

## **TAMESIDE LOCAL AREA RESPONSE SEND GREEN PAPER**

The following is the Tameside Local area response to the SEND Green paper. This has been compiled from feedback across the system. This has included:

- Focussed session at Education Management team
- Focussed session at SEND Headteacher meeting
- Discussions with Council officers with specific strategic responsibility
- Specific discussion with the DCO

### **1. What key factors should be considered when developing national standards to ensure they deliver improved outcomes and experiences for children and young people with SEND and their families? This includes how the standards apply across education, health and care in a 0-25 system.**

- The standards need to be mindful of individual legislative and policy context for all partners. There are clear legislative contexts at present.
- It is unclear why adding in additional standards would change the experience of SEND families, unless these are linked into individual inspection regimes or refined monitoring processes. Standards need to be owned by senior leaders within each sector of the system.
- Inspection regimes should link into the standards for all agencies not just through SEND inspections but also in individual focussed inspections and monitoring
- The standards need to have lived experience as central and should be clear for all to understand
- The standards need to be achievable and realistic given current resource contexts for local areas
- There needs to be a focus on adult care and provision
- There needs to be an awareness of standards which focus on specific groups, for example Sensory impairment. These already exist but are not DFE publications-specialist sector standards. Ofsted and CQC and recognising SI services-link national standards? but will national standards be too broad to be able to encompass SI standards? What happens if standards aren't met? There will be a need for specialist knowledge and oversight in the systems.

### **2. How should we develop the proposal for new local SEND partnerships to oversee the effective development of local inclusion plans whilst avoiding placing unnecessary burdens or duplicating current partnerships?**

- Individual areas should be given the responsibility of setting up the partnerships once the clear functions are outlined. This is in recognition of the differing strategic picture of areas, and governance arrangements. There needs to be flexibility to build into current governance rather than set up whole new partnership boards where the existing arrangements could be adapted to cover.
- There need to be clearly defined roles/decision making powers/escalation processes. The accountability needs to be clearly set out
- There will need to be a resource available at a local level to implement the partnerships. This funding needs to be considered when the proposals reach implementation.
- Could be a SEND partnership oversight board across an ICB – informed by place-based SEND (local delivery) partnership boards.

### **3. What factors would enable local authorities to successfully commission provision for low-incidence high-cost need, and further education, across local authority boundaries?**

- One national funding formula for all bandings
- Joint working across geographical footprints is key and this could be formalised into a consortia arrangement including a key point for commissioning/contracting in a region for

high cost/low incidence.

- Detailed analysis of the impact of the covid pandemic on all SEND groups, and the consequent impact on the commission of provision for LI/HN SEND and indeed all SEND groups.
- There may be a need to do some national level planning for low incidence provision. This needs to include scoping and centralising of information
- There needs to be clear links in within the CETR and dynamic risk register information
- Data to be collected nationally on individual early years and regional sufficiency
- We need to ensure we look at links to safeguarding and presentations within hospital settings

#### **4. What components of the EHCP should we consider reviewing or amending as we move to a standardised and digitised version?**

- There needs to be co-production of any new format
- All sections need to be reviewed and co-produced. There needs to be clear guidance and explanation for all sections.
- There is a need to strengthen the child's voice
- There is a need to ensure focus on preparation for adulthood
- Plans going forwards need to be more accessible, electronic, assistive tech,
- Any plans do need to take into account digital poverty and not prejudice families who may not have access
- Plans should ensure that EHCP production is a wholly inclusive exercise, and that pupil and family voice is always at the centre of the assessment process- regardless of circumstance
- All associated documentation should be standardised- including application paperwork, assessment and post assessment quality assurance, review documentation etc

#### **5. How can parents and local authorities most effectively work together to produce a tailored list of placements that is appropriate for their child, and gives parents confidence in the EHCP process?**

- We welcome the proposal for a list of placements to ensure that there is transparency within the sector. However, these need to be well thought out and linked very closely to the local coproduced inclusion plan
- There would need to be clear guidance provided centrally on parameters
- There needs to be clear transparency of why schools/provision is on the list
- There needs to be an element of being able to commission specific specialist provision as needed to ensure all need is met
- Clear guidance around quality assurance protocols

#### **6. To what extent do you agree or disagree with our overall approach to strengthen redress, including through national standards and mandatory mediation? Strongly Agree, Agree, Neither Agree nor Disagree, Disagree, Strongly Disagree – If you selected Disagree or Strongly Disagree, please tell us why, specifying the components you disagree with and alternatives or exceptions, particularly to mandatory mediation.**

- As a local area we feel that mandatory mediation would add another layer into the system and potentially create another barrier to meeting need. This could create another "industry" around the SEND agenda rather than a restorative, co-production focus. The co-production element within the standards needs to be strengthened in order that throughout the process there are more partnership working.
- There would be a need to resource the mediation in terms of existing staffing. There is currently not the capacity within the system, for example DCO role could only be undertaking mediations

#### **7. Do you consider the current remedies available to the SEND Tribunal for disabled children who have been discriminated against by schools effective in putting children and young**

**people's education back on track? Please give a reason for your answer with examples, if possible.**

- The tribunal process is lengthy and comes when relationships have broken down. If the standards are strong on co-production, then this may assist. The individual establishments need to also be accountable through inspection regimes in regard to SEND learners and support.

**8. What steps should be taken to strengthen early years practice with regard to conducting the two-year-old progress check and integration with the Healthy Child Programme review?**

- There needs to be very clear links to the healthy child programme. This is lacking in the Green paper. The Green paper misses the opportunity for early identification of need, and the use of other screening tools, for example autism. These should be funded and mandatory within the early years. The healthy child programme needs to be adequately funded in order to achieve this, and this would ensure need was picked up at the earliest point and supported. In the longer term this would reduce spending and have much better outcomes for our children with additional needs.
- Currently the 2-year check is mandated as part of the Healthy Child Programme. We strongly feel in Tameside (and GM) that the 2 year mandated contact should be moved to an 18 month contact to ensure early identification of need and time to support the child before they take up their 2 year FEF.
- Children in black or grey ASQ at this point would then be supported with a package of support depending on their developmental need(s) and a transition into settings at 2 year could then be planned through Team Around the Early Years (TAEY) to ensure all practitioners working with the child share relevant information and work in a sequenced way to meet need. We strongly recommend the use of Welcomm as a SLC tool to identify and support children with SLC needs alongside ASQ3 and SE throughout the country as mandated.
- ASQ app could then be used at 2 years (pilot in GM) to ensure all children still have an ASQ 3/SE which would identify any need at 2 years and again through TAEY be supported in a seamless pathway of care.

**9. To what extent do you agree or disagree that we should introduce a new mandatory SENCo NPQ to replace the NASENCo? Strongly Agree, Agree, Neither Agree or Disagree, Disagree, Strongly Disagree – If you selected Disagree or Strongly Disagree, please tell us why.**

- As an area we recognise that the current qualification is good. This is already a leadership qualification. The Manchester Met model used in Tameside is positive. We do not think that the current qualification is unfit. However the Green paper does not adequately cover the whole school system, and training for other teachers and senior leaders. The SENCo is only one role within a school and there needs to be understand and oversight across the system.

**10. To what extent do you agree that we should strengthen the mandatory SENCo training requirement by requiring that headteachers must be satisfied that the SENCo is in the process of obtaining the relevant qualification when taking on the role? Strongly Agree, Agree, Neither Agree nor Disagree, Disagree, Strongly Disagree – If you selected Disagree or Strongly Disagree, please tell us why**

- We as a local area feel that the idea that the Headteacher should be satisfied that the SENCo is in process upon recruitment is not viable. Given the current issues in relation to recruitment and retention of the SENCo workforce.
- We also feel that the emphasis on the training specifically of SENCo does not sufficiently cover the wider issues in relation to their heavy workloads, and the need for protected time. The paper states: "recommends 'sufficient protected time' and 'dedicated administrative support', this is similar to wording in current Code of Practice we feel that this needs to be strengthened within the final act.
- There are sustainability issues within the current system, and these are not adequately addressed in the Green paper. We would like to see it being mandatory that the SENCo role is part of the senior leadership team within schools and that there is a minimum protected

time given, with resource to fulfil the role.

- We feel that the omission of wider teacher training and how all teachers should be teachers of SEND is unfortunate. The initial teacher training needs to be strengthened in this area, with SEND being a clear focus, rather than an add on. Ongoing CPD for all teachers should also include SEND as core.

**11. To what extent do you agree or disagree that both specialist and mixed MATs should be allowed to coexist in the fully trust-led future? This would allow current local authority maintained special schools and alternative provision settings to join either type of MAT. Strongly Agree, Agree, Neither Agree nor Disagree, Disagree, Strongly Disagree – If you selected Disagree or Strongly Disagree, please tell us why**

- We strongly agree that there should be specialist only MAT so that there is the expertise within the area. We would also be in favour of these operating across a geographical borough area to ensure that there is fair access to all children in an area.
- There does need to be a clear SEND and inclusion focus in every MAT

**12. What more can be done by employers, providers and government to ensure that those young people with SEND can access, participate in and be supported to achieve an apprenticeship, including through access routes like traineeships?**

- Supported Apprenticeships – Tameside Council have provided these and we are committed to continuing, being the 'employer' of young people with SEND needs for payment of wages, arranging Apprenticeship provider, support for the young person, etc. These can also include individuals being based in mesother host employers where they actually work. Government funding of Supported Apprenticeships would add opportunity to offer significantly more Supported Apprenticeships with employers – a key pathway into Apprenticeships to young people with SEND needs. This is resource intensive and additional capacity is needed.
- We believe Social Value commitments in Public Sector procurement – There is the opportunity to have specific employment related social value commitments relating to people with disabilities/SEN in contracts with suppliers. Therefore the National Social Value indicators can be used more to capture quantitative impact in recruitment of people with disabilities e.g. Apprenticeships. The Council have identified SEND as a key priority group for social value commitments.
- We believe that there could be support for employers could consider alternative recruitment routes, e.g. job carving, working with employment support organisations supporting young people with SEND, and also consider if current recruitment practices inadvertently disadvantage young people with SEND needs, e.g. language used in adverts, job descriptions.
- To support employers, awareness raising and training by providers among employers is key, e.g. the benefits of recruiting young people with SEND needs and the talents they bring.
- Wage support schemes can also be provided to support employment of target groups into employment, including through Apprenticeships. It is important to ensure this also includes in-work support for the young person and the employer to sustain the employment. If national funding was used to commission programmes to have such an offer for SEND Apprenticeships recruitment, this could make a big difference.
- Apprenticeship's pathway opportunities for young people with SEND, need to be developed by skills providers, working in collaboration with employers, and financially supported by Government. In particular, this needs to include pre-Apprenticeship programmes that are sector focused, with entry into Apprenticeships starting at Level 2.
- Promotion of good practice in Apprenticeship recruitment of SEND young people e.g. linked into social value commitments or Employment Charter commitments.

- More and better targeted awareness raising in schools, of the opportunities that Apprenticeships can offer for all young people including those with SEND.
- Government to give ring fenced SEND incentives to employers to employ young people with SEND
- Employers to have positive discrimination to enable a diverse workforce
- Extended supported internship and supported apprenticeship opportunities e.g. two years. SEND young people often need more work experience support time.

**13.To what extent do you agree or disagree that this new vision for alternative provision will result in improved outcomes for children and young people? Strongly Agree, Agree, Neither Agree nor Disagree, Disagree, Strongly Disagree – If you selected Disagree or Strongly Disagree, please tell us why**

- We agree that there needs to be some focus on alternative provision in its widest sense.
- A new vision is needed but this also needs to be resourced. This needs to be from early years upwards

**14. What needs to be in place in order to distribute existing funding more effectively to alternative provision schools, to ensure they have the financial stability required to deliver our vision for more early intervention and re-integration?**

- There needs to be a clear national funding formula, with delegation to AP from commissioners for their budgets
- The funding needs to be from early years upwards and be available to LA to ensure they can commission AP provision in planned rather than reactive way
- A standard pricing tariff needs to be in place to ensure consistency

**15.To what extent do you agree or disagree that introducing a bespoke alternative provision performance framework, based on these 5 outcomes, will improve the quality of alternative provision? Strongly Agree, Agree, Neither Agree nor Disagree, Disagree, Strongly Disagree – If you selected Disagree or Strongly Disagree, please tell us why**

- We agree that there should be transparency within the system, and that AP provision in definition does differ from other education settings.
- Agree with robust standards - but it can only be effective if the measures /monitoring are appropriate. There needs to be a degree of flexibility to make it workable - to help capture /reflect the specific challenges/needs of a variety of cohorts and provision specialisms

**16.To what extent do you agree or disagree that a statutory framework for pupil movements will improve oversight and transparency of placements into and out of alternative provision? Strongly Agree, Agree, Neither Agree nor Disagree, Disagree, Strongly Disagree – If you selected Disagree or Strongly Disagree, please tell us why**

- We would agree that there needs to be some oversight of the movement of vulnerable pupils. There does need to be transparency within the system. This needs to be part of individual school monitoring and discussions.

**17.What are the key metrics we should capture and use to measure local and national performance? Please explain why you have selected these.**

- There needs to be an early help focus on any metrics for SEND before the EHCP process.

This should be from early years upwards.

- There needs to be a strong focus on SEN support at a local and individual school level
- There needs to be links in with inclusion data- pupil attendance/exclusions/moves within year
- Data on timeliness of access to services- therapy/statutory mental health/diagnostic pathways
- Data on support given- short breaks/personal budgets/status of children- CP/child in care
- Data on adulthood and outcomes for SEND pupils including linking to PFA

**18. How can we best develop a national framework for funding bands and tariffs to achieve our objectives and mitigate unintended consequences and risks?**

- Ensure that regional differences and nuances are taken into account
- Engage with regional partners to gain a current overview and to look at regional difference.
- Ensure that there are market scoping exercises undertaken in regions to ensure no unintended consequences to external provider markets.

**19. How can the National SEND Delivery Board work most effectively with local partnerships to ensure the proposals are implemented successfully?**

- Focussed communication that is by named individuals
- Specific support linked into local authority areas providing advice/support as needed.

**20. What will make the biggest difference to successful implementation of these proposals? What do you see as the barriers to and enablers of success?**

- Co-production and ownership are key
- Linking into wider policy context to ensure they speak to each other
- Accountability and linking into inspection regimes is also key across the whole system
- A significant barrier is capacity. Additional capacity is crucial, there is no spare capacity within the SEND system to implement, we would need time/resource to plan and implement. Systems are already under considerable strain and are facing issues with staff retention and increased demand.

**21. What support do local systems and delivery partners need to successfully transition and deliver the new national system?**

- Additional revenue resource within local areas not as a one-off implementation grant but to ensure the right structures are in place going forwards
- Ring fenced training and development for school's workforce and wider systems including social care on SEND
- Ring fencing and review of the SEN monies within mainstream school's budgets. The figure of £6000 has not been changed since 2009 and is not addressed in the green paper. Needs to be increased so schools can support early on..

**22. Is there anything else you would like to say about the proposals in the green paper**

- We are clear that we welcome the SEND review and Green paper. We are pleased that there is an analysis and recognition of the current issues and challenges. We agree with the position represented in the review. The Green paper has an opportunity to look at those challenges and make significant change.
- We are concerned about the overall strategic context. The local area believes that the current education white paper and the SEND Green paper do not speak to each other strategically in relation to inclusion. The emphasis on performance of schools in relation to results in the White Paper does not support the inclusion agenda as detailed in the Green paper and could be counterproductive.

- The wider systems and rigid progress measures outlined in the White Paper do not match aims for wider inclusion in the Green Paper. The proposed wider systems, including inspection frameworks do not actively reward inclusivity and actually penalise schools who are being inclusive. The Green Paper doesn't say anything about the 90% reaching ARE as per White Paper. In the White paper there appears to be a lack of understanding of the fact that some children will be working at lower levels and will continue to do so. Inclusive systems should not be using the phrase 'falling behind'/'levelled up'. We believe that the White paper has a punitive culture regarding getting everyone to the same point at same time and this is not appropriate for our SEN learners. Instead, inclusive schools should be celebrated through the new legislation, and individual progress taken into account.
- There is a strong focus on academic standards in the Green paper, rather than on the goals that are appropriate for the child. It would be preferable to have individually agreed ambitions for each child/family and focus on meeting those? What is the holistic set of goals for each child/family? Where is vocational learning? The paper is focussed on academic or employment. There needs to also be a recognition of life skills in their widest sense.
- We feel that the Green paper missed an opportunity to focus on early help and particularly SEN support. There is no mention of the graduated response within the Green paper and how this needs to be evidenced robustly.
- The specialist role of some staff is not recognised within the Green paper, for example teachers of deaf, teachers of sight impaired. These are specialist roles which should be clearly recognised.
- There is a need to recognise the workforce sustainability within the SEND sector. The current shortage of staff does not only exist across teachers and teaching assistants. In these two areas there are issues, particularly in the area of TA support. There are also significant staff shortages across the EP service, Specialist teachers and EHCP caseworkers. There is a need to focus on this going forwards and how nationally we can redress