



Purpose: For Decision

## Committee report

Committee	<b>CABINET</b>
Date	<b>TUESDAY, 16 AUGUST 2011</b>
Title	<b>PROPOSALS FOR IMPROVING PROVISION FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES</b>
Report of	<b>CABINET MEMBER FOR CHILDREN'S SERVICES AND EDUCATION</b>

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### PURPOSE

1. The local authority is committed to improving outcomes for children and young people who require additional support to access learning. In line with this aim a review was undertaken recently of the pattern of provision and the services available to address the needs of children and young people with a range of additional needs. The findings and recommendations of the review were then shared with a range of stakeholders.
2. The purpose of this report is to give the outcome of the consultation on the Isle of Wight Review of provision for children and young people with special educational needs and disabilities (SEND) 2011.
3. To make recommendations on future provision and procedures for accessing support and services to enable more children and young people to receive timely and appropriate provision in their local communities

### OUTCOMES

4. To seek Cabinet endorsement of the recommendations of the review and approval for a process of change from September 2011.
5. Improved outcomes for children and young people through better commissioning of educational provision and services
6. Effective targeting and use of resources to meet the widest range of pupil needs.

### STRATEGIC CONTEXT

7. Under the Education Act 1996 (s315) the local authority is required to keep under review the provision arrangements it makes for children and young people with special

educational needs and disabilities (SEND). This is to ensure that the configuration of provision and availability of specialist services is effective in providing appropriate support to improve outcomes for children and young people.

8. The council is committed to raising standards for all children, to closing the gap in performance between children who have special educational needs and those who do not and to supporting children to learn within their communities, amongst their peers wherever possible. The performance of pupils with SEND in the Isle of Wight is below their peers nationally at both key stage 2 and key stage 4.
9. Following a review of SEND provision in 2007, in 2008, the Isle of Wight Council adopted a 'Strategy for children and young people with special educational needs/learning difficulties and disabilities 2008-2012'. The strategy set out a vision for SEND and how this would be achieved through the implementation of an action plan focussed on four key strands of work:
  - Strategic and Service Management.
  - Provision.
  - Communication, partnership and participation and
  - Positive outcomes for children and young people.
10. An update on the progress of the strategy was noted by Cabinet in July 2010.
11. During 2011, the final stages of school re-organisation are taking place on the Isle of Wight. As well as the need to secure appropriate arrangements for all children and young people with SEND during this period, the different local authority powers and responsibilities that will result from secondary provision being commissioned from a range of new providers gives an opportunity to review SEND service provision and delivery.
12. National developments also provided a strategic context for reviewing arrangements for children and young people with SEND. During March 2011, the Government published a Green Paper entitled '*Support and aspiration: A new approach to special educational needs and disability – A Consultation*'. In this document Government sets out radical proposals for fundamentally reforming the system for supporting children with special educational needs and disabilities to address problems including:
  - parents having to battle to get the support their child needs;
  - statements of special educational needs not joining up education, health and care support and;
  - the suggestion by OFSTED that too many children are being over-identified as having SEND, which prevents them from achieving their potential because teachers have lower expectations of them.
13. Government is consulting on the Green Paper proposals which include:
  - involving parents in the assessment process and introducing a legal right, by 2014, to give them control of funding for the support their child needs;

- replacing statements of special educational needs with a single assessment process and a combined education, health and care plan so that health and social services are included in the package of support, along with education;
  - replacing the existing School Action and School Action Plus system with a simpler new school-based category to help teachers focus on raising attainment;
  - overhauling teacher training and professional development to better help pupils with special educational needs and to raise their attainment ;
  - giving parents a greater choice of school.
14. In order to make informed decisions about further developments to improve outcomes for children and young people with SEND, a review of the provision in the Isle of Wight was undertaken between October 2010 and January 2011. This review was primarily concerned with three mutually dependent areas of activity:
- Provision in specialist centres.
  - SEND support services to schools.
  - Provision for pupils with SEND in mainstream schools.
15. The recommendations were therefore focused on actions that would improve the support to pupils by strengthening processes for:
- planning, developing and commissioning specialist services for children with SEND;
  - developing effective partnership working;
  - building future capacity within schools and early years settings; and
  - securing the most efficient and effective use of resources.

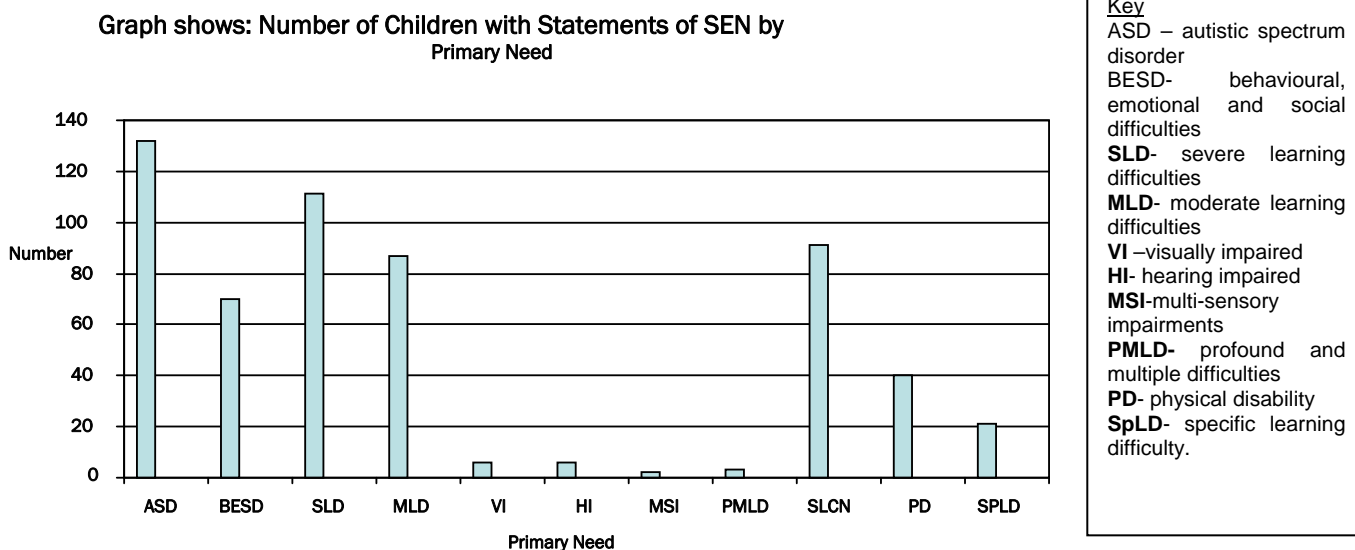
## BACKGROUND

16. Most pupils make progress within an inclusive curriculum without any great difficulties. When additional or different action is needed to help pupils make progress in line with their peers, then a pupil is said to have a special educational need.
17. The SEN Code of Practice sets out how schools should identify, assess and have a graduated approach to making provision for pupils with special educational needs. This involves the school considering, for each pupil with special educational needs and disabilities, what form of action is the most appropriate to ensure they can access the curriculum. The graduated approach recognises that there is a continuum of special educational needs and disabilities and that specialist expertise will be required to help the school overcome difficulties a child may be experiencing in some instances.
18. Initial intervention at School Action (SA) remains the responsibility of the class teacher with support from the school special educational needs coordinator (SENCo) as appropriate. Should this level of intervention not secure adequate progress, external professionals may be consulted to develop a more specialist plan which is met within the school. This level of support is termed School Action Plus (SA+) and involves the SENCo taking the lead in assessment, planning, monitoring and review of progress. Pupils whose needs can not be met at school action or school action plus may need to have their needs met through undergoing a statutory assessment which issues a Statement of special educational needs. This statement describes the provision and services required to meet the pupils' needs.

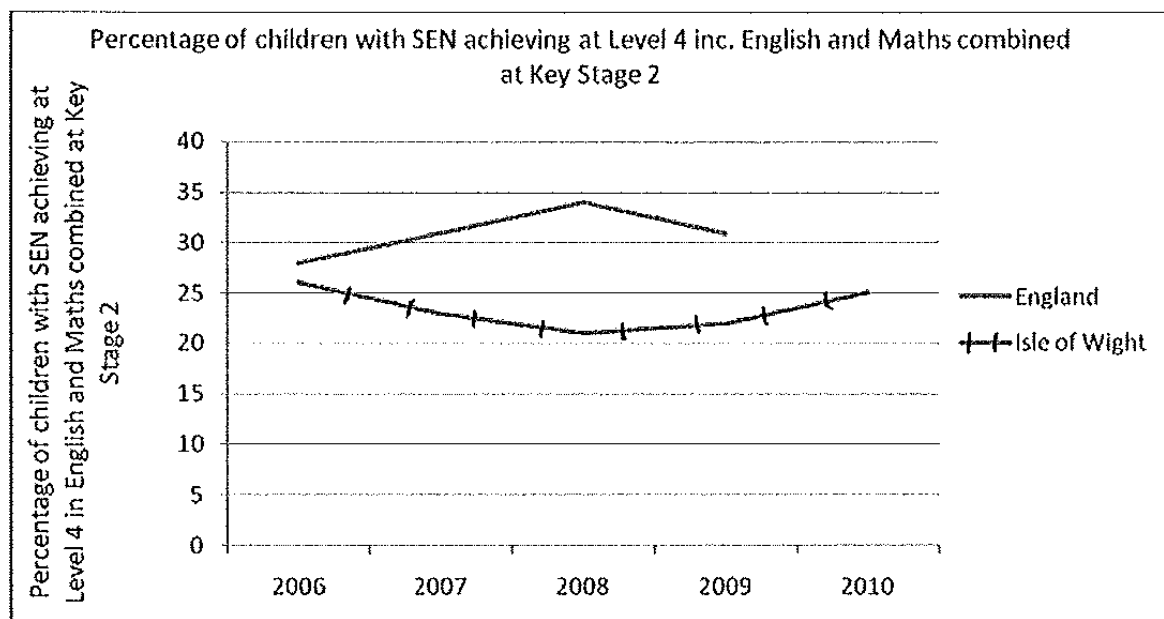
19. The Isle of Wight review of provision for children and young people with special educational needs and disabilities 2011 was undertaken between October 2010 and January 2011. The review was started after the coalition government's announcement of its intention to review SEND provision nationally and completed before the publication of the government's Green Paper.
20. The review was undertaken by a project team, comprising the council's interim inclusion lead for learning difficulties and disabilities, commissioner for special education and alternative programmes and the statutory assessment and review team leader together with the head teacher of an outstanding special school from another authority, and a consultant from the education team of Price Waterhouse Coopers.
21. A range of documentation and data was scrutinised as part of the review. Interviews were conducted with head teachers and governors of the Island's special schools, Pupil Referral Units (PRUs) and planned resourced provisions. Visits were arranged to a number of centres including the special schools and the pupil referral units. Throughout the process, the review team engaged with a range of stakeholders from the statutory and voluntary sectors, parents and children and young people. In depth meetings were organised with the head of service, the senior commissioning manager for the primary care trust, the deputy director for safeguarding, discussions were held with pupils and various focus groups comprising head teachers, parents and other stakeholders were facilitated using a standard questionnaire.
22. The Isle of Wight review 2011 gave particular consideration to the configuration and fitness for purpose of the current pattern of provision and SEND services in the light of the progress made with the SEN/Learning Difficulties and Disabilities strategy 2008-2012. The review aimed to make suggestions about the ways the strategy could be delivered more effectively and so help inform future planning of provision and services to improve the outcomes for children and young people who require additional arrangements to access learning.

## CURRENT POSITION

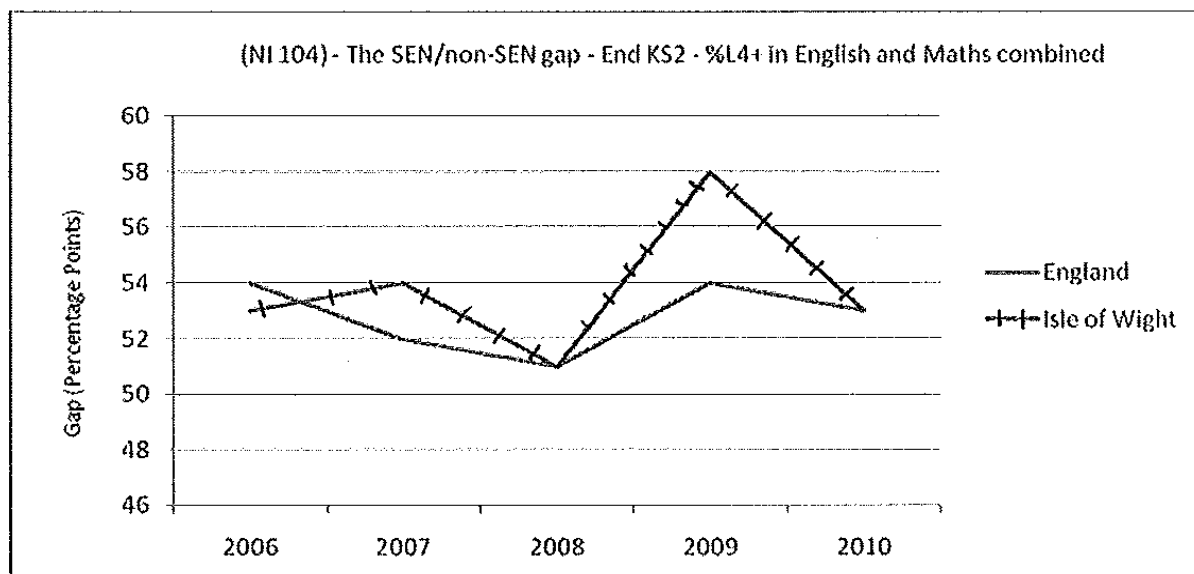
23. The proportion of pupils with SEND and statements on the Isle of Wight, at 20.3% and 2.8% respectively is in line with the national averages ( SEND - 21%: statements- 2.8%). The majority of these children who are categorised as at School Action and School Action Plus, have frequently occurring or 'high incidence' needs relating to mild to moderate literacy, numeracy and behavioural difficulties.
24. Just under a quarter (23%) of all statements made in the Isle of Wight are for children and young people with an Autistic Spectrum Disorder (ASD). Just over a third (35%) are for children with various levels of Learning Difficulties (LD) with 16% for those with Speech, Language and Communication Needs (SLCN) and just over 12% for behavioural, emotional and social difficulties( BESD).



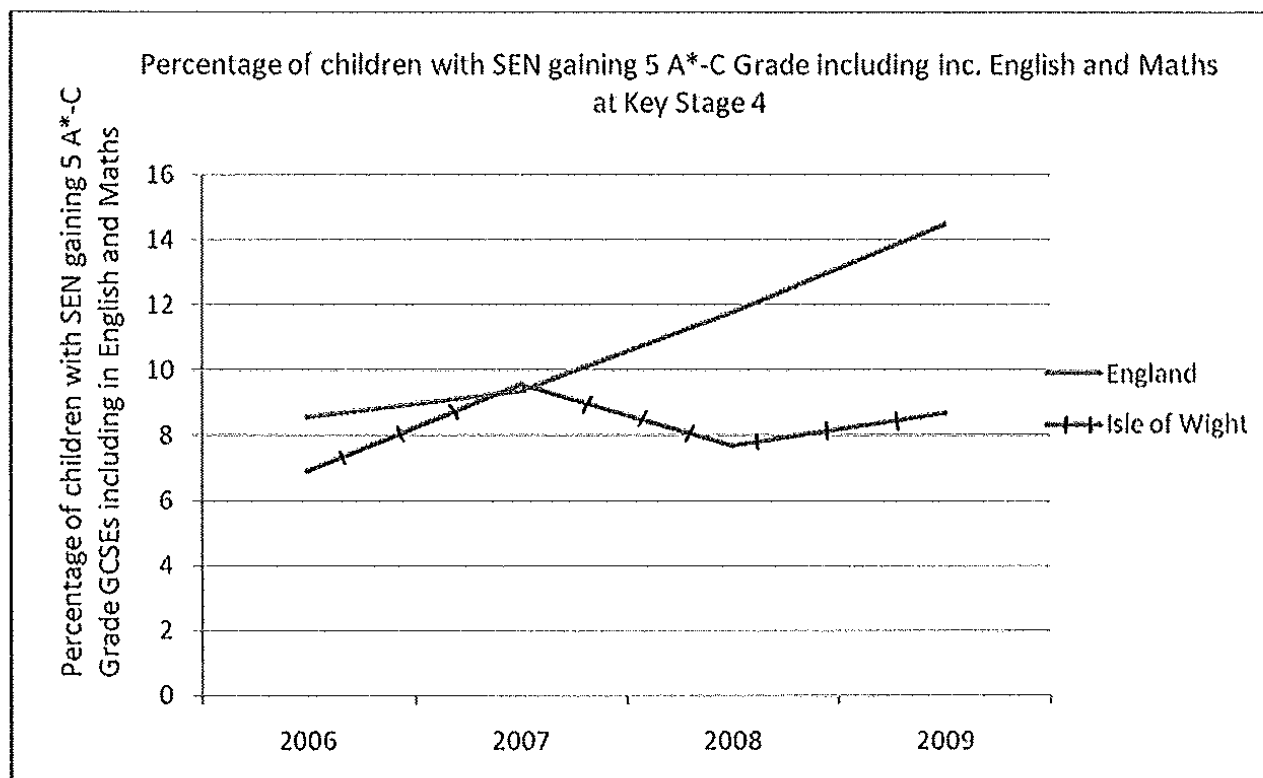
25. During the last two years up to 50 pupils annually were in independent placements on the mainland although many of these were for social care rather than educational reasons. The evidence of improved outcomes for children in these placements was not definitive. As well as the significant costs of such placements (over £100,000 on average annually), the children and young people are away from their families and unable to benefit from and build the network of support within the communities they are most likely to return to.
26. The outcomes for children with SEND are critical for evaluating the effectiveness of provision and judging value for money. A key outcome for children and young people with SEND is their educational outcomes including the gap between their attainment and those of their peers without SEND, what is termed the SEN/non-SEN gap.
27. The performance of children with SEND at age 11(Key Stage 2) in securing a level 4 in both English and mathematics on the Island has been consistently below the percentages achieving this nationally. The best set of results were secured in 2010 when 27% of Island children with SEND achieved a level 4 in both subjects which represented a 5% improvement on the previous year, but was still below the national average of 34%.



28. The SEN/non SEN gap on the Isle of Wight has been wider than the gap nationally, but improved performance by those with SEND in 2010 has ensured the gap is now in line with the national average, as illustrated in the diagram below.



29. Similarly at key stage 4 (age 16), the performance of young people with SEND in the Isle of Wight is significantly below that of their peers nationally. In 2009 (the last year when comparative validated national figures were available), 8.5% of Island youngsters with SEND compared with 14.5% nationally, secured five good GCSEs including English and mathematics.



30. Specialist Island provision consists of:

- one primary and one secondary special school for children with complex and severe learning difficulties;
- one speech and language unit for primary aged pupils;
- one unit for children with communication and language difficulties for middle school pupils;
- one secondary resourced unit for children with autism.

31. Provision for children with behavioural, social and emotional difficulties (BSED) is not made in a special school, but is provided within special schools and school based learning support units, as well as the pupil referral units. Many of the children with these difficulties often have an underlying learning or language difficulty. Where possible, addressing these needs early and effectively in mainstream schools with the help of partners, will achieve better outcomes for children with behavioural difficulties.

### KEY FINDINGS OF THE REVIEW

32. A number of the services provided or commissioned by the Isle of Wight Council for children and young people with SEND are highly valued, particularly some of the specialist sensory and autism services and the special schools. There was a strong sense across health and social care that the expertise in these schools should be used in conjunction with other facilities (e.g. Beaulieu House care and respite facility) to support children with the most complex needs, many of whom are in specialist mainland centres away from their families.

33. There was a strong consensus among professionals in education, health and social care for services to work in a more integrated way to better support pupils on Island and so reduce the number of children and young people separated from their families and community networks in mainland placements. Reducing the number of off Island placements while benefiting the individual youngster could, by re-investing into a variety of local provisions, simultaneously build the range of skills and capacity of Island providers and so help the local economy.
34. Early identification of needs is recognised to be key to children and young people securing good outcomes and access to services. However parents and schools highlighted the difficulties they sometimes faced in accessing the right services for their children, particularly in the early years where the processes for assessing needs are totally separate from those providing support and interventions. What parents and professionals believe would improve things is a 'multi-agency early intervention centre' that offered a 'one-stop shop' for assessment and access to support services for those children with complex needs and their families.
35. The importance of a shared understanding of what is meant by inclusion was widely recognised, including a clear explanation of the expectations and responsibilities this would place on all parties.
36. Parental confidence in the ability of early years settings and schools to identify and meet the special educational needs of children is weak, partly due to poor communication with them and lack of involvement/partner ship working. Provision appears inconsistent between schools, which also affects parental confidence.
37. The access and admissions arrangements for different provisions, including the special schools are not well understood by different professionals, including mainstream schools and parents often receive conflicting information.
38. It is clear that all agencies are striving to do the best for children. However communication with parents of what is being done is not always clear or regularly shared. There is the need for all agencies to continue to improve the communications with and involvement of parents.
39. While there is efficient management of statutory processes for making and reviewing statements, the procedures appear time-consuming, complex and lacking in transparency.
40. A significant investment (approximately £16.3 million) annually is made by the local authority and schools to support children with special educational needs and disabilities across the different educational settings. Just under a third of this (£5.5 million) is delegated to schools through their delegated budgets to support personalized learning and children with needs at school action plus and below. It is important that the most effective and efficient use is made of this resource. While there were many examples of innovative use of resources being made to meet pupil needs, these have not been systematically evaluated. As a result the local authority and its schools are not in a position to consider objectively the value for money offered by different arrangements within schools and elsewhere and this needs to be addressed.



## RECOMMENDATIONS FROM THE REVIEW

41. A full list of the recommendations, grouped into seven areas of focus, are given in Appendix A. The focus areas are:

- identification of special educational needs;
- relationships and partnership working;
- strategic planning and commissioning;
- funding and budget management;
- making provision;
- making statutory assessments and statements;
- quality and outcomes of support.

The recommendations that relate to the most frequently recurring issues throughout the review are given below.

42. All agencies should work collectively to minimise the number of children who leave the Island to have their educational, care and therapeutic needs met.
43. The expertise and facilities within our special schools should be retained for those children and young people with the most severe and complex needs. Further resourced provisions and specialist and generic learning centres should be developed in mainstream schools to support the most frequently occurring special educational needs and disabilities.
44. The vast majority of children with special educational needs and disabilities should be catered for within mainstream schools through expanding the outreach services from the special schools and the pupil referral units, through seeking to develop more resourced provisions and specialist learning centres within mainstream schools and by widening the skills of teachers and support staff. A comprehensive training programme for mainstream school staff, particularly special educational needs co-ordinators, should be established. The local authority should also consider increasing the capacity of the pupil referral unit at Thompson House.
45. The local authority should continue to facilitate a shared understanding of inclusion across agencies and identify the means to measure its effectiveness.
46. A more consistent and robust approach to the identification and assessment of children with SEND across early years settings and schools need to be developed.
47. A clear and agreed set of expectations should be set for what all early years settings and schools should provide for children with SEND from delegated or devolved budgets to ensure greater consistency in the support children and young people receive.
48. Schools and parents should have a greater role in determining how services are commissioned and provided for children with SEND. Commissioning should be at three levels: strategic (whole Island), local (groups of schools) and individual (through statements).

49. The local authority, in line with the Green Paper proposals, should adopt a deliberate strategy of maximising the delegation of resources to schools to organise and provide services for children with SEND.
50. Providers should seek better alignment between SEND processes and other arrangements for accessing early multi-agency support (e.g. Common Assessment Framework) and specialist disability services and so lessen the reliance on statements.
51. The local authority should keep under regular review guidance criteria and moderation processes for making statutory assessments and statements and together with head teachers, should introduce more robust systems to measure the progress children make and to monitor the implementation and effectiveness of special educational provision made for children with statements.
52. There was strong support from young people for their peers to be educated among their communities wherever possible and for the number of young people educated in off Island placements to be reduced. They felt the further development of more specialist resourced provisions on the Island would address this. They also felt that if all schools had inclusion or nurture units, this would enable children and young people with a range of SEND, but particularly behaviour problems to be kept in school.
53. Young people were supportive of any changes that meant they could receive the help they needed, when they needed it. In almost all cases they indicated they would prefer to receive help in their schools. While young people felt broadening the range of skills of all teachers would improve a school's ability to better meet their needs, they felt the presence of a learning assistant in classes and access to specialists at critical times were two of the main ways that support to them could be improved. They were very conscious of the need to balance broadening the skills of most teachers, but felt that time taken from specialists to provide appropriate training risked spreading the skills of specialist staff too thinly.
54. Young people articulated strongly the positive impact on their learning of peer support and mentoring. They gave examples of reading buddy schemes, peer mentoring programmes that had really enabled them to make rapid progress and catch up work they had missed. They felt pupils should be able to be supported in a range of ways if they didn't understand from sitting closer to the front of the class so the teacher could check their understanding first, to being able to go to homework clubs, to being withdrawn for short periods from lessons and given one-to-one input from a teacher or support assistant.
55. An agreed multi-agency evaluation framework should be introduced for evaluating how well we are doing for children with SEND for assessing the impact of interventions and for giving a value for money judgement.

## CONSULTATION RESPONSES

56. Prior to the public consultation which covered the six week period until 31<sup>st</sup> May and throughout the review process, discussions were held with a range of stakeholders including:

- mainstream and special school headteachers;
- member of schools forum;
- Parents Voice;
- SEN/LDD group;
- specialist SEND teams;
- health and social care services

57. The public consultation was launched with the publication of the review consultation document entitled 'The Isle of Wight review of provision for children and young people with SEND 2011' which was made available on the council's website, in public libraries and help centres and at County Hall. Responses could be given to the consultation document at the five public meetings that were held in different locations across the Island, by completing an online questionnaire or by emailing comments. Consultation with young people was completed through discussions that were held with primary, middle and high school aged children and young people in their schools or via the youth council. The summary responses from the public meetings and the on-line questionnaires are given in Appendix B.
58. Attendance at public meetings was variable, with small numbers attending most meetings, with the meetings at Ryde and Lake being the best attended. In all 68 people attended. The online questionnaire received some 47 responses, some of whom also attended the public meetings. Approximately 75% of the respondents were parents. Two email feedback responses were received. The public meetings and face to face discussions were generally more supportive of the recommendations.
59. While there were some recurrent themes in all the consultation responses, online respondents were fairly evenly split about whether the recommendations were heading in the right direction, with the majority of comments recorded being by those who were either neutral or disagreed. Those attending the public meetings showed more support for the direction of travel encapsulated by the recommendations but had some reservations. There was general support for reducing the number of off Island placements and reinvesting the resource in local provision. While a small percentage of parents asked for more specialist provisions, most parents desired only for their children to have their needs met appropriately in their local school. The main concern expressed by parents was the seeming lack of provision for those children with need who did not meet thresholds for the support associated with a statement. The aspect of the recommendations that concerned the parents most centred on the ability of schools to deliver the support and provision to appropriately meet the wide range of pupils needs.
60. Parents were keen to ensure that schools commissioned the right services for their children and were very clear that there would need to be a strong accountability framework in place to ensure the greater delegation of resources to schools was being most effectively targeted to meeting needs.
61. The majority of respondents felt the Isle of Wight review's recommendations were broadly in line with the government's Green Paper 'Support and Aspiration' although written comments varied widely from those who felt it was in line to those who felt it wasn't or had 'cherry-picked' aspects of the Green Paper.

62. While many parents valued the communication they had with individual SENCOs and some trusted professionals, overwhelmingly they were very critical of the communication between parents and educationalists. One of the most recurring themes and an area requiring significant improvement is the parent-school communication to avoid the adversarial nature that seems to characterise many school-parent relationships. Parents were passionate that they should and need to be listened to more; they know their children and what they need. Parents want to have an active role in helping find solutions to addressing their children's needs. They do not feel they are an equal partner with other professionals.
63. The statutory assessment process continues to be complex and appears inconsistent, with parents not always clear of the reasons for some children being issued with statements and others with similar needs not. The responses indicated that more consideration should be given to finding ways of increasing parental involvement and engagement in the statutory process, including for example attendance at SEN panels. It is critical that a more robust framework is in place to enable the local authority to ensure that the contents within children's statements are being delivered and to a good standard.
64. There was very strong support from all stakeholders for the comprehensive training of teaching and support staff to be able to meet in a wider range of learner difficulties, but particularly for those with autistic spectrum difficulties and other emotional vulnerabilities. This was considered by parents to be a critical aspect of the transition process during the school re-organisation to the two tier system.
65. While respondents at the public meetings in particular were very clear that a range of indicators, not just academic performance should be used to assess the success of interventions, there was an appreciation of the need to have robust mechanisms in place to ensure the deployment of resources was targeted to supporting the greatest number of children and gave value for money.
66. Some parents and stakeholders noted improvements in the support for their children with SEND and welcomed the review and many of its recommendations but were cautious and sceptical of the degree to which they could be implemented. The implications for schools and the local authority's strategic and operational management of inclusion is critical to reassuring parents that their child's needs will be identified and met appropriately and in a timely way.
67. Priority areas for action identified through the consultations were those recommendations which:
- developed a shared understanding, commitment to and delivery of inclusion including more consistent provision in terms of curriculum, interventions and access to support being available in similar settings;
  - implemented a parental engagement strategy to improve communication with and involvement of parents, particularly in problem solving approaches to meeting pupils' needs and monitoring the impact of interventions and resources;
  - developed and implemented a comprehensive training programme for managers, SENCOs and other staff in schools to help the development of a strategic approach

to SEND provision and the implementation of quality first teaching to meet a wide range of learning;

- improved the strategic, local and individual commissioning of services, promoted more integrated working between education, social care and health colleagues to reduce the number of off Island placements, to increase specialist provision on the Island and to ensure early access to specialist services when they are required;
- ensured the effective deployment of resources and value for money.

## FINANCIAL / BUDGET IMPLICATIONS

68. The council should not incur any additional costs in implementing the recommendations. The overall spend on SEND provision should remain the same should the recommendations within the review be implemented. This is because the recommendations promote the re-directing of high cost off Island placements to investing in the development of more specialist resourced provisions and learning centres on Island and in supporting the increased delegation of resources to schools.
69. While the council await Department for Education changes to the national funding formula for schools, the implementation of the pupil premium and the potential introduction of personal budgets to purchase services on behalf of those with SEND, the Localism Bill is signalling the desire for the greater delegation of resources to frontline services, including schools. The implementation of the Isle of Wight review recommendations would be in line with this direction of travel as it aims for the delegation of more resources to schools including through the restructuring of some the centrally managed specialist SEND teams to more locally managed arrangements and operations from school bases.
70. The implications of the above are that within the next two to three years work will need to be undertaken by the local authority and the schools forum in developing revenue funding proposals based on the principles :
- that formula funding is based on the incidence of need in an area;
  - that children with similar needs attract similar funding;
  - that the focus of funding should be to support early intervention;
  - that delegation of funding should minimise any financial incentive in securing a statement.

## LEGAL IMPLICATIONS

71. The recommendations in the review incorporate existing commitments under diversity, disabilities and human rights legislation, so do not create any additional legal implications. The proposal to accept the recommendations and the associated work plan will make additional provision available to children and young people with a range of difficulties particularly those with the most severe and complex needs and those with high incidence needs such as autism on the Island.
72. It is the responsibility of the local authority to ensure that the services and provision specified within a statement of special educational needs is delivered to the child or young person. The commissioning of services both at a strategic and individual pupil level will therefore be critical to the local authority being able to demonstrate the

suitability and cost effectiveness of local provision and services and so avoid appeals and Disabilities Tribunal (SENDIST).

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

Section 14 of the Education Act 1996 places a general duty on local authorities to secure that there are sufficient schools for providing primary and secondary school education and section 14(6) requires them in particular to have regard to the need to secure that special educational provision is made for pupils with special educational needs.

Section 315 of the Education Act 1996 requires local authorities to keep their arrangements for special educational needs provision under review.

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 that is compatible with the provision of efficient education and training and the avoidance of unreasonable public expenditure.

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 that there is sufficient primary and secondary provision and suitable SEN provision in their area.

### PROPERTY IMPLICATIONS

74. The remodelling of some of the specialist SEND services, such as the autism service, involves the re-locating of specialist teams to schools.
75. One recommendation was the need to consider increasing the capacity of the primary Pupil Referral Unit (PRU) at Thompson House to provide short term support children with behavioural difficulties. This, together with the council's transformation agenda which will involve vacating Thompson House, will require the re-location of the PRU, possibly, into larger accommodation, if approved. There may be cost implications to this.

### EQUALITY AND DIVERSITY

76. The aim of the review is to improve the provision and access to support services on the Island for Special Educational Needs and Disabilities (SEND) children, young people and their parents/carers. The council acknowledges that at any time, and for a number of reasons, some children will face barriers to learning in their school career. These children and young people may have special educational needs, may have a disability or may be experiencing other social or personal circumstances which present a barrier to learning.
77. The objective of the review is to ensure that every learner is given a fair and equal chance to access appropriate services on the Island and reduce the need for mainland

placements so that learning and social interaction can take place within their own local community. The Council has a duty under the Equalities Act 2010 to pay due regard to the need to eliminate discrimination harassment and victimisation and other conduct prohibited by the Act. The Council also has the duty to pay due regard to the promotion of equality of opportunities between persons who share a relevant protected characteristic and persons who do not share it. This means that the Council must be pro-active in putting into place arrangements to ensure that it does not unfairly discriminate against individuals on the grounds of their age, religion, personal relations or living and caring arrangements. The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex and sexual orientation. The Council is legally required to demonstrate this duty in the key decision making process, including assessing the potential equality impact of any Council proposals.

78. An equality impact assessment has been carried out and has been informed by the consultation process. Comments from both parents and young people reflect their appreciation of the open and transparent way in which the consultation has been carried out. The equality impact assessment conforms to the council's obligations under the Equality Act 2010 and the requirement to have due regard to the need to; eliminate unlawful discrimination, harassment and victimisation, promote equal opportunity between people from different groups and foster good relations between people from different groups.
79. The Human Rights Act 1998 brought the European Convention on Human Rights into local law. Under this Act all public organisations must respect the rights contained in the European Convention. The European Convention on Human Rights states that nobody will be denied the right to education (Article 2 of Protocol 1). So, as all children and young people have the right to education, their right must be protected in a practical and effective way.

#### SECTION 17 CRIME AND DISORDER ACT 1998

80. There are no implications because this proposal focuses on improving services for disabled children and young people and is not relevant to any crime and disorder agenda.

#### RISK MANAGEMENT

81. The greatest risk to the successful implementation of the recommendations comes from a failure of all agencies to commit to and fully engage with developing and delivering the inclusive practices underpinning the recommendations. A strong monitoring and accountability framework will need to be in place to mitigate this risk.
82. Parents' also have concern that the further delegation of resources to schools without more experience of local commissioning services may compromise the delivery and quality of services to meet children's needs. This would potentially cause reputational risk to the Council and needs to be mitigated by a phased delegation of resources with jointly commissioned services.

## OPTIONS

83. The recommendations from the SEND review taken together will initiate the system change needed to improve educational provision and raise the achievement of pupils with SEND by:

- better commissioning of SEND provision to match need
- releasing resources to support improved provision for pupils with SEND in mainstream schools and generic learning centres
- refocusing SEN support services to schools
- ensuring more consistent and focussed outreach support from specialist provisions to support mainstream schools.

Option 1 – To endorse the recommendations of the SEND review and approve the action plan for implementing them.

Option 2 – To endorse the recommendations out lined in the SEND review but suggest amendments to the action plan for implementing them.

Option 3 – To reject the recommendations of the SEND review.

## EVALUATION

84. Effective joint planning and commissioning is increasingly at the heart of improving outcomes for children and young people. Commissioning at local level will enable clusters/groups of schools to support children more flexibly through local planning. This will particularly apply to those children who need some specialist support but do not require a statement of SEN or full time attendance at specialist provisions. Similarly it will enable children who have less severe needs to make a supported transition into an appropriate mainstream school.

85. A SEND support network is needed to coordinate centrally managed SEN services and outreach providers from schools and special schools. It will be critical to ensure equality of access to this support and equity of provision. A new structure is needed to coordinate the resources to ensure there is an equitable and effective offer available that does not duplicate the work of other services.

86. Consideration needs to be given to transferring resources from centrally held budgets within the designated schools grant (DSG) to the delegated individual school's budget to promote early intervention by schools directly. This will help improve the percentage of funding delegated to schools, and in particular attention can be given to increasing the funding allocated through deprivation indices in line with the goals of the coalition government to reduce the achievement gaps between different groups of children and young people.

87. The aim of the recommendations in the review is to build on and strengthen the inclusive approach set out in the 2008-12 Isle of Wight SEN/LDD strategy. This focuses on supporting those with special educational needs and disabilities, giving as many pupils as possible the opportunity to learn alongside their peers, where it is appropriate.



88. It is therefore proposed that Cabinet agree the recommendations in the review and that work be taken forward in:

- reducing the number of off Island placements;
- the further development of the specialist resourced provisions including the opening of primary resourced provisions at Broadlea Primary School and Greenmount Primary School in 2012;
- that discussions are undertaken with schools to look at building capacity to support high incidence needs through building networks of lead schools/generic learning centres;
- the Every Disabled Child Matters (EDCM) charter should be adopted by the council and used as a performance measure for the implementation of the recommendations;
- that a parental engagement project should be undertaken to look at how we improve the involvement of and communication with parents of children and young people with SEND;
- that funding for statements should be reviewed with schools and models for further delegation of funds be developed;
- that SEN specialist services are redesigned as an inclusion service to provide a wider range of SEND advice to schools;
- the commissioning manager for SEND services sets up a SEN support network to coordinate the specialist services and outreach advice from schools;
- that a robust monitoring cycle is established to ensure the embedding of inclusion responsibilities.

The work plan below is suggested as the means of addressing the above and forming the last year of the 2008-12 SEN/LDD strategy.

<u>Focus of work</u>	<u>Proposed activity</u>	<u>Timescale</u>
Developing a shared understanding, commitment to and delivery of inclusion.	<ul style="list-style-type: none"> <li>o Produce an inclusion policy outlining the roles and responsibilities of stakeholders with agree indicators for measuring successful implementation.</li> <li>o Coordinate the development of networks for sharing information and planning and problem solving complex cases</li> <li>o Implementation of EDCM charter mark.</li> </ul>	<p>January 2012</p> <p>March 2012</p> <p>October 2012</p>
Development of specialist resourced provisions and specialist learning centres, supported by the delegation of specialist teams to mainstream schools	<ul style="list-style-type: none"> <li>o Establish new resourced provisions for ASD and SLCn</li> <li>o Invite schools interested in hosting specialist services/ becoming lead schools for each of the 5 most prevalent learning difficulties and disabilities to pilot different models of outreach support/working methods.</li> <li>o Develop working models</li> </ul>	<p>September 2012 December 2012</p> <p>September 2013.</p>

Develop a comprehensive training programme for managers, SENCOs and other staff in schools to help the development of a strategic approach to SEND provision and the implementation of quality first teaching to meet a wide range of learning difficulties and disabilities	<ul style="list-style-type: none"> <li>○ Commission SENCo national award</li> <li>○ Establish SEN CPD group to identify training required</li> <li>○ Provide a training framework from the network of specialist providers</li> </ul>	September 2011
Implement a parental engagement project to improve communication with and involvement of parents	<ul style="list-style-type: none"> <li>○ Invite schools interested in developing quality mark for parent engagement to pilot programmes</li> <li>○ Monitor and evaluate pilots</li> </ul>	October 2011 July 2012
Improve the strategic, local and individual commissioning of services	<ul style="list-style-type: none"> <li>○ Establish procedures for the collation of key data to support a whole and cluster assessment of needs, including amending data collected from annual reviews.</li> <li>○ Work with schools to jointly commission educational psychology services.</li> <li>○ Pilot model of a re-direction of statementing funding to early intervention</li> </ul>	November 2011  December 2011 April 2012
Best value review	<ul style="list-style-type: none"> <li>○ Devise and Implement procedure for the monitoring and evaluation of resources delegated to schools for SEND</li> <li>○ Identify potential funding models to enable further delegation of SEN funding to schools following implementation of National Funding formula.</li> </ul>	September 2012  April 2013

89. Option A will enable the improved provision that will lead to the improved outcomes required for children and young people with SEND.

### RECOMMENDATION

Option 1 - To endorse the recommendations of the SEND review and approve the action plan for implementing them.

### APPENDICES ATTACHED

- [APPENDIX A](#) - Summary of recommendations
- [APPENDIX B](#) - Summary of on-line consultation responses
- [APPENDIX C](#) - Summary of public consultation meetings

- [APPENDIX D](#) - Summary of the Government Green paper 'Support and Aspirations – a new approach to SEND- March 2011.
- [APPENDIX E](#) - Equality Impact Assessment

#### BACKGROUND PAPERS

The Isle of Wight review of provision for children and young people with SEND 2011' - *the Consultation document* .

Review of provision for children and young people with Special Educational Needs and Disability – 2011 –the full report

'Support and aspirations- a new approach to special educational needs and disabilities' (DfE- March 2011)

**All the background papers are accessible at**

**[www.iwight.com/education/news/2011/SEND-consultation/default.asp](http://www.iwight.com/education/news/2011/SEND-consultation/default.asp)**

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