

**Special Educational Needs & Disability (SEND) reform**  
*Local offer*

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# **Bath & North East Somerset initial SEND local offer September 2014**

## **1 About SEND reform**

### **1.1 *What is SEND reform?***

Special Educational Needs and Disability (SEND) reform is a national programme to transform support for disabled children and young people up to 25 and those with special educational needs (SEN) placing aspiration and personalisation at the heart of the system.

#### **Drivers for change**

The following national drivers for change are drawn from government documents relating to SEND reform and it is clear from our initial work to prepare for SEND reform that they all apply to some extent in Bath & North East Somerset.

- Expectations of what young people can achieve are often too low
- Children's support needs are too often identified late and families are forced to negotiate each bit of their support
- Parents find the current system of support bureaucratic, bewildering and adversarial
- Young people and their families experience little choice and control over the support they receive
- Young people with SEN do less well than their peers at school and college – higher levels of absence from school, higher levels of exclusions, lower levels of attainment
- Young people with SEN are more likely not to be in education, employment or training (NEET)
- Employment outcomes for disabled people and those with SEN are poor
- Supporting independence including employment improves outcomes and saves money on supporting adults with learning difficulties.

#### **Changes to the law**

In response to these issues the 2011 green paper 'Support and Aspiration' set out a vision for transformation of the system of support. The proposed legal framework for reform was set out in the Children and Families Bill 2013 and an early indicative draft

code of practice for SEN in March 2013, which was followed by a more detailed draft code of practice in October 2013. A pathfinder programme in 20 local areas involving 30 local authorities and their partners developed and tested elements of the reform and informed the support for non-pathfinder authorities as well as refinements to the proposed framework.

The bill has now become the Children & Families Act 2014 which gained royal assent in February 2014. The new legal framework comes into force from 1<sup>st</sup> Sept 2014. A new SEND Code of Practice was published in July 2014 and has been approved by Parliament. The Code of Practice is statutory guidance applying to a wide range of bodies and settings involved in supporting disabled children and young people, those with SEN and their families.

### **Principles of SEND reform**

The aims of SEND reform were set out in the green paper. The vision is to transform support for children and young people with SEN and disabilities based on the following principles –

- **High expectations and aspirations** for what young people can achieve, including employment and independent living
- The aspirations of **young people and their parent carers are central** to everything we do
- Early identification of needs, and **integrated early help**
- **Integrated assessment and planning 0-25**, focused on long term outcomes, bringing together education, health and care support
- **High quality provision** organised with clear pathways and providing choice and control to families
- **Excellent outcomes** achieved through the knowledge, skills and attitude of everyone working with children and young people.

### **1.2 What are we required to do?**

What follows is a brief outline of the key duties for local authorities, clinical commissioning groups and education settings arising from the Act and new code of practice. For more detail readers are encouraged to follow the links given towards the end of this paper to the original documents and to a range of further information available online about the new legal framework for SEND.

## **Joint commissioning**

The Local Authority (LA) has a duty to promote integration of special educational provision, health and social care provision for disabled children and young people up to 25 and those with SEN where this would promote their well-being and improve the quality of provision. The Clinical Commissioning Group (CCG) and other partners must cooperate. The LA and CCG must jointly commission all provision needed across education, health and social care to support this group of children and young people.

The CCG must ensure there is a designated medical officer for SEN, with roles set out in detail in the draft code of practice.

We must ensure that these arrangements are linked to the Joint Strategic Needs Assessment (JSNA) and Health and Wellbeing Strategy. There must be robust arrangements to underpin the partnership for SEND and for accountability to councillors and senior commissioners.

## **Early support**

Health services will have a duty to identify disability or emerging SEN in early years and to work with families and the local authority to address those needs. There are new duties on early years settings and on the local authority to ensure joined up early support for disabled children and those with SEN before they get to school and through the transition to school.

## **SEN support in education settings**

The new legal framework introduces the concept of graduated SEN support to replace the previous categories of school action and school action plus. There are extended and strengthened duties on early years settings, schools and further education settings to identify SEN and provide support, working cooperatively with local authorities and health services and in partnership with parents and young people.

## **Education, Health & Care (EHC) planning**

Statements of SEN are to be replaced with a single education, health and care (EHC) plan, which must include the health and social care provision related to young people's SEN and may include other health and care provision to form a single holistic plan

for the child or young person. The current bureaucratic system for statutory assessments and drawing up statements of SEN is to be replaced with a more person centred, holistic, outcome focused process.

Assessments must be carried out in a coordinated way, reducing duplication and repetition for families. This will bring together education, health, children's and adult care services working to produce a single plan for each child or young person with SEN aged 0-25. EHC plans will offer the same protections as statements do now, naming a school and providing additional resources based on needs. Plans will be reviewed at least annually in a person-centred way, i.e. with the child or young person at the centre and fully involving both the young person and their parent carers in reviewing the plan.

Parent carers and young people are entitled to independent support with the EHC planning process and have access to dispute resolution/mediation mechanisms and rights of appeal as before to the SENDIST tribunal.

### **The local offer**

The local authority is required to publish a local offer setting its arrangements for supporting disabled young people and those with SEN aged 0-25, setting out the services available and linking to information about education settings. Early years settings, schools and further education providers are required to publish information about their arrangements to support SEN. Parent carers and young people must be fully involved in co-producing the local offer, reviewing and improving it over time.

### **Personal budgets**

There is an option for personal budgets for support elements of the plan, but not the funding for a school or college place. This is intended to give parent carers and young people more choice and control over how their plan is delivered.

## ***1.3 What have we done to prepare for SEND reform in Bath and North East Somerset?***

A project was launched in September 2013 to prepare to implement SEND reform in B&NES. Briefings on the reform have been provided to the Health and Wellbeing Board, Children's Trust Board, the relevant B&NES Council Policy Development and Scrutiny Panels and the Joint Commissioning Leadership Team (joint senior leaders of the CCG and People & Community Services).

The Health and Wellbeing Board, which brings together the Council and Clinical Commissioning Group in a strategic partnership, has taken a leading role in supporting SEND reform in B&NES and has endorsed the approach and principles set out in this local offer.

Work has been organised under the following headings with working groups bringing together managers and practitioners from across education, health, children's and adult care services, education settings including schools and colleges, the voluntary and community sector and most importantly parent carers.

### **Engagement and communication**

Parent carers have been involved in all of the project workstreams and engagement supported by Parent Carers Aiming High, the recognised parent carer forum in B&NES, and the Parent Partnership Service which supports parents of young people with SEN. A task group has been working to engage disabled young people and those with SEN in the work. We have also sought to involve early years settings, schools and further education providers, statutory services and the voluntary and community sector in the work. A webpage and Facebook page have been set up to publish working documents and updates and to facilitate engagement by the public. Briefings for parents have been provided in schools and early years settings.

### **Workforce development**

Training is being delivered from June to December 2014 to introduce the new legal framework and new ways of working. We are also working on longer term training programmes on person centred thinking, outcome focused planning, and to embed the SEND reform in our integrated working training programme.

### **Integrated assessment and planning**

We have learned from the work of the pathfinders and built on existing local good practice to design and test the best way to achieve person-centred EHC plans. This way of working has been piloted for some statutory assessments. A draft model SEN support plan has been developed as a possible tool for joined-up planning of SEN support for young people who do not meet the threshold for an EHC plan.

## **Joint commissioning and personal budgets**

We already have a pooled budget in B&NES for a small number of children with very complex needs. We can learn from this in looking at how decision-making and budget allocation need to work to support EHC plans. We will build on experience with personal budgets in adult care to introduce this option for EHC plans. Personal budgets, together with the local offer, are intended to enable parent carers and young people to have more choice and control over how support is provided. We have developed an initial personal budget offer for Sept 2014, and will develop this over 2-3 years to extend the scope and integration of this offer.

## **The local offer**

We developed a template for our local offer, based on pathfinder experience. This was tested with a range of schools, settings and services, and is being used to structure service listings as well as the area-wide local offer, setting out how we support disabled young people and those with SEN in B&NES.

This initial local offer comes out of work with many parent carers and partners and some young people, and a draft was published as a consultation paper in May 2014. While there has been significant input from parents and some consultation with young people, this initial local offer has not been fully co-produced with parent carers and young people. We will establish partnership arrangements to work towards fuller co-production of our local offer with parent carers, young people and other key partners over the next 3-5 years.

### ***1.4 What are we planning to do next?***

The work on SEND reform in B&NES does not come to an end on 1<sup>st</sup> Sept 2014 when the law changes, in some ways the work has only just begun. We will continue implementation work over the coming academic year. This will include:

- Further developing and improving early support, SEN support in schools and FE
- Transferring statements of SEN to EHC Plans – this needs to be completed by April 2018
- Further improving our support to young people in preparation for adulthood
- Developing our personal budgets offer

- Establishing a SEND strategic commissioning partnership and arrangements to fully involve parent carers, young people, education settings and other partners in reviewing our local offer
- Further developing information, advice and support for parent carers and young people.

We have published a draft transfer plan setting out how and when we will transfer statements to EHC Plans. We will publish a project plan for all of the SEND reform work over the coming year. For further information on this work and how to find out more or get involved, please visit our Facebook page or the Council web page about SEND reform (links at the end of this document).

## **2 Current position in B&NES and learning from the pathfinders**

### **2.1 Current local context**

#### **Current SEND partnership and delivery arrangements in B&NES**

The project work on SEND reform implementation has built on previous work through the Strategic Transition Board (STB) on transitions to adulthood and the Disabled Children's Strategy, coordinated by the Disabled Children's Strategy Group (DCSG). The latter group has led work on the EHC planning framework and both groups have formed a basis for building on existing joint working arrangements between services, with the DCSG also having established partnership arrangements with parent carers of disabled young people.

In implementing the requirements for early identification and SEN support we can build on existing local good practice set out in the B&NES Early Help Offer. Increasing numbers of children's needs for early help are assessed holistically through the common assessment framework (CAF) and needs then met through coordinated 'team around the child/young person/family' (TAC/TAF) arrangements and coordinated by a lead professional. There are well established arrangements to support early years settings in meeting SEN through the work of LA employed area SENCOs who work with early years settings, and high needs transition support for children moving from early years into school who look likely to require the support of a statement of SEN once in school.

There are 750-800 school age children in B&NES with statements of SEN who will need EHC plans, and over 3000 school age children identified by schools at the current school action or school action plus levels of need. However it is likely based on national prevalence data that 18-20% of all children and young people in B&NES have some level of SEN, most of whom are supported in

early years settings, schools, colleges and other universal and targeted services with specialist input when needed. This translates to over 8000 children and young people in B&NES with SEND and aged 0-25.

The legal requirement for statutory assessments and statements of SEN has been met through a statutory SEN team with 2.6 full time equivalent (fte) SEN case officers and additional case officer time from a senior case officer and 14-19 placement officer resulting in 3.6 fte case officer time, or a caseload of around 200 statements of SEN per fte case officer. The statutory assessment process in line with the previous legal framework and practice in other LAs has been an office and paper-based process with little face to face engagement with families, schools or other services. Despite this the SEN system has operated effectively in B&NES with most assessments completed within the previous 26 weeks' timescale and good engagement with schools and parents to achieve good quality statements. There have been no appeals by parents to the SENDIST tribunal for three years, which is a good measure of the effectiveness of engagement with parents within the constraints of the current system and capacity of the service.

Schools identify SEN at lower levels and coordinate support, often using Individual Education Plans (IEPs). Schools bring in outside help including health and social care for children with higher levels of SEN, previously defined as school action plus. Once young people meet the statutory threshold and have a statement of SEN or EHC Plan, schools lead on annual reviews of statements.

Young people with statements of SEN and their parents appear satisfied with the support they receive for the most part. Feedback from families and schools in B&NES suggests the previous system worked least well for those young people at school action plus – i.e. the highest level of SEN below the threshold for specialist/statutory SEN support through a statement or EHC Plan.

In preparation for adulthood again we can build on existing local good practice. Person-centred approaches are already used in adult services and in transition reviews for many young people with statements of SEN. These approaches are now embedded in EHC planning for children and young people at all ages. The existing preparation for adulthood pathways and guide are a good starting point for our local offer for young people 14-25. Existing networks involving the FE sector in B&NES are being used to work with this sector and other partners to develop our shared understanding of how EHC planning and the local offer will work for this age group.

## **What young people and parents have told us – key messages & common themes**

We have spoken to many parents and young people through the year of preparation to implement SEND reform. This is a summary of the key messages and common themes from this work:

- Delays in diagnosis and lack of clarity about where and how to get more educational support both leave some parents feeling it is a battle to get the right support and some parents reported feeling they were in a constant battle with professionals to get the right support
- Families feel that some professionals in B&NES have low expectations of disabled children/young people and those with SEN
- Parents need better information about when and how to ask for specialist support, and more support around key stage transitions generally
- Behavioural issues sometimes indicate/mask a learning difficulty – it is important to identify this rather than simply respond to the behaviour
- The schools that provide the best SEND support are those that are fully inclusive in their approach - treating them equally with other young people, working together/building relationships with young people and parents and offering consistent support & teaching – the role of SENCO is seen as key to ensuring good support in these schools
- A proactive approach is welcomed – when staff in school take the time to talk to the young person and parents and to understand behaviour or other signs of need
- Not all B&NES schools are seen as inclusive – families would like all schools to be fully inclusive and to give SENCOs time to do their job
- It is important to support primary-secondary transitions for young people with SEN – secondary staff visiting the primary school, primary staff pass on quality information, parents invited into secondary school early in year 7 to discuss needs and support
- Parents want the statutory assessment process to be a positive experience – and those involved in the EHC needs assessment pilot found it positive and welcomed the personal face to face approach and meetings bringing together all the key professionals and the family

- Young people find participating in their review meeting positive – when supported to take part, review meeting not too long and run in a person centred way, being supported to prepare/update their one page profile and share it in the meeting
- Young people welcomed the support they receive and found having a statement of SEN helpful. Not all young people with a statement knew they had one however, and sometimes it could be stigmatising in school to be seen going into the SEN support room.

This learning has informed our preparations for SEND reform and will continue to inform the work over the coming year. We would ask all services and education settings to note these messages and take account of them as they develop their SEN support.

### **Other relevant service developments and issues arising from SEND reform**

There are significant changes to come in early years services in B&NES due to the need to make budget reductions. There will be a consultation process on proposals for change in early years. Any changes will be informed by the requirements of SEND reform and the learning through our preparation work. Regardless of the eventual service structures following changes, there is a need for close joint working between relevant services to ensure coherent early identification of disabled children and emerging SEN alongside support to other vulnerable children and their families. We must ensure that there is good enough early support for SEND (both for children and their parents) if we are to avoid a significant increase in need for specialist support including EHC Plans for children in early years who can be effectively and appropriately supported through universal and targeted services.

There are also significant changes underway with the Connexions Service having been significantly reduced and brought into B&NES Council from 1<sup>st</sup> April 2014. The Connexions Service was previously commissioned to provide Learning Difficulty Assessments for young people with SEN in transition to adulthood. The Learning Difficulty Assessment has become part of the legal framework for EHC planning from 1<sup>st</sup> Sept 2014. It has therefore been agreed that funding for one Connexions PA post will be transferred into the SEN Team to ensure there is capacity to incorporate that function into EHC planning from that date. Again the SEN Team and the new merged Connexions and Youth Services will need to work closely together to support disabled young people and those with SEN who are at risk of being not in education, employment or training (NEET) or are otherwise eligible for the targeted support provided by those services.

The pathway for children with emotional well-being, behaviour & mental health issues overlaps significantly with that for SEN and disability. The new code of practice for SEND amends the categories of SEN to exclude 'behaviour' from the definition of SEN. The

relevant category is now 'social, emotional and mental health difficulties'. This properly recognises that behavioural issues can be indicative of a whole range of underlying needs, not confined to SEN, and/or weaknesses in curriculum or service delivery. This change will require some work to review how these pathways interact and how we ensure that children are appropriately supported with behaviour difficulties regardless of whether they are also disabled and/or have SEN.

## **2.2 *Pathfinder learning***

Our regional pathfinder champion during 2013-14 was Wiltshire, and there has been good support from Wiltshire to share learning from their own work and that of other pathfinders, including Southampton in particular. Pathfinder learning has also come through the support of other Government delivery partners for SEND reform. Pathfinder champion support will continue to be available through Cornwall for the work over the coming year 2014-15.

The pathfinder programme nationally and regionally is not yet complete and there is much still to learn about how EHC planning will work in detail. While the local project work has built on pathfinder learning therefore we have also had to move rapidly into developing our own learning about how the reform will best work in B&NES.

In developing a framework for our local offer we have built on the work of the SE7 pathfinder who developed a template for the local offer with input from thousands of parent carers across the south east of England. This was a good starting point for our work locally. We have worked with schools, young people and other settings and services to develop the template and our understanding of how it will work in practice was based on work in the Hartlepool and Doncaster pathfinder, incorporating learning from Wiltshire and our own local experience. This has been further developed in light of our pilot experience and the publication of the new code of practice.

We have also based our model process for EHC needs assessment and planning on the pathfinder experience. The process we piloted is very much a model to be personalised to the individual circumstances of each young person, their family, the education settings and services involved with them at the time the needs assessment is undertaken. However what is clear from the both the pathfinder experience and our own piloting is that a personalised face to face process simply takes more staff time than the previous system. The Government have provided some additional funding in recognition of this learning.

Pathfinders identified two models for delivering EHC assessments and planning. These are set out in the diagram that follows. One is centrally led throughout; with the SEN case officer role developed into a role which leads the assessment and planning process and then takes on the lead professional role to coordinate EHC plans and reviews. The other model is completely dispersed with lead working functions distributed around all of the services including schools that make up the team around each young person.

Model 1 – centralised lead working – has the advantages of retaining full control in one place over the quality of assessment, EHC planning, delivery and review. However it has the twin disadvantages of the cost of creating and sustaining sufficient centralised capacity to work in this way and of undermining team and lead (integrated) working approaches on the ground.

Model 2 – dispersed lead working – has the advantage of building integrated working approaches across the whole workforce, supporting the creation of individual teams around each young person, and promotes inclusion – the principle that aspiration and support for disabled young people and those with SEN is everybody's business. However it would take a lot longer than we have had to develop the whole workforce to the point that this could be achieved without a serious reduction in the quality and consistency of EHC plans compared to statements, with a significant risk of variability in the quality of support provided to young people and of a consequent increase in potentially costly appeals to the SENDIST tribunal.

The diagram therefore indicates a choice in B&NES for a hybrid model which builds on

- existing local work to develop integrated – team and lead – working practices across the children's workforce, our schools and settings
- the high standard achieved by the SEN Team to date in the quality and timeliness of assessments, engagement with schools and parents and the resulting statements of SEN
- the commitment to and enthusiasm for the principles of the reform that is evident through the work of the implementation project so far, across the workforce: in our early years services and sector, schools, the FE sector, children's and adults social care and health services, the voluntary and community sector and above all those parent carers and young people who have become involved in the work.

The next section of this document gives more detail of the model for delivering SEND reform in B&NES. This also takes into account other aspects of the learning from pathfinders including –

- the central importance and the depth of the culture change required to make the SEND reform work – this is not about introducing a new form of paperwork for describing how a young person's needs will be met – it is about bringing person-centred thinking into our work with disabled young people, those with SEN and their families – and endeavouring to work in equal partnership with young people and their families
- the importance of working towards an equal partnership with parent carers in developing the local offer and framework for delivering SEND reform – true co-production
- the need to support young people to become partners also at both individual and strategic level – again working towards true co-production with young people
- the importance of a partnership with education settings based on mutual honesty, trust and respect
- the benefits of promoting more integrated working between statutory services that wholly or primarily support disabled children and young people and those with SEN.

This is just an outline of some of the key learning from the work of the pathfinders. For more detail readers are encouraged to follow the relevant links towards the end of this paper.

## MODELS FOR DELIVERING EHC PLANNING

### MODEL 1

*Centralised*

Central SEN team  
conducts statutory  
assessment, acts as Lead  
Professional for all EHC  
plans & plays major role  
in all reviews

### CHOSEN BANES MODEL

*Hybrid*

Central SEN team coordinates  
statutory assessment and plays  
major role in key stage transition  
reviews

Team around the child/  
young person/settings/schools  
provide Lead Professional for EHC  
plan delivery and lead annual  
reviews

### MODEL 2

*Dispersed*

Coordinating roles in  
statutory assessment, EHC  
planning & review are  
completely distributed  
around the team around each  
child/young person with  
minimal central support

### **3 Model for delivering SEND reform in B&NES**

#### **3.1 Principles**

##### **Culture change – a new way of working**

SEND reform requires a culture change across all of our education settings and services for disabled young people and those with SEN. This is best described through the following set of principles.

We are committed to promoting a whole system approach to support and inclusion of children and young people with SEND. This means:

- **SEND is everyone's business** – all services and education settings will be supporting some of the 20% of young people with SEND, most of whom will not need specialist support or services, and we all have statutory duties towards them.
- **We should all seek to work to the SEND reform principles** - this is likely to be beneficial to all children, young people and families, not just those with SEND, and will take services and education settings a long way towards effectively meeting their duties to provide SEND support.

##### ***Principles for supporting disabled children and young people and those with special educational needs***

##### **ASPIRATION**

for all of our young people regardless of disability or needs

- having high expectations
- supporting young people to achieve their full potential
- enabling young people to grow up to live meaningful and fulfilled lives

##### **CO-PRODUCTION**

full involvement of parent carers and young people

- at every stage of assessment, planning and review of the support they need to achieve their aspirations
- in design and improvement of the way we provide support and services
- in reviewing and developing our local offer

## **PERSON-CENTRED**

putting children, young people and their families at the centre of everything we do

- using practices, skills and tools that focus on young people, their strengths, gifts and skills, what is important to them and the best way to support them
- listening to young people and their families and their desired outcomes now and for the future

## **OUTCOME FOCUSED**

planning focused on outcomes – what difference will it make?

- agreeing long and short term outcomes with young people, their families and the whole of their support team
- support plans to be clearly based on SMART outcomes

## **HOLISTIC TEAM WORK**

support based on a holistic understanding of the young person and all of their needs

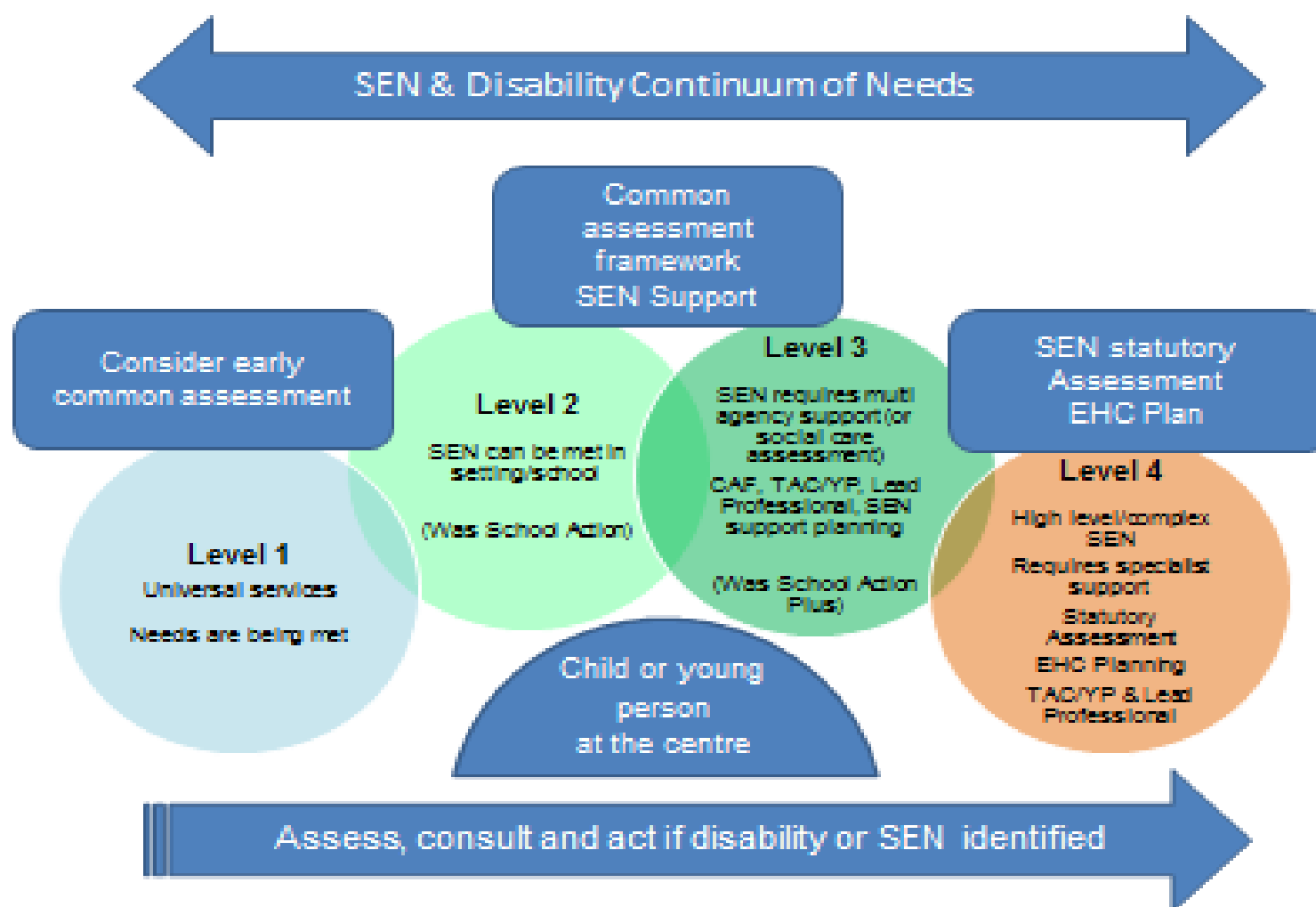
- a single support plan for the young person to which everyone subscribes
- team work and coordination to ensure an integrated approach.

## **A continuum of needs and support**

There is a continuum of needs from children and young people with no additional needs through to those with the most complex needs. SEND reform requires a graduated response for young people at each level of needs, through SEN support from universal

and targeted services including education settings through to the specialist support required by those with the most complex needs, which is organised through EHC plans.

The following diagram shows how the existing framework for understanding the continuum of needs in B&NES applies to special educational needs and disability.



## **The model to support delivery of SEN support and EHC planning**

As stated above the chosen model is a hybrid of the models tested in pathfinders, which is judged to be most suitable to our local circumstances.

The local authority SEN team will lead on statutory assessment and EHC planning and play a significant role in key stage transition reviews. A key aspect of EHC planning will be to build on and clarify the team around the child/young person arrangements including identification of the lead professional for coordinating delivery of the EHC plan. The lead professional will often but not always most appropriately be someone in the young person's education setting, whether the class teacher or tutor or a key worker/teaching assistant working closely with the young person.

As in the previous SEN framework education settings will usually be responsible for leading the annual review process. When a young person has multiple health and/or social care services, the EHC plan will need to reflect this complexity, and the lead professional may sometimes be another professional e.g. a social worker. When the lead professional is not someone in the education setting, the lead professional and the key person in the education setting will need to work closely together to plan the review process and ensure all aspects of the plan are reviewed in accordance with all of the relevant legal frameworks, while maintaining the integrity of the plan, the coherence of the team, and the centrality of the young person and their parent carers.

However the majority of disabled children and those with SEN did not require a statement of SEN previously and do not require an EHC plan now. The model and arrangements for delivering EHC planning are therefore dependent on robust arrangements for early identification and SEN/disability support at all stages of a young person's journey.

### ***3.2 Early identification and SEN support***

#### **Early support**

Work is underway to develop pathways for disabled children and those with emerging special educational needs in the early years. Health professionals will identify support needs age 0-2 and work with early years services to plan support including support for transitions into early years settings. Early years services including area SENCOs will continue to support early years settings as before to identify and meet the needs of children with SEN..

Early support for disabled children, those with SEN and their families should be provided in accordance with the ten Early Support principles:

1. The uniqueness of children, young people and families is valued and provided for
2. An integrated assessment, planning and review process is provided in partnership with children, young people and families.
3. Service delivery is holistic, coordinated and supported by key working
4. Continuity of care is maintained through different stages of a child's life and through preparation for adulthood
5. Children and young people's learning and development is monitored and promote
6. Children, young people and families are able to make informed choices.
7. Children, young people and families are able to live 'ordinary lives'.
8. Children, families and young people are involved in shaping, developing and evaluating the services they use.
9. Multiagency working practices and systems are integrated.
10. Children, young people and families can be confident that the people working with them have appropriate training, skills, knowledge and experience.

These principles will inform our continued development of early support pathways for disabled children, those with SEN and their families.

Integrated working practices including team around the child, common assessment framework (CAF) and lead professional coordination will ensure joined up support and planning for transitions into early years settings and from there into school. The progress check at age 2 and Early Years Foundation Stage Profile at 5 will inform the assessment of needs and support planning at each stage. Funded places in settings will be available at age 2 on the basis of DLA entitlement or an EHC plan.- for the majority of those at this level of needs this will be on the basis of DLA. Additional support for children in early years settings and high needs transition support into school will continue to be provided as before regardless of whether a child has an EHC plan or not.

Timely EHC needs assessments will be carried out for those children who will need the support of an EHC plan in early years and in particular for transition to school. Our model SEN support plan could be helpful as a way to bring together all of the support for disabled children and those with SEN in early years into a single joined up plan. Support should be provided working to the Early Support principles (<http://www.ncb.org.uk/early-support> for more information), which are consistent with the principles of SEND reform and a good preparation for the way SEN support will work in school and beyond.

## **SEN support at school age**

The majority of children and young people with special educational needs (SEN) and or disabled children and young people will never reach the level of need to require a statutory single Education, Health and Care plan. Education settings and other services working with them have statutory duties to identify their needs including special educational needs and to make provision to meet those needs.

All children and young people with additional needs including SEN will benefit from an aspirational, person-centred and integrated approach. These approaches will not only benefit the child or young person and their family directly but will also provide a good starting point and build up a body of evidence if an EHC needs assessment becomes necessary at a later stage.

Early years settings, schools, colleges and other education providers and services working with them to support children and young people with SEND are therefore strongly encouraged to use the following approaches:

### **Person centred thinking**

The one page profile can be completed by a child or young person with suitable adult support. There are tools to support this work both in early years and in preparation for adulthood from 14. This can then be used to inform assessment of needs and planning to meet those needs to make these processes more child/young person centred.

The family profile can be completed by a child or young person's parent carers with support from a suitable person in learning places or other services as needed. Again this can then inform assessment and planning to make these processes more family centred.

### **Assessment**

The Common Assessment Framework (CAF) should be used to carry out a holistic child-centred assessment bringing all practitioners and the family together to form a common view of the child's needs. This will draw on any existing assessments including the learning setting's assessment of the child's special educational needs.

The CAF is an early help assessment, and is suitable as a tool when assessing the needs of a child who requires SEN support.

The social care single assessment also provides a basis for pulling together a holistic assessment of a child's needs, and for a child needing SEN support this assessment must pull together all of the needs including any special educational needs in order to inform a holistic support plan for the child.

### **Team around the child/young person**

The team around the child/young person brings together a range of different practitioners from across the children, young people's and adults workforces to support an individual child or young person and their family. The members of the team around the child/young person develop and deliver a package of solution focused support to meet the needs identified through the common assessment.

### **Lead professional**

The lead professional is identified from the team around the child/young person to

- Act as a single point of contact for the child/young person and family
- Coordinate delivery of the actions agreed in the child's support plan following assessment
- Reduce overlap and inconsistency in the services received.

The lead professional is accountable to their home agency for delivery of their lead professional role. They are not responsible or accountable for the actions of other practitioners or services.

### **Support planning**

A support plan should be drawn up. Ideally this should be a single holistic child-centred plan to meet all of the child's needs including any special educational needs following CAF or social care single assessment. This should be drawn up by the team around the child/young person including the parent(s) and involving the child/young person in a way suitable to their age and understanding. Person-centred working tools should be used to support the child and family participation in this process.

The lead professional will coordinate delivery of the plan and ensure regular reviews as appropriate the needs and stage of development of the young person.

Support planning is currently carried out through a range of frameworks, including Individual Education Plans and Pastoral Support Plans in schools, the planning grid included in the CAF format, social care child in need plans and health support plans amongst others. We have seen good quality plans formulated and delivered for young people using all of these frameworks.

However, for disabled children and young people and those with SEN we have proposed a model SEND support plan. This provides a person centred, holistic, outcome focused model for a single support plan for a child or young person. This could be of particular benefit in the following circumstances –

- As an early support plan for a disabled child or where there are emerging SEN – this could follow a CAF or social care assessment and be a shared plan for the whole of the team around the child including early years setting, health and social care services
- To support transitions for children/young people with SEN - between early years settings and school, between schools, and from school into FE
- As a single SEN support plan for young people in an education setting when there is significant health and/or care input (those at school action plus in the current system), to bring together the school's plans, health support plan and child in need plan into a single shared plan. In this case it would also be a good preparation for EHC needs assessment leading to an EHC plan when required
- As a single SEN support plan following an EHC needs assessment, when an EHC plan is not required – this could be more helpful than the 'note in lieu' of a statement issued in the previous system
- As a single support plan for a disabled young person who does not have SEN bringing together health support plan, social care plan and any support plans used in school into a single shared plan
- As a single support plan for a young person with a statement that has not yet been converted to an EHC plan.

### ***3.3 Education, health and care planning***

#### **Request for statutory assessment**

The SEND code of practice sets out the requirements including the evidence needed to request an EHC needs assessment. The tools used in the provision of early help including SEN support will assist in providing the evidence needed.

EHC needs assessment will be available to any child or young person with SEN from 0-25 who meets the criteria. Applications will be considered by the SEND panel, which has members from education, health and care services.

The threshold for an EHC needs assessment does not change from that previously in place for a statutory assessment leading to a statement of SEN. In the early years (before school age) this will be for those children who look likely to require specialist support whether within mainstream settings or in a special school.

At 16+ this will be for those young people who currently receive support through a Learning Difficulty Assessment because they previously had a statement or when they are likely to need specialist support to access learning in further education.

### **EHC needs assessment**

A model process for EHC needs assessment and planning has been piloted. This is a model process rather than a rigid procedure, and will be adapted to the specific needs and circumstances of each child/young person, their family and the configuration of services involved in their support. The principles of the SEND reform require us to move away from a rigid procedural process to a more personalised process.

The model process we have piloted essentially follows the previous 26 week statutory assessment process in terms of the steps taken, with the addition of face to face meetings with parents, young people and the team around the young person. This model has been based on that developed by some of the pathfinders. EHC needs assessments should be completed within 20 weeks from assessment request.

### **Education, health and care (EHC) plans**

The plan is intended to be a single plan shared by the whole team around the young person, with the young person at its centre, and including parents and the young person as members of the team. As far as possible this should replace and incorporate most other plans for the child or young person except (when applicable) a child protection plan, and a child in care placement plan. There may be other plans for young people that cannot appropriately be incorporated into the EHC plan, and the SEND code of practice suggests that this will need to be worked out on an individual basis and in consultation with young people and their families to achieve the most effective plan or set of plans for each individual.

Our model EHC Plan format has been designed to meet the requirements set out in the SEND code of practice. There is a single model format for all ages of children/young people, regardless of complexity of need and how many services are involved. The format is a model which is intended to be personalised to the individual child or young person.

### **Reviewing & updating EHC plans**

Review is a process not a meeting. Any meeting held should be person centred, fully involving young people and their parent carers. The roles played by the young person and parent carers in review will vary depending on the age and understanding of the young person and how their views are to be represented.

The aim of the review is to review progress on the plan, consider any fresh assessments and changes to the child's needs and ensure the plan is updated accordingly. A plan based on an assessment that may have been carried out when the child was aged 2 or even younger must be reviewed at least once a year to ensure it remains fit for purpose.

The review process will need to be tailored to the young person, their circumstances and needs and the range of services involved and legal frameworks applicable. There should be a single streamlined review process as far as possible.

The review process will need to be coordinated with the review process for children in care or child protection plans where applicable. All other plans and reviews for a child or young person can and should be integrated with the single planning and review process where possible, although there is further work to be done over the coming year on how this works in practice for a range of different circumstances.

### **Decision-making**

Decisions about statutory assessments, statements, placement and provision were previously made through an SEN panel. The panel now has representatives of social care and health services on a permanent basis (this was already the case on an occasional basis), which will enable the panel to make joined up decisions about education, health and care provision and funding as needed. Further work is required to align the resulting SEND panel with the early years and transition panels to achieve a coherent decision-making process for all children and young people from 0-25.

## **Personal budgets**

There is not yet a great deal of learning about personal budgets from the pathfinder areas. We will publish an initial policy on personal budgets linked to EHC plans from 1<sup>st</sup> September and work over the next 1-2 years to develop a more comprehensive and integrated personal budget offer. This work is supported by In Control and National Development Team for Inclusion who have been working with some of the pathfinders to develop personal budget offers.

## **Quality assurance**

Quality assurance for EHC planning and SEN support planning will be key. Quality assurance (QA) for statementing was previously carried out by Senior Inclusion Officers in the SEN team and the SEN panel. A QA framework and set of standards will be put in place from September 2014 to ensure that EHC needs assessments, plans, delivery and review are to a high standard and meet the requirements of the new legal framework and the B&NES principles for SEND reform.

## **Preparation for adulthood**

There has been considerable work on transition to adulthood for disabled young people and those with SEN over a number of years. There are a number of key elements of the existing B&NES framework for transition to adulthood, which can be built on in SEND reform as follows.

Person centred thinking underpins transition reviews and transition planning. Person centred thinking is now being embedded in EHC planning for young people at all ages, which should mean that over time young people will be prepared better and earlier to achieve their goals in preparing adulthood.

The transition protocol sets out what should be done when and by whom to prepare young people for adulthood. This provides for transition reviews from year 9 (age 14) run in a person-centred way and leading to a transition plan. Learning Difficulty Assessments have been carried out by Connexions advisers at 16 for young people with statements of SEN.

The protocol is being amended to reflect the changes resulting from SEND reform and incorporated into the framework for EHC planning 0-25. Transition plans will be incorporated into the EHC plan. Learning Difficulty Assessments become part of the legal framework for EHC plans from Sept 2014 as part of the SEND reform, and funding for one PA from the Connexions service will be

transferred to the role of SEND Lead Practitioner from that date to take on this function in relation to EHC needs assessments and EHC plan reviews for young people preparing for adulthood including the transition to further education.

Information about the framework for supporting preparation for adulthood is currently set out in a local guide which will be incorporated into the local offer.

'Getting a life' pathways have been defined as follows, and must be embedded in the EHC plan for each young person from 14, and continue to be used as the basis for planning in transition to adulthood.

1. Employment, Education and Training
2. Independence and Housing
3. Health
4. Friendships Relationships and Community.

### **Transition arrangements for transfer of statements of SEN to EHC plans**

Annual reviews leading to key stage transitions will be used over a period of three and a half years from Sept 2014 to April 2018 to transfer old statements into new single EHC plans. The transfer process will be similar to the assessment process.

It is envisaged that the new ways of working in SEN support will assist a smooth transfer where they are adopted for a young person with a statement. This will include the following –

- Establishing team around the child/young person arrangements
- CAF or social care (holistic) assessment
- A single SEND support plan alongside the statement of SEN
- A good quality holistic one page profile drawn up with the young person
- Identification of the lead professional to coordinate delivery of planned support and act as single point of contact for the family.

If these are put in place for children and young people with statements of SEN prior to transfer to EHC plans this will significantly assist the transfer review process.

### **3.4 Capacity and service delivery**

#### **The SEND lead practitioner role**

We have established new roles of SEND lead practitioner, and senior SEND lead practitioner to replace the previous SEN case officer and senior case officer roles within the SEN team. The number has been increased significantly from the previous capacity to support the increased time taken by the new way of carrying out assessments and EHC planning, and in anticipation of an increase in the number of EHC plans 0-25 compared to the existing number of statements of SEN at school age.

We will have 8 SEND lead practitioner posts in total but this will be kept under review.

#### **Team work and lead roles in EHC planning**

Key roles to ensure effective EHC planning are defined as follows.

##### **SEND lead practitioner**

The key tasks of the SEND lead practitioner in relation to Education, Health and Care planning will be

- Leading the EHC needs assessment
- Coordinating EHC planning

##### **Leading statutory assessment**

- Ensure that assessment and planning are person centred by meeting the young person and family and ensuring a good quality one page profile and family contribution to planning are completed
- Coordinate the assessment activity to ensure it is both person centred and holistic and minimising demands on the family ensuring that the assessment follows the 'tell us once' principle
- Draw up a single EHC plan with the young person and their family and the rest of the team around the child/young person
- Present the draft EHC plan to the SEND panel for approval and resourcing

- Facilitate and agree arrangements for delivery of the plan including the lead professional, monitoring and review arrangements and where applicable personal budgets.

#### Coordinating EHC planning

- Provide advice and support to those delivering and reviewing the plan including the young person, parent carer(s) and the lead professional
- Maintain the central copy of the EHC plan, update it when necessary in discussion with the lead professional and the team around the child/young person, and ensure all members of the team around the child have the latest version of the plan
- Support the review process more directly as required, for example where there are multiple and highly complex needs or significant disputes about how needs are best met
- Present the plan to SEND panel when necessary following review and updating for approval, resourcing or ending.

This is an outline of the role, not an exhaustive list.

#### **Lead professional**

The lead professional role for a child or young person with a single EHC plan builds on that in early help and SEN support as follows.

The lead professional is identified from the team around the child/young person to

- Act as a single point of contact for the child/young person and family
- Coordinate delivery of the actions agreed in the child's support plan following assessment
- Reduce overlap and inconsistency in the services received.

The lead professional is accountable to their home agency for delivery of their lead professional role. They are not responsible or accountable for the actions of other practitioners or services.

In addition the lead professional will be responsible for reviewing the EHC plan with the support of the SEND Lead Practitioner. This will include responsibility to –

- Ensure that review is person centred by meeting the young person and family and ensuring a good quality updated and age appropriate one page profile and family contribution to review are completed
- Coordinate the review process to ensure it is both person centred, holistic and streamlined while meeting all the statutory requirements governing the child/young person's single EHC plan
- Report to the SEND Lead Practitioner on the review process, progress on the plan and any updating required
- Update the plan in discussion with the planning coordinator.

This is an outline of the role of lead professionals in respect of EHC plans, not an exhaustive list.

The lead professional will often be the key person for the young person in the education setting – in schools the class teacher, tutor or a teaching assistant assigned to support the young person for example. Where the lead professional is from an external agency, e.g. a social worker for a child with significant social care needs, the key person in the school and lead professional will need to work closely together to coordinate delivery & review of the young person's plan.

### **Parent carers and young people**

One of the aims of the SEND reform is to empower parent carers and young people to take leading roles in the team supporting the young person. We should support and encourage this so that parent carers and older young people may sometimes lead or facilitate their own meetings for example. The lead professional and key person in school if a different member of the team should always work closely with parent carers and young people in coordinating the work of the team, consulting about planning and review and any other decision-making relating to the young person's plan.

### **Service integration**

We will establish a SEND virtual leadership team, to oversee the roll out of EHC needs assessment and planning and ensure effective and integrated service delivery across the key services for children and young people across the age range 0-25 and across key statutory services. This team will bring together managers and leaders from

- The SEN Team
- Education Psychology Service

- Disabled Children's Team (social care)
- Preparing for adulthood coordinator
- Adult social & health care
- Children's health services.

### **Competencies for SEN support and working with EHC plans**

Through the work of the SEND reform project to date we have identified the following core competencies for all practitioners in education settings and all services to work as part of the team around the young person to provide SEN support and to work with EHC plans. These apply to the whole workforce, and are generally applicable to all of our work to support vulnerable children, young people or adults, although they have been developed specifically to support the model of team and lead or integrated working to deliver person-centred EHC planning.

The training programme (Introduction to SEND reform, Person Centred Thinking and other workshops we may develop) will seek to develop these competencies as well as knowledge of the new framework for SEND support. We will work over the coming year to assess to what extent these competencies are already present across the workforce and what further training and development activity may be required.

### **Attitudes/Behaviours**

- Committed to improving the life chances of children and young people with SEN and disabled young people and have high aspirations about what is possible
- Action-orientated – focused on delivering outcomes and change
- Positive, can do approach
- Creative and flexible
- Resilient
- Commitment to partnership working with families and others
- Leading by example in using a person centred approach in all of their work
- Commitment to working and sharing information in a transparent way

## **Knowledge**

- Clear about their role and know what their responsibilities are, where they can be creative and what is not their responsibility
- Understanding of social model of disability and how assumptions about disability lead to reduced life outcomes and therefore why raising expectations is vital
- Know what is positive and possible in the lives of young people – for example paid employment etc.
- Know what is available (for example, the local offer) and where and how to find the information that families need and local opportunities
- Know the structure and the format of the single EHC plan and what information goes where
- How person-centred meetings and reviews can contribute to single EHC plan

## **Skills**

- Able to listen to children, young people and their families and be able to learn what is important to and what is important for a young person, and how to find a balance between the two
- Know how to listen to behaviour as well as what young people say directly
- Ability to raise aspirations in a variety of ways, conversations, sharing examples, gently challenging low expectations
- Skills to research local offer and ability to share it with families
- Are able to use person-centred thinking skills and tools including one page profiles
- Able to use information from a person-centred review to inform a single EHC plan
- Can co-ordinate contributions of other people, and use evidence to develop single EHC plans that meet the standards
- Able to write clearly, without using jargon

## **Examples of how this can be demonstrated**

Practitioners will be able to:

- Describe the core responsibilities of their role
- Share their own one-page profile and demonstrate that it meets best practice criteria

- Share stories and examples and positive change that demonstrates what is possible and how they supported people to have high expectations
- Describe the Local Offer and how to find out further information
- Show you examples of each of the person -centred working tools and how they reflect best practice criteria
- Show you good quality single EHC plans.

### **3.5 *Partnership arrangements***

#### **Independent information, advice and support**

Local authorities are required to ensure parent carers and young people in transition have independent information, advice and support in respect of the local offer, SEN support and EHC planning, including advocacy for young people.

This support is currently provided by Parent Partnership Service for parents within the current SEN framework. We have an advocacy service for disabled children and young people provided through Off The Record, which has been commissioned to March 2016. This commission has been extended to offer advocacy to young people in year 11 with reviews to transfer statements to EHC Plans.

The government has announced £30m funding nationally for independent support, however there is a duty on local authorities to commission independent advocacy for young people. Our Parent Partnership Service (PPS) in partnership with Off The Record successfully bid to be one of the small number of PPS nationally to help to gather evidence and develop the national model for independent support. Government funded Independent Support in B&NES will be delivered by KIDS.

More detail of how to access independent support through these services and other possible sources of support will be published as part of our local offer.

The Family Information Service will support our local offer information as an initial point of contact for parent carers and young people who have queries, and will signpost to PPS, Off The Record, KIDS or other sources of support as needed. It is proposed to bring together FIS, PPS, advocacy service and other services that provide independent support or advocacy for carers and disabled adults to look at how independent information, advice and support can be as coherent as possible. Parent carer and

young people's representatives should also be involved in this partnership. We will need to evaluate how these arrangements are working after the first year, considering both demand and performance, with parent carers and young people playing a key role in reviewing and designing the services se commission into the future.

### **Partnership & governance**

We will establish a strategic commissioning partnership to link commissioners with representatives of parent carers, young people, early years settings, schools, colleges, education, health and care (children's and adults) services to keep the local offer under review as required by the new legal framework. This will be established by September 2015.

This SEND partnership should report to the Children's Trust Board and ultimately to the Health and Wellbeing Board which has ultimate responsibility for partnership between the Local Authority and Clinical Commissioning Group in respect of SEND amongst other issues. The partnership will develop strategies to take forward the SEND reform over coming years once the implementation project comes to an end.

### ***Links and references***

#### **Local offer**

For more detail of our local offer including statutory services arrangements and information about services and education settings locally, regionally and nationally that may be available to children, young people and families in B&NES:

[www.bathnes.gov.uk/localoffer](http://www.bathnes.gov.uk/localoffer)

#### **SEND reform**

For updates about the continuing work on SEND reform in B&NES:

[www.bathnes.gov.uk/SENDreform](http://www.bathnes.gov.uk/SENDreform)

[www.facebook.com/SENDreform](https://www.facebook.com/SENDreform)