

<b>DECISION-MAKER:</b>	<b>Joint Commissioning Board</b>		
<b>SUBJECT:</b>	<b>SEND Strategic Review June 2017 – March 2018: Implications and Opportunities for Joint Commissioning</b>		
<b>DATE OF DECISION:</b>	<b>13 September 2018</b>		
<b>REPORT OF:</b>	<b>Stephanie Ramsey, Director of Quality and Integration</b>		
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#### **STATEMENT OF CONFIDENTIALITY**

**NOT APPLICABLE**

#### **BRIEF SUMMARY**

This report provides an overview of the Strategic Review of provision for children and young people in Southampton with Special Educational Needs and Disability (SEND) conducted between June 2017 and March 2018.

It summarises the key findings from the review and goes on to discuss the implications and opportunities from a joint commissioning and integrated provision perspective.

#### **RECOMMENDATIONS:**

(i)	To note the key findings and recommendations of the SEND Strategic Review.
(ii)	To note the implications and opportunities for joint commissioning and integrated provision.

#### **REASONS FOR REPORT RECOMMENDATIONS**

1.	In September 2014 the Children & Families Act 2014 came into force setting out specific duties for Local Authorities, Clinical Commissioning groups (CCGs), NHS Trusts and schools in relation to working together to improve the identification of children and young people with SEND, providing sufficient services to meet their needs and improving their health, social care and educational outcomes. These SEN reforms constitute the largest change to national policy for disabled children and young people in the last 30 years since the Warnock report and 1981 Education Act and require health and local authority partners to work together with schools and other partners to commission services for this group, ensuring strong integration between education, health and social care provision.
2.	Specific duties for the local area to work together in partnership to deliver include: <ul style="list-style-type: none"> <li>• To publish an accessible “local offer” providing information about the services available and how to access them to support children, young people and young adults with SEND;</li> <li>• To provide access to impartial information, advice and support services that helps families to meet their own needs, as well as accessing those services that require an assessment of need;</li> </ul>

	<ul style="list-style-type: none"> <li>• To implement Education, Health and Care Plans (EHCPs) as a replacement for SEN Statements and Learning Disability Assessments (LDAs);</li> <li>• To offer a personal budget to support the outcomes in an EHC plan;</li> <li>• To promote co production with children, young people and carers to actively participate in the assessment and contribute to joint commissioning discussions;</li> <li>• To ensure that there are the services available to contribute to the outcomes specified in an EHC plan.</li> </ul>
3.	Nearly four years on from the enactment of the Children and Families Act, significant progress has been made in implementing the reforms. The Local Offer is published and regularly updated; information, advice and support services for children and families with SEND have been recommissioned as part of the integrated Information, Advice and Guidance Service; Education, Health and Care Plans (EHCPs) have been fully rolled out; and Southampton received positive feedback from the Local Area Review conducted by Ofsted and CQC in February 2017.
4.	However there are concerns around adequately meeting the increase in numbers and complexity of need of children and young people with SEND and hence the Council, in partnership with Portsmouth City Council, commissioned a SEND Strategic Review which was undertaken by external independent reviewers over the period June 2017 – March 2018. This was funded through a national Department for Education (DfE) grant specifically for reviewing high needs provision.
5.	Delivery of the duties outlined in the Children and Families Act require a strong partnership approach, underpinned through joint commissioning and integrated provision arrangements. The needs of children and young people with SEND do not sit solely under one agency or school or service; they require a partnership approach. It is vital therefore that our response to the SEND Strategic Review is a city wide joint response across all agencies, schools and services. The Joint Commissioning Board therefore has a key role in overseeing implementation of the recommendations.
<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>	
	<b>NOT APPLICABLE</b>
<b>DETAIL (Including consultation carried out)</b>	
1.	<b>Aims of SEND Strategic Review</b>
1.1	<p>The key aim of the 2017/18 SEND Strategic Review was to ensure that future demands are identified so that they can be met in a financially sustainable way. Six key priorities were identified for review with a focus on meeting future demand and financial sustainability:</p> <ul style="list-style-type: none"> <li>• Reviewing the use of high cost out of city placements</li> <li>• Meeting the needs of the growing number of children with severe learning difficulties and complex needs, which is currently putting pressure on special school places</li> <li>• Reviewing the availability of post-16 provision for students with SEND, including those with a sensory impairment</li> <li>• Meeting the needs of the growing number of children and young people with autism/social communication needs and associated sensory processing difficulties and challenging behaviour</li> <li>• Reviewing the use of resourced provisions</li> <li>• Reviewing the identification of SEND and thresholds for requesting EHCP needs assessments</li> </ul>

	In addition, as a key principle and aim, inclusion and inclusive practice was also identified as a priority due to its importance as part of a graduated response to meeting the needs of children with SEND.
<b>2.</b>	<b>Key Findings</b>
2.1	<p>The full report can be found on the Southampton Information Directory SEND Local Offer webpages accessible at the following link:  <a href="http://sid.southampton.gov.uk/kb5/southampton/directory/advice.page?id=MsdyX2gOkPE">http://sid.southampton.gov.uk/kb5/southampton/directory/advice.page?id=MsdyX2gOkPE</a></p> <p>In total there were 52 recommendations in the review which the city's SEND Partnership Forum is currently working through and building into its city wide SEND Work Programme. The SEND Partnership forum has representation from across the Council (Children and Adult Services, Economic Development &amp; Skills), the CCG, Solent NHS Trust children's services, Southern Health Foundation Trust adult services, the Parent Carer Forum, the voluntary sector, special and mainstream schools and colleges and so is well placed to consider the cross agency implications. Any proposals taken forward will go through appropriate consultation and the formal decision making process.</p>
2.2	<p>To summarise however, the review identified 8 key findings which are outlined in paragraphs 2.2 - 2.9 as follows:</p> <ul style="list-style-type: none"> <li>• The <b>numbers and complexity of children and young people with SEND is increasing</b> with the potential for a significant increase in costs. Based on the current trajectory and levels of demand, the city will need to build another two special schools to meet future demand; this is clearly not financially sustainable, nor does it support inclusion. The areas of need that warrant particular attention are children and young people with more complex needs; <b>autism</b> especially where there is <b>challenging behaviour</b> and <b>social, emotional and mental health difficulties (SEMH)</b>. Action is required now to manage demand to ensure that future needs can be met that is financially sustainable.</li> </ul>
2.3	<ul style="list-style-type: none"> <li>• The <b>demand for specialist provision is increasing in some cases over and above need</b>. It is predicted that the numbers of children being considered for specialist provision / special school places could increase by up to 50% by 2022. There is a need to better manage demand so that provision is provided in accordance with need.</li> </ul>
2.4	<ul style="list-style-type: none"> <li>• There are children and young people making good progress in mainstream schools who have needs that are the same as or in some cases greater than children and young people currently in Special Schools and Resourced provisions. <b>It is essential that mainstream schools are well prepared to meet the opportunity and challenge</b> of supporting the needs of the increasing number of pupils with SEND.</li> </ul>
2.5	<ul style="list-style-type: none"> <li>• To cope with the increase in need and demand for specialist provision <b>the remit and criteria for the Special Schools</b> should be reviewed. Whilst it is anticipated that there will be a need for more specialist provision the demand for places must be closely managed, working collaboratively with parents, to ensure that needs are met appropriately within the range of provisions available. To meet the increase in need it is recommended that: <ul style="list-style-type: none"> <li>○ The remit and admissions criteria for the Special Schools is reviewed leading to potential reconfiguration of provision</li> <li>○ Consideration is given to developing extra capacity possibly through the creation of a Year R and Year 1 assessment provision</li> <li>○ Mainstream schools are supported/incentivised to become more inclusive and to take a wider range of pupils with SEND in line with the most inclusive</li> </ul> </li> </ul>

	<p>schools within the city. Mainstream schools are encouraged to develop in-house provisions to support the growing number of pupils with SEMH and high functioning autism</p> <ul style="list-style-type: none"> <li>○ Outreach provision is extended to provide greater support to mainstream schools</li> <li>○ Consideration is given to further developing the already successful resourced provisions for pupils with learning difficulties</li> </ul>
2.6	<ul style="list-style-type: none"> <li>• It is predicted that the number of children and young people with <b>autism will increase</b>. Parents and professionals cite high functioning autism as a gap in provision. A number of children and young people with low functioning autism and challenging behaviour are being educated in out of city schools. It is recommended that: <ul style="list-style-type: none"> <li>○ A graduated range of provision should be available from autism friendly schools; autism champions within each school; extended outreach to include support for pupils with sensory difficulties; resourced provisions with varying and flexible levels of withdrawal / integration; special school. There needs to be a stronger focus on meeting needs and less on diagnosis.</li> </ul> </li> </ul>
2.7	<ul style="list-style-type: none"> <li>• With the increase in age range of statutory protection up to 25 years it is anticipated that the numbers of EHCPs for young people <b>Post 16 and Post 19</b> will increase resulting in the need to develop a better offer to meet this need. It is recommended that: <ul style="list-style-type: none"> <li>○ The Local Authority continues to work proactively with Post 16 Colleges to develop their offer and help them to prepare for the increase in demand</li> <li>○ The Local Authority develops a robust transition process working proactively with parents and young people from Year 9 onwards to prepare them for transition and manage expectations regarding future provision</li> <li>○ The overlap and partnership working between children's and adult services is strengthened to ensure that young people's needs are being identified early and appropriate provision planned and agreed with parents in advance.</li> <li>○ It is recommended that a range of provisions is developed / expanded to include supported living alongside education, supported internships, apprenticeships etc.</li> <li>○ The offer of specialist Post 19 provision is increased for those pupils with the most complex needs</li> </ul> </li> </ul>
2.8	<ul style="list-style-type: none"> <li>• In order to promote <b>inclusive practice</b> in Southampton there are barriers that need to be addressed e.g.: <ul style="list-style-type: none"> <li>○ Scrutiny of schools performance by Ofsted, and in particular the way in which school performance is reported which can potentially act as a disincentive for schools who would otherwise wish to accommodate and support pupils with SEND. Some of the resourced provisions within Southampton are now managed by the relevant Special School with results allocated accordingly and therefore not affecting the performance of the mainstream host school.</li> </ul> </li> </ul>
2.9	<ul style="list-style-type: none"> <li>• The numbers of children and young people being educated in <b>high cost out of city schools</b> are high for a city of Southampton's size. Some children and young people end up in out of city provision due to a lack of local provision. With a slightly broader and more flexible offer e.g. therapy provision, smaller class sizes, it is possible that their needs could be met in the city. The review models that, by reducing the numbers of out of city placements from 62 to 12 children (accepting that there will always be a core group of children whose needs are so great they can only be met in</li> </ul>

	highly specialised provisions), the savings to the education budget would be in the region of £2.8M.
3.	<b>Specific Implications for Joint Commissioning and Integrated Provision</b>
3.1	As already stated in the reasons for the report recommendations, delivery of the duties outlined in the Children and Families Act require a strong partnership approach, underpinned through joint commissioning and integrated provision arrangements. The needs of children and young people with SEND do not sit solely under one agency or school or service; they require partnership approach. It is vital therefore that our response to the SEND Strategic Review is a city wide joint response across all agencies, schools and services. The following key implications and opportunities have been identified for joint commissioning and integrated provision, the detail of which is currently being worked up by the ICU through the SEND Partnership Forum:
3.2	<ul style="list-style-type: none"> <li>• <b>Managing the increasing numbers and complexity of children and young people with SEND within the city, in a way that is financially sustainable (with a particular focus on support for children with Autism and SEMH, who are particularly over-represented in the numbers of out of city placements)</b> <ul style="list-style-type: none"> <li>○ A number of commissioned services are currently being reviewed/developed alongside in-house provision within the context of increasing numbers of children with complex needs and potential changes to admission criteria/remit of special schools and resourced provisions with a view to strengthening support to children with Autism and SEMH within the city. In particular this includes: <ul style="list-style-type: none"> <li>▪ Multiagency review of <b>children’s therapy offer</b>. This includes consideration of the opportunities for jointly commissioning an integrated therapy offer, bringing together the currently disparate therapy resources from across health, education and social care into a single therapy service for the city. The offer will promote child development as everyone’s responsibility, supporting as equal partners families, schools and others involved on a daily basis with children with SEND to understand their needs, set goals and support their development with interventions dovetailed into daily activities. Recommendations for the future model are currently being developed.</li> <li>▪ Refresh of the <b>Local Transformation Plan for children and young people’s mental health and wellbeing</b>. This is a national requirement and responsibility of the CCG. However it is also an opportunity locally to bring together partners from across all organisations and sectors – health, education, social care, public, private and community and voluntary sector – alongside children/young people and their families to work collectively, making best use of everyone’s resources, to improve mental health and wellbeing outcomes for children and young people. Improving the mental health and emotional wellbeing of children and young people with SEND has been identified as a priority outcome for 2018/19. The Local Transformation Plan refresh will be completed by 31 October 2018.</li> <li>▪ Review of the multiagency <b>Behaviour Resource Service</b> – this service, which is jointly commissioned by the CCG and City Council, is provided by Solent NHS Trust and the Council’s children’s services and delivers specialist multidisciplinary assessment, training, advice and direct interventions for children and young people with complex education, health and care needs. The review is due to report its</li> </ul> </li> </ul> </li> </ul>

	<p>recommendations in September, a key direction of travel being to refocus this resource on those children with the most complex needs in the city, prioritising access on the basis of need regardless of whether the child is looked after or not.</p> <ul style="list-style-type: none"> <li>▪ Implementation of a <b><i>new offer of short breaks</i></b> (as agreed at Cabinet in March 2018) to better support families and children with SEND, based on a more transparent, fairer, needs based eligibility criteria with an enhanced offer of activities within the mainstream provision as well as more specialist short breaks.</li> <li>▪ Multiagency review of the support for <b><i>SEND in Early Years</i></b> services to ensure expertise across health, social care and education is well coordinated and provides effective and efficient family centred assessment, intervention and overall management of needs.</li> <li>▪ Exploring options for <b><i>commissioning independent school placements collaboratively</i></b> with other authorities in order to achieve best value from the market, in recognition that there will always be a small core of children/young people whose needs are such that they will require highly specialist provision. Currently the ICU is in discussion with several authorities who are looking to put in place collaborative arrangements for commissioning such provision.</li> </ul>
3.3	<ul style="list-style-type: none"> <li>• <b>Supporting mainstream schools to develop a more inclusive approach to children with SEND</b> <ul style="list-style-type: none"> <li>○ Consideration is being given to the development and formal commissioning of the outreach support offer which supports individual pupils and builds capacity in schools. This is already well regarded across the city, but would benefit from being formally commissioned with clear outcomes, quality assurance and governance accountable through a robust contract/SLA. This would need to be clearly aligned to the integrated therapy offer described above.</li> </ul> </li> </ul>
3.4	<ul style="list-style-type: none"> <li>• <b>Reconfiguration of special school provision within the city</b> <ul style="list-style-type: none"> <li>○ The recommendations of the SEND Strategic Review in relation to future remit of special schools in Southampton are currently being reviewed by Education Services in partnership with schools and colleges. Any plans emerging from these discussions will need to be developed jointly with commissioners and providers across health and social care in terms of their implications for wider health and care support.</li> </ul> </li> </ul>
3.5	<ul style="list-style-type: none"> <li>• <b>Supporting young people with SEND post 16</b> <ul style="list-style-type: none"> <li>○ Work is already well advanced to improve support for young people and their families preparing for adulthood and streamlining the transition process from children's to adult services. A city wide transition protocol is under development and is due to be finalised by October 2018.</li> <li>○ The current offer of provision for young people 16-25 is being reviewed against the 4 Preparing for Adulthood domains of increasing independence, building social networks, further education and employment and keeping healthy. The Local Offer is also being updated to ensure that this information is comprehensive and easily accessible to young people and families.</li> </ul> </li> </ul>
<b>RESOURCE IMPLICATIONS</b>	
<b><u>Capital/Revenue</u></b>	
4.	Capital and revenue implications will be considered for specific proposals arising from

	the SEND Strategic Review which will be submitted as appropriate through the relevant decision making process.
<b><u>Property/Other</u></b>	
5.	Property implications will be considered for specific proposals arising from the SEND Strategic Review which will be submitted as appropriate through the relevant decision making process.
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
6.	The recommendations in the SEND Strategic Review are designed to meet functions under part 3 of the Children and Families Act 2014, the Care Act 2014 and the Children Act 1989 (S17).
<b><u>Other Legal Implications:</u></b>	
7.	The recommendations in the SEND Strategic Review and work arising from them are wholly consistent with and take into account the SEND Code of Practice.
8.	Specific proposals, once developed, will be fully assessed in accordance with the Council's statutory duties under the Equality Act 2010, including the Public Sector Equality Duty. A detailed Equality Impact Assessment with mitigation and remediation measures will be undertaken for each proposal.
<b>CONFLICT OF INTEREST IMPLICATIONS</b>	
9.	None
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
10.	The SEND Strategic Review supports the delivery of outcomes in the Council Strategy (particularly the priority outcomes that "Children get a good start in life" and "People in Southampton live safe, healthy and independent lives") and CCG Operating Plan 2017-19.
11	With specific reference to "Children get a good start in life", the Strategic Review responds to the 4 key outcomes of the Children and Young People's Strategy 2017 - 2020: <ul style="list-style-type: none"> <li>• Children in Southampton live happy, healthy lives, with good levels of physical and mental wellbeing</li> <li>• Children in Southampton are safe at home, safe in the community and safe online</li> <li>• Children in Southampton have good levels of educational attainment, fulfil their potential and go on to successful opportunities in adulthood.</li> <li>• Children, families and communities are resilient, engage, prepared for the future and able to help themselves and each other to succeed.</li> </ul>
12	The recommendations within the Review specifically align to the Southampton Special Educational Needs and Disabilities Strategy 2017 – 2020 which outlines the following key outcomes for children and young people with SEND and their families: <ul style="list-style-type: none"> <li>• to have control over support and services they receive</li> </ul>

	<ul style="list-style-type: none"> <li>• to have greater achievement, attainment and equal opportunities in life</li> <li>• to receive the support they need to promote their health and wellbeing</li> <li>• to be safe and secure</li> <li>• to develop greater autonomy, independence and resilience to prepare for adulthood</li> </ul>
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<b>KEY DECISION?</b>	<b>N/A – Briefing paper only</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	<b>ALL</b>
<u>SUPPORTING DOCUMENTATION</u>	
<b>Appendices</b>	
1.	NONE
2.	

**Documents In Members’ Rooms**

1.	NONE
2.	

**Equality Impact Assessment**

<b>Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.</b>	<b>ESIAs to be carried out for individual proposals</b>
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**Privacy Impact Assessment**

<b>Do the implications/subject of the report require a Privacy Impact Assessment (PIA) to be carried out.</b>	<b>PIAs to be carried out for individual proposals</b>
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**Other Background Documents**

**Other Background documents available for inspection at:**

<b>Title of Background Paper(s)</b>	<b>Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)</b>
1.	NONE
2.	