

Report to:	EDUCATION ATTAINMENT IMPROVEMENT BOARD
Date:	22 June 2021
Reporting Officer:	Tim Bowman – Director, Education (Tameside and Stockport)
Subject:	SEND UPDATE
Report Summary:	Report provides an update of the current position across SEND Services including; an outline of the progress in the redesign and improvement of SEND support services; work to modernise and improve the SEND band-funding process and future plans to expand SEND provision across Tameside. Also included is an update on the imminent Ofsted SEND Local Area inspection.
Recommendations:	That the Board note the contents of the report.
Corporate Plan:	Early identification of high quality support for children and young people with special education needs and / or disabilities is a vital part of our living well and starting well objectives.
Policy Implications:	The Council has a policy not to subsidise school services.
Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer)	<p>The areas of review outlined in this report in the main are supported by the High Needs element of the Dedicated Schools Grant. They all form part of the Deficit Recovery Plan the Council has to deliver and report to the DfE on progress. The grant was in deficit by £1.822m at the end of 2020/21 and currently forecast to be further in deficit by £0.942m at the end of 2021/22. The cumulative high needs deficit is expected to be £2.764m. This is forecast to be mitigated by other DSG savings down to £2.02m by the end of 2021/22.</p> <p>Hawthorns new build is subject to further decision making at the Executive Cabinet meeting of 26 June 2021. The scheme is estimated to cost £13m. There are on-going discussions regarding the revenue financial implications of the proposal, with the Department for Education to look to access the ongoing revenue funding to support the annual costs. The risk to the High Needs Deficit if these are unsuccessful is an increase of £0.5m per year.</p> <p>The Social Emotional and Mental Health Traded service in the process of finalising the service redesign which is expected to deliver financial savings, which cannot be confirmed until this work completes. The traded income is currently projected to be short by £138k. The service will need to find alternative savings to mitigate any shortfall.</p>
Legal Implications: (Authorised by the Borough Solicitor)	This is a general update report and as such no decisions are being sought. There are no immediate legal implications arising from this report save for the Council's overarching statutory duties in relation to the provision of education, public health and safeguarding and the absolute obligation to deliver a balanced budget.
Risk Management:	Set out in the report.

Access to Information:

NON-CONFIDENTIAL

This report does not contain information, which warrants its consideration in the absence of the Press or members of the public.

Background Information:

The background papers relating to this report can be inspected by contacting Tim Bowman.



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1 INTRODUCTION

- 1.1 Historically Tameside has maintained an extremely low number of statutory plans. As part of a wider improvement agenda across children's services, led by a new senior leadership team, it was recognised that this needed to be addressed. This improvement agenda has given rise to a rapid increase in the number of plans (EHCPs) maintained.
- 1.2 This improvement agenda has also overseen a considerable improvement in the timeliness of statutory planning. Timeliness of EHCPs completed in 20 weeks increased to 83% in 2020 when excluding exceptions from 49% in 2019 and 22% in 2018 (70% when including exceptions). The average number of weeks it takes for a plan to be completed is currently 19.9 (improved from 22.3 2019 25.8 2018).
- 1.3 This has been achieved by improvements in process and robust supervision and management oversight, but continues to require high levels of management support, which impacts significantly on management' workload and both managers' report that this intense and relentless level of supervision and oversight is very difficult to sustain.
- 1.4 Improved timeliness performance is encouraging, particularly as this was and continues to be a priority improvement area for the SEND service. However, in recent months the team are noticing an impact on sustaining the excellent progress made over the last two years in relation to timeliness, due to capacity within the team and volume of referrals. Our performance began to drop in September 2020. At the end of 2020 our timeliness was 69.4% for the calendar year. From 01 Jan to 30 Apr it dropped by over 20% to 42.6%.
- 1.5 Despite these improvements, the implementation of the SEND Reforms in Tameside was inconsistent the impact of this continues to be felt. Families' experiences of assessment aren't positive enough, waiting times for many health services are too long and the quality of assessment and of plans is inconsistent.
- 1.6 Informed by our Joint Strategic Needs Assessment and feedback from parents and carers we have developed 4 Headline Strategic Priorities, each with its own development and action plan and a lead officer:
- **INCREASING & IMPROVING INCLUSION** of children and young people in mainstream settings ensuring appropriate preparation for adulthood.
 - **INCREASING CONFIDENCE** of parents and carers in services and systems across all of the partners in Tameside ensuring appropriate preparation for adulthood.
 - **INVOLVING CHILDREN & YOUNG PEOPLE** who have SEND and their families, in decisions about their future and in the shaping, accountability, quality and delivery of services ensuring appropriate preparation for adulthood.
 - **IMPROVING ACCURACY & TIMELINESS** with which we identify and assess children's and young people's needs including ensuring appropriate preparation for adulthood.
- 1.7 As part of the drive towards the SEND strategic objectives, the SEND Service is proposing to embark on a range of improvement actions, each designed to promote inclusion across the borough for the most vulnerable learners, whilst also ensuring that service delivery is fit for purpose and efficient. The 4 immediate improvement areas set out in this report are as follows: the redesign of the SEND Pupil Support Service, the review and redesign of top-up/ band funding allocation, the provision of a brand new building for Hawthorns Specialist School and 4 additional SEND Resource bases for learners with a range of additional needs.

2 IMPACT OF COVID 19

- 2.1 The COVID-19 pandemic has challenged all SEND services to work differently. Services have continued delivery by modifying practice - using increased telephone contact, video and tele-therapy and have prioritised caseloads by RAG ratings, risk assessments and completed regular welfare checks to reach out to vulnerable families. Despite these innovations for many families the national lockdown was an extremely challenging time. We have heard from some families that they felt communication should have been better and that support was at times too slow to arrive.
- 2.2 In addition, and despite managing the impact of the COVID 19 pandemic we have completed a number of key pieces of work including; finishing and publishing an updated JSNA, SEND Strategy, Joint Commissioning Strategy and Co-Production Strategy.

3 REDESIGN OF SEND PUPIL SUPPORT SERVICES

- 3.1 The Special Educational Needs and Disability (SEND) Pupil Support Service is currently divided into 4 areas; the Sensory Support Service, CLASS- the Autistic Spectrum Condition (ASC) Support Service, the Specific Learning Difficulties (SPLD) Support Service and the Social Emotional and Mental Health (SEMH) Support Service. The latter is a traded service, which schools can opt to buy in to.
- 3.2 Whilst all schools currently have access to Sensory, ASC and SPLD support, only schools that purchase SEMH support have access to that service. Schools can choose to buy in at the start of the year, giving them unlimited access to the service throughout the year, or they can spot purchase discreet interventions as required. Over recent years, school buy in has reduced significantly and, following observation and review, it was agreed that the service was in need of modernisation, that the cost to schools was prohibitive and that the offer needed to be improved to be more attractive and useful to schools. Consequently, last year, significant work was undertaken to revise and improve the offer. However, the national Covid lockdown had a significant impact on school buy in and, consequently, the service accrued a considerable financial deficit.
- 3.3 As schools have returned since September, they have been spot purchasing support from the service, but not enough to recover the financial position. The service achieved income of £116k against a budget of £392k giving a fully year deficit of £221k, It has been agreed therefore, that the service was in need of redesign to attract greater buy-in and ensure the long term viability of the support service.
- 3.4 The Sensory Support Service will continue to function largely as is, supporting children and young people with hearing and visual impairment across Tameside. The service has a significant statutory element, which it must be able to deliver. It is proposed to make some minor changes to the management structure and one teacher, who is leaving the service, will not be replaced. The service will, therefore, be slightly reduced but will still have sufficient capacity to deliver their statutory obligations. Work load per teacher is likely to slightly increase, but this will then bring caseloads in line with neighbouring Sensory Support teams, who consistently carry a higher caseload than the team in Tameside.
- 3.5 Following staff consultation and consultation with schools and stakeholders, all remaining pupil support services for SEMH, ASC and SPLD be merged into one service, effective from September 2021. The team will be combined as a Specialist Support Service for all aspects of SEND, made up of specialist teachers, specialist support staff and admin support. This will be an advisory and support service, designed to promote greater inclusion and effective practice around this vulnerable group of learners.

- 3.6 Schools will be required to buy in to the service at the start of the year. However, if this service was funded purely via trade, the cost to each school would be prohibitive. Therefore, in order to support access, the service will be partly subsidised via HN DSG. Schools have been made aware of these changes, and already there has been a significant increase to the trade purchased, and this number continues to grow. Trade in this area has been steadily declining for the past 4 year. Next year will show significant growth in this area.
- 3.7 Merging services will reduce costs, as there will be fewer staff across the service. However, these staff will work more flexibly across all areas of need, creating a more efficient, dynamic and agile service, with multi-skilled staff who are able to provide high quality advice and support across a range of settings and types of need. Whilst staffing across Pupil Support will be reduced, service delivery will change to ensure emphasis shifts to short, time-bound, effective interventions.
- 3.8 The support will largely be to school-based staff and will be in the form of advice and guidance around appropriate specialist interventions. This is a change to the current offer, which can involve staff working more directly with students for prolonged periods. Furthermore, we will no longer offer 4 separate support services, but instead will offer 2- a specialist service for children and young people with sensory impairment, and a merged SEND support service, where staff can work with any child regardless of their area of need.
- 3.9 It is hoped that this redesigned service will continue to generate greater buy-in from schools across Tameside and result in a more efficient and desirable service, which will ultimately reduce exclusion rates. In addition, it is hoped that this will also slow the movement of children with SEND out of mainstream settings into specialist settings, thereby reducing the current considerable strain on those establishments, caused by over-subscription.
- 3.10 Improving the Pupil Support service will not only have a financial benefit, in that it will cost less to maintain, but it is anticipated that the service to schools will be significantly enhanced, replacing current practice with a flexible, specialist responsive service, which has the potential to significantly improve inclusive practice across Tameside, and reduce exclusion rates.
- 3.11 The redesigned service will be up and running by September 2021. However, schools were presented with the revised offer in February and were asked to sign up by March. As stated above, early indications demonstrate that the revised offer has already attracted greater buy in of £123k which is an increase in buy in of £7k on 2020/21 and consequently an improved financial position. The income target has been reduced in 2021/22 from £392k to £261k, however there is currently still a shortfall in income of £138k forecast for financial year 2021/22.

4 REVIEW AND REDESIGN OF TOP-UP/ BAND FUNDING

- 4.1 It is proposed to review and redesign of top-up/ band funding allocation, to create a more flexible and accurate model of funding, based on provision required to support SEND
- 4.2 Currently SEND Band funding is allocated using a “deficit model”. In other words, the child’s needs are assessed and funding is allocated accordingly. We would like now to move to a provision-based model (Matching provision to Need -MPTN), which is more in keeping with the new Code of Practice and is a much fairer and more accurate way to allocate funding.
- 4.3 The Financial Impact of this proposal has not as yet been determined, as part of the work plan is to work through realistic cost of provision in school once the MPNT model has been approved. However, benchmarking information shows the rates paid in Tameside are on average providing value for money compared to the rest of North West and statistical

neighbours in special schools. However, in mainstream settings, top-up funding is on average between £43 and £40 higher than the rest of North West and statistical neighbours.

- 4.4 The estimated savings are based on assuming this model makes us broadly comparable with our statistical neighbours.
- 4.5 The great advantage of this new model of band funding is the accuracy and flexibility it affords, both for the local authority and for schools. We are proposing that the top level of funding remains uncapped, allowing the authority to work with schools to ensure even the most complex children and young people can be accommodated in both mainstream and specialist schools within their own community, reducing the exodus of Tameside learners with complex SEND into expensive out of borough provision.
- 4.6 A draft revised band funding model has been developed we have begun the consultation process with school leaders, who are broadly in agreement with the new banding tool and are eager to see proposed funding levels attached accordingly.

5 DEVELOPMENT OF HAWTHORNS SPECIALIST SCHOOL and 4 NEW SEND RESOURCE BASES

- 5.1 Hawthorns School was originally built for approximately 80 learners. Over recent years, as EHCPs numbers have increased and the school has grown in popularity and demand this number has grown to 140 learners. In spite of additional classroom space being created at the site, via the use of temporary buildings, the school remains heavily oversubscribed and the space is deemed no longer fit for purpose.
- 5.2 Through extensive consultation and co-production with a representative group of parents, we now have plans to design and build a brand new specialist school to accommodate up to 220 learners. Students currently educated at Hawthorns Specialist School will move to this new building, creating an additional 80 special school places. Whilst this building will not be complete until September 2023, we have brokered an interim partnership with Victorious Academy Trust, which will allow Hawthorns School to develop a satellite site at Discovery Academy, housing up to 36 learners.
- 5.3 In addition to the additional accommodation and places at Hawthorns School, we are also planning to open 4 additional Primary- age SEND Resource Bases, ready to accommodate learners from Sept 2021. In opening these bases we will be able to create an additional 40 – 50 SEND places for a range of EHCP students who are struggling to cope in a mainstream setting.
- 5.4 The additional places will give greater options for SEND learners, their parents and families and it is anticipated will also take pressure off the heavily burdened specialist sector. Resource bases also create excellent opportunities to promote inclusive good practice across the mainstream sector; upskilling staff and also reducing pressure on mainstream settings, who may be less familiar and confident in working with children with more complex needs.
- 5.5 We have identified 4 partner schools who are keen to open primary bases from September 2021. In opening these bases, we will be able to provide between 40 and 50 additional specialist school places from September 2021. An operating and funding model has been shared and agreed with the partner schools involved. Capital funding has been requested to facilitate these new bases and a paper has been presented to board, in order to release this capital funding.
- 5.6 In 2022 we propose to further expand provision focussing on Key Stage 3 and 4, opening a further 4 bases and an additional 40 generic SEND places. 2023 will be designated based on the learning of the first two resource base roll outs, but at this stage it is anticipated that

we will be looking to open an additional 4 primary bases, and a further 40 SEND places. These will support the reduction in placements of 10 fewer required in 2022 to achieve a further net reduction in placements required to avoid costs in external placements.

6 IMMEDIATE AREA SEND INSPECTION AND LIKELY OUTCOMES

- 6.1 Part Three of The Children and Families Act 2014 introduced significant changes to the responsibilities of Local Authorities, Schools and Clinical Commissioning Groups for children and young people with special educational needs and disabilities. These reforms came into effect on 1 September 2014 supported by a refreshed SEND Code of Practice. At the time the government described this as the biggest educational reform for a generation.
- 6.2 Implementing these reforms was in itself a challenge, however, this challenge has been compounded by turbulence and pressure in all parts of the education system. Pressures on budgets, wide ranging changes to policy (for example curriculum and assessment), and the impact of austerity on the public sector and families, mean that implementation has been inconsistent across the country and in Tameside.
- 6.3 To provide oversight and accountability to these reforms the Minister of State for Children and Families tasked Ofsted and the Care Quality Commission (CQC) with inspecting local areas on their effectiveness in fulfilling the new duties. This new inspection, "The framework for the inspection of local areas' effectiveness in identifying and meeting the needs of children and young people, who have special educational needs and/or disabilities" came into effect in May 2016. All Local Areas will be inspected over a five year period.
- 6.4 The inspection will consider how effectively the local area identifies, meets the needs of and improves the outcomes of the wide range of different groups¹ of children and young people who have special educational needs and/or disabilities. Its focus is on the contribution of education, social care and health services to children and young people with special educational needs and/or disabilities, as set out in the Act, the Regulations and the Code of Practice.
- 6.5 The outcomes of the inspection is reported in a letter and the judgements are in narrative form. The letter outlines areas of strength and key priorities for improvement. Where inspectors find significant issues the framework allows inspectors to require the local area to prepare a written statement of action that sets out those actions and the timetable for them.
- 6.6 So far 8 out of 10 Local Areas in Greater Manchester have been inspected. Across the North West more than half of all Local Areas inspected have been asked to prepare a written statement of action.
- 6.7 Tameside is still to be inspected this inspection is likely to place any time between now and December 2021. Considerable work has been undertaken over the past 2 years to improve SEND provision and services, and whilst the service is preparing well for an inspection, it is difficult to predict what the likely outcome of the inspection may be.
- 6.8 Tameside like many local areas has found implementing SEND Reforms challenging. Our implementation has not been consistent and capacity challenges and changes in leadership have negatively impacted upon this. Whilst this paper demonstrates the significant improvement work already undertaken and still in progress, we know there remains work to be done, to ensure all our vulnerable learners are effectively included and supported by SEND Support services and the schools we work with.
- 6.9 A thorough and well considered improvement plan is place and it is targeted to the areas requiring the swiftest improvement. Oversight to the implementation of this plan will be

provided by the SEND Improvement Group, through the Starting Well Board and the Educational Attainment and Improvement Board.

- 6.10 Our self-evaluation (Executive Summary, **Appendix A** to this report) highlights a number of areas of strength. However, there are significant challenges to our performance (**Appendices B** to this report).

7 CONCLUSION

- 7.1 We continue to improve all areas of the SEND service, in line with our strategic objectives. We continue to have a strong focus on the SEND Pupil Support Service, adapting our offer to encourage generate greater school buy-in, ensuring that all schools have access to a high standard support and advice service and to promote inclusion across the borough.
- 7.2 We continue to review and redesign band funding/ top-up funding, to ensure a funding model that is transparent, fit for purpose, accurate and flexible enough to promote inclusion across Tameside schools, both mainstream and specialist, and consequently reduce the need to place learners in expensive out of borough settings.
- 7.3 We are pushing hard to build a new and expanded Hawthorns school, creating an additional 80 specialist school places by 2023 and to expand the number of resource bases over a 3-year period, finally creating an further 120 Generic SEND Places for complex learners with an Education Health and Care Plan, and reduce the burden on the specialist sector.
- 7.4 Whilst we continue to make significant improvements across all areas of the SEND Service, we anticipate that because of the significant work still needed to be done we expect that the outcome of an inspection will be that we are asked to prepare a written statement of action.

8 RECOMMENDATIONS

- 8.1 As set out at the front of the report.