

Report of:	Executive Member for Education - Councillor Stephen Hill Director of Education and Partnerships - Rob Brown
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Submitted to:	Executive - 9 November 2021
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Subject:	Annual Update: Special Educational Needs and / or Disabilities 0-25
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Summary

Proposed decision(s)
N/A

Report for:	Key decision:	Confidential:	Is the report urgent? ¹
Information	N/A	N/A	No

Contribution to delivery of the 2020-23 Strategic Plan		
People	Place	Business
Ensuring Middlesbrough has the very best schools		

Ward(s) affected
N/A

What is the purpose of this report?

1. To provide an update to members re Special Educational Needs and or Disabilities 0-25 in Middlesbrough since the local area revisit in July 2019 and since the last Executive report in November 2020.

Why does this report require a Member decision?

2. This report is for information only.

Report Background

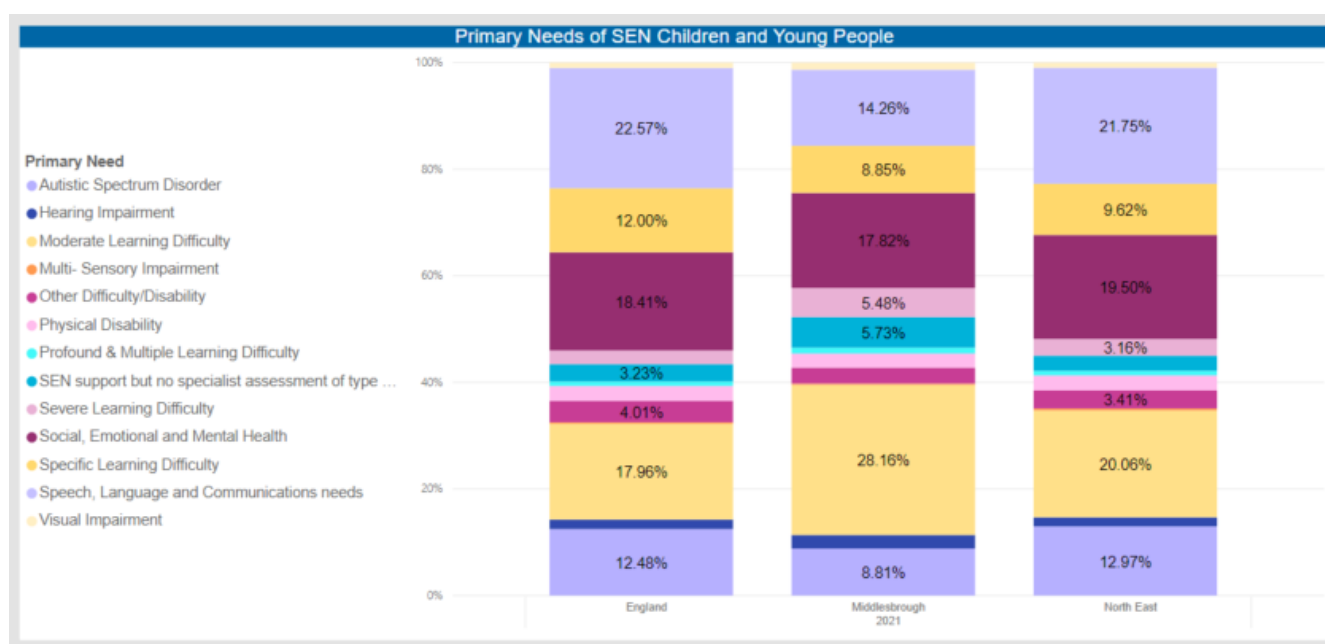
3. The Children and Families Act and the Special Educational Needs and Disabilities Code of Practice (2015) pushed forward the Government's commitment to improve services for vulnerable children and young people and support strong families.
4. The Children and Families Act transforms the system for disabled 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.
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.

Local Picture

6. Within Middlesbrough there are approximately 4800 children and young people classes as SEN of which approximately 1300 children and young people have an Education, Health and Care Plan. This figure continues to rise as it does year on year across the country. We are also seeing a significant rise in requests for an ECH assessment as a result of COVID
7. Breakdown of the EHCP cohort by age range shows that, although there are some small differences, Middlesbrough is broadly comparable with national and regional 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%

8. Breakdown of the SEN cohort (combined SEN Support and EHCP – approx. 4800 children in total) shows 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%).
9. The majority of the data relating to primary needs in Middlesbrough is broadly comparable with national and regional levels. However, the percentage of children with autism as a primary need in Middlesbrough is lower than national and regional levels and the percentage of children with moderate learning difficulties as a primary need in Middlesbrough is higher than national and regional levels.



10. Further analysis and use of this information will be used, as outlined in the strategic priorities below, to ensure that there is sufficient local educational provision which is both reflective of and responsive to local need.

Local Area Inspection Framework

11. Through the implementation of the SEND Code of Practice we seen nationally the creation of a new inspection framework.
12. In March 2017 Middlesbrough Local Area was inspected by Ofsted and the Care Quality Commission (CQC) 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
13. 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.

14. As yet not all local areas have been inspected through the current inspection framework, however we know that the inspection framework is being updated and we should be notified of the updated framework sometime in the autumn term.

Funding

15. To support meeting the needs of children and young people the local authority receives a High Needs Budget. This budget is used to support children and young people with SEND to access education provision and to have their identified needs met.
16. High Needs Budgets are under significant pressure nationally and many local authorities are significantly overspent. Nationally work is underway to review the High Needs funding formula.
17. Within Middlesbrough the High Needs Budget has been under significant pressure for several years due to the increase in children and young people requiring specialist support, the number of children permanently excluded and requiring Alternative Provision, use of Independent provision and the increasing number of children and young people moving into the area with complex needs.
18. The current High Needs Budget deficit stands at £3,902,164 as of 31st March 2021. This is not a council budget and is classified as unusable reserves to reflect the changes in legislation and is now not able to charge to general funds.
19. The Local Authority works closely with the Department for Education and the Education Funding Agency to monitor the increasing pressures on the High Needs Budget. There is also a plan in place to reduce the deficit over the coming years.
20. Alongside this the local authority has received this year a capital budget which can be used to create new places in schools, academies, colleges and early years settings. The funding will improve existing provision to create modern, fit-for-purpose spaces suited to a wider range of pupil needs. This funding is part of the government's commitment to ensuring pupils with SEND receive the specialist support they need to get an excellent education.

Key Developments

21. Across Middlesbrough we continue to move forward with key developments to ensure that the needs of children and young people with SEND 0-25 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 through receiving timely support.
 - b. Worked with families seeking feedback on provision and support within the local area. This work included and continues to include
 - 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 parent's 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 with an Education, Health and Care Plan (EHCP) around softer outcomes. The framework has been well received by settings locally and is embedded within our Annual Review paperwork and processes. The impact of the framework has been reviewed and we are able to identify clearly the progress of a child or young person with an EHCP. We are also able to identify support for professionals regarding the writing of outcomes. This new model has been recognised as an example of good practice and was shared at the Council for Disabled Children conference in December 2020. This model and the impact of the model will be shared at our next SEND Regional Group in November 2021.
- 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 attended 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 from the Abbey Hill School which is part of the wider Trust within the campus on the Hollis Academy site. This will have 16 ASD students from September 2021 that need specialist ASD provision and would have gone to out of area independent schools if these places had not been developed locally. This satellite is set to take on 8 new students per year, up to 40 students in total. 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 further 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 Early Years Specialist Support Service, 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.
- k. 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. Through these arrangements children and young people are receiving a range of specialist support.
- l. 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 required support.
- m. 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 national 2020 SEN2 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.
- n. 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 get the support they require.

- o. 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.
 - p. 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.
 - q. 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.
 - r. 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.
 - s. 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.
 - t. We are currently awaiting the National SEND Peer 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.
22. Through the ongoing improved local area strategic governance and oversight from our SEND Strategic Group which reports to the Children's Trust, feedback from families, 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.
23. To provide further scrutiny and oversight SEND is a focus for the Local Authority Elective Members Scrutiny Panel for Education and Partnerships for the academic year 2021/2022.

Next Steps/Key Areas of Development

24. Within the local area we have recently updated our SEND Strategy (see Appendix 1 SEND Strategy) to support our key areas for development. Within the strategy it outlines our current priorities which are linked to our identified areas for development. These priorities are:

- a. To further develop **strategic leadership** across Education, Health and Social Care and identify and remove barriers to learning and support which have been a result of COVID.
 - b. To ensure **greater involvement of children, young people and families** to support coproduction and ensure that their voice is heard regarding the services and support they need.
 - c. To ensure greater analysis and use of information to ensure that there is sufficient **local educational provision** and to drive improvement in provision through the use of **data** and improve systems for capturing **softer outcomes** for children and young people who have special educational needs and/or disabilities
 - d. To further improve strategic planning to support **jointly commissioning** 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 in understanding how to meet the needs of children and young people with SEND
25. These key priorities and areas for development will be monitored through our SEND Strategic Group ensuring all action plans from the key work streams are on track through our performance monitoring framework.
26. We will also monitor this work closely through our engagement and feedback with families and our parent's forum.
27. We will continue to use information gathered from our SEND Strategic Group, key stakeholders, families and young people to regularly update our local area self-evaluation which will high-light our strengths and areas of development. This information will be fed into our key work streams to ensure areas of development are addressed.

What decision(s) are being asked for?

28. This report is for information only and to provide an update on progress within the local area since the 2017 Written Statement of Action, the local area revisit in July 2019 and the Executive Annual Report 2020. The report provides oversight of the Local Authorities statutory duties in relation to SEND and informs members of possible changes to the local area inspection as well as the pending SEND Review.

Why is this being recommended?

29. N/A

Other potential decisions and why these have not been recommended?

30. N/A

Impact(s) of recommended decision(s)

31. N/A

Legal

32. The report will assist the Council in meeting its statutory duty under the SEND Code of Practice.

Financial

33. There is no financial impact associated with this paper

Policy framework

34. N/A

Equality and Diversity

35. N/A

RISKS

36. N/A

Actions to be taken to implement the decision(s)

37. A further report to Executive will be brought in 2022 to again provide an update and oversight of SEND developments

Appendices

38. SEND Strategy 2021-2024

Background papers

39. No background papers were used in the preparation of this report.

Contact: Caroline Cannon: Strategic Lead of Inclusion and Specialist Support Services

Email: caroline_cannon@middlesbrough.gov.uk