

**TITLE OF REPORT:** How Gateshead is meeting the needs of children and young people with Special Educational Needs and Disabilities (SEND)

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### **EXECUTIVE SUMMARY**

This report provides an update regarding the progress being made in relation to ensuring the needs of children and young people with SEND are being met.

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### **POLICY CONTEXT**

1. The Council has statutory duties to promote high educational standards, ensure fair access, promote diversity and ensure education is appropriate to meet the different age aptitudes and abilities of pupils in its area and make efficient use of its resources.
2. The Children and Families Act and the guidance in the SEND Code of Practice 2014 placed a number of statutory duties on local authorities in relation to the identification, assessment and provision for children and young people with special educational needs (SEN) for whom it is responsible.

### **Background**

3. In 2014, the Children and Families Act introduced the biggest reforms for 30 years as to how children and young people with SEND receive support to ensure their needs are met. The reforms replaced statements with Education, Health and Care Plans (EHC Plans), which incorporates not only the child's educational needs but any health and social care needs. The eligible age range for an EHCP was extended to 0-25 years.
4. The 2014 SEND Code of Practice also introduced the following changes from the 2001 Code of Practice:
  - A clearer focus on the participation of children and young people and parents in decision-making at individual and strategic levels
  - A stronger focus on aspirations and improving outcomes for children and young people
  - Guidance on the joint planning and commissioning of services to ensure close co-operation between education, health and social care

- Guidance on publishing a Local Offer of support for children and young people with SEND
- Guidance for education and training settings on taking a graduated approach to identifying and supporting pupils with SEN (replacing School Action and School Action Plus with SEN Support
- For children and young people with more complex needs a co-ordinated assessment process and the new 0-25 Education, Health and Care Plan (EHC Plan) replacing statements and Learning Difficulty Assessments (LDAs)
- A greater focus on support that enables those with SEND to succeed in their education and make a successful transition to adulthood
- Information provided on relevant duties under the Equality Act 2010
- Information provided on relevant provisions of the Mental Capacity Act 2005
- New guidance on supporting children and young people with SEND who are in youth custody.

## SUMMARY

### Increasing numbers of children and young people with EHC Plans

5. The SEND reforms have created an overall increase in in the number of children and young people with Education, Health and Care Plans locally, regionally and nationally.
6. In Gateshead, there has been a 46% increase in the number of children and young people with an EHC Plan since 2015. This is in line with regional, North East and National figures.

	<b>Gateshead</b>	<b>Sunderland</b>	<b>Newcastle</b>	<b>North East</b>	<b>England</b>
<b>2015</b>	842	1135	916	11,811	240,183
<b>2016</b>	982	1265	1059	12,817	256,315
<b>2017</b>	1108	1283	1292	14,518	287,290
<b>2018</b>	1374	1361	1370	15,945	319,819
<b>2019</b>	<b>1231</b>	1588	1490	17,294	353,995
<b>2020</b>	<b>1299</b>	1701	1701	18,812	390,100
<b>2021</b>	<b>1393</b>	1901	1884	20,295	430,697

*Data source: SEN2*

7. In 2021, 3.9% of the total 0-25 year population in Gateshead had an EHC Plan, compared with 3.6% in Sunderland, 3.5% in Newcastle, 3.8% in the North East and 3.7% in England (ONS mid-year 2018 population estimates).
8. During the calendar year 2020, 26.7% of initial requests for an EHC Plan in Gateshead were refused. This is lower than some regional neighbours: Durham (34.1%) and Sunderland (35.2%), but the North East (35.1%) but slightly higher than the England (21.6%)

## **SEN Support in mainstream schools**

9. A number of pupils receive support in their mainstream school using the school's own resources (notional budget of £6,000). This is known as 'SEN Support' and means the child does not require an EHCP because their needs can be met by the school. Children and young people with an EHCP taught in a mainstream school receive additional funding from the High Needs Block to meet their needs.
10. The number of school-age pupils at SEN Support has increased slightly from to 3,471 in January 2019 to 4478 in October 2021, which equates to 16.5% of all pupils in Gateshead.
11. Guidance has been prepared for Gateshead settings which is designed to provide clarity on what early years providers and settings and mainstream schools should be doing to provide a graduated response (Assess, Plan, Do and Review) to all pupils as a universal entitlement and to pupils and SEN Support across the four main SEND areas of need. This has also been published on the Local Offer site so that it is available for parents.

## **Greatest areas of need**

12. The greatest areas of need in Gateshead amongst school-aged children and young people at both SEN Support and those with an EHCP are:
  - Speech, Language and Communication Needs (SLCN)
  - Social, Emotional and Mental Health (SEMH)
  - Autism Spectrum Condition (ASC)

*Data source: School Census*

13. The greatest areas of need amongst Gateshead children and young people with an EHCP are:
  - Autism Spectrum Disorder (ASD) – 15%
  - Moderate learning difficulties (MLD) – 22%
  - Social Emotional and Mental Health (SEMH) – 20%
  - Speech and Language Communication Needs (SLCN) – 25%

## **Specialist provision**

14. Normally only children and young people with an EHCP can access a special school placement, unless a statutory needs assessment is being undertaken.

15. There are 6 special schools/academies in Gateshead catering for children with different types of needs:

School	Type of provision	Age range
Eslington primary school	Social, Emotional and Mental Health (SEMH) Difficulties	Early years, KS1 and KS2
Furrowfield School	Social, Emotional and Mental Health (SEMH) Difficulties	KS3 and KS4
Gibside School	Learning Difficulties including Autism	Early Years, KS1 and KS2
The Cedars Academy	Physical Disabilities and /or speech and language/communication difficulties	Early years, KS1-KS4 and post-16
Dryden School	Severe and Profound and Multiple Learning Difficulties	KS3-4 and post-16
Hill Top School	Moderate Learning Difficulties including Autism	KS3-4 and post-16

16. The number of school-age pupils being taught in special schools in Gateshead has risen from 492 in 2015 to 707 in 2021. Gateshead currently has the highest proportion of school age pupils being taught in special schools as a percentage of EHCPs (50.8%) compared with regional (44.7%) and national figures (35.7%).

17. The majority of Gateshead's special schools are currently full. There has been an increase since the reforms in the number of referrals from mainstream schools for EHCP needs assessment being received. This has resulted in increased numbers of children receiving an EHCP, an increase in spend from the high needs block and an increase in the number of children being placed in a special school setting.

18. Parents or young people with SEND have a legal right to request a particular school to be named in their EHC plan and the Council can only refuse the request under 3 conditions:

- The setting is unsuitable for the age, ability, aptitude or SEN of the child/young person;
- The attendance of the child or young person would be incompatible with the provision of efficient education for others; or
- The attendance of the child or young person would be incompatible with the efficient use of resources.

19. Parents have a legal right to appeal to the SEND Tribunal (SENDIST) if they disagree with the Council's decision about the named school.

### **Additionally Resourced Mainstream Provision (ARMS)**

20. Gateshead currently commissions five primary and two secondary schools to provide 65 additionally resourced mainstream provision places annually for pupils who have an EHCP and require additional specialist support, but who benefit from accessing a mainstream setting for their social and emotional development. We have been reviewing the ARMS provision and are hoping to open 3 new provisions

in September 2022 for children with social communication/ autism needs. A new arrangement has also been made with Kells Lane Primary and Gibside Schools which provides an additional 10 places to meet demand.

## **Autism / Social Communication**

21. In response to growing numbers of children with social communication/ autism needs we are looking to expand the additionally resourced mainstream provision within the primary school sector. Gibside have formed a partnership with Kells Lane Primary School to offer a further 10 places from March 2022. Discussions are also on-going with a further three primary schools to offer new provision from September 2022 which will offer a further 24 places.

## **Post 16 and Preparing for Adulthood**

22. Section 8 of the SEND Code of Practice states:

‘Professionals across education (including early years, schools, colleges and 16-19 academies), health and social care should support children and young people with special educational needs (SEN) or disabilities to prepare for adult life and help them go on to achieve the best outcomes in employment, independent living, health and community participation.

Being supported towards greater independence and employability can be life-transforming for children and young people with SEND. This support needs to start early and should centre around the child or young person’s own aspirations, interests and needs. All professionals working with them should share high aspirations and have a good understanding of what support is effective in enabling children and young people to achieve their ambitions’.

23. The SEN Team has requested that schools and settings amend Section B of the young person’s Education, Health and Care Plan from Year 9 onwards to include the four Preparing for Adulthood headings, as set out in the SEND Code of Practice:

- Higher education and/or employment
- Independent Living
- Friends, Relationships and Community
- Being Healthy

24. This is to ensure that the EHCP outcomes focus on how the young person can be supported towards greater independence and/or employability as early as possible, not only at the point they leave school.

25. In addition, the Council has worked with the Post 16 Pathways group, which has representation from all Gateshead Post-16 providers, to develop clear and transparent information about the learning pathways available to learners with SEND when they leave Year 11. This information can be found on the Preparing for Adulthood page in Gateshead’s Local Offer:

## **SEND Service**

26. Due to the increase in the number of new needs assessments and overall number of EHCPs the staffing establishment in the SEND Service has been reviewed to provide 4.4 fte additional posts into the Service. The main impact of this has been to ensure a timely response to making amendments to EHCPs following annual reviews and also to ensure that the 20 week timescale for completion of EHCPs is achieved. The response times for annual reviews will become a new statutory performance indicator from January 2023. The Team is currently fully staffed.
27. The Quality Assurance and Monitoring Manager within the Team has also been working with an Inspector to re-launch the Gateshead SENCO Network. A Digital SENCO Handbook has been created with key guidance and information. This will evolve continuously with inclusion is at the heart of every section. SEND Training and Development across Education, Health and Social Care has been collated to identify key gaps. Training and Development Consultation sent to all school leads and SENCOs, which has further developed areas of focus.
28. A section on the Local Offer for SENCOs is under development based on feedback currently being collated. This will ensure that all information is in one place. Cluster Meetings for SENCOs are being arranged which will offer opportunities for shared discussion and support and SEN surgeries/ consultations together with a new Inbox for SENCOs to enable prompt response to enquiries and assist with signposting/ advice.

## **Parent/ Carer Forum**

29. Gateshead's Parent Carer Forum has been re-established and is now supporting all strategic developments across the SEND System. They are represented on all of the main strategic groups and meet regularly with senior leaders to discuss any areas of concern.

## **SEND Youth Forum**

30. The SEND Youth Forum has been relaunched in December 2020 with 7 members meeting regularly. There is an on-going recruitment for local young with additional needs as well as those with a genuine interest in improving SEND provisions. 4 members of the Gateshead SEND Youth Forum joined the national 'Youth Voice Matters' SEND Children and Young People's Conference on February 23rd. Aimed at promoting participation and enhancing the 'youth Voice'
31. To gain understanding around our ability to engage SEND young people and facilitate their participation and co-production, the Making Participation Work team at the Council for Disabled children were contacted and they provided us with audit tool to test out system, approaches and delivery.
32. Whilst some areas came out very strongly, others required improvement which has led to commit to genuinely co-producing a SEND participation strategy with the Youth forum and PCF.

## **SEND Newsletter**

33. There is now a regular SEND Newsletter which is circulated to a range of stakeholders with the aim of providing an update across education, health and care. The newsletters are also published on the Local Offer website (the last publication is attached).

## **SEND Board**

34. Since the last OSC Report, the SEND Board has been established which includes leaders across the Gateshead System to oversee strategic developments in the area of SEND.

## **NEXT STEPS**

- Implement the expected recommendations of the Green Paper
- Review readiness for the next LA SEND Inspection pending the publication of the new framework which is expected by April 2022.
- Review Secondary ARMS provision during 2022-23
- Step up the monitoring role to reduce further increase in requests for top-ups
- Continue to support the engagement of parents/ carers and children and young people in strategic SEND Developments

## **RECOMMENDATION**

35. It is recommended that the Families Overview and Scrutiny Committee receive the update report on how the Council is meeting the needs of children and young people with SEND and agree to the Next Steps.

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