



CABINET – 18TH SEPTEMBER 2020

**SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) AND
INCLUSION STRATEGY 2020 TO 2023**

REPORT OF THE DIRECTOR OF CHILDREN AND FAMILY SERVICES

PART A

Purpose of the Report

1. The purpose of this report is to present the outcome of consultation on the Special Educational Needs and Disability (SEND) and Inclusion Strategy 2020-2023 and seek the Cabinet's approval of the Strategy which is a key partnership document to support the education, health and care needs of vulnerable children and young people in Leicestershire.
2. The Strategy has been developed in partnership with members of the SEND and Inclusion Board and is appended to this report.

Recommendation

3. It is recommended that
 - a) The responses to the consultation including the comments of the Children and Families Overview and Scrutiny Committee be noted;
 - b) The Leicestershire local area Special Educational Needs and Disability and Inclusion Strategy 2020-2023 (attached as the appendix to this report) be approved.

Reason for Recommendation

4. To approve the revised Strategy which will provide the basis for planning, commissioning and delivering SEND Services and support by the Council and its partners for children and young people living in Leicestershire over the next three years.

Timetable for Decisions (including Scrutiny)

5. The Children and Families Overview and Scrutiny Committee considered the draft Strategy at its meeting on 1st September 2020.
6. Subject to the Cabinet's approval, the SEND and Inclusion Strategy will be implemented with immediate effect.

Policy Framework and Previous Decisions

7. Part 3 of the Children and Families Act 2014 establishes the duties that local authorities and Clinical Commissioning Groups must fulfil for children and young people with SEND.
8. In April 2018 the Cabinet approved the Leicestershire SEND Strategy 2017 to 2020. This is the second SEND and Inclusion Strategy and delivers on ambition 4 of the Children and Family Services Departmental Plan and supports the aims of the County Council's Strategic Plan which was approved by the County Council in July 2020.

Resource Implications

9. There are no direct resource implications arising from this report. The Strategy will be implemented using existing budgets. The County Council faces an increasing level of demand for Education, Health and Care Plans and the Strategy will enable the partnership to work on the key priorities to reduce the risk of unnecessary demand for EHC plans, working with parent/carers and children and young people to identify efficient processes and the early identification of SEND to support their needs. This in turn will support the County Council in meeting its Medium Term Financial Strategy commitments.
10. The Director of Law and Governance and the Director of Corporate Resources have been consulted on this report.

Circulation under the Local Issues Alert Procedure

11. This report has been circulated to all Members of the County Council.

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PART B

Background

12. The Leicestershire local area SEND and Inclusion Strategy 2020 to 2023 sets out how partners across the local area plan to support children and young people aged 0-25 with SEND or wider needs that affect their ability to access education, to achieve the best possible outcomes. It will provide the overarching framework for service development in SEND and Inclusion Services and sets out the aspirations of the SEND and Inclusion Board for the period 2020 to 2023. The Strategy has been developed in consultation with local area partners, parents and carers and children and young people and includes reference to areas for development from the local area SEND inspection to improve outcomes for children and young people.
13. In 2016 the Government introduced a SEND Local Area Inspection framework. Ofsted and CQC jointly inspect local areas to see how well they fulfil their responsibilities for children and young people with SEND. Leicestershire was inspected in February of this year, receiving a Written Statement of Action. Local areas are not provided with a grade for such inspections but if they are considered not to have made sufficient progress in a specific area outlined within the 2014 SEND Reform, the local area will be notified that a Written Statement of Action is required, outlining the key action areas.
14. The local area SEND inspection highlighted two areas of significant weakness to be addressed by the local authority and the CCGs. A Written Statement of Action sets out what actions are to be taken and the evidence to demonstrate progress and impact made on the two areas of weakness: to develop a Joint Commissioning Strategy and to improve the quality and decision-making for EHC plans. These two areas within the Written Statement of Action, are reflected within the priorities in the Strategy and will be monitored by the SEND and Inclusion Board. The Written Statement of Action will be published on the Leicestershire County Council website and Leicestershire's Local Offer (a statutory requirement setting out the education, health and social care provision for children and young people with SEND).

Priorities in the New Strategy

15. The 2020-23 Strategy takes into account the recommendations from the Local Area Inspection as well as the wider system in which SEND services operate.
16. The Strategy outlines local priorities and sets out how the County Council and its partners will improve services and outcomes over the next three years, giving the strategic direction for service delivery based on the experiences of parents/ carers and children and young people. The Action Plan within the Strategy identifies five priority areas of activity and should be read alongside the Written Statement of Action -
 - 1) To identify and meet children's special educational needs as early as possible.

- 2) Responsive, inclusive and effective provision for all children and young people with SEND.
 - 3) Understanding and preparation for change (Transitions).
 - 4) Strategic partnerships, joint working, joint commissioning and consultation.
 - 5) Develop the workforce.
17. The priorities take into consideration the age range of SEND from 0 to 25 years and the training and support of all staff that work with children and young people to identify need at the earliest stage and implement appropriate provision. As needs escalate, there are local authority processes in place for statutory assessment that are being reviewed, taking into account feedback from the Parent Carer Forum, to provide a transparent and effective process experienced by families. Another strand of work is ensuring that the local authority has the data to ensure a sufficient number of school places for those children and young people with SEND in order to meet their specific needs.

Engagement on the draft Strategy

18. Comments and feedback from all the various engagement activities have been considered when forming the priorities and actions within the revised Strategy.
19. Feedback from children and young people with SEND and their families, and front line practitioners working closely with them, has been sought in a number of ways to inform the development of the Strategy and the identification of the key priority areas detailed above.
20. The SEND and Inclusion Board has continued to monitor the issues raised through feedback from parent and carers and children and young people gathered throughout the life of the current Strategy. Feedback highlighted that parents and carers were not always aware about the full extent of services that are available to them. There also seemed to be some concern about the lack of understanding of needs by mainstream schools, and confusion concerning policies and procedures concerning the application of SEN Transport. There was also a lack of understanding as to the services a young person can access when they turn 18. The revised Strategy attempts to address these concerns/gaps in knowledge.
21. In November 2019 a workshop was held with the SEND and Inclusion Board members to examine the current SEND Strategy and identify areas of improvement to be incorporated into the refreshed Strategy. The Parent Carer Forum surveyed Parents and Carers during the SEND inspection in February 2020, which provided an insight into current issues faced by Parents and Carers
22. The SEND Strategy 2017 to 2020 has been reviewed annually, with a revision of actions and additional actions included, as a result of parental feedback. Actions that correlated to the parental feedback received have been carried forward into the SEND and Inclusion Strategy 2020 to 2023, together with additional actions to address all areas of concern.

23. A consultation exercise during 2018/19 on the development of additional school places to increase SEND resource provision has also informed the revised Strategy. This captured views of parents and carers and children/young people on the design, classroom size, facilities and types of provision. This consultation has contributed to the development of priority 2 (Responsive, inclusive and effective provision for all children and young people with SEND) and action 2.3 which refers to the development of new schools, resource bases and expansion of existing special schools.
24. A planned workshop for parents and carers and children and young people was unfortunately cancelled due to the COVID-19 pandemic. Instead contact was made with SEND group leads via online forums. Valuable feedback concerning issues such as students access to mainstream education, social interactions with peers and school Transport issues were raised and helped develop the revised Strategy.
25. In June 2020, the draft SEND and Inclusion Strategy was presented to the SEND and Inclusion Board and the West Leicestershire and the East Leicestershire and Rutland Clinical Commissioning Groups. Both Boards approved the strategy. The Leicestershire Parent Carer Forum, which is represented on the SEND and Inclusion Board, has also approved the Strategy.

Comments of the Children and Families Overview and Scrutiny Committee

26. The Children and Families Overview and Scrutiny Committee considered the draft Strategy at its meeting on 1 September 2020.
27. Members welcomed the Strategy which promoted inclusion across all services and sectors and set out a range of actions to address the areas that parents, carers, children and young people had raised for required development. The Committee was reassured that the Strategy would be continuously monitored by the SEND Inclusion Board and would be updated each year. The Committee asked to be presented with a progress update in a years' time.

Implementation and Monitoring

28. The Strategy is underpinned by a detailed Action Plan that outlines the workstreams that will deliver upon the priorities. There will be regular reviews of progress against the Action Plan to the SEND and Inclusion Board, and each workstream will include reporting the progress made against outcomes and performance measures. Subsequent reports will be made to the Children and Families Partnership (which consists of representatives from the Council's Children and Family Services, Adults and Communities, and Public Health departments, the Clinical Commissioning Groups, the Leicestershire Partnership Trust, Special, Primary and Secondary Schools, Further Education institutions and the Parent Carer Forum). The Strategy will be reviewed annually.
29. Feedback from parents/carers and children/young people will be sought throughout the lifespan of the Strategy, for example through focus groups, surveys and regular feedback to the SEND and Inclusion Board by the Parent Carer Forum and other parent/carer representative groups.

30. Progress in implementing the Strategy will be communicated to key partners via their representatives on the SEND and Inclusion Board and will be published on the Local Offer. This can be seen at - <https://bit.ly/3i9i0ot>

Equality and Human Rights Implications

31. An Equalities and Human Rights Impact Assessment (EHRIA) screening was undertaken and concluded that the continued work of the partnership would benefit all protected characteristics and the Strategy is expected to have a positive impact. A full EHRIA was therefore not required.

Partnership Working

32. The County Council's relationships with partner organisations and Leicestershire's Parent Carer Forum will be critical in the delivery of a whole SEND system, including the commitment to listen and develop an approach which is based on service user experiences.

Appendix

Leicestershire Local Area SEND and Inclusion Strategy 2020 to 2023.

Background Papers

Report to the Children and Families Overview and Scrutiny Committee on 1 September 2020 "SEND and Inclusion Strategy 2020-2023" - <https://bit.ly/3jUn9RP>

Report to the County Council on 8 July 2020 "Revised Strategic Plan 2020-2023" <http://politics.leics.gov.uk/ieListDocuments.aspx?CId=134&MId=6040&Ver=4>

Report to the Children and Families Overview and Scrutiny Committee on 4 June 2019 "Special Educational Needs And Disabilities Provision - High Needs Block Development Plan" - <http://politics.leics.gov.uk/ieListDocuments.aspx?CId=1043&MId=5683&Ver=4>

Report to the Cabinet on 10 April 2018 "Special Educational Needs and Disabilities Strategy 2017 to 2020" - <http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=5179>