

## CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL

**Date:** Monday 8th November, 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 - 4 October 2021 3 - 8
4. Special Educational Needs and Disabilities (SEND) - Further Evidence 9 - 20

The Scrutiny Panel will receive an overview of how early years providers work with the Local Authority to identify and support children with SEN or disabilities and promote equality of opportunity for children in their care.

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 Wednesday 20 October 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  
Friday 29 October 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](mailto: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 4 October 2021.

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

**OFFICERS:** R Brown, S Calvert, C Cannon, E Cowley, T Dunn, S Lightwing, G Moore, K Smith and R Wilcox

**APOLOGIES FOR ABSENCE:** Councillors M Saunders and P Storey

21/20 **DECLARATIONS OF INTEREST**

| Name of Member        | Type of Interest | Item/Nature of Interest                         |
|-----------------------|------------------|---|
| Councillor A Hellaoui | Non-Pecuniary    | Items 4 and 6, member of three governing bodies |

21/21 **MINUTES - CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL - 6 SEPTEMBER 2021**

The minutes of the meeting of the Children and Young People's Learning Scrutiny Panel held on 6 September 2021 were submitted and approved as a correct record.

21/22 **SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) - FURTHER INFORMATION**

Officers from the Local Authority and the NHS were in attendance to provide the scrutiny panel with further information in respect of its current review of Special Educational Needs and Disabilities (SEND). The Strategic Lead for the Inclusion and Specialist Support Service advised that the submitted report, which had been circulated with the agenda pack, contained:

- a) key data in respect of special educational needs and disabilities in Middlesbrough, specifically data on type of needs and pupil characteristics and how those compared regionally and nationally; and
- b) a detailed overview of how education, social care and health worked collectively to deliver SEND provision at a local level, including information on the SEND Strategy and the SEND Strategic Group.

Members were also informed that a copy of the SEND Strategy had been circulated with the agenda papers. It was advised that the SEND Strategy had recently been updated and shared across the local area. In respect of the strategy, briefing sessions were currently being arranged for October/November and colleagues across education, health and social care would be invited to attend.

Members heard that The Children and Families Act and the Special Educational Needs and Disabilities Code of Practice (2014 updated 2015) transformed the system for disabled children and young people and those with Special Educational Needs (SEN), ensuring that services consistently supported them to achieve positive outcomes. The scrutiny panel was provided with a brief outline of the SEND Code of Practice 0-25. The reforms had created a system from birth to 25 through the development of coordinated assessment of a single Education, Health and Care Plan (EHCP), which aimed to improve cooperation between all services responsible for providing education, health and/or social care and giving parents and young people greater choice and control over their support.

Alongside the SEND Code of Practice, the Local Area SEND Inspection Framework had been implemented. In 2017, Ofsted and the Care Quality Commission (CQC) conducted a joint inspection of the local area of Middlesbrough. Following the inspection, the local area was

required to produce and submit a Written Statement of Action, focussing on four areas, which aimed to:

- develop stronger leadership and governance at all levels to ensure that the SEND Code of Practice was fully implemented across the local area;
- introduce greater strategic planning for the joint commissioning of services across education, health and social care;
- improve the local offer and its co-production with families; and
- utilise data to drive improvement in provision and promote positive outcomes for children and young people who had SEND in the local area.

The local area was revisited in 2019 and inspectors commented that significant and sustained progress had been made in respect of the four priority areas and the implementation of the SEND Code of Practice. As a result, the local area no longer required formal monitoring from Ofsted or the CQC.

Members were advised that the Local Area SEND Inspection Framework was currently being updated/revised and it was anticipated that the new framework would include children and young people at risk of exclusion and those requiring access to Alternative Provision. It was anticipated that further updates on, and revisions of, the framework would be shared later in the year.

Members were informed that, to ensure the local area continued to meet its statutory duties and responsibilities (as outlined within the SEND Code of Practice), a SEND Strategic Group had been established. In terms of membership, the group had representation from the Local Authority, health, educational settings and parents. The SEND Strategic Group provided challenge and oversight and reported to the Children's Trust on a regular basis. The group had developed a number of work streams, which focussed on areas linked to the key priorities, as identified within the SEND Strategy. Through the work of the SEND Strategic Group, the local area continued to move forward with key developments to ensure that the needs of children and young people with SEND 0-25 in Middlesbrough were being met.

The scrutiny panel was advised that the key work stream action plans, linked to the key priorities in the SEND Strategy, focussed on:

- Data, Quality and Outcomes
- SEND Sufficiency Planning: Education
- Joint Commissioning
- Preparing for Adulthood
- Workforce Development
- Behaviour Partnership

In respect of each work stream, self-evaluations were undertaken and the SEND Strategic Group regularly shared best practice regionally and nationally.

Members were advised that the key priorities of the SEND Strategic Group were:

- a) To further develop strategic leadership across education, health and social care and identify and remove barriers to learning and support, resulting from COVID-19.
- b) To ensure greater involvement of children, young people and families to support co-production, ensuring that their voices were heard and feedback was used to inform service delivery.
- c) To ensure greater analysis and use of information to provide sufficient local educational provision and to drive improvement in provision through the use of data. In addition, improve systems for capturing softer outcomes for children and young people who had special educational needs and/or disabilities
- d) To further improve strategic planning to support joint commissioning of services across education, health and social care.
- e) To improve processes and opportunities for children and young people in preparation for adulthood.
- f) To have a trained and competent workforce to meet the needs of children and young people with SEND.

In terms of working across education, health and social care, the scrutiny panel received information on:

- improving support for children and young people with autism;
- COVID-19; and
- The Preparing for Adulthood Conference.

The Head of Inclusion, Assessment and Review and the Clinical Officer provided the scrutiny panel with an overview of the work that was being undertaken to improve support for children and young people with autism.

The Head of Inclusion, Assessment and Review advised that there was an increasing number of children and young people being identified with autism and in particular, an increasing number of children with autism who had an EHCP and required some form of additional or specialist provision. Members heard that, for that specific cohort of children, there had not been a sufficient number of places to educate them locally and out of area placements were being used. To meet demand, and in light of feedback received from families, work was undertaken by education, health and social care to analyse data in respect of future projections in the short, medium and long-term. Following analysis, it was identified that there was a lack of secondary provision and the number of local specialist education placements needed to increase. It was evident that a secondary autism base, within a mainstream setting, required development to ensure more children and young people could access the support they required within the local area.

To meet demand, work was undertaken to develop an autism resource base at Acklam Grange School and changes were made to an existing base at Outwood Academy Acklam. The development of those bases enabled the Local Authority to build its capacity to educate children with autism within secondary settings. Work had also been undertaken with Abbey Hill School, which was based in Stockton and part of the Horizons Trust, to open a small satellite provision called 'Fairfax Provision'. The provision was set up in September 2020 at Hollis Academy to support young people with autism in Middlesbrough. It was explained that, over a five year period, places available locally had increased up to 75.

As a result of increasing local education provision for those with autism, positive feedback had been received from families.

The Clinical Officer provided the scrutiny panel with information on the needs-led neurodevelopmental pathway for children and young people with autism. Feedback from parents identified that they had encountered long waiting times to receive a diagnosis for their child. In light of the feedback received, it was identified that a focus on needs, rather than diagnosis, was required. Parents had identified the need to access help and support at the earliest of stages. Significant investment had been made to develop a bubble of support and the family support service. There had also been investment in specialist services, such as the joint commissioning of a service to provide speech and language therapy for 0-25. It was added that the service was currently being reviewed/evaluated alongside parents and carers, with an aim to develop/improve support.

Members were informed that the Sunflower Project focussed on occupational therapy and involved delivery of information and strategies. The project aimed to provide parents/carers/educational settings with the ability to delivery lifelong support to children who experienced sensory integration difficulties.

In terms of the key worker service, the service was delivered by Daisy Chain, which was a Stockton based charity providing a range of support services to children and adults affected by autism. It had been determined by the Transforming Care and the NHS Long Term Plan that a key worker would be allocated to children with a learning disability or autism. That key worker support had been widened by the local area to include those children who were demonstrating autistic traits or had entered the SEND pathway. That change planned to meet the needs of those requiring support, at the earliest of stages. Children, from the age of 3, and their families were able to access support from a key worker, such as sleep training and sensory training. The key worker also enabled the family to coordinate and navigate services.

Members heard that the local area had developed a new improved neurodevelopmental diagnostic pathway, which had previously sat within the Child and Adolescent Mental Health

Service (CAMHS). There was now a dedicated Neurodevelopmental Team, who were skilled in the early identification of autistic traits. There was a multi-agency triage panel, which covered specialist areas such as speech and language therapy, psychology, clinical psychiatry and occupational therapy. In addition, an autism coordinator provided direct support to families. The triage panel aimed to ensure that, if a child did not meet the criteria to enter the autism pathway for a diagnosis, the family would be provided with care and support through signposting, key workers and the family support service.

As a result of COVID-19, the local area had identified all those children and young people with EHCPs and undertook risk assessments. That work enabled the identification and sharing of information across agencies. Education, health and social care worked collectively to identify and prioritise children and young people with higher needs, ensuring they received the required support swiftly. By working collectively, a direct and coordinated approach was established to ensure the needs of children and young people were met during the pandemic. Weekly multi-agency meetings were held, with families, to ensure seamless support was provided, without delay. Improved data sharing was also introduced, which had led to a robust data sharing agreement between the provider trusts and the Local Authority. The agreement allowed the long-term sharing of data and information, in respect of needs, at a child-level.

In terms of the multi-agency risk management that had been undertaken by education, health and social care throughout the pandemic, a case study example was provided. The Head of Inclusion, Assessment and Review advised that a social worker had identified that, during lockdown, a family had been struggling to cope. The child had significant additional learning needs and was extremely clinically vulnerable. The child was unable to attend an educational setting as the risk to the child's health was too great. The family had reported challenges at home with children being out of school and problems with continence service deliveries. The social worker had concerns that the added pressure was impacting on the relationships within the family home. As a result, the social worker had made a referral to the multi-agency risk management group. Upon receipt of the referral, work was undertaken across all agencies to commission additional Home Support via social care during the day time. That support was provided by utilising funding from education. The group also liaised with the school to support learning and coordinated with the continence service to resolve the issue around failed deliveries. As a result of the group's work, Home Support was well received by the family, the continence service delivery issue was resolved and the family reported being "in a much better place" since the interventions.

In 2019, a Preparing for Adulthood Conference was held for young people. The conference was organised, led and facilitated by young people. The conference delivered a series of interactive workshops to encourage feedback from young people. That feedback was then utilised to inform service delivery and focus improvement work, which was led by the multi-agency Preparation for Adulthood Group. Feedback received from young people indicated:

- the Local Offer website needed to be more young person friendly;
- more employment opportunities were required; and
- more independence in school and college was required.

In light of the feedback received, the Local Offer website was reviewed and its content was improved to include more case studies, diagrams, images and videos. When the website had initially been set-up, it had been receiving approximately 33,000 hits a month, the website was now receiving over 100,000 a month. In addition, the number of supported internship placements, available locally, had been increased. In 2015, there had been three internships that had now increased to 34. Furthermore, feedback was shared with post-16 providers, resulting in the development of the curriculum to include delivery of new courses and modules around independence. Following the conference, young people had commented that they felt their views, opinions and feedback were valued.

At the conference, it had also been conveyed by young people that they wished to celebrate their achievements and success. As a result, a celebration event was arranged - the Young People's Achievement Awards. There were 10 categories and the event provided schools and settings with the opportunity to nominate young people to receive an award.

A Member raised a query in respect of the recent restructuring and reshaping of the service. In response, the Strategic Lead for the Inclusion and Specialist Support Service advised that the service and local offer had been improved/developed following the analysis and review of

data, the high needs budget, the joint commissioning of services, the changing needs of children and young people in the local area and feedback received from families. In addition, the Clinical Officer commented that the NHS Long Term Plans focussed on the reviewing of pathways, linking with the voluntary sector and improving services to support those with SEND and autism. It was commented that improvements and developments were outcome-based, ensuring families had access to seamless support.

In light of the new inspection framework, which planned to include children and young people at risk of exclusion, a Member raised a query in respect of the number of exclusions. In response, the Head of Inclusion, Assessment and Review advised that last year there were five less permanent exclusions than the previous year, which was significant and demonstrated that the new inclusion and outreach model was positively impacting on exclusion rates. It was anticipated that the new model would continue to reduce the level of exclusions.

A Member raised a query regarding signposting and support for English as an additional language (EAL) learners with SEND and their families. In response, the Head of Achievement advised that guidance was translated and circulated by the Ethnic Minority Achievement Team (EMAT) and the team provided multi-agency support to ensure the needs of families were met.

In response to a Member's query regarding non-SEND pupils not being accepting of SEND Pupils, it was advised that SEND cohort pupils were very much integrated into mainstream schooling, therefore, to date an instance such as that had never been reported.

A Member referred to the development of the secondary autism resource bases at Acklam Grange School and Outwood Academy Acklam and queried whether additional places were still required. In response, the Head of Inclusion, Assessment and Review advised that following the analysis of data it was confirmed that the 75 places would be sufficient to meet local demand in the short, medium and long-term. However, it was advised that there was a need for regular monitoring to future proof the area's sufficiency and local places.

A Member raised a query in respect of data and the possibility of some pupils having unidentified SEND. In response, the Strategic Lead for the Inclusion and Specialist Support Service advised that the new outreach and inclusion model assisted with identifying needs at the earliest of stages. The Head of Access to Education added that a piece of work was being undertaken to establish ways to better support and provide a fast track approach, with increased flexibility, for Looked After Children with undiagnosed SEND.

#### **AGREED**

**That the information presented at the meeting be considered in the context of the scrutiny panel's investigation.**

21/23

#### **SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) - TERMS OF REFERENCE**

Members were invited to consider, discuss and agree the terms of reference that had been proposed for the review, which had been circulated with the agenda pack.

#### **AGREED**

**That the terms of reference be agreed as follows:**

- a) **To examine key data in respect of children and young people with special educational needs and disabilities in Middlesbrough.**
- b) **To identify:**
  - **the range of special educational needs and disabilities that children and young people may experience; and**
  - **the impact of special educational needs and disabilities on the ability of children and young people to learn and achieve alongside their peers.**
- c) **To examine how the Local Authority works with early years providers, schools and colleges to identify and support all the children and young people in Middlesbrough who have or may have special educational needs and disabilities.**

- d) **To investigate how Education, Social Care and Health work collectively to deliver SEND provision at a local level.**
- e) **To examine how the views, wishes and feelings of the child/young person and their parents are gained and how the child/young person is encouraged to participate as fully as possible in decisions.**
- f) **To identify best practice strategies in supporting children and young people with special educational needs and disabilities.**

21/24 **EDUCATION AND COVID-19 RECOVERY**

The Director of Education and Partnerships advised that:

- as schools returned from the summer break, initially the number of COVID-19 cases had risen;
- cases of COVID-19 were being monitored and managed effectively by schools, resulting in less disruption for pupils;
- the rollout of vaccinations in schools, for 12 to 15 year olds, had begun; and
- contingency plans were in place to ensure the effective delivery of online/remote learning continued.

**NOTED**

21/25 **OVERVIEW AND SCRUTINY BOARD - AN UPDATE**

The Chair advised that at the meeting of the Overview and Scrutiny Board, held on 8 September 2021, the Board had considered:

- an update from the Mayor on his aims and aspirations;
- updates from the Scrutiny Panel Chairs;
- the Children and Young People's Learning Scrutiny Panel's Final Report on Behaviour, Discipline & Bullying in Schools, which was approved and would now be submitted to the Executive on 9 November;
- the Executive Forward Work Programme; and
- an update from the Chief Executive in respect of the Council's response to COVID-19 and other organisational matters.

**NOTED**

21/26 **ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.**

The Chair advised that a member of the scrutiny panel had put forward a suggestion that, at a future meeting, a brief update be requested in respect of the Council's School Meal Service. The importance of a school meals providing nutrition and improving a pupil's ability to focus was outlined. The importance of physical activity being offered in schools was also referenced.

Following discussion, Members were in agreement that the topic of School Meals and Physical Education would be added to the work programme for the current municipal year.

A Member commented that a briefing paper had recently been published on Free School Meals. It was agreed that a copy of the document would be circulated to the scrutiny panel.

**AGREED**

**That the topic of School Meals and Physical Education be added to the work programme for the 2021/22 municipal year.**

## CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL

8<sup>th</sup> November 2021

### Special Educational Needs and or Disabilities

#### Caroline Cannon: Strategic Lead for Inclusion and Specialist Support Services

#### PURPOSE

1. The purpose of the paper is to:
  - provide an overview of how Early Years providers work with the Local Authority to identify and support children with Special Educational Needs or Disabilities and promote equality of opportunity for children in their care.

#### BACKGROUND

- 2 The Children and Families Act and the Special Educational Needs and Disabilities (SEND) Code of Practice (2014 updated 2015, Appendix 1) pushed forward the Government's commitment to improve services for vulnerable children and young people 0-25 and support strong families.
- 3 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 outcomes
- 4 Educational settings have responsibilities to support children and young people 0-25 as outlined in the SEND Code of Practice. This includes Early Year Providers who must have arrangements in place to support children with SEN or disabilities. These arrangements should include a clear approach to identifying and responding to SEN. (For full details see Appendix 2: Early Years Guide to the SEND Code of Practice)
- 5 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 a child to prepare for adult life.
- 6 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. All settings should adopt a graduated approach with four stages of action: assess, plan, do and review.

- 7 Early Years providers should regularly review and evaluate the quality and breadth of the support they offer or that they can access for children with SEN or disabilities. Providers should work in partnership with other local education providers to explore how different types of need can be met most effectively.
- 8 All Early Years providers also have duties under the Equality Act 2010. In particular, they must not discriminate against, harass or victimise disabled children, and they must make reasonable adjustments, including the provision of auxiliary aids and services for disabled children, to prevent them being put at substantial disadvantage. This duty is anticipatory, it requires thought to be given in advance to what disabled children might require and what adjustments might need to be made to prevent that disadvantage.
- 9 All Early Years providers should also take steps to ensure that children with medical conditions get the support required to meet those needs.
- 10 The Early Years Foundation Stage (EYFS: Appendix 3) is the statutory framework for children aged 0 to 5 years. All Early Years providers must follow the safeguarding and welfare requirements of the EYFS and the learning and development requirements, unless an exemption from these has been granted. All those who work with young children should be alert to emerging difficulties and respond early. In particular, parents know their children best and it is important that all practitioners listen and understand when parents express concerns about their child's development. They should also listen to and address any concerns raised by children themselves.
- 11 Early Year settings 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 Education, Health and Care Assessment should be actioned.
- 12 The majority of children with SEN are likely to receive special educational provision through the services set out in the Local Offer. A local authority must conduct an Education Health and Care Assessment (EHCA) for a child under compulsory school age when it considers it may need to make special educational provision in accordance with an Education, Health and Care Plan (EHCP).
- 13 For children who are under the age of 2, parents, health services, childcare settings, Children's Centres or others may identify young children as having or possibly having SEN. For most children under two who's SEN are identified early, their needs are likely to be best met from locally available services, particularly the health service,

and for disabled children, social care services provided under Section 17 of the Children Act 1989.

- 14 For very young children local authorities should consider commissioning the provision of home-based programmes such as Portage, or peripatetic services for children with hearing or vision impairment.
- 15 When a child is aged between 2 and 3, Early Years practitioners must review progress and provide parents with a short written summary of their child's development, focusing in particular on communication and language, physical development and personal, social and emotional development. This progress check must identify the child's strengths and any areas where the child's progress is behind expected levels. If there are significant emerging concerns (or identified SEN or disability) practitioners should develop a targeted plan to support the child, involving other professionals such as, for example, the setting's SENCO or the Area SENCO, as appropriate. The summary must highlight
  - good progress is being made
  - some additional support might be needed
  - there is a concern that a child may have a developmental delay (which may indicate SEN or disability)
- 16 Health Visitors currently check children's development milestones between ages two and three as part of the universal Healthy Child Programme. The Early Language Identification Measure (ELIM) has been trialled in Middlesbrough and is about to be launched as an additional assessment tool for Health Visitors to use where there is concern about speech, language and communication.
- 17 In addition to the formal checks, Early Years practitioners working with children should monitor and review the progress and development of all children throughout the Early Years. Where a child appears to be behind expected levels, or where a child's progress gives cause for concern, practitioners should consider all the information about the child's learning and development from within and beyond the setting, from formal checks, from practitioner observations and from any more detailed assessment of the child's needs. From within the setting practitioners should particularly consider information on a child's progress in communication and language, physical development and personal, social and emotional development. Where any specialist advice has been sought from beyond the setting, this should also inform decisions about whether or not a child has SEN. All the information should be brought together with the observations of parents and considered with them.
- 18 A delay in learning and development in the Early Years may or may not indicate that a child has SEN, that is, that they have a learning difficulty or disability that calls for special educational provision. Equally, difficult or withdrawn behaviour does not necessarily mean that a child has SEN. However, where there are concerns, there should be an assessment to determine whether there are any causal factors such as an underlying learning or communication difficulty. If it is thought housing, family or

other domestic circumstances may be contributing to the presenting behaviour, a multi-agency approach, supported by the use of approaches such as the Early Help Assessment, should be adopted.

- 19 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.
- 20 The EYFS framework also requires Early Years providers to have arrangements in place for meeting children's SEN. Those in group provision are expected to identify a SENCO. Childminders are encouraged to identify a person to act as SENCO and childminders who are registered with a childminder agency or who are part of a network may wish to share that role between them.

The role of the SENCO involves:

- ensuring all practitioners in the setting understand their responsibilities to children with SEN and the setting's approach to identifying and meeting SEN
- advising and supporting colleagues
- ensuring parents are closely involved throughout and that their insights inform action taken by the setting, and
- liaising with professionals or agencies beyond the setting

- 21 To fulfil their role in identifying and planning for the needs of children with SEN, Local authorities should ensure that there is sufficient expertise and experience amongst local Early Years providers to support children with SEN. Local authorities often make use of Area SENCOs to provide advice and guidance to Early Years providers on the development of inclusive early learning environments.

- 22 The Area SENCO helps make the links between education, health and social care to facilitate appropriate early provision for children with SEN and their transition to compulsory schooling. The role of the Area SENCO includes:

- providing advice and practical support to Early Years providers about approaches to identification, assessment and intervention within the SEN Code of Practice
- providing day-to-day support for setting-based SENCOs in ensuring arrangements are in place to support children with SEN
- developing and disseminating good practice
- supporting the development and delivery of training both for individual settings and on a wider basis
- developing links with existing SENCO networks to support smooth transitions to school nursery and reception classes, and

- informing parents of and working with local impartial information, advice and support services, to promote effective work with parents of children in the Early Years
- supporting planning for children with SEN to transfer between Early Years provision and schools.

- 23 Local authorities must ensure that all providers delivering funded early education places meet the needs of children with SEN and disabled children. In order to do this local authorities should make sure funding arrangements for early education reflect the need to provide suitable support for these children.
- 24 Providers can also claim an annual figure of £615 to help them to support any child in receipt of Disability Living Allowance. Funding can be used to provide specialist equipment or resources, training and/or additional staffing.
- 25 Where a child continues to make less than expected progress, despite evidence-based support and interventions that are matched to the child's area of need, practitioners should consider involving appropriate specialists, for example, health visitors, speech and language therapists, Portage workers, educational psychologists or specialist teachers, who may be able to identify effective strategies, equipment, programmes or other interventions to enable the child to make progress towards the desired learning and development outcomes. The decision to involve specialists should be taken with the child's parents.

## **EVIDENCE/DISCUSSION**

- 26 Nationally there are approximately 431,000 children and young people across the whole 0-25 age range with an Education, Health and Care Plan (EHCP). Within Middlesbrough, there are approx. 4800 children and young people classed as SEND, of this figure, approximately 1300 have an EHCP.
- 27 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%.
- 28 Within Middlesbrough 51 children under 5 have an EHCP, this represents 4.6% of children which is higher than the national figure of under 5's which is 3.8%. There are many more children classed as SEN Support. These children are supported in a mainstream nursery, PVI setting or in one of Middlesbrough's specialist assessment nurseries. A small number of children with SEN have their Early Years provision with childminders. There are no children with EHCPs placed with childminders.

- 29 We have recently developed a new Early Years and Primary Support Service (previously Early Years Specialist Support Service) which is currently working with 149 Early Years children. Of these children 87 are aged 3 and over, 55 are aged 2-3 years and 7 are aged under 2 years. There are also 36 children attending Middlesbrough's specialist assessment nurseries.
- 30 Across Middlesbrough there are 38 PVI settings and 42 school nurseries. Middlesbrough does not have any maintained nursery schools but there are 21 full time equivalent places across 5 specialist assessment nurseries. These include two special schools, two mainstream schools with resourced bases and the Cleveland Unit which is a Child Development Centre and has been judged by Ofsted as Outstanding 5 times in a row. These places provide specialist assessment and support as part of a small group with high staffing ratios. The staff in these nurseries are trained and experienced in supporting children with the most significant need. Most children who attend specialist assessment nursery provision go on to attend special school or bases in mainstream schools.
- 31 To ensure that we have the right provision and support within Early Years we have worked, and continue to work, with families and key stakeholders to develop early identification and assessment of need alongside support to increase and improve access and inclusion in mainstream Early Years settings.
- 32 The Early Years Specialist Support Service (EYSSS) which is now the Early Years and Primary Inclusion & Outreach Support Service, was developed in 2017 and extended the existing work of the Cleveland Unit Child Development Centre (CUCDC) to enable Early Years settings to request support from the local authority in assessing and meeting the needs of young children with, or likely to have, SEND. In addition to continuing the work of the CUCDC, the EYSS Service provided:
- outreach and inclusion support into Early Year settings to help to further assess needs
  - delivery and modelling of appropriate interventions for children
  - introduction of Inclusion Development Funding to contribute towards the cost of additional staffing, equipment and/or training
  - support and challenge to the Early Years workforce
  - targeted support and challenge for SENCoS in PVI settings, fulfilling the Area SENCo role to assist them in meeting their statutory obligations re SEND and
  - training for the Early Years workforce.
- 33 The introduction of this service resulted in an increase in the number of children being supported to remain in their local provision as indicated by the increased take-up of Inclusion Development Funding, (**55% more EY settings using this fund between 2017 and 2020**), an increase in the number of EY settings accessing support from the EYSS Service, (**64% more settings accessing support between 2017 and 2020**), and

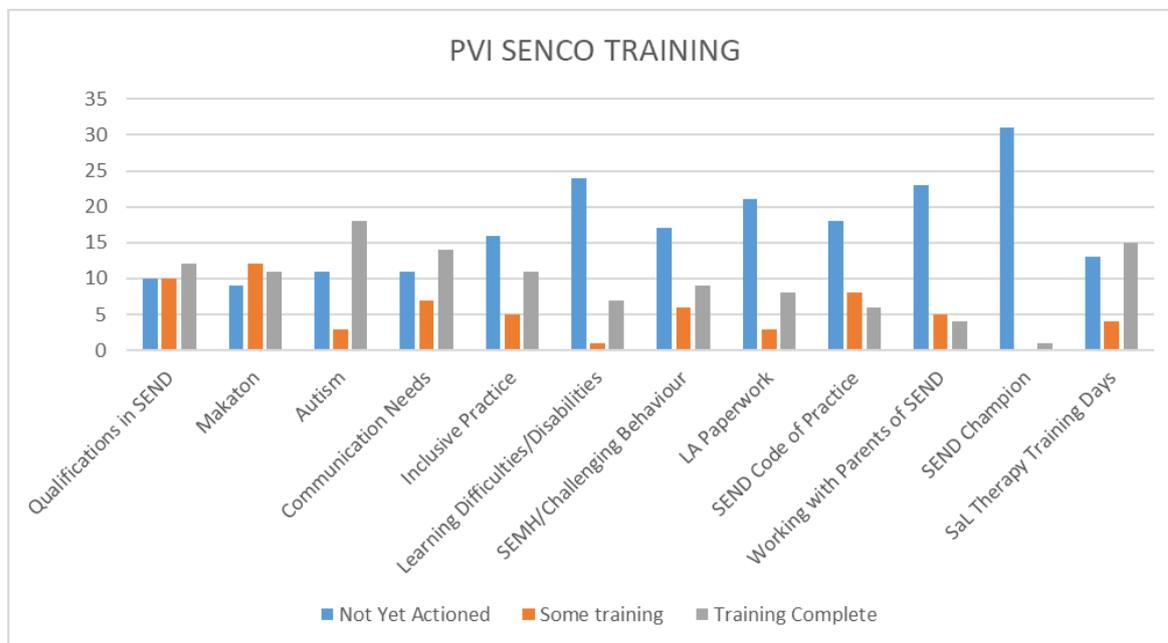
a corresponding reduction in young children requiring specialist nursery provision, (28% reduction between 2017 and 2020 and **41% reduction** when we consider data just prior to the development of the EYSS Service) \*see data table below.

| <b>EY Data Showing Improvements To Available Support &amp; Impact (Academic Years)</b>   |                    |                       |   |  |  |
|--|--------------------|-----------------------|---|--|--|
| <b>Support</b>   | <b>2017/18</b>     | <b>2018/19</b>        | <b>2019/20</b>  | <b>2020/21</b>   | <b>2021/2022<br/>(Sep-Oct only)</b>                      |
| Inclusion support sessions (per week) for children in mainstream Early Years settings    | 41                 | 56                    | 48  | 0<br>(due to Covid but support funded through IDF instead) | 18<br>(only half capacity because of covid restrictions) |
| Children on the waiting list for the above   | 7<br>(37 in 2016)  | 0                     | 0   | 0  | 0  |
| Early Years settings receiving support (across the year)                                 | 27                 | 33                    | 50  | 71   | 51   |
| Children attending Early Assessment/ Intervention Groups (across the year)               | 92                 | 121                   | 30  | 11<br>(due to Covid)                                       | 25   |
| Early Years PVI settings in Middlesbrough receiving Area SENCO support (across the year) | 0                  | All PVI settings (35) | All PVI settings (39)<br>Light touch because of Covid | All PVI settings (39)<br>Light touch because of Covid      | 0  |
| EY Settings accessing Inclusion and Development Funding (across the year)                | 2                  | 16                    | 28  | 44   | 26   |
| Children attending specialist Early Years provision (in Cleveland Unit)                  | 33<br>(41 in 2016) | 33                    | 27  | 24   | 13   |
| Two year olds attending specialist Early Years provision (in Cleveland Unit)             | 6                  | 10                    | 4   | 4  | 2  |

34 The further understand and to support practice across Middlesbrough the local authority led on SEND Peer Reviews across all settings from Early Years to Post 16. These reviews supported settings to identify areas of strengths and areas for development in regards to the SEND Code of Practice. SEND Peer Reviews were carried out with PVI Early Year settings between 2019 and 2020.

35 These SEND Peer Reviews identified that settings' strengths were in the areas of *policy* (71% had a SEND Policy in place), *identification of additional need* (100% had systems in place to identify children not meeting age related expectations and to regularly monitor their progress), and working in partnership with parents (100% discussed concerns and planned next steps together with parents).

36 The main area where further development was identified was *workforce development* (across different areas of SEND between 31% and 69% of settings reported that they required training). This information has been used to inform the local authority planning for workforce development.



37 Following the SEND Peer Reviews all settings co-produced an action plan with the Area SENCo and have been working on these. Action plans will be further reviewed this year.

38 A further review of the Early Years Specialist Support Service, began in 2020, via an Early Years Task Group including representatives from our parent's forum Parents4Change, Early Years settings, schools, specialist settings, therapists, health visitors, LA officers and other health and social care colleagues (including the Designated Clinical Officer). This group have completed an extensive piece of work considering local data, feedback from families and professionals to review and improve the entire Early Years pathway from initial identification of need, through assessment, support and intervention, appropriate provision and transitions.

39 The task group looked at alternative ways to deliver specialist provision and meet needs within the local area. This partnership work has resulted in an increase in support and changes to where specialist assessment nursery places are located, (see table below), ensuring that more children are able to receive the most appropriate support as soon as possible whilst also reducing the number of transitions for young children in Middlesbrough.

| Number and location of Specialist Assessment Nursery places (full time equivalent) |     |                 |     |
|--|-----|-----------------|-----|
| 2020   |     | 2021            |     |
| Cleveland Unit   | 15  | Cleveland Unit  | 7   |
| Beverley   | 2.5 | Beverley        | 5   |
| Pennyman   | 2.5 | Pennyman        | 3.5 |
|  |     | Discovery       | 3.5 |
|  |     | Hemlington Hall | 2   |
| TOTAL  | 20  | TOTAL           | 21  |

- 40 Through the work of the task group we have further improved our multi agency referral and assessment for children and families who require support.
- 41 Children who are identified as requiring assessment and support within Early Years are referred to a multi-agency panel. Once these referrals are reviewed and agreed at panel this will lead onto the Early Years Pathway which results in multi-disciplinary assessment and intervention groups, based on the Portage model. Portage is a model of support for children and families which can be adapted and used effectively both in the home and in Early Years settings. It builds on identified strengths to support needs and places great importance on support for parents and carers.
- 42 Referrals to Portage can be made for children prior to them attending an Early Years setting, by any professional or practitioner working with a pre-school child who has significant concern about their learning or development. The early intervention of the Portage service will help to support timely decisions around appropriate placement and support before a child joins an Early Years setting and will also ensure earlier access to Education Health and Care needs assessment where this is appropriate.
- 43 The Early Years Specialist Support Service has also been part of the development of the new Neurodevelopmental pathway in partnership with Health which has been in place for school-aged children as from 1<sup>st</sup> September 2021 and will be implemented for under 5s in March 2022. This pathway provides greater support for families of children who are on the autistic spectrum without the need for waiting for a diagnosis.
- 44 Alongside this we have worked in partnership with Health in the review of Speech and Language support across Middlesbrough. A new model of delivery will be in place from April 2022
- 45 In 2020, the Inclusion and Specialist Support Service initiated a wider review and restructure of services across the 0-25 age range in response to local data and feedback from settings, schools and families. This review resulted in the Early Years Specialist Support Service being renamed the Early Years and Primary Inclusion & Outreach Support Service. The new service provides a more seamless transition across the key transition point from nursery into school and supports long term

planning to meet the needs of the youngest children with SEND. The service is now based permanently at Hemlington Initiative Centre which is more accessible and welcoming for families and is being developed as a SEND & Inclusion Hub. The new model is currently in a phased implementation.

46 The service has continued to offer a range of support throughout the pandemic. It has been important to develop creative and innovative ways of ensuring support for Early Years children, their families and Early Years settings and responding to increasing and changing needs.

47 There are concerns for our youngest children, many of whom have not benefitted from any of the usual socialisation they would have experienced before they attended an Early Years setting. The social isolation, reduced learning opportunities and delayed assessments that arose from this. We expect to be seeing the impact of the pandemic on Early Years children for many years to come.

## **CONCLUSIONS**

48 We can see from the report that early identification and assessment of Special Educational Needs and/or Disabilities is a priority in Middlesbrough and that health and education are working effectively in partnership to ensure that young children's additional needs are identified as early as possible in order to provide the most appropriate support and intervention in line with parents' and carers' wishes.

49 As a local area there have been significant improvements to support services which have upskilled and built the confidence of the Early Years workforce to be able to identify and support children with SEN or disabilities and promote equality of opportunity for children in their care. These developments have significantly increased access and inclusion in the Early Years.

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

51 Through the implementation of the new Early Years and Primary support service we continue to move forward to meet the needs of our youngest children and have through the new model systems and support in place to address the impact of COVID and future demands.

## **BACKGROUND PAPERS**

Appendix 1: SEND Code of Practice: <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

Appendix 2: Early Years: guide to the 0-25 SEND code of practice:

<https://www.gov.uk/government/publications/send-guide-for-early-years-settings>

Appendix 3: Statutory Framework for the Early Years Foundation Stage:

<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>

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