

Report to:	EDUCATION ATTAINMENT IMPROVEMENT BOARD
Date:	28 March 2017
Reporting Officer:	Bob Berry, Interim Assistant Executive Director, Learning
Subject:	SPECIAL EDUCATION NEEDS AND DISABILITY (SEND) REFORMS IMPLEMENTATION UPDATE
Report Summary:	<p>The report provides an update on the implementation of the Special Education Needs and Disability (SEND) reforms enshrined in Part 3 of the Children and Families Act 2014 in identifying and meeting the needs of Children and Young People with SEND in the local area and is a follow up to the report presented at the January meeting.</p> <p>The report also provides extensive detail on the performance of SEND pupils in Tameside.</p> <p>This area of work will be inspected by Ofsted and CQC at some point and will include the Local Authority, Clinical Commissioning Group and Public Health.</p>
Recommendations :	Members of the Board are asked to note the content of the report.
Links to Sustainable Community Strategy:	The report supports three elements of the Community Strategy: - Prosperous, Learning and Supportive Tameside.
Policy Implications:	A need has been identified to develop and deliver a shared vision and strategy across the Local Area for children and young people with SEND. In addition the Tameside JSNA needs to reflect SEND to ensure a shared process that brings challenge and innovation to commissioning and the decision making process for health and well-being.
Financial Implications: (Authorised by the Section 151 officer)	There are no direct financial implications arising from this report. However, it should be noted that any additional cost implications arising from any developed proposals will need to be funded from existing revenue funding, including any one off SEND specific grants received by the Council.
Legal Implications: (Authorised by the Borough Solicitor)	<p>Special educational needs legislation has been reformed by the Government with effect from the 1 September 2014. The changes form Part 3 of the Children and Families Act 2014 which received Royal Assent on 13 March 2014. This is to improve outcomes for children and young people with complex needs and the experience of parents and carers.</p> <p>The three key changes are as follows:</p> <ul style="list-style-type: none"> • <i>Production of a 'Tameside Local Offer'</i>: Placing a duty to set out clear and searchable information on services available to parents and carers, children and young people • <i>Education, Health and Care Plans (EHCP)</i> for children and young people with special educational needs from birth to age 25: Replacing Statements of Special

Educational Needs, and Section 139a Learning Difficulty Assessments for post 16 education

- *Personal Budgets*: For some families and young people with an EHCP to give greater independence, choice and control over their support.

The Act also includes:

- The need to involve children and young people and parents and carers at the heart of the process in a more person centred way.
- Places a requirement on local authorities and health services to jointly commission services for young people and families.
- Provides statutory protection for young people who are in education or training up to the age of 25.
- That SEND duties will apply equally to all schools including Academies and Free Schools.

It is therefore necessary that there is a clear strategy for delivery within the Borough cutting across organisational boundaries.

It will also be important to ensure we learn from those organisations who have already been inspected and/or are regarded as being outstanding at delivery in this area.

Risk Management:

The assessment outlined in this paper highlights areas of SEND potential weakness/risk. The proposed recommendations and implementation of comprehensive self-evaluation framework (SEF) will mitigate the risks of poor outcomes and experiences for children and young people with SEND and a potential poor inspection outcome.

Access to Information:

The background papers relating to this report can be inspected by contacting Bob Berry, Interim Assistant Executive Director - Education



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1. BACKGROUND

- 1.1 The Special Educational Needs and Disability (SEND) Reforms, enshrined in Part 3 of the Children and Families Act 2014 came into force on 1 September 2014 and outlined the biggest transformation to special educational needs and disabilities support for 30 years. Local Areas now have responsibility for all children and young people with SEND aged 0 – 25. Through the Children and Families Act and the Code of Practice, responsibility for the development of SEND services lies with the Local Area rather than individual agencies or services. Local Area responsibilities under the Children and Families Act include:
- Ensuring appropriate services are in place which meet needs across the 0 - 25 age range;
 - Embedding co-production with children, young people and their families / carers at both the strategic and individual level;
 - Integration and joint commissioning of services across partners for example, the local authority and Clinical Commissioning Groups (CCG);
 - The offer of a personal budget across education, health and / or social care;
 - Clear improvements to the child/young person's life and education achieved through clearly articulated outcomes which match the child/young person's aspirations;
 - Replacement of Statements of SEN and Learning Difficulty Assessments with Education, Health and Care (EHC) plans;
 - Supporting young people over the age of 16 to exercise their right to make decisions about their lives/support (unless they lack the capacity to do so);
 - The publishing of a 'local offer' (a one stop shop where information about all services and groups across the local area which support children and young people with SEND and their families can be found.); and
 - Supporting schools and colleges to embed the new SEN Support classification (replacement for School Action and School Action Plus) within their day to day practice to ensure improved outcomes for all children and young people with SEND.
- 1.2 A new framework for the inspection of local areas' effectiveness in meeting the needs of children and young people with (SEND) has been implemented. The new inspection programme began in May 2016, with potentially a Tameside assessment likely in 2017. It is important to note that this is a local area inspection, not a local authority inspection. The local area includes the Local Authority, CCGs and Public Health. The new joint inspection framework for SEND will seek to hold the local area to account and ensure that our plans are appropriate to meet local demand, and to ensure they have an effective relationship with the key providers to ensure effective arrangements for delivering completed and implemented EHC plans.
- 1.3 All areas in England will be inspected over the next 5 years. Following inspection, the outcome letters are published by Ofsted and CQC and these can be accessed via <https://www.gov.uk/government/publications/local-area-send-inspection-outcome-letters>.

2. GOVERNANCE

- 2.1 The SEND Steering Group is meeting on a three weekly basis and has multi agency representatives. Councillor Lynn Travis, Chair of the Education Attainment Improvement Board and Dr. Tina Greenhough from the Health and Wellbeing Board are keen to lead the new SEND Executive Board. The first meeting of the SEND Executive Board meeting will be the 11 April 2017 and meetings will be quarterly. Dr Greenhough and Councillor Travis will chair the Executive Board alternately and Stephanie Butterworth will brief the Chairperson before the Executive Board meeting as Chair of the SEND Steering Group.

3. TAMESIDE SELF EVALUATION

- 3.1 The Self Evaluation (SEF) of services in the borough is nearing completion and is due to be published at the end of March. The issues identified through the SEF will be addressed in an action plan which will be developed by the SEND Operational Groups and the Strategic Group that is now meeting on a three weekly basis. A draft strategy will also be developed

4. SEN DATA AND INTELLIGENCE

- 4.1 The collection of data relating to SEND in Tameside; we now have a comprehensive and detailed data set regarding the performance of SEND students in Tameside. This has as a consequence triggered the search for the 'next level' of data, in other words the performance of sub-groups. A highly productive meeting was held a month ago at Birch Lane which was attended by all key education staff, in addition to leaders from Adult Social Care and Post-16. It is essential that the performance of young people with SEND in Tameside schools *is widely understood*.
- 4.2 Within-service communication is now much more effective, in the sense that in the past data sets and information would have been held separately in different teams; they have now been brought together, and as a consequence the interpretation of this data is more sophisticated. Inevitably though, these new data sets have created a need for additional data, but most importantly the need to *explain it*. Educational data is now being brought together with SEND data from health.

5. HOW SEN PUPILS PERFORMED IN TAMESIDE IN TERMS OF EDUCATIONAL ACHIEVEMENT AND ATTAINMENT

- 5.1 Broadly speaking, in 2016 pupils with SEN in Tameside did not achieve as much as their peers nationally. How SEN pupils in Tameside achieve compared to their peers nationally differs at each assessment stage.
- 5.2 Not enough pupils with SEN in Tameside achieved a good level of development at the end of EYFS (Reception). The percentage of pupils who are SEN support achieving a good level of development was below national; 14% of SEN support pupils at EYFS achieved a good level of development – 12% below the national average and this placed Tameside 2nd lowest in the North West (NW) and the lowest in Greater Manchester (GM).
- 5.3 Only 34% of SEN support pupils in Tameside reached the expected standard in the year 1 phonics screening check – 12% below the national average of 46%. 8% of SEN pupils with a statement or EHC plan reached the expected standard in year 1 phonics screening check – 10% below the national average of 18%. The percentage of SEN support pupils in Tameside reaching the expected standard in phonics was the lowest in the NW and in GM and the percentage of SEN pupils with an Education Health Care plan or a Statement of SEN (EHC/S) was the second lowest in the NW and in GM.
- 5.4 Not enough pupils with SEN in Tameside reached the expected standard across reading, writing and maths at the end of key stage 1. The percentage of SEN pupils in Tameside reaching the expected standard was below national in each subject. In terms of pupils who are SEN support, 27% of these pupils reached the expected standard in reading (5% below national), 18% of these pupils reached the expected standard in writing (4% below national) and 28% of these pupils reached the expected standard in maths (5% below national). Tameside's position in the NW was eleventh in reading and maths and sixth in writing.
- 5.5 In terms of SEN pupils with a EHC/S at KS1, 6% of pupils in Tameside achieved the expected standard in reading* (8% below national) 3% of pupils in Tameside achieved the expected standard in writing* (6% below national) and 9% of pupils achieved the expected

standard in maths (5% below national). *figures not reported nationally due to small numbers involved.

- 5.6 At the end of key stage 2 only 13% of SEN Support reached the expected standard in reading, writing and maths combined (3% below national). In addition to this, 3% of SEN pupils with a EHC/Statement reached the expected standard in all three subjects (4% below national). Tameside was thirteenth in the North West for the attainment of the expected standard in reading, writing and maths combined for SEN support.
- 5.7 SEN pupils in Tameside did not make as much progress as all pupils nationally between key stage 1 and key stage 2. Similarly, SEN pupils with a statement or EHC plan in Tameside did not make as much progress as SEN EHC/S pupils nationally in each subject. Pupils in Tameside who are SEN support made the same progress as SEN support pupils nationally in writing and maths; in reading pupils who are SEN support made slightly more progress than SEN support pupils nationally.
- 5.8 At the end of key stage 4 (GCSE) SEN support pupils in Tameside had a Progress 8 score of -0.5 meaning they achieved, on average, half a grade less across 8 subjects than all pupils nationally. In addition, SEN support pupils in Tameside pupils made slightly less progress than SEN support pupils nationally. The results of SEN support pupils in Tameside placed the LA twelfth in the North West and sixth in Greater Manchester for SEN Support. In contrast to pupils who were SEN support, SEN pupils with a EHC/Statement make slightly more progress than their peers nationally (-0.9 compared to -1.0 nationally). Tameside ranked sixth in the North West and joint third in Greater Manchester for progress made by SEN pupils with a EHC/Statement.
- 5.9 Attainment at the end of GCSE for pupils who are SEN support and for pupils with a EHC/Statement in Tameside was below that of their peers nationally. Pupils who are SEN support pupils had an average Attainment 8 score of 34.8 compared to 35.2 nationally whilst SEN EHC/Statement pupils had an Attainment 8 score of 14.6 compared to 17.0 nationally. On Attainment 8 Tameside was 14th in the North West and 6th in Greater Manchester for the attainment of pupils who are SEN support. Tameside was 15th in the North West and 8th in Greater Manchester for SEN pupils with a EHC/Statement.
- 5.10 Twenty six percent of SEN support pupils in Tameside achieved an A*-C in English and in maths – 3% below the national average. 9% of SEN pupils with a EHC/S achieved an A*-C in English and maths – in line with the national average of 10%. Comparable information with NW and GM local authorities is not available.

6. LOCAL OFFER COMMUNICATIONS PLAN

- 6.1 All local areas are required to have a local offer that provides information on services, support and guidance for parents and carers and children or young people with SEND. The information on the local offer covers a whole range of topics including health, social care, education, schools, leisure activities, support for families and employment.
- 6.2 The local offer should be the primary source of information for families and so a draft communication plan has been developed to help to increase the profile of the webpages; to make the information as relevant as possible and to increase traffic to the webpages.
- 6.3 The draft communication plan identifies communication platforms to raise the profile of the local offer. For example, by using a press release with case studies, messages on our social media outlets and screensavers. The plan will be overseen by the SEND Steering Group.

7. RECOMMENDATION

7.1 Members of the Board are asked to note the content of the report.