

SEND Futures

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12 October 2022

# Dame Christine Lenehan

Director of the Council for Disabled Children

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# **The national picture and local challenge**

**Dame Christine Lenehan  
Director CDC**

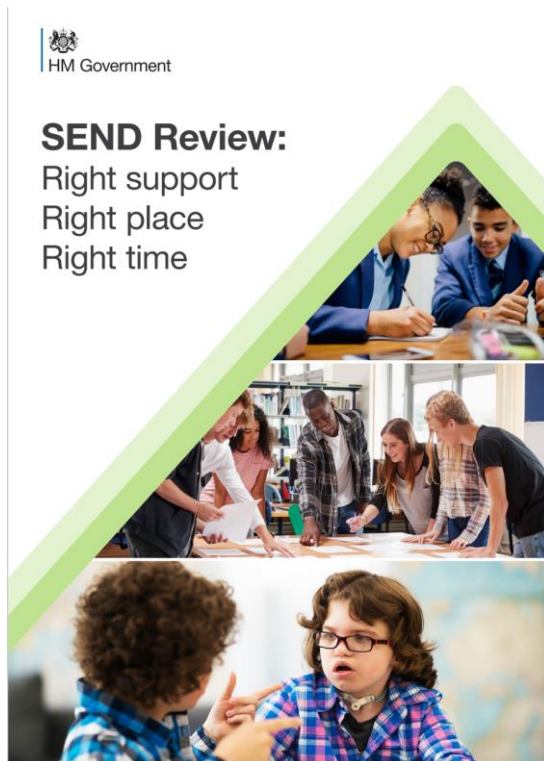
# The Green Paper , part of a range of initiatives

- Major structural reform in the NHS and local government (Integrated Care Systems)
- Start for Life programme and Family Hubs
- Independent Review of Children's Social Care
- Schools White Paper and Education bill
- 10-year mental health plan

Four sets of reforms happening at the same time provide a **once in a generation opportunity** for change:



Independent Care Review



SEND and AP green paper



Schools white paper

Classification: Official  
Publications approval reference: PAR642

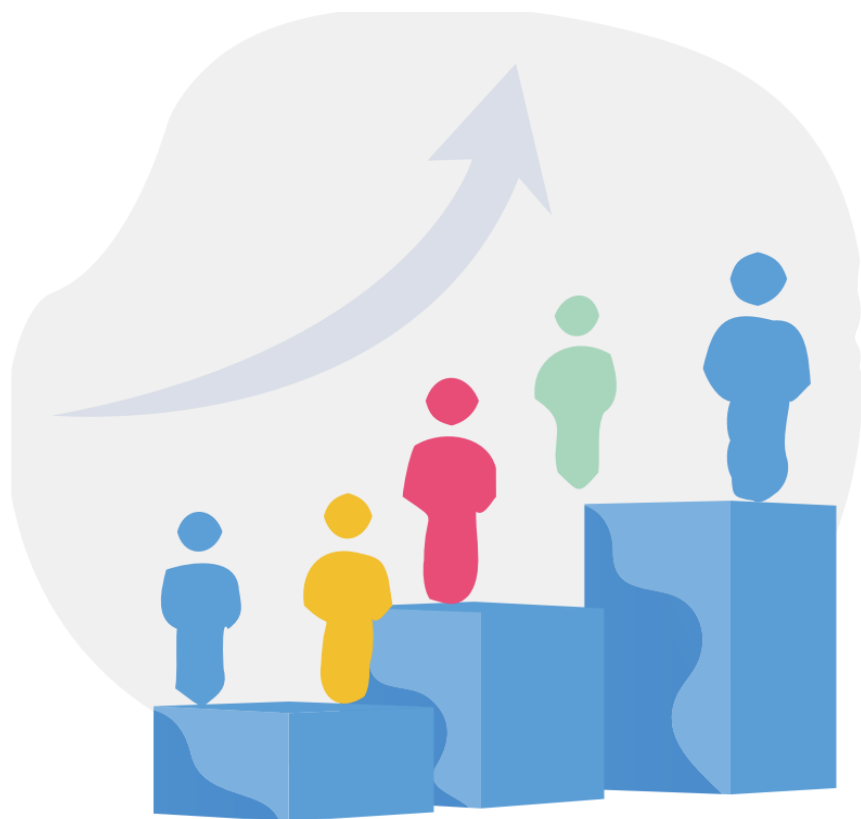


**Integrated Care Systems: design  
framework**

Version 1, June 2021

Health ICB reforms

# The Schools White Paper



- An inclusive education system – “with excellent teaching and improved identification of need in inclusive educational settings, fewer children and young people will need additional interventions as they will be getting the support they need as part of high-quality teaching within the classroom.”
- The target – 90% of pupils to achieve the expected standard in reading, writing and maths at the end of Key Stage 2 **by 2030**
- The Parent Pledge – if a child falls behind in the reading or maths, they will get the right support to get back on track
- Role of LA: at heart of the education system, championing all children in their area – especially most vulnerable

# Independent Review, proposals for SEND

- Better access for families through proportionate assessments and Family Help
- Support changes to EHCP template and work on DSCO's
- Support for smoother transition processes
- Recommends a law commission Review into legislation for disabled children

# What does the Green Paper mean for children and families ?

- Language of co production is strong with engagement on National Board and Local Inclusion plans
- Should be a more streamlined system
- More children should be supported in mainstream and be educated close to home
- Some concerns on rights approaches



# What does it mean for health

## Locally:

- Health core part of the SEND Partnership (LA level) and multiagency EHC Panels
- Designated Health Officer role to be developed – sit at system and place level, DCO/DMO ++
- (Every Integrated Care Board should have a named Exec Lead for SEND who sits on the board (*we're seeing Chief Nurse roles advertised now for ICBs with SEND a clear part of their remit*))
- Statutory Guidance on SEND for ICBs (Health & Care Bill)

## Nationally:

- Health on National SEND Board
- National SEND Standards: how will health's role in diagnosis, early intervention and prevention be clear?
- Health workforce analysis

# What the Green paper means for Social Care

- National SEND System
- Local SEND Partnership – (some similarities to former LSCB approach)
  - LA led rather than collective accountability (e.g. MASP approach)
- Standardised/digitised EHCP process allows opportunity to review necessity/benefit of H1 and H2
- Focus on mainstream – opportunity to pull in work on ‘ordinarily available’ social care provision e.g. proportionate pathways to short breaks
- Respite Innovation Programme learning

## But locally ...Recurring challenges

Insufficient system-wide oversight of change

Outcomes are not embedded at the heart of decision-making

Co-production is insufficiently developed

Joint working/ joint commissioning is insufficiently developed

Impact is poorly understood

Pathways are insufficiently developed

Education, Health and Care Plans and processes are of poor quality

Needs are not identified and/or addressed in a timely manner

# The role of leadership

**Strategic leadership** is the most important factor in enabling or hindering integration

## Engagement of local leadership and a shared strategic vision

- local leaders' power to set strategy, influence organisational culture and support initiatives:
  - enable integration,
  - improve positive impression towards local area strategies,
  - increase confidence in receiving support when escalating issues.

# Oversight of change



- Developing a SEND Strategy
- Developing system-wide priorities for SEND
- Developing a cohesive change plan for SEND
- Analysis of Joint Strategic Needs Assessment documents

# Developing co-production

- Developing a co-production charter
- Monitoring and evaluating co-production
- The role of the practitioner/ professional in embedding co-production
- Overview of co-production in pathway/service re-design and evaluation



# Developing joint commissioning

- Developing a joint commissioning strategy
- Exploring strengths and challenges of joint commissioning locally



# Strengthening pathways

- Embedding the strategic outcomes in a pathway/ service
- Strengths and challenges of existing provision for a particular pathway
- Mapping family journeys on a particular pathway
- Identifying priorities and an action plan for strengthening a particular pathway





# Strengthening EHC plans and processes

- Stakeholder-specific discussion sessions on strengthening the EHCP process
  - Supporting quality person-centred conversations
  - Health advice
  - Social care advice
  - CAMHS and the EHCP process
- Multi-agency discussion sessions on strengthening the EHCP process
- Audit of EHCP sample (deskwork)
- Guided audit of EHCP sample

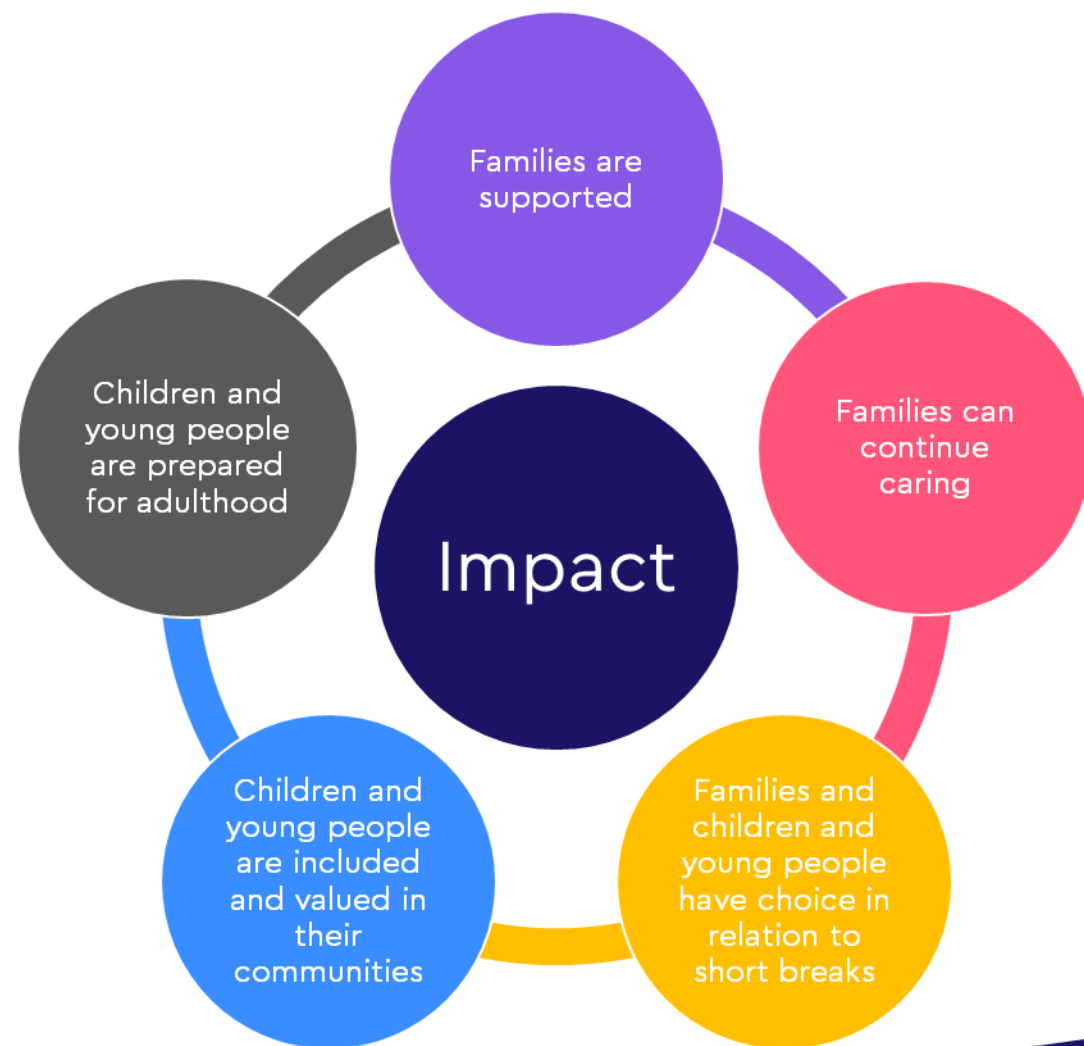
# Strengthening support in schools

- Reviewing, developing and strengthening Ordinarily Available Provision
- Building support for mental health and wellbeing into OAP
- Entry level training of Mental Health & Wellbeing and SEND



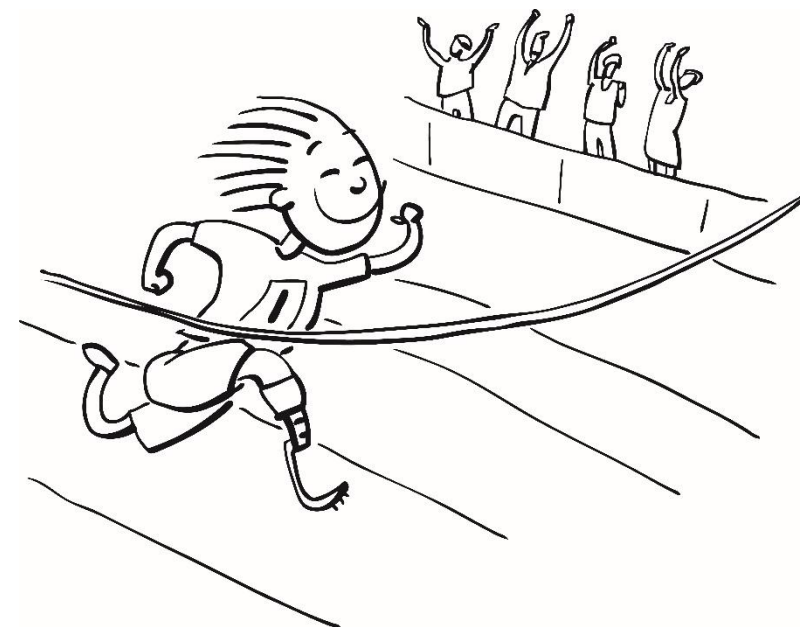
# Understanding the map of social care provision

- The links between SEND Support, Early Help and the Local Offer
- Co-developing a shared vision and implementation plan for accessible short breaks
- Developing a vision for SEND and Family Hubs



# Understanding impact

- Developing an outcomes-based approach to data
- Developing a local SEND data dashboard
- Exploring opportunities to hear the voices of children, young people and families

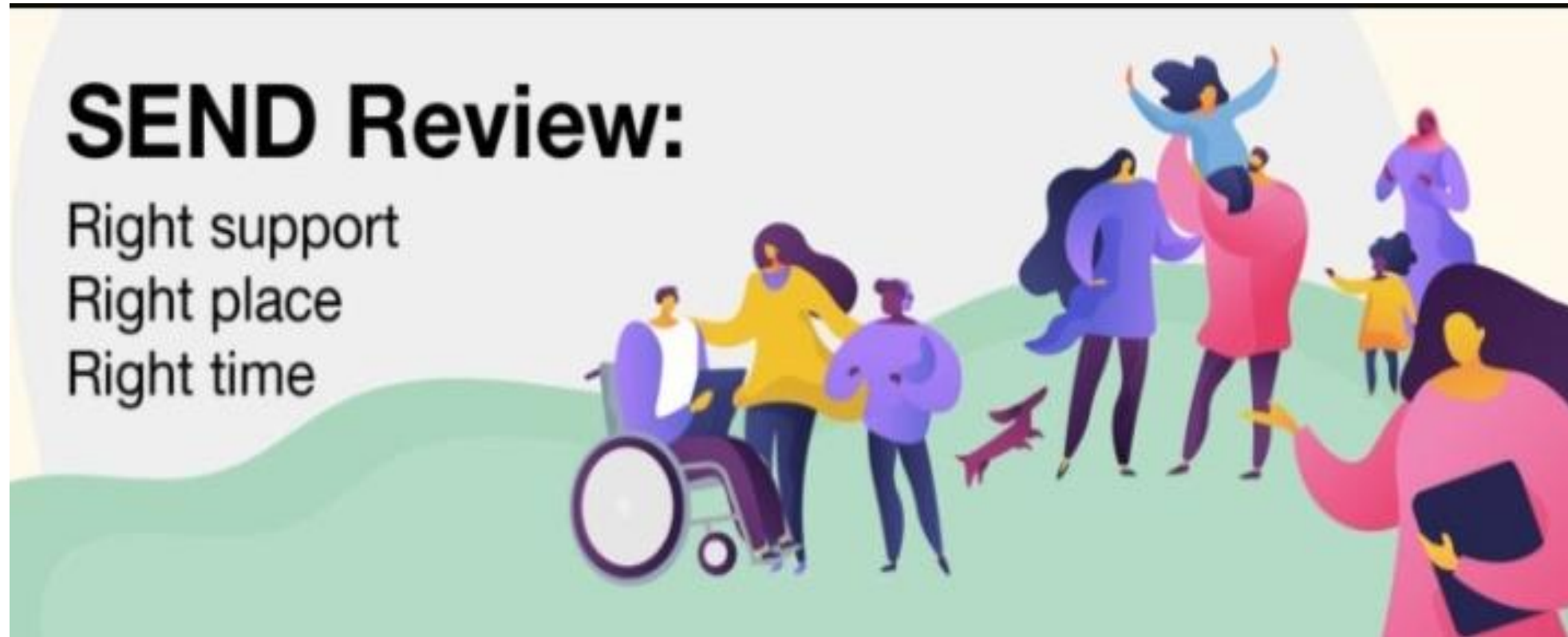


# André Imich

SEN and Disability Professional Adviser, DfE

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Department  
for Education

André Imich, SEN and Disability Professional Adviser, DfE

# Objectives

- To highlight key information about the aims of the Green Paper
- To focus on some of the Green Paper proposals
- To explore the key opportunities within the Green Paper for SEN leaders and practitioners for improving outcomes and inclusivity.



# Key Facts

Over 15% of all pupils – 1.4 million – are identified with SEN

12.6% of pupils were identified as requiring SEN Support

A further 4.0% of all pupils had an EHCP

Of all CYP with an EHCP, 77% are in schools or AP

82.7% of pupils in AP were identified with SEN

High needs budget has risen by 41% over last 3 years

Increasing numbers of appeals to Tribunal





# Three challenges

1. Outcomes for children and young people with SEND or in alternative provision on average are poor
2. Navigating the SEND system and alternative provision is not a positive experience for children, young people and their families
3. Despite unprecedented investment, the system is not delivering value for money for children, young people and families

## LEADING TO

A vicious cycle of late intervention, low confidence and inefficient resource allocation is driving these challenges



# Opportunity and Challenge



“Create a more **inclusive education system** with excellent local mainstream provision which will improve the experience and outcomes for children and young people with SEN and those who need alternative provision (AP).” (SEND Green Paper)

*“We believe that, with excellent teaching and improved identification of need in **inclusive educational settings**, fewer children and young people will need additional interventions as they will be getting the support they need as part of high-quality teaching within the classroom.” (Schools White Paper)*



# System Leadership - Opportunities

- **National SEND Delivery Board** – to bring together relevant government departments with national delivery partners including parents, to hold partners to account for the timely development and improvement of the system.
- **Local SEND partnerships** – leading at local level, bringing together education, health and care partners with LAs to produce **a local inclusion plan**



# Delivery - Opportunities

- **Consistent national standards** – (a) how needs should be identified; (b) appropriate provision
- Local multi-agency EHC needs assessment **panels**
- Standardising and digitising **EHCPs**
- Aiming to resolve disputes earlier, e.g. **mandatory mediation**.
- Support parents to express **an informed preference**; providing a list of settings from the local inclusion plan.
- **MATs** - alignment and sharing of expertise between mainstream and specialist settings
- **Alternative Provision** – more focus on mainstream support.



# Workforce opportunities

- Consult on introducing a new **SENCo National Professional Qualification** (NPQ) for school SENCos
- Increase the number of staff with an **accredited Level 3 SENCo qualification** in early years settings
- Commission analysis to better understand the support that CYP with SEND need from the **health workforce**



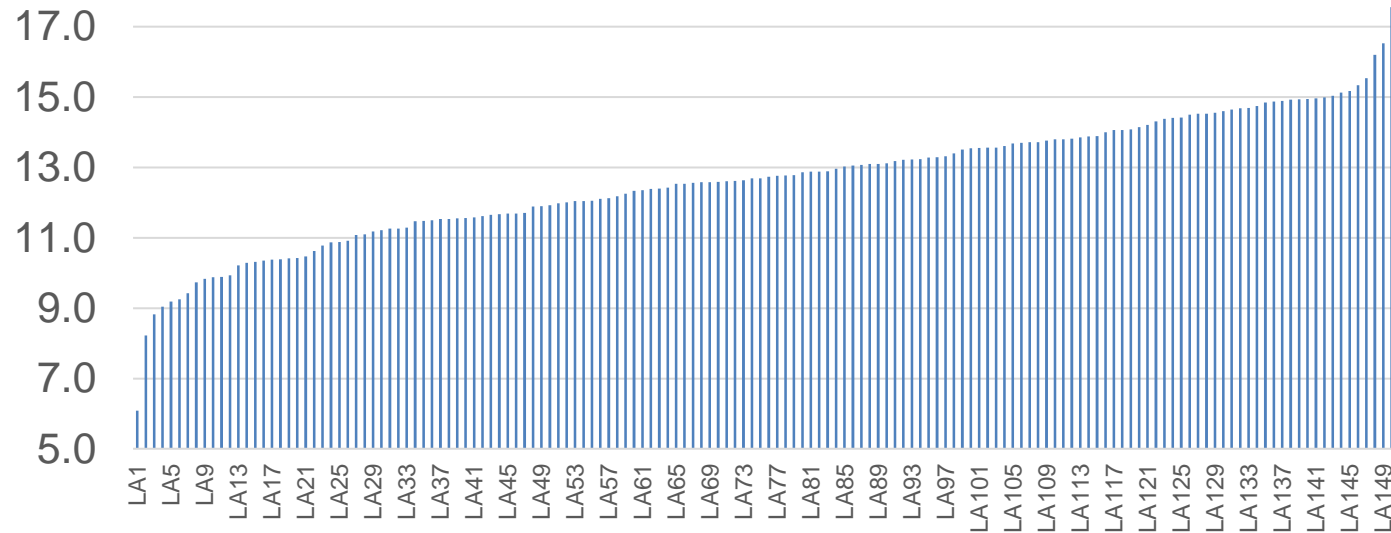
# Opportunities for increased accountability

- Deliver **clarity in roles and responsibilities** for every partner, with the levers to fulfil their responsibilities
- **DfE new Regions Groups** to take responsibility for holding LAs and MATs to account for delivering for SEND
- Provide **statutory guidance to Integrated Care Boards (ICBs)** about how to discharge their SEND legal duties
- Ofsted/CQC to deliver an **updated Local Area SEND Inspection Framework**
- **Inclusion dashboards** for 0-25 provision, with a timely, local and national, picture of how the system is performing

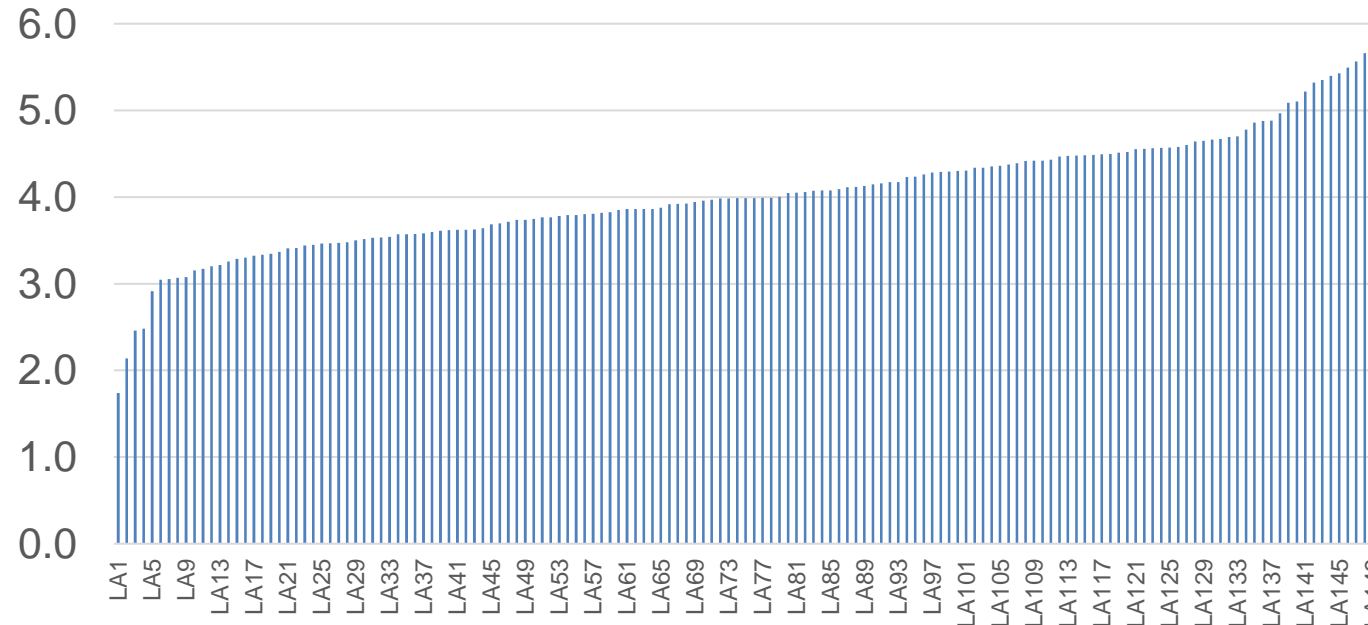


**A challenge:**  
“There is too much inconsistency across the SEND system in how and where needs are assessed and met”  
(GP, 2022)

**% of pupils at SEN Support, by LA**

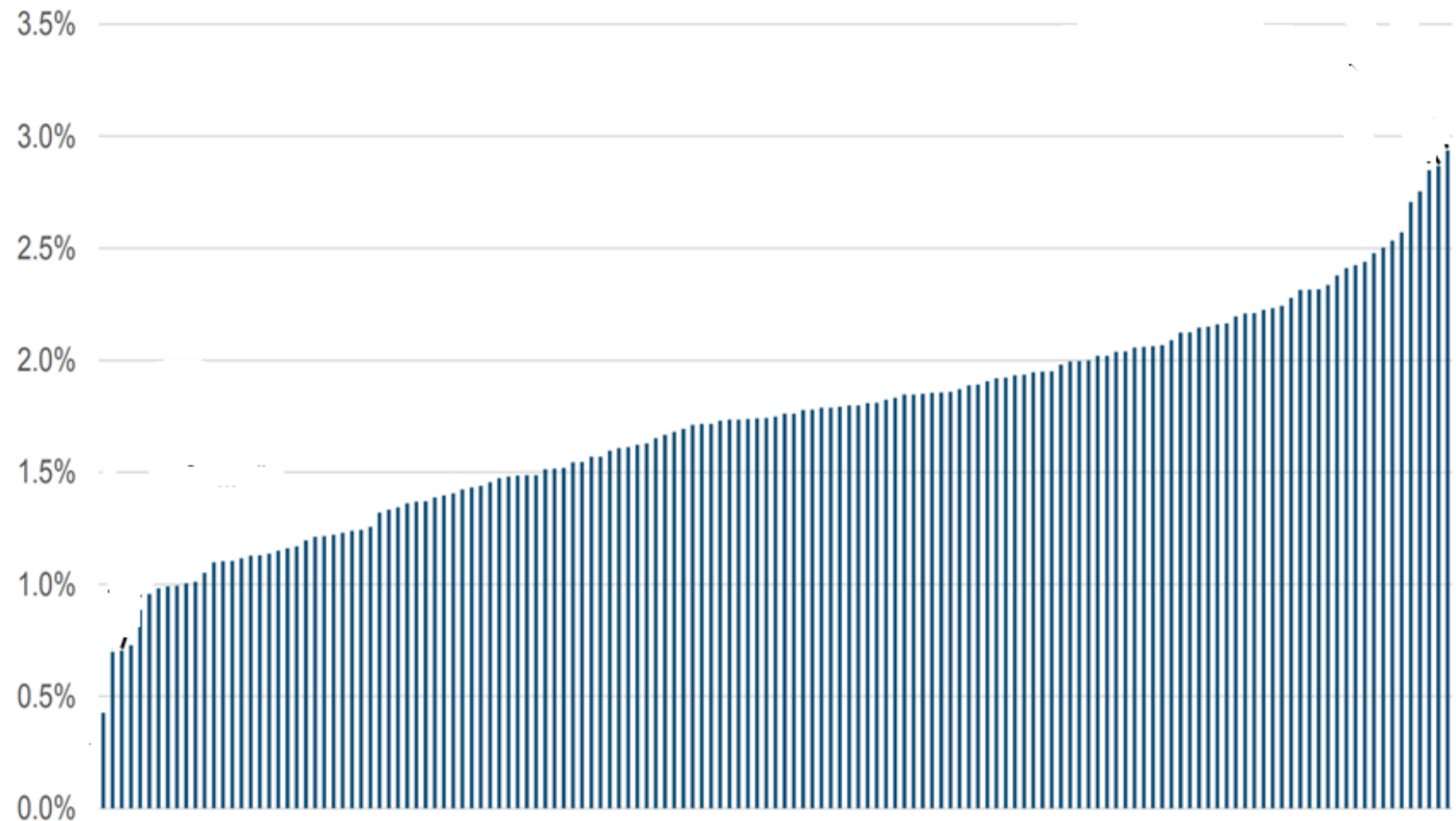


**% of pupils with EHC plans by LA**



# Specialist placements by LAs

**Figure 4:** Proportion of pupils with an EHCP and in a special school, by local authority, as at January 2021





# Identifying pupils with SEND (March 21)

- The primary school a child attends makes more difference to their chances of being identified with SEND than anything about them as an individual, their experiences or what LA they live in.
- Over half of all variation in SEND identification is explained by which school child attends.
- True for EHCP as well as School Support.

# Inaccurate identification of SEND

- Pupils who are not taught to read well in the early stages of their primary education are particularly susceptible to being wrongly identified as having SEND because they cannot access the curriculum.

[SEND: old issues, new issues, next steps \(Ofsted 2021\)](#)

- We can be too quick to label children. And what this can lead to is attributing difficulties in learning to a deficit in the child, when in fact our first thoughts should be: ‘are we providing the curriculum and the teaching that children need’?

[Amanda Spielman, Chief Inspector, May 2022](#)



# Equality Act 2010 and disability

- Schools are allowed, and are expected, to treat disabled pupils more favourably than non-disabled pupils, and in some cases are required to do so, by making reasonable adjustments to put them on a more level footing with pupils without disabilities.
- A school must not discriminate against a disabled pupil because of something that is a consequence of their disability – for example by not allowing a disabled pupil on crutches outside at break time because it would take too long for her to get out and back.



What examples are there of reasonable adjustments that don't 'cost' anything?



# Applying reasonable adjustments – Getting it right?

Wearing a hoodie and putting up hood if he has sensory overload

Time out cards

Walk around when needing a break

Going to sensory room when needed

Going to toilet at any time

Arriving late without interrogation

No homework

Can wear shorts instead of trousers

Round neck version of school tee shirt instead of polo shirt

Use of laptop

100% Attendance Club allows for absence due to disability

Sitting next to best friend

Can walk out of assembly if need to

Choice of where to eat dinner

Changing for PE is optional

Being able to sit on a chair instead of carpet

# Positive effects of mainstream inclusion

- [EEF research](#) into the impact of inclusion on pupils without SEND concluded that inclusion resulted in a weak but positive impact on their academic outcomes.
- [Evidence](#) that inclusion in mainstream demonstrates:
  - positive gains in literacy and numeracy for pupils with SEND
  - more neutral or positive than negative academic effects on non-disabled students
  - positive impact on the social and emotional development of non-disabled peers, e.g. reduction in discriminating attitudes and higher responsiveness to the needs of others



# When mainstream inclusion goes well across a LA – Local area SEND inspections

- Schools and colleges have typically embraced the spirit of inclusion that has been promoted by the local area. This helps to ensure that children and young people with SEND continue to attend well and are rarely excluded.
- Most parents were positive about their children's educational provision. Most could identify ways in which schools had helped their children to be more independent, confident and happier. School leaders have high expectations for pupils' outcomes and provision.
- Throughout the area, at every level, practitioners demonstrate a commitment to inclusion and a drive for further improvement.

*(from local area inspections 2020-21)*



# When mainstream inclusion does not go well

- Most schools in the LA make sure that CYP with SEND are made to feel welcome. However, some do not.
- There remain significant concerns about how inclusive some mainstream schools are across the area. Parents, carers, schools, and SENDIASS all raised, and shared examples of, practices that demonstrate that some schools are still not inclusive.
- Large numbers of families told inspectors that their children's needs are not met well, particularly in the mainstream school system. Area leaders recognise that there is variability in the desire to be inclusive among schools

*(from local area inspections 2021)*



# Outstanding school – Excellent SEND (Ofsted)

- **The Kingston Academy:** “Pupils who have SEND, including pupils in the specially resourced provision, make substantial progress. Disadvantaged pupils make excellent progress from their starting points, in line with their peers.”
- **Waldegrave School:** “Pupils who have SEND are fully involved in lessons, thinking, reflecting, investigating and problem-solving. Consequently, they make excellent progress over time.”





# Improving SEND – Opportunities

- Inclusion - a time of opportunity and optimism
- Parents – improve working with/ co-producing
- Senior school leadership teams to drive inclusive practice
- To highlight Equality Act and reasonable adjustments
- Ensure a diverse workforce, including staff with disabilities and additional needs
- Walk the Talk – Go the Extra Mile



# Question & Answer panel

- Mark Floyd, young person
- Bev Pass, Chair of Kingston Parent Carer Forum
- Dame Christine Lenehan, Director of the Council for Disabled Children
- André Imich, SEN and Disability Professional Adviser, Department for Education
- Alison Stewart, Head of SEND South West London Integrated Care System
- Ian Dodds, Director of Children's Services

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