

Meeting: CES Committee

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Title: Update on the North Tyneside SEND Inclusion Strategy and the High Needs Recovery Plan

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Wards affected: All

1. Purpose of Report

The purpose of this report is to:

- Outline the strategic context for Special Educational Needs and Disability (SEND) 0-25 at a national level, including the government's SEND Green Paper;
- Describe the local context including the findings from our Local Area SEND Inspection (Nov 21), the SEND cohort and current budget pressures;
- Highlight the key areas of progress and next steps in delivering the North Tyneside SEND Inclusion Strategy;
- Highlight the opportunity to join the Department for Education's (DfE) Safety Valve Programme.

2. Introduction

2.1 National Context

The Local Government Association (LGA) Education Funding Report (June 2019) highlighted the significant national increase since 2014 in the number of children with Education, Health and Care Plans (EHCPs) and the proportion educated in special schools. Local authorities continue to be concerned about the level of High Needs funding to meet this increasing need.

2.2 Green Paper – ‘SEND Review – Right Support, Right Place, Right Time’

The reforms to the national SEND system introduced in 2014 had the right aspirations: an integrated 0-25 system spanning education, health and care, driven by high ambition and preparation for adulthood.

The system is driven by a hard-working and dedicated workforce who are committed to delivering excellent support for children and young people with SEND.

Despite examples of good practice in implementing the 2014 reforms, this is not the norm and too often the experiences and outcomes of children and young people are poor.

The government commissioned the SEND Review in 2019 in response to growing concern about the challenges facing the SEND system in England and the future of the children and young people it supports.

The SEND Review committed to examining how the system has evolved since 2014, how it can be made to work best for families and how it can ensure the effective and sustainable use of resources.

For too many children and young people, the SEND system is not working well enough:

- Children and young people with SEND and those in alternative provision have consistently poorer outcomes than their peers;
- Experiences of the SEND and alternative provision system are negative;
- The SEND and alternative provision system is financially unsustainable;
- There is too much inconsistency across the SEND system in how and where needs are assessed and met.

Therefore, as a result, the Green Paper focuses on ensuring there is a system where every child and young person can access the right support in the right place at the right time, with the following being the key areas for change:

(1) A single national SEND and Alternative provision system

The review has concluded that there is a need for greater consistency in how needs are identified and supported. Therefore, the government's proposal is to:

- establish a new national SEND and alternative provision;
- review and update the SEND Code of Practice;
- establish new local SEND partnerships and produce a local inclusion plan;
- introduce a standardised and digitised EHCP process;
- support parents and carers to express an informed preference for a suitable placement by providing a tailored list of settings;
- streamline the redress process, making it easier to resolve disputes.

(2) Excellent provision from early years to adulthood

The government's proposal is to:

- increase total investment in schools' budgets by £7 billion by 2024-25, compared to 2021-22;
- consult on the introduction of a new National Professional Qualification (NPQ) for school SENCOs (Special Educational Needs Co-ordinators);
- commission analysis to better understand the support that children and young people with SEND need from the health workforce;

- improve mainstream provision, building on the ambitious Schools White Paper;
- fund more than 10,000 additional respite placements;
- invest £2.6 billion, over the next three years, to deliver new places and improve existing provision for children and young people with SEND or who require alternative provision;
- set out a clear timeline that, by 2030, all children will benefit from being taught in a family of schools;
- invest £18 million over the next three years to build capacity in the Supported Internships Programme.

(3) A reformed role for alternative provision

The government's proposal is to:

- make alternative provision an integral part of local SEND systems;
- give alternative provision schools the funding stability to deliver a service focused on early intervention;
- build system capacity to deliver the vision through plans for all alternative provision schools to be in a strong multi-academy trust;
- develop a bespoke performance framework for alternative provision;
- deliver greater oversight and transparency of pupil movements;
- launch a call for evidence, before the summer, on the use of unregistered provision.

(4) System roles, accountabilities and funding reform

The government's proposal is to:

- deliver clarity in roles and responsibilities with every partner across education, health, care and local government having a clear role to play, and being equipped with the levers to fulfil their responsibilities;
- equip the Department for Education's (DfE) new Regions Group to take responsibility for holding local authorities and MATs to account;
- provide statutory guidance to Integrated Care Boards (ICBs) to set out clearly how statutory responsibilities for SEND should be discharged;
- introduce new inclusion dashboards for 0-25 provision;
- introduce a new national framework of banding and price tariffs for funding;
- work with Ofsted/Care Quality Commission (CQC) on their plan to deliver an updated Local Area SEND Inspection Framework. Ofsted and the CQC are consulting on proposed changes to the way they jointly inspect area SEND arrangements from 2023: [A new approach to area SEND inspections - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/a-new-approach-to-area-send-inspections).

(5) Delivering change for children and families

The government's proposal is to:

- take immediate steps to stabilise local SEND systems by investing an additional £300 million through the Safety Valve Programme and £85 million in the Delivering Better Value programme;
- task the SEND and Alternative Provision Directorate within DfE to work with system leaders;
- support delivery through a £70 million SEND and Alternative Provision change programme;
- publish a national SEND and alternative provision delivery plan;
- establish, for implementation of the national delivery plan, a new National SEND Delivery Board.

3. Local Context

3.1 Findings from the Ofsted and CQC Inspection of SEND in North Tyneside

Partners across Education, Health and Care in North Tyneside were involved in a joint five-day inspection in November 2021. Inspectors spent time speaking to children and young people with SEND, parents and carers, school and college leaders, as well as council and local NHS teams.

Inspectors found that outcomes for children and young people with special educational needs and disabilities (SEND) in North Tyneside are 'strong', noting there is a positive picture for attendance, exclusions from school and the number of young people with SEND who progress to further education, employment or training.

With a focus on strategic leadership across the partnership (Appendix 1), inspectors said that leaders of education, health and social care are 'united in their mission to improve the experience and outcomes of children and young people with SEND'. Adding, 'leaders are determined to know what is working and what needs changing and are looking at detailed information and identifying priorities that chime with the issues raised by children and young people with SEND and their families'.

Inspectors identified that joint commissioning arrangements between the Authority and Health Commissioners are well established. It was noted that there is an increased demand for specialist provision and, in response, health services and leaders have agreed plans for long-term investment in places and people.

Inspectors also highlighted the influential roles of the North Tyneside Parent and Carer Forum and the SEND Youth Forum, making sure the voices of children, young people and their families are heard.

Key strengths outlined in the report include:

- How the Authority's health visitors and early help teams work alongside NHS midwives and community nursing teams to identify and provide support to babies and families with SEND from the earliest opportunity;
- Early years providers were found to receive "highly effective" specialist support and a programme of training to increase awareness of SEND in mainstream schools has "changed practice in schools for the better."
- Specialist education and health practitioners work together in the pioneering Health, Information and Advice, Virtual School and Emotional Well-being (HIVE) team. The HIVE team runs training for practitioners in schools, health and social care roles and recently led the launch of the borough's first Mental Health Support Team for schools. It is also working with children's charity Barnardo's to run youth groups for children and young people with social, emotional, and mental health (SEMH) needs;
- The Designated Clinical officer (DCO) worked with the SEND Youth Forum to improve the uptake of annual health checks from 35% to 68% in a year;
- The personalised approaches of the Speech and Language Therapy (SALT), physiotherapy and occupational therapy teams were praised;
- As children and young people prepare for adult life, Connexion's advisers work closely with them to provide advice on a wide range of post-16 programmes and inspectors commented on the high number of young people with SEND who are in education, employment, or training.

3.2 Understanding the SEND cohort in North Tyneside

North Tyneside, like many local authorities both regionally and nationally, is experiencing an increase in the number of children with SEND. There has been a notable increase locally in the number of children with primary needs relating to Autism Spectrum Disorder (ASD), and those with Social Emotional and Mental Health (SEMH) and Speech, Language and Communication Needs (SLCN).

The following provides an overview pertaining to the presentation of SEND in North Tyneside and the subsequent financial position of the High Needs Block within the Dedicated Schools Grant:

- In January 2022, there were 5,218 pupils in North Tyneside schools with identified special educational needs and/or disabilities; 3,769 were supported with an SEN Support Plan and 1,449 had an EHCP;
- At the same point, North Tyneside maintained a total of 2,047 EHCPs for children and young people aged 0-25;
- For children and young people with an EHCP, this figure (2,047) represents a 10.9% increase between January 2021 and January 2022, in line with national comparators. This is, however, a reduction in year-on-year increases in the Authority, which were 15% between January 2020 and January 2021 32% between January 2019 and January 2020. This reduction has been sustained; in July 2022 there were 2,128 children and young people with an EHCP, representing a 6.7% increase compared to 12 months ago;
- The Authority continues to place a higher proportion of our children and young people in special school provision than is seen nationally (38.3% compared to 34.8%);
- The most prevalent need recorded by schools for SEND pupils in North Tyneside is Speech, Language and Communication Needs (SLCN), at 32%, which is higher than the national average (30%). This is followed by Social, Emotional and Mental Health needs (SEMH), 22%. The Authority is aware that the proportion of different primary needs is changing over time.

3.3 Budget and Spend Pressures

The High Needs Block of the Dedicated Schools Grant (DSG) ended 2021/22 with a pressure of £13.512m.

At 31st May 2022, the initial forecast of the budget position for 2022/23 indicates an anticipated in-year pressure of £3.413m reflecting a further rise in demand for special school places, producing a cumulative deficit balance of £16.924m.

The main reasons for the overspend are attributed to:

- An increase in the number of requests from education settings and parents/carers for Education, Health and Care Needs Assessments (EHCNAs), which can, at their conclusion, result in an EHCP. Rising from 262 during 2018, to 410 in 2019, 353 in 2020 and 359 in 2021. Currently in 2022 there have been 280 requests and if the rate of requests continues we could expect this figure to be over 400 by the end of the 2022;
- Of those requests for EHCNAs, the Authority has seen an increase in the number for children under 5 years of age; rising from 23% in 2019 and 2020 to 32% in 2021 and currently in 34% in 2022. Though this reflects the Authority's strength in

identifying need early, this also may commit the Authority, where their needs do not reduce, to a spend for those children for most of their childhood once an EHCP is agreed;

- An increase in the number of children and young people with SEND and Educational, Health, Care Plans (EHCPs). EHCPs identify educational, health and social needs and set out the additional support required in order to meet those needs. In North Tyneside, as of the end of July 2022, there are 2,128 children and young people with an EHCP, an increase of 93% since January 2018;
- The Authority and its partners are experiencing an increase in the complexity of children and young people’s presentations. Compounded by Covid 19, we have observed an increase in those with needs relating to their mental health and emotional wellbeing, which has also contributed to an increase emotionally based school avoidance. Identifying education settings with the right multi-agency support framework which sits around them to meet this complexity of need has become more problematic;
- A national extension in the length a young person can have an EHCP, increased from 18 to 25-years-old, with no extra funding to support this;
- Additional children and young people within specialist provision and not enough places in special schools;
- Increase in the number educated in non-maintained and independent specialist placements, which cost the Authority more;
- The way funding is allocated to the Authority, meaning limited flexibility to transfer money from one area to another. Previously the Authority had flexibility to determine how much money was allocated to different provision, but now there are four blocks of funding ringfenced to schools, high needs, central school services and early years. The Authority needs the permission of Schools Forum to transfer funding to high needs, limited to 0.5%;
- A large proportion of the funding allocated by DfE for high needs is based on historical spending patterns;
- The cost of funding the support for those with special educational needs and disabilities is not fixed. This is a demand-led service where costs can and do change considerably depending on the specific needs of the individual.

3.4 Delivering the North Tyneside Inclusion Strategy – progress update

Priority	Action undertaken and next steps
<p>1. Ensuring that our annual reviews of Education, Health and Care Plans are more effective in identifying the needs and provision for our children and young people. These regularly reviewed plans need to be timelier and focus more on the voice and ambitions of the children and young people.</p>	<p>Annual reviews: we have developed a dedicated Phase Transfer Team and an Annual Review Team, with increased capacity and focus from an additional Senior SEND Officer.</p> <p>Statutory deadlines for phase transfers between school key stages were met this year for the vast majority of children.</p> <p>Next steps: we are strengthening our performance management systems to improve our monitoring of annual reviews.</p>
<p>2. Whilst we know that the number of young people who are not in education, employment or training remains low, we want to</p>	<p>Preparation for Adulthood: we have an established post-16 SEND work-based learning programme ‘Ignite Your Potential’. This is delivered by the Authority’s Employment and</p>

<p>ensure this continues to improve by enhancing vocational opportunities through participation in volunteering opportunities; work tasters, work experience; supported internships; apprenticeships; job coaching; and paid employment. We also want to increase the range of local opportunities for our young people to remain in borough whilst in education.</p>	<p>Skills Team and provides vocation pathways through supported internships and traineeships. A dedicated post-16 officer is in post to promote schools and business/industry partnership.</p> <p>Next steps: we will be establishing a 'Post 16 Charter' and Information Hub for North Tyneside. Headteachers have met with senior officers to establish a charter and have reached an agreement to signpost the post-16 offer on the corporate website to create a one stop information hub for parents and pupils. In addition, we will be preparing a business case for a SEND Preparation for Adulthood Team.</p>
<p>3. Children, young people and their families tell us that we should look to increase opportunities for participation. Where engagement and opportunities exist, they can be enhanced for children and young people with additional needs.</p>	<p>Participation and Engagement: extensive work has been undertaken by the Authority's Participation and Engagement Team. We have a SEND Engagement Strategy and a joint funded SEND Engagement post with the CCG. Additional opportunities are available for SEND children via the Holiday Activity and Food (HAF) Programme.</p> <p>We have an established SEND Youth Forum and strong linkages with our SEND Parent Carer Forum. Through these groups we have updated the SEND Local Offer and are communicating via a new monthly SEND newsletter for families.</p> <p>Next steps: we are consulting with families and providers about our children's short break offer, in advance of a procurement exercise later this year.</p>
<p>4. Supporting all schools to offer an enhanced and consistent educational offer for children and young people with additional needs. Parents and professionals are clear that they see inconsistency in the provision in different schools. We need to understand this more clearly and, where needed, look to support and challenge this.</p>	<p>Consistent Provision Offer – our priority has been to support schools post-COVID with children and young people's mental health and emotional wellbeing. This has included partnership wide mental health provision mapping and dissemination via a local conference. We have delivered mental health first aid training for schools and employed new Mental Health Support Teams in schools, plus enhanced transition programmes and 'Route 16' programmes for children at risk of becoming NEET.</p> <p>Next steps: we will deliver a programme of whole school inclusion audits to challenge and support schools with their graduated response and provision offer. We will expand our existing Secondary School Support Team to strengthen</p>

	<p>our multi-professional approach into primary provision. We are commencing a new multi-agency Emotionally Based School Avoidance (ESBA) programme.</p>
<p>5. Where provision is not matched to need or available when it is needed, we should look to reposition resource. This also means we need to use the information we have more effectively to support us in planning for the needs of our community. This will help us be more dynamic in our use of resources.</p>	<p>Planning and commissioning: we are working with our Education Review Team to strengthen our SEND school place planning and provision mapping. We have been reviewing our education funded High Needs Commissioned Services, including jointly commissioned services with Health. For example we have accessed additional Health funding to deliver Cygnet Training for parents with a newly diagnosed child with autism.</p> <p>Next steps: Further changes to commissioned services will be required though our new Joint SEND Commissioning Strategy and as a result of the DfE Safety Valve programme. This will ensure a greater focus on those services that can maximise inclusion and meet the needs of key cohorts, including children with social, emotional and mental health needs and those with autism.</p>
<p>6. Recognising that early intervention can often lead to the best outcomes for children, young people and their families, finding more and improved ways of getting help to them at the earliest possible opportunities.</p>	<p>Early Intervention: We have an established Early Years Inclusion Fund for supporting early and emerging SEND needs. We have a dedicated Early Years SENCO post in the School Improvement Service to support early years providers including nurseries and childminders. There is an established training programme for early years SENCOs to improve their understanding of SEND needs.</p> <p>Next steps: we will be exploring a new model that will seek to better integrate services as part of a multi-agency Early Years Assessment Centre.</p>
<p>7. Families tell us about their experiences of being a fight and that the systems don't work well together and as a result they have to share their stories repeatedly. We should aim for families to truly 'tell us once' and at the same time improve their perception of how well services work together.</p>	<p>Experience of families: through our SEND Quality Assurance Group we have audited EHCPs to establish how well families voice is reflected in the plans. Further guidance and training has been offered to professionals who provide advice for EHCPs.</p> <p>Next steps: we are undertaking a review of our information and case management systems to see where there are opportunities to better integrate the information we maintain. We will be working as part of the Authority's Customer Service Programme to ensure we offer the best</p>

	<p>support to families who are involved in the SEND system. We will continue to work with the SEND Youth Forum and Parent Carer Forum to listen to their feedback and improve their experience. We will prepare our next Local Offer 'You said, we did report' in the Autumn.</p>
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3.5 DfE Safety Valve Intervention Programme

In July 2022, the Authority was formally invited by the Department for Education (DfE) to take part in the 'safety valve' intervention programme, commencing in September 2022, with the aim of agreeing a package of reform to the Authority's high needs system that will bring our Dedicated School Grant overspend under control.

The safety valve intervention programme commenced in 2020-21 and continued with further Authorities in 2021-22, targeting Authorities with the highest DSG deficits. The DfE signed 14 agreements during 2020-21 and 2021-22 and after the provision of an additional £300 million in the Spending Review, are expanding the programme to 20 further Authorities in 2022-23, which includes North Tyneside Council.

The programme requires the Authority to develop a Dedicated Schools Grant (DSG) Management Plan which describes how we will reform our high needs systems, with support and challenge from the DfE. If the Authority demonstrates sufficiently that our DSG Management Plan creates lasting sustainability and is effective for children and young people, including reaching an in-year balance as quickly as possible, then the DfE will enter into an agreement with the authority, subject to Ministerial approval.

The Authority is undertaking significant work to develop the DSG Management Plan, setting out:

- How we will control our deficit and reach an in-year balance (as a minimum) and how quickly;
- How we will contribute to the reduction of the historic deficit through use of DSG surpluses, in addition to reaching an in-year balance;
- How we will ensure that the DSG Management Plan is deliverable, how it will be managed as it is implemented and how this plan will continue to ensure the appropriate support for children and young people with SEND. This includes agreeing who will be responsible for the ongoing monitoring of progress towards the agreement.

The Authority is required to submit to the DfE an initial proposal consisting of a DSG management plan and accompanying narrative by 13 January 2023 for review. The final submission is required by 3rd February 2023 and, if the agreement is approved by Secretary of State, the Authority will be notified by March 2023.

4. Background Information

The following documents have been used in the compilation of this report and may be inspected at the offices of the author.

- (1) [The Local Government Association \(LGA\) Education Funding Report \(June 2019\)](#)

- (2) [Green Paper – SEND Review: Right Support, Right Place, Right Time](#)
- (3) [Report to Cabinet, 1 August 2022 Title: 2022/23 Financial Management Report to 31 May 2022](#)
- (4) [SEND Inclusion Strategy 2021 - 2024](#)

5. Appendices

Appendix 1: North Tyneside SEND Strategic Partnership Governance

Appendix 1: North Tyneside's SEND Strategic Partnership Governance

