

<b>Children and Young People Select Committee</b>			
<b>Report Title</b>	Special Educational Needs and Disability (SEND) Strategy Update		
<b>Key Decision</b>	No	Item No.	6
<b>Contributors</b>	Executive Director, Children and Young People's Services; Strategic Lead for Education Strategy, Service Manager Children with Complex Needs Service; Joint Commissioner, Children with Complex Needs		
<b>Class</b>	Part 1	Date:	6 <sup>th</sup> December 2018

## 1. Purpose

- 1.1. This report provides the Children and Young People's CYP Select Committee with an update on services for children with special educational needs and disabilities (SEND).

## 2. Summary

- 2.1. This report updates members on SEND provision one year on from the local area inspection which was undertaken by Ofsted and the Care Quality Commission (CQC) in October 2017. This report also provides an update on the progress against the partnership SEND Strategy 2016-19, including key achievements and identified priority areas of work. The partnership SEND Strategy is Lewisham's implementation plan to deliver on continuous improvement in meeting the duties contained in the Children and Families Act 2014 and SEND Code of Practice.

## 3. Recommendations

- 3.1. The CYP Select Committee is asked to note and comment on this report.

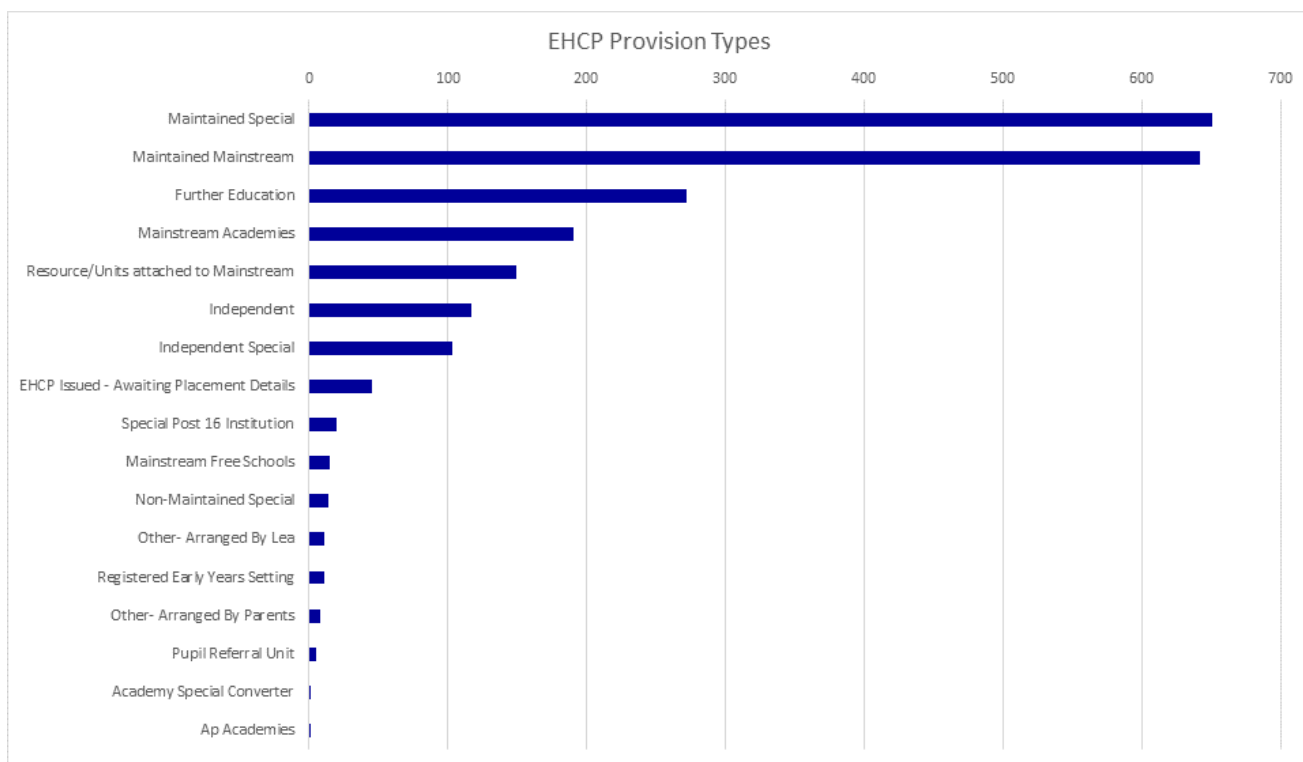
## 4. Policy Context

- 4.1 This report is consistent with 'Shaping Our Future: Lewisham's Sustainable Community Strategy' and the Council's corporate priorities. In particular, it relates to the Council's priorities regarding young people's achievement and involvement, including inspiring and supporting young people to achieve their potential, the protection of children and young people and ensuring efficiency, effectiveness and equity in the delivery of excellent services to meet the needs of the community.

- 4.2 The local strategic context in which Lewisham sets out its vision and priorities for improving life outcomes for children and young people with special educational needs and/ or disabilities or complex health needs and that of their families is the Special Educational Needs and Disability (SEND) partnership strategy 2016-19. This strategy forms an integral part of the Lewisham's Children and Young People's Plan for 2015-18.
- 4.3 The national context for this work comes from the Children and Families Act 2014 and the SEND Code of Practice 2014. Through this legislation and guidance, government introduced the most significant changes to the Special Educational Needs system in 30 years.
- 4.4 The key changes brought in by the Children and Families Act 2014 were:
- Ensuring that children and young people are at the centre of planning and decision making by ensuring the views, wishes and feelings of the family, child and young person are central to the statutory process.
  - Statements of Special Educational Needs (SSEN) have been replaced by Education, Health and Care plans (EHC plans) with an increased age range for children and young people 0-25 years.
  - Children and young people with a SSEN and/or a learning difficulty assessment (LDA) have to have their current SSEN or LDA converted to an EHC plan through a planned transition process completed by April 2018.
  - Greater multi agency working bringing together education, health and social care through a single assessment process for children and young people 0-25 years. In some cases, where a person is over 18, the "Care" part of the EHC plan will be provided for by adult care and support, under the Care Act.
  - Children and young people assessed as needing an EHC plan or with an EHC plan will have the option of a personal budget.
  - A published local offer that provides comprehensive, accessible and up to date information in one single place from education, health and social care for children and young people who have SEN or a disability.
  - An expectation that services across education, health and social care should support children and young people with SEND to prepare for adult life help them go on to achieve the best outcomes in employment, independent living, health and community participation.
  - An aspiration from children and young people with SEND to achieve their potential and achieve positive life outcomes and live as "ordinary a life" as possible.
  - A requirement to ensure early intervention and holistic and integrated planning across Adults and Children Services.

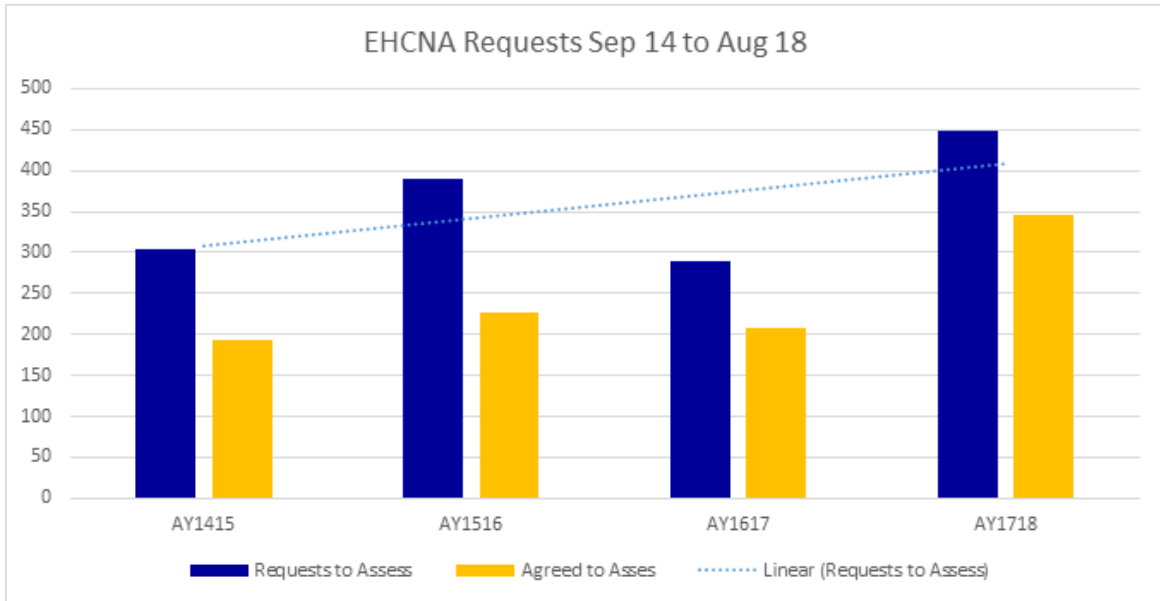
## **5. London Borough of Lewisham Context and Data on Demand**

- 5.1 Lewisham has a population of some 301,000. The population of the borough has increased by some 25,000 since the 2011 Census. Population growth in Lewisham is driven primarily by natural change (the balance between births and deaths). Natural change last year was 3,200.
- 5.2 In January 2018, 60 (3.5%) children with SEND were accessing the Early Entitlement of 30 hours (3 & 4 years old). This is higher than the national average of 2.6%. Some 381 (5.3%) children with SEND were accessing the Early Entitlement of 15 hours (3 & 4 years old). This is slightly below the national average of 5.5%. There are 22 (2.7%) children with SEND taking up the Early Year Entitlement of 15 hours (2 years old). This is slightly above the national average of 2.6%. There are also 58 (0.8%) children with an EHC plan accessing the Early Entitlement funding of 30 hours (3 & 4 years old). This is in line with the national average of 0.8%.
- 5.3 There are 43,537 pupils attending Lewisham's 90 schools. In 2017, 12.7% of children and young people in Lewisham's schools are classified as receiving SEN Support (5,499). This is higher than the National and London averages, but in line with the Inner-London average (11.6%, 11.4% and 12.8% respectively).
- 5.4 In October 2018, there were 2,261 Lewisham residents (or children/young people who are looked after to Lewisham but residing elsewhere) with an Education, Health and Care Plan (EHCP). 28.4% were accessing mainstream schools (637), 28.8% maintained special schools (646), 9.8% were accessing Independent schools (220) and 6.6% were accessing maintained resource bases/units attached to mainstream schools (149). In addition, 13% were accessing further education or specialist post 16 provisions (291) and 8.6% were accessing Academy provisions (192). Other provisions, including registered early years settings, non-maintained special schools, free schools and other alternative provisions accounted for 5.5% (126).



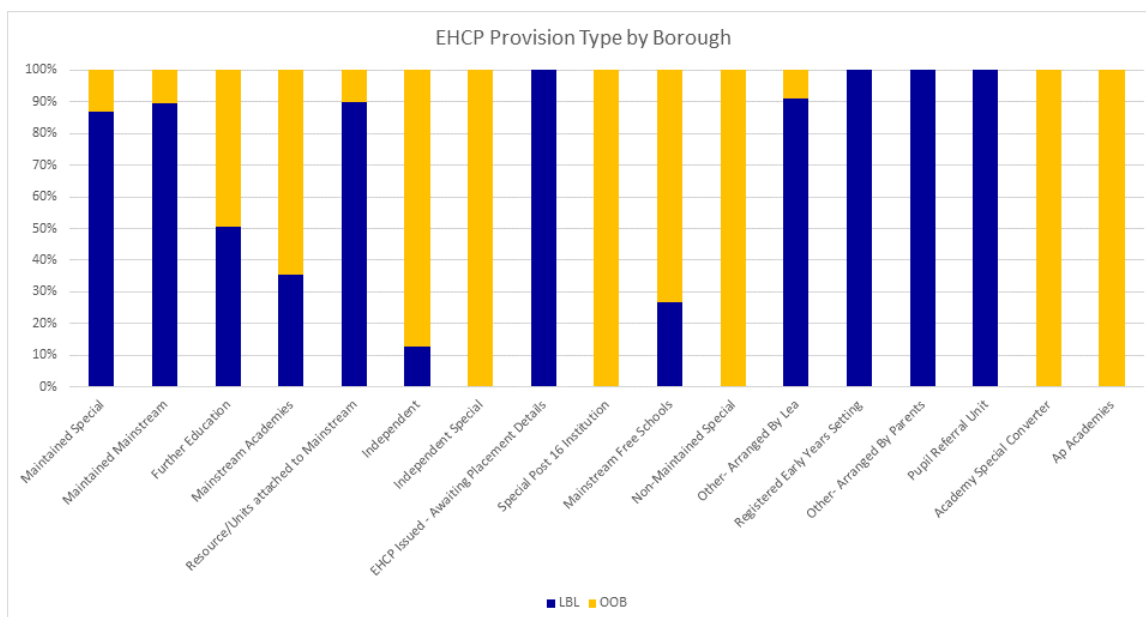
5.5 Requests for Education, Health and Care Needs Assessments (EHCNAs) in Lewisham were at their highest level ever during Academic Year 2017/18 (Sep-Aug), representing 54.8% more requests than the previous academic year and 47.7% more than the first year of the SEND reforms. Lewisham SEN also agreed to assess a higher proportion of the EHCNA requests during the Academic Year 2017/18 compared any previous year, with 77% of requests resulting in an assessment. This represents a 77.8% increase in the number of assessments taking place compared to the Academic Year (AY) 2014/15 (345 compared to 194), creating a significant increase in demand on the SEN Team resources.

	AY1415	AY1516	AY1617	AY1718
<b>Requests to Assess</b>	304	389	290	449
<b>% difference compared to previous year</b>		27.90%	-25.50%	54.80%
<b>Agreed to Assess</b>	194	227	208	345
<b>% agreed</b>	64%	58%	72%	77%



The above chart demonstrate the EHCNA request and assessment data for each year since the 2014 SEND reforms, reflecting the increase in demand over the last 4 years. This demand places a significant burden on the high needs funding block. There has been significant work carried out by the High Needs Forum and Schools Forum alongside officers to mitigate the potential overspend on the high needs block in recent years. This has included a comprehensive review of the ‘banding’ rates paid to schools which was fully implemented. This work will continue over the coming months with a report going to School Forum early next year.

- 5.6 Of the children and young people with a Lewisham EHCP, 30.4% are placed in out-of-borough provisions (687), of which 12.2% are of primary school age (84), 38.7% (266) secondary, 33% (227) post-16 and 16% (110) are post-19. Autistic Spectrum Disorder (ASD), Speech, Language or Communication Need and Social, Emotional or Mental Health difficulties are the most common diagnosis in children and young people placed out of borough (accounting for 65.6% combined, or 451).



- 5.7 16 to 25 year olds account for 21.9% of young people with SSEN/EHCPs placed out of borough (151), predominantly attending FE Colleges and Specialist Post-16 Institutions, such as Bromley College and Nash College of Further Education. Of the 19 to 25 years, 10% (11) of these young people are placed in residential provisions, costing between, £50,000 to £150,000 per pupil, per annum. This cohort of young people will continue to be supported by Adult Social Care.
- 5.8 Of the 2,261 Lewisham residents with an EHCP, 605 (26%) are eligible for home to school/ college travel assistance.
- 5.9 In January 2017, there were 1,197 children and young people diagnosed with ASD in Lewisham primary, secondary and special schools (including SEN Support and SSEN/EHCPs). This represented 17.7% of the total SEN cohort in these provision types (6775) and is higher than any other London or Inner London borough. This pattern was not observed in any other type of primary need. Data from health indicates that on average 320 children and young people within Lewisham are being diagnosed with ASD each year.
- 5.10 In October 2018, there were 481 Looked After Children within the London Borough of Lewisham. Of these, 141 (29.3%) have been assessed as needing an EHC plan.
- 5.11 As of March 2018, there were 15 Children and Young People known to Youth Custody with an EHCP.
- 5.12 In October 2018, there were 38 children and young people who have been identified as needing Continuing Care support. Of the 38, 21 have an EHC plan.
- 5.13 There are approximately 381 children and young people known to the Children with Disabilities Social Work service. Of the 381 CYP, 245 are

receiving a specialist Short Breaks support service as a result of a social work assessment, to meet their identified needs and outcomes. There are 136 CYP who are known to the Disability Social Work Service, who maybe a sibling of a child being assessed or being supported but do not require a specialist Short Breaks package. Of the 381 children and young people with a complex need, 271 have an EHC plan.

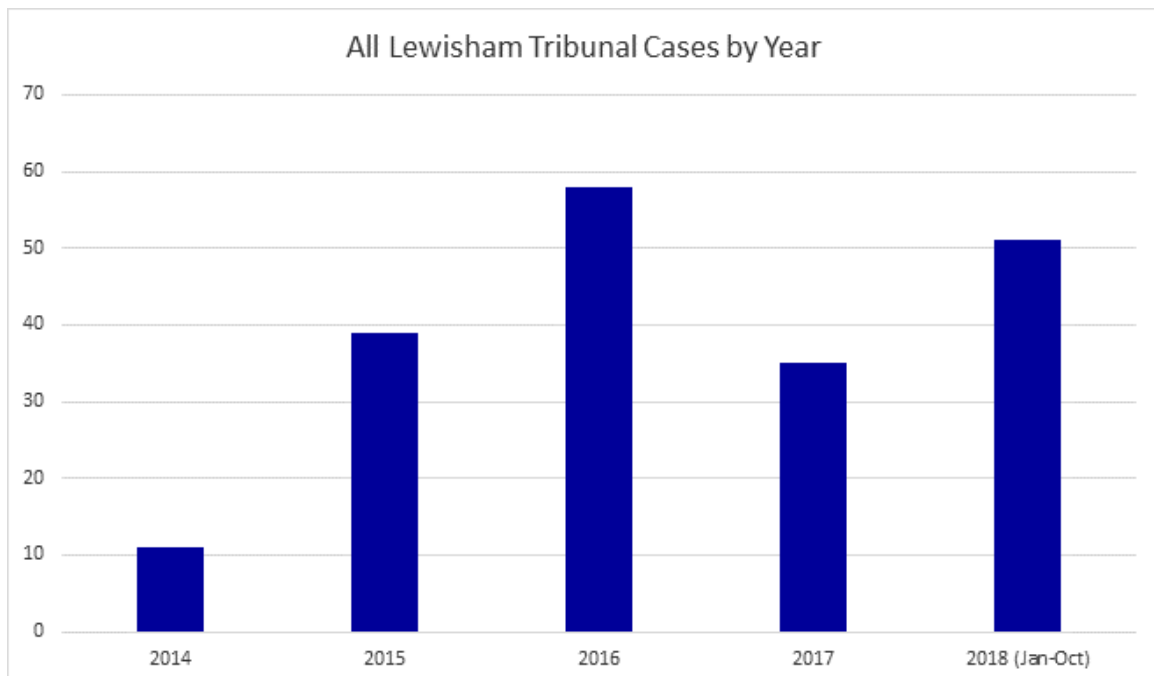
- 5.14 In addition, there are 222 families receiving a Targeted Short Breaks service to enable the parent to receive a short break while the child or young person needs are met. To receive this service the family must meet the eligibility criteria but this review against the criteria does not need to be undertaken by a social worker. Of the 222 Targeted service users, 152 have an EHC plan.
- 5.15 As of January 2017, 33% of pupils with SEN support achieve a 'good level of development' in Early Years Foundation Stage Profile (EYFSP), compared to 31% in Inner London and 27% Nationally.
- 5.16 As of March 2018,
- 33% of pupils with SEN support achieve a 'good level of development' at foundation stage, compared to 31% in Inner London and 27% nationally.
  - At Key Stage 4 Lewisham was in line with the National average Attainment 8 Score for pupils with SEN Support (36.2) but below that of Inner London and Statistical Neighbours (40.40 & 38.96, respectively). Progress 8 Scores are -0.58 for Lewisham, compared to -0.38 Nationally, -0.14 in Inner London and -0.17 for Statistical Neighbours.
  - At Key Stage 4 Lewisham Attainment 8 Score for pupils with an EHCP or Statement (13.9) was below the National, Inner London and Statistical Neighbour scores (17, 17.7, & 18.39, respectively). Progress 8 Scores are -1.22 for Lewisham, compared to -1.03 nationally, -0.91 in Inner London and -0.85 for Statistical Neighbours.
  - 35.9% of 19 year olds with SEN Support were qualified to Level 2 (including English & mathematics) in 2016. This is below the National average (37%) and that of Statistical Neighbours (45.57%) and is a reduction of 4.2% points compared to 2015. 36.2% of 19 year olds with SEN Support are qualified to Level 3 (excluding English and mathematics). This is above the National average (31.2%) but below Statistical Neighbours average (45.57%) and is reduction of 3.2% since 2015.
  - 13.5% of 19 year olds with an EHCP or Statement were qualified to Level 2 (including English & mathematics) in 2016. This is below the National (15.3%) and Statistical Neighbour (16.5%) averages and is a reduction of 5.2% compared to 2015. 15.3% of 19 year olds with an

EHCP or Statement were qualified to Level 3 (excluding English & mathematics) in 2016. This is above the National average (13.7%) but below Statistical Neighbour average (18.8%) and reflects a reduction of 5.3% points compared to 2015.

- It is worth noting that the data analysis above for SEND broadly reflects the comparative position in the secondary sector for non-SEN pupils.

5.17 The Special Educational Needs and Disability Information Advice and Support Service (SENDIASS) is commissioned by the Local Authority and was transferred from Family Action to KIDS on 1 September 2016. The service supported 190 users from September 2013 to July 2016, 202 users from September 2014 to July 2015. Moving forward demand has increased with the period January 2017 to June 2017 including an average of 44 cohorts per month so allowing for signposting elsewhere there is still an average of 33 cases per month. April to June 2018 shows 235 clients. There has been positive feedback in relation to SENDIASS and the work of its three staff supported by volunteers.

5.18 Since January 2014, there have been a total of 194 appeals (October 2018) to Tribunal relating to Lewisham SEN department. The chart below gives a break down year on year. While the table below, gives a breakdown of the number of appeals by month, for each year: March through to September appear to be the peak months for appeals, accounting for 70% of the total appeals.





	2014	2015	2016	2017	2018	Grand Total
Jan	0	0	2	6	0	8
Feb	0	4	2	1	4	11
Mar	1	5	2	1	12	21
Apr	1	6	6	3	7	23
May	0	1	9	2	5	17
Jun	3	0	6	4	7	20
Jul	1	5	5	3	5	19
Aug	0	2	2	3	0	7
Sep	1	6	11	3	3	24
Oct	1	4	7	5	8	25
Nov	1	4	4	4		13
Dec	2	2	2	0		6
<b>Grand Total</b>	<b>11</b>	<b>39</b>	<b>58</b>	<b>35</b>	<b>51</b>	<b>194</b>

5.19 As of July 2018, using the therapy outcome measure tool, which measures the impact of intervention on a broad range of domains, impairment, activity, participation and wellbeing.

- 9 out of 12 children at one of the Special Schools in Lewisham accessing a particular therapeutic intervention evidenced that they made a change of at least 1 score in at least 1 domain. 5 of the 12 children made a change of at least 1 score in 2 or more domains.
- 2 out of 6 children on the Physiotherapy Rising High group evidenced that they made a change regarded as significant in at least 1 domain. The same 2 children of the 6 made a change regarded as significant in 2 domains.

5.20 As of October 2018, 30 children and young people (CYP) with an EHC plan that were previously on SEN transport have been trained to travel independently. Some of these are now young adults and are travelling independently to college. There are 7 CYP on the training programme and 11 are on the waiting list to be trained and 17 are on the list to be assessed and review for the programme. There were 5 CYP who withdrew after the training started.

5.21 In the academic year 2017/18, there were 6 Lewisham young people with EHC plan who were on Supported Internships (6, at Bromley College), compared to 4 in academic year 2016/17 (3, at Bromley College and 1, at Shooters Hill Sixth Form College).

5.22 The Adult Social Care Outcomes Framework, which was discontinued after 2017, evidenced that in 2016-2017, 8.8% of adults with learning disabilities in Lewisham were in paid employment, compared to 10.3% in 2015-2016.

## **6. One year on from the Local Area SEND inspection**

- 6.1 Between 2 October 2017 and 6 October 2017, Ofsted and the Care Quality Commission (CQC) conducted a joint inspection of the local area of Lewisham to make a judgement on the following three questions:
- (a) How effectively does the local area identify children and young people who have special educational needs and/ or disabilities?
  - (b) How effectively does the local area assess and meet the needs of children and young people who have special educational needs and/ or disabilities?
  - (c) How effectively does the local are improve outcomes for children and young people who have special educational needs and/ or disabilities?
- 6.2 The inspection was led by one of Her Majesty's Inspectors from Ofsted, with a team of inspectors including an Ofsted Inspector and a children's services inspector from the Care Quality Commission (CQC).
- 6.3 Inspectors spoke with children and young people who have special educational needs (SEN) and/or disabilities, parents and carers, Local Authority and National Health Service (NHS) officers. They visited a range of providers and spoke to leaders, staff and governors about how they were implementing the SEN reforms. Inspectors looked at a range of information about the performance of the local area, including the local area's self-evaluation. Inspectors met with leaders from the local area for health, social care and education. They reviewed performance data and evidence about the local offer and joint commissioning.
- 6.4 The overall outcome of the joint inspection was very positive and the local area demonstrated that they are effective at identification, meeting needs and improving outcomes for children and young people with special educational needs and disability and that of their families. However, there is recognition that this is a journey and further work is needed across the local area to achieve continuous improvement. The report is attached as Appendix One.
- 6.5 A summary of the key strengths identified in the report, these were drawn from the main findings of the inspection. These were:
- Effective leaders, who have a clear understanding of the local areas strengths and where improvement is needed.
  - Strong partnership arrangements across education, health and social care teams. Kaleidoscope is seen as being effective at enabling joint working between professionals and is valued by professionals, parents and children and young people.
  - There have been many improvements in the Education, Health and Care plan process and this work is continuing.

- The SENCo forum is effective at bringing the partnership together and provides SENCo's with valued training and opportunity to come together and share best practices and lessons learnt.
- The SEN panel and SEN advisory board are effective decision making boards and again is a strength in partnership working across health, education and social care. The Designated Medical Officer (DMO) in SEN panel meetings provides a broad health perspective that helps to inform decision making.
- There have been improvements in the health visiting service. There are also stronger links between health visitors, GPs, children centres and midwives.
- Improvements of annual health checks completed by GPs for young people over 14 years with SEN/ and or disabilities.
- The involvement of Children and Mental Health Services (CAMHS) with young people is strong. The involvement of CAMHS during the ASD assessment is also seen as a positive.
- The hospital at home nursing team is seen as a positive in providing care at home, which is also reducing bed pressures.
- The speech and language therapy service local offer for those who do not meet the threshold for specialist support is a positive.
- The joint initial assessment and care co-ordination process is a positive for the family and professionals as it reduces the need for several appointments.
- The Short Breaks service is seen as a positive. Also the disability social work team was also viewed as providing parents with good support.
- The ASD review was seen as a positive and has helped to identify areas for development. Drumbeat outreach services was also seen as a positive.
- Specialist equipment for children and young people with complex needs is readily accessible.
- Outcomes for pupils with SEN at the end of Key Stage 1 and 2 are positive.
- There was been a reduction over time in the number of young people with SEND and are not in education, employment and training.
- The therapy service has developed an outcome measurement tool that will be helpful in measuring impact. Although it is too early to analyse the results.

- Independent travel training for young people is seen as a positive and is improving young people's life outcomes.
- The Joint Strategic Needs Assessment (JSNA) on the youth offending service has helped identify change and has resulted in improved outcomes.

6.6 A summary of the key areas for development identified in the report were:

- Further work is needed to improve the quality of EHC plans, the process for meeting the statutory timescales for completion of the EHC plans, smarter outcomes and joint working processes between professionals.
- There also needs to be improved communication with schools on the graduated response and when they should apply for an EHC needs assessment.
- There needs to be a review of the ASD diagnosis waiting time with the aim to reducing the timescale for a diagnosis.
- The local offer needs to be improved, in particular the use for parents to be able to use it effectively.
- Parents views during the inspection were inconsistent some feel the local area was good and were positive about the services other felt it was poor and were not getting a good enough service.
- Where services are recommissioned communication on the changes have not always been clear across the local area, which can lead to confusion and mis-understanding.
- Further improvement is needed in increasing the attendance at one and two year old health visitor's checks. Also there needs to be better links between the two year checks and checks carried out in early year settings.
- There is a limited community offer for young people with disabilities between 18 – 25 years to promote social inclusion.
- Personal budget take up is low, this continues to be an area for development.
- Outcomes for children and young people SEND were less positive in Key Stage 4.
- Children and young people with SEND are more likely to not be in education, employment or training than any other groups.
- Children and young people who receive SEN support are more likely to be excluded from school than their peers.

6.7 Following the inspection report in October 2017, the local area undertook its annual review of the partnership SEND Strategy 2016 -19. The points raised from the inspection report were used to update the strategy, build on the partnership work and support the continuous improvement of the local area work to identify, meet need and improve outcomes for children and young people with SEND and that of their families. Full details of the partnership's SEND Strategy can be found on Lewisham Council's website. <https://www.lewisham.gov.uk/myservices/education/special-educational-needs/Documents/SENDStrategy201619Final.pdf>

## **7. SEND Partnership Strategy 2016-2019**

7.1 The SEND Partnership Strategy sets out a clear vision for the local area and a comprehensive and ambitious plan for continuous improvement across education, health and social care, to improve life outcomes for children and young people with SEND and that of their families. The strategy also sets out key achievements and priorities to be achieved annually.

7.2 The SEND Partnership Strategy implementation is monitored and overseen by the SEND Programme Board. The Board is also responsible for challenging and making decisions on the implementation of strategy. The Board is chaired by an Executive Headteacher and has representative from senior leaders across health, social care and education, representatives from the voluntary sector including parent groups. The Board meets quarterly to review the actions and performance data.

## **8. Key achievements from the SEND strategy:**

8.1 Outlined below are some of the Local Areas key achievements over the last year. It provides detail on the achievements against the Ofsted Inspection, SEND strategy and new areas of work not currently reflected in the Strategy.

### **8.2 *Achievements against Ofsted recommendations***

- A report with recommendations on the development of personal budgets was presented at the SEND Programme Board in July 2018. This action plan will be taken forward and a progress report is due to be presented back to the SEND Programme Board in early 2019.
- The current Lewisham Local Offer will move to the Lewisham website. The Children with Complex Needs service is working in partnership with the Lewisham Communication team to migrate the existing Local Offer. As part of this work, consultation and engagement will take place with parents, professionals and children and young people to improve the content and accessibility of the information. This will be completed by April 2019.

- A parent engagement event was held in June 2018 to gather views and ideas to support the development of a SEND parents' guidance document. The conference had good attendance from 45 parent/ carers. The views given by parents have been taken into account in the drafting of the parent guidance, which will be completed by December 2018.
- In September 2018, the Local Authority established a new SEND Advisory Service which sits within the Children with Complex Needs Service alongside the SEN team. The team consists of 4.4 SEND Advisers and will be led by the SEND Standards, Quality and Inclusion Lead. This service will work in partnership with Lewisham Learning, ensuring there are joined up processes for driving up standards across all schools in the borough. The service is in its infancy but the main focus will be supporting:
  - Lewisham educational provisions in having the skills and knowledge to meet the needs of, and educate children & young people with SEND.
  - Lewisham education provisions to ensure they have a qualified SENCo who has the capacity to be responsible for the day to day operation of the school's SEN policy and is able to influence change within the school.
  - Lewisham education provisions to improve attendance, attainment and progress and reduce exclusions for children and young people with SEND.
- A Head teacher SEND meeting has been established to ensure that there is a forum for discussion of key SEND developments and processes. This group will continue to work on ensuring that the outcomes identified within the strategy are delivered.
- A Special School Headteacher meeting is held half termly. Again this allows the Local Authority and the Special Schools to develop practice and to work in partnership to ensure the key strategy priorities are put in place. These meetings establish the place planning priorities and to develop all the special schools' criteria to reflect the needs of the children and young people in Lewisham.
- An initial review of the ASD pathway has been undertaken. After a mapping exercise gaps were identified in the CAHMS support being provided to the paediatric team as part of the diagnostic pathway. A service level agreement has been drawn up with South London and Maudsley (SLaM) Trust in order to provide support from an Educational Psychologist and Developmental Psychiatrist; recruitment to these posts is underway and is likely to be completed early 2019.

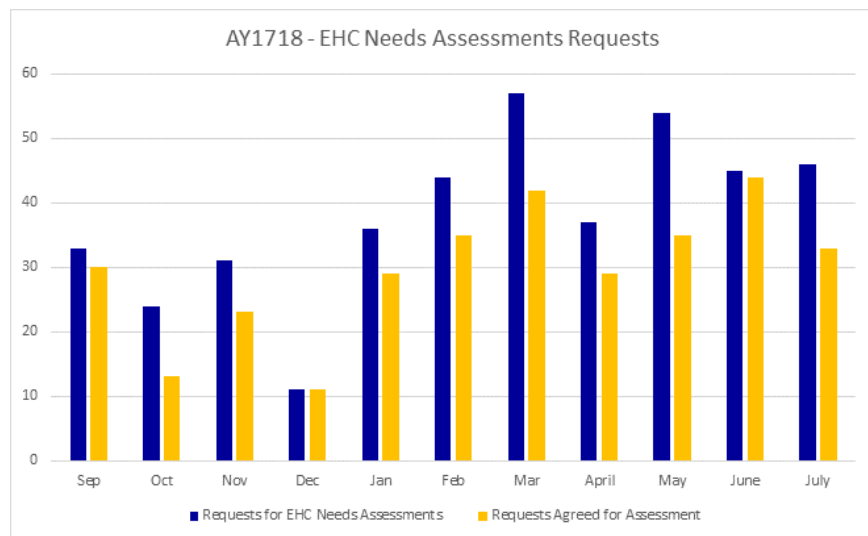
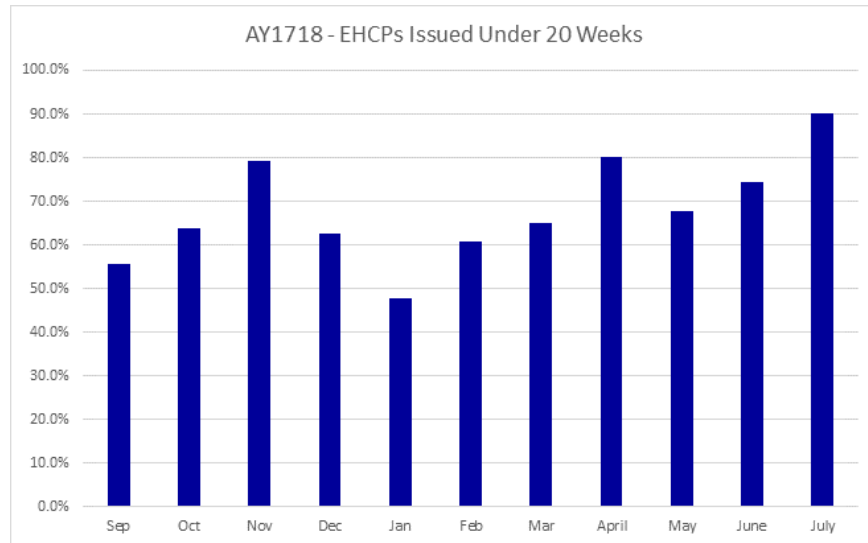
- Funding has been agreed for a year to increase the number of referrals to Lewisham Autism Service, following a diagnosis of ASD. There will be a pilot of 20 cases where families will receive more intensive support as part of early intervention. Results from the pilot will feed into the Children's Early Years review.

### 8.3 *Additional SEND Strategy Achievements*

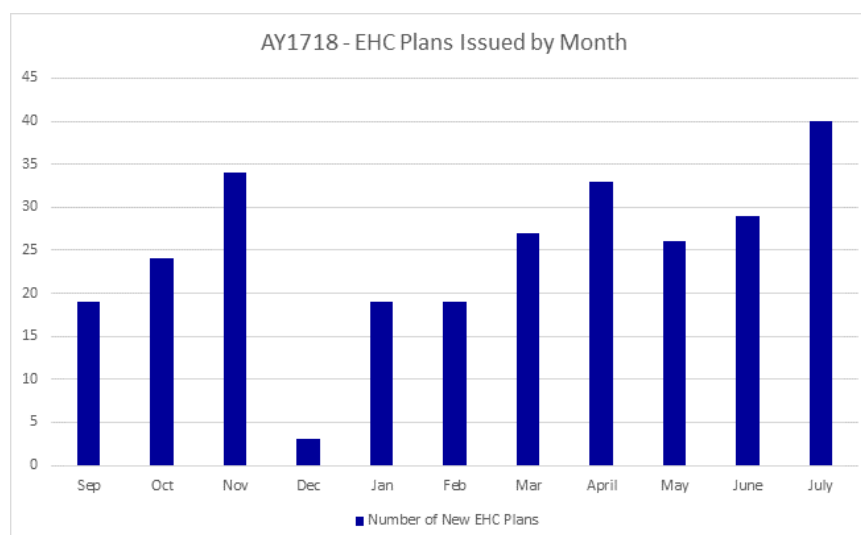
- An Early Years Inclusion Board has been established to administer inclusion funding termly. To support this process inclusion funding guidance and an application form has been created and communicated to early year settings. The Inclusion fund is being accessed by an average of 135 children per term. It is felt that this has had a positive impact on PVI settings. Prior to the inclusion fund there had been a number of 'Cause for Concerns' (settings reporting inability to meet need) recorded. This has significantly reduced (by 73%) for children with SEND in just over a year. In April 2017, there were 18 cause for concerns cases this reduced to 4 in July 2018. Also more settings are accessing training and using outreach support, referrals to Drumbeat (ASD Outreach service) have doubled since introduction of the inclusion fund
- The Local Authority has established a new Children's Social Care Improvement Board, which will drive forward and monitor the continuous improvement across Children's Social Care, including Children's with Disability Social Work team. This Board is chaired by a Councillor and has senior representation from across the Children and Young People's Directorate (including the Head of Children with Complex Needs) and other Directorates.
- The Local Authority has established a new operational and commissioning group to review transition/preparing for adulthood and an action plan has been developed to take forward this area of work. As part of this group, consideration will again be given to establishing a transition team, however, this option is likely to require an investment of funding.
- Lewisham completed all transfers from Statements of Special Educational Needs to EHC plan by the statutory deadline of March 2018.
- Further work has taken place to improve the EHC plan process including;
  - The SEN team is creating a survey that will seek parental feedback on the EHC needs assessment in order to monitor and develop practice.

## 9. Timeliness of EHCPs

9.1 The statutory timescale for EHC plans continues to be monitored both at service level and at Directorate Management Team (DMT). The data is showing an improving picture and in July 2018 90% of EHC plans were completed within the 20 weeks. This represents a significant improvement on previous positions. However, ensuring professional assessments are provided within the timescale (5 weeks) remains a challenge as demand continues to grow. Meeting the 20 week timescale remains a significant challenge in Lewisham and Nationally.







## 9.2 Action to improve timeliness of EHCPs

The following work is being undertaken to improve the process for EHCPs in terms of both timeliness and quality:

- A guidance document on the EHC plan process has been written and circulated to the SEN team, schools and other professionals.
- Training has been provided to all health staff on writing Specific, Measurable, Attainable, Realistic and Timely (SMART) outcomes. A new process has been agreed that all EHC health outcomes will be reviewed by senior managers.
- Multi-agency meetings and training has taken place with key professionals to help improve the quality of EHC plans and outcomes. The SEND advisory team is involved in quality assuring all EHC plans at draft stage.
- SEND Banding Description Document has been issued to all schools to support with the graduated response and strategies of how to meet the needs of CYP with SEND within their school. An easy read version is being developed for parents.
- A consultant Psychiatrist has been appointed by CAMHS to attend the SEN panel on an advisory capacity, to provide the panel with expert advice on children and young people presenting with social, emotional and mental health needs. The post supports the panel to make appropriate decisions based on the evidence presented on whether the child or young person may require an EHC needs assessment or EHC plan and where relevant the most suitable support and placements. This post will also link to the new psychologist post in the New Woodland Outreach service.
- Additional information has been provided to schools on the changes to the School Health Service. Joint Commissioning has undertaken a

review of these changes and is looking at the potential to increase capacity for vulnerable children.

- A pilot is currently taking place to integrate the Early Years Foundation Stage (EYFS) progress check at age two and the Healthy Child Programme for 2 – 2.5 year olds. The pilot is still in the early stages but is progressing positively.

## **10. Supply of places for children with special educational needs**

10.1 In March 2017, the Mayor and Cabinet agreed to sign off a new Place Planning Strategy 2017 – 2022. A key objective in this strategy is to increase the number of specialist places within the borough. As a result the following plans have been agreed:

- Extend provision and increase places at Watergate and Greenvale Special School by September 2019.
- From September 2018, New Woodlands Schools will be taking children who have Social, Emotional and Mental Health needs.
- All Lewisham Special Schools have reviewed their criteria to ensure they reflect the current needs within the borough and to ensure that their criteria is transparent and clear for professionals and parents.

## **11. Independent travel training**

11.1 Following the successful two year pilot of Independent Travel Training for Children and Young People on SEN transport, agreement has been given to continue on with the programme. It has also been agreed to bring the service 'in house' from a commissioned service and to extend the scope to children and young adults with SEND who are known to social care. The programme should be in place from December 2018.

## **12. Other key issues still being addressed**

12.1 In March 2018, Lewisham's Virtual School took part in the second National Association of Virtual School Heads peer challenge. The focus was to review the efficiency and effectiveness of Virtual School for LAC children and young people. The Virtual School and the SEN team have developed working protocols to support and monitor LAC young people with an EHCP. Over the next year the work between the two teams will also include LAC who are at SEND support level. There is now a dedicated SEN case officer for LAC who will support these developments.

12.2 Lewisham Council received a one off SEND Preparation for Employment Grant from the Department of Education to set up a Supported Internship Forum in Lewisham which brings together education providers, local authority, employers and other key figures to identify local opportunities to increase the number of Supported Internships and Job Coaches. As a

result a new 5 year Pathways to Training and Employment strategy has been drafted and agreed. Year one, key priorities include:

- Development of a detailed and clear local offer to increase understanding and awareness of the pathway for young people with SEND to access training and employment opportunities.
- Development of career advice from Year 9 to increase understanding and awareness of the pathway for young people with SEND to access training and employment opportunities.
- Development of a new Supported Internship Programme to increase number of young people on Supported Internship and Employment programmes.

### 13. Next Steps

13.1 Although there is recognition within this report that achievements have been made we know there is still more to do to embed the changes of the reforms and to achieve further improvements for better life outcomes for children and young people with SEND and that of their families.

13.2 Outlined below are some of the key priority areas of work, identified within the SEND strategy, during the annual review in January 2017. Where the action from the strategy has been fully completed it will be reflected in the key achievement section. In addition, there are a number of actions that have been included that have been identified as areas that need development following the SEND Strategy annual review, and may not be reflected in the current Strategy. These updates will be included in the annual review of the strategy in January 2018.

13.2.1 A New Communication and Engagement Strategy and plan is being put into place. Feedback from parents and the parent/carer forum has evidenced this to be a main area for improvement. Parental feedback is for improved communication and information regarding SEND both from the Local Authority and Schools. Work is also happening to produce easy read communication material that will help to provide parents and children and young people with information that help to reduce areas of misunderstanding.

13.2.2 The Local Offer website platform and context to be reviewed and improved. This is another key area for parents and the Parent/Carer forum.

13.2.3 LA officers are **supporting schools to be inclusive** in line with Lewisham Learning's new school improvement framework, including working with the schools to ensure that they have staff that have the knowledge and skills to meet the needs of CYP with SEND.

13.2.4 The SEND Team is working to increase the awareness and understanding of Personal Budgets.

- 13.2.5 Commissioners are work with health services to development a new system to ensure more accurate and reliable data is collected about CYP with SEND.
- 13.2.6 An in-house Short Breaks Hub is being put in place
- 13.2.7 The Early Years Team is:
- developing an EYFS SEN Toolkit including referral pathways and expectations of what Quality First Teaching looks like in the EYFS.
  - Working with and supporting Early Years providers to remove barriers for CYP with SEND to access their early entitlement.
- 13.2.8 Officers in CYP and Adults are implementing the Transition Project Plan to improve pathway, processes and commissioning of service for children and young people in transition and preparing for adulthood.
- 13.2.9 Review of places will continue to increase on the number of specialist places within the borough and reduce the number of children going out of borough.
- 13.2.10 Redesign of the ASD diagnostic pathway with recommendations for change to reduce waiting times and improve the experience for CYP and their parents including post diagnose support.
- 13.2.11 The Peer Challenge of Lewisham Virtual School in March 2018, identified further work is needed to improve outcomes for children and young people with SEND, and that this improvement should be across the board not just children with EHC Plans.
- 13.2.12 Implement the CYP improvement plan, which links to the recent Ofsted focused visit and recent review of Children's Social Care.
- 13.2.13 In August 2018, the Information Advice & Support Service announced the opportunity for the Special Educational Needs and Disability service (SENDIASS) to apply for additional funding to extend its reach. Lewisham's SENDIASS and the Local Authority will work in partnership to submit an application for this funding. The service continued to be commissioned by the Local Authority and is reviewed as part of the commissioned contract. There also remains a challenge for the Local Authority as to how it responds to some critical views from some parents referred to above and reflects on the growing workload of the SENDIASS provision.
- 13.2.14 The SEND Commissioner is looking at ways to improve the working relationship with the Mental Health and Wellbeing Commissioner. Consideration will be given to how the CAMHS transformation plan links with the SEND strategy. There may be a cross over between some children and young people with SEND and those whose needs are supported by CAMHS and those who transition into SLaM. There also needs to be improved data analysis to identify the cross over.

13.2.15 In 2019, work will begin on co-producing with the local area and key stakeholders the new Partnership SEND Strategy 2020 – 2023. The new strategy will look to improve on the links to other areas such as NHS, CAMHS, Headteachers, and Virtual Schools so there is improved partnership and multi-agency working.

13.2.16 All of the next steps identified as part of this report will continue to be monitored by the SEND Partnership Board. This multi-agency Board has responsibility to ensure the SEND Strategy outcomes are delivered across the area. There is a detailed action plan which sets out the key actions for the area and this is monitored on a termly basis.

#### **14. Financial Implications**

14.1 There are no direct capital or revenue financial implications arising from this report.

#### **15. Legal Implications**

15.1 In addition to those legal implications previously referred to in this report, members attention is drawn to the following.

15.2 The Human Rights Act 1998 safeguards the rights of children in the borough to educational provision which the local authority is empowered to provide in compliance with its duties under domestic legislation.

15.3 Section 9 of the Education Act 1996 places a general duty on local authorities and funding authorities to have regard to the general principle that children are educated in accordance with their parents' wishes, so far as is compatible with the provision of efficient education and training and the avoidance of unreasonable public expenditure.

15.4 The Education and Inspections Act 2006 requires local authorities to consider and respond to parental representations when carrying out their planning duty to make sure there is sufficient primary and secondary provision and suitable Special Educational Needs provision in their area.

15.5 Departmental guidance requires that when proposals are being developed for reorganising or altering special educational needs provision local authorities and/or other proposers will need to show how they will improve standards, quality and/or range of educational provision for children with special educational needs.

15.6 Part 3 of the Children and Families Act 2014 introduced major reforms to the statutory framework for children and young persons with special educational needs. The local authority retains the pivotal role in identifying, assessing, and securing the educational provision for children and young people with special educational needs.

15.7 The Children and Families Act 2014 requires: that in exercising their functions in relation to special educational needs local authorities must have regard to four guiding principles:

- the views , wishes and feelings of the child and their parent , or the young person;
- ensure children young people and parents participate in decision-making;
- provide the necessary information and support to help children, young people and parents participate in decision making; and
- support children, young people and parents in order that children and young people can achieve the best possible educational and other outcomes.

15.8 The Equality Act 2010 introduced a new public sector equality duty. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

15.9 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

15.10 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

15.11 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

<http://www.equalityhumanrights.com/legal-andpolicy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

15.12 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

15.13 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-andguidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

## **16. Crime and Disorder Implications**

16.1 There are no specific crime and disorder implications arising from this report.

## **17. Equalities Implications**

17.1 Provision and support for children with disabilities and special educational needs and their families is a fundamental equalities issue. The SEND Strategy has been subject to an equalities impact assessment and that assessment will be updated this year.

## **18. Environmental Implications**

18.1 There are no specific environmental implications arising from this report.