater support for families of children who are on the autistic spectrum without the need for waiting for a diagnosis.
- s. We are currently working with Health to review Speech and Language support across Middlesbrough. A new model of delivery will be in place from April 2022.
- t. We have recently strengthened our SEND Strategic Leadership Group to include representation and oversight of Alternative Provision which we believe will be part of the new inspection framework.
- u. We are currently awaiting the National SEND Review which should be published later this year. This review will provide feedback regarding the impact of the SEND Code of Practice since implementation and propose some further changes.
- v. We have reviewed a number of services and strengthen our SEND Assessment Team by building in additional capacity to meet the increasing demands of EHCPs. Alongside this, we are working with the audit team to consider the quality of plans and the child's journey and impact of support across all service areas.

- w. We are currently updating our SEND sufficiency plan to ensure we have appropriate and sufficient provision within the local area which will support the increasing demands for specialist provision we have across the local area.

39 Through the ongoing improved local area strategic governance and oversight from our SEND Strategic Group which reports to the Children's Trust, alongside the regular contact with our lead SEND advisors both within the Department for Education and Health we can see that provision, opportunities and outcomes for children and young people with SEND have improved and continue to improve across the local area. There are a greater range of opportunities for children and young people and our improved data systems are supporting strategic planning arrangements.

CONCLUSIONS

40 We can see from the report that children and young people with SEND have a range of needs which need to be met on an individual basis by staff who have the skills and knowledge required across a range of partners.

41 As a local area we continue to work together to ensure that the needs of our children and young people are met and continue to develop our services in partnership with our families to meet needs and our statutory requirements.

BACKGROUND PAPERS

42 SEND Code of Practice: Appendix 1

<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

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