

Children and Families Bill

Part 3:

SEN Reforms (0-25 years)

Update on Hampshire SEND Pathfinder
progress

October 2013

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DfE vision

- ✓ Children's SEN are picked up early and support is routinely put in place quickly;
- ✓ Staff have the knowledge, understanding and skills to provide the right support for CYP who have SEN or are disabled;
- ✓ Parents know what they can reasonably expect their local school, college, LA & local services to provide, without having to fight for it;
- ✓ Aspirations for CYP are raised through an increased focus on life outcomes
- ✓ For more complex needs, an integrated assessment and a single Education, Health and Care Plan from birth to 25; and
- ✓ There is greater control for parents and young people over the services they and their family use.

The Transformation Journey

March 2011 – Green Paper

Support and Aspiration - A new approach to SEN and disability



May 2012 – “Support and aspiration: Progress and next steps” report



Sept 2012 – Draft legislation on reforms



Feb 2013 – Children and Families Bill published



March 2013 – Indicative Regulations and Draft Code of Practice published



Spring 2014 – Royal Assent (subject to Parliamentary process)



September 2014 – Reforms to go live.

Hampshire SEND Pathfinder

SE7 Pathfinder since September 2011

- Brighton and Hove
- Hampshire
- Kent
- Medway
- Surrey
- East Sussex
- West Sussex

Plus all Health partners in each local authority area.

Now SE7 one of nine Champion Pathfinders.

Champion briefings/support to all LA's to help enable implementation from September 2014.

Stakeholder involvement

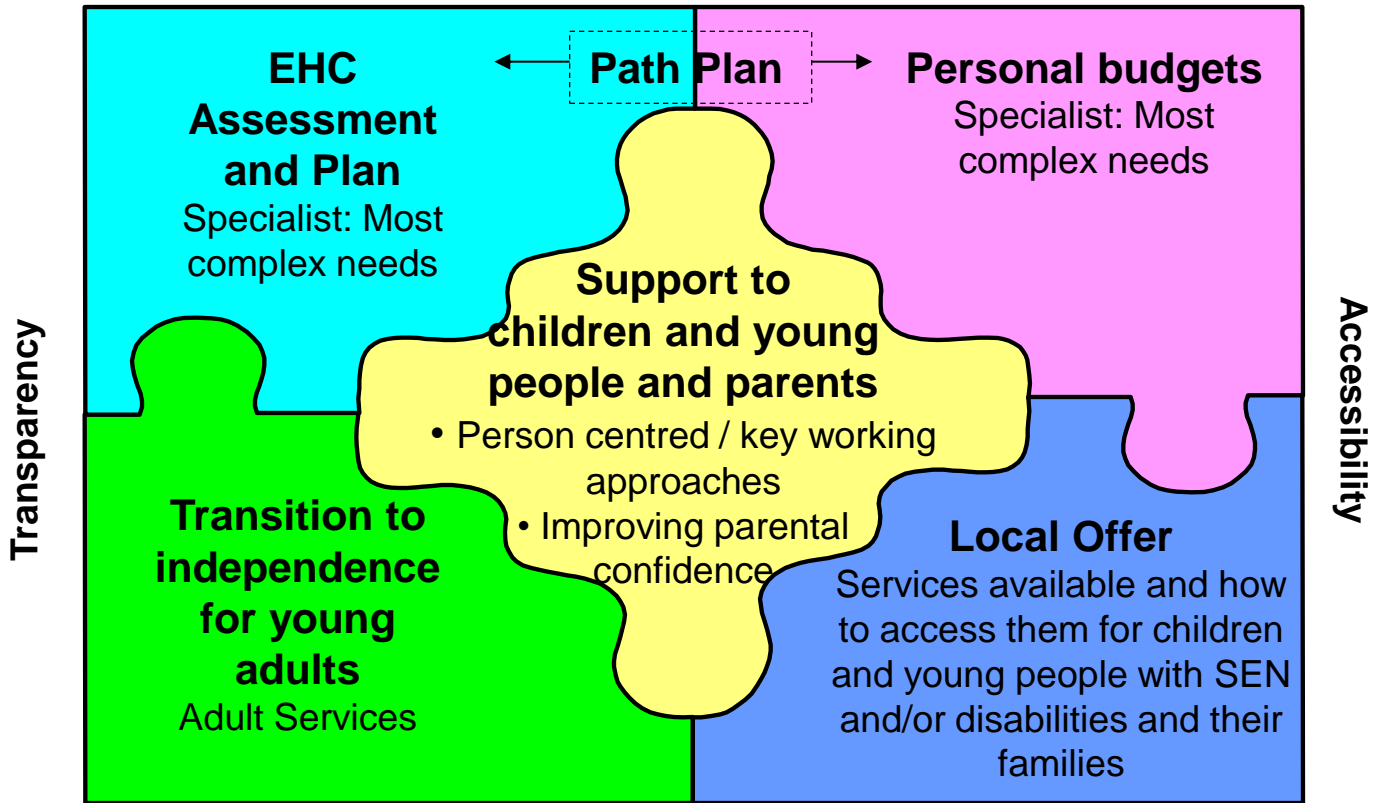
Involved from the outset and throughout the Pathfinder programme:

- 3 key agencies: Education, Health and Social Care (Adults and Children's) commissioning and providers.
- Parent/carers.
- VCS.
- Schools and colleges.

Hampshire SEND Pathfinder Workstreams

Multi-agency commissioning and delivery

(Health; social care; education)



0 to 25 year age range

7 key highlights from the legislation

1. **Involvement** of children, young people and parents at the heart of legislation.

2. More **co-ordinated** assessment process and a new **0-25** single Education, Health and Care Plan.

3. Local Authority and Health to **commission services jointly** re SEN and disabilities.

4. Local Authorities to publish a **clear, transparent ‘local offer’** of services available to children and young people with SEN and disabilities, that has been co-produced with parents/carers from the outset.

7 key highlights continued

5. New **statutory protections** for young people aged **16-25 in FE** and a stronger focus on preparing for adulthood.

6. **Option of a personal budget** for families and young people with a Plan, extending choice and control over their support.

7. All **SEN duties apply to all schools**, so now including: Academies, Free Schools, Further Education and Sixth Form colleges.

Co-ordinated assessment and single 0-25 EHC Plan (1)

Assessment and planning –

- On-going process, regular person-centred reviews.
- A ‘tell us once’ approach to sharing information
- CYP and families at centre; involved in making decisions throughout.
- Effective co-ordination between education, health and care services.
- Practitioners engaged and committed to single assessment and planning.
- Keyworking approaches to provide a single point of contact.

Co-ordinated assessment and single 0-25 EHC Plan (2)

EHC Plans –

- Person centred, focussed on outcomes, specific about provision.
- Clear, concise, readable and accessible
- Fulfil statutory duties and support portability across areas.
- Support preparation for key transition points - “forward looking”
- Specify other types of support where needed e.g. to secure paid employment and independent living.

Joint Commissioning

- New duty - LAs and clinical commissioning groups to work together to arrange local services to meet the education, health and care needs of disabled CYP and those with SEN.
- The NHS Commissioning Board is legally required to pursue the objectives in the NHS Mandate, issued Nov 2012.
- “...there is a particular need for improvement, working in partnership across different services... in supporting children and young people with special educational needs or disabilities. The Board’s **objective** is to ensure that they have access to the services identified in their agreed care plan.” (para. 4.13)
- ***Amendment to Bill (March 2013): a legal duty on Clinical Commissioning Groups to secure the health services that are specified in EHC Plans.***

Local Offer

Should include:

- Universal services - Support available to all children and young people (CYP) with SEN including schools and colleges
- Targeted services –for CYP who require additional short term support over and above that routinely provided as part of universal services;
- Specialist services- for CYP who require specialised longer terms support.

Local Offer: Pathfinder best practice (1)

- **SE7 Local Offer Framework and Principles**
- Be **co-produced** with parents and young people
- **Fully involve services** in its development and review (including schools and colleges, CCGs, the VCS and local health organisations)
- **Be holistic** and cover 0-25 education, training, transport, social care, health and support for employment and independent living

Local Offer: Pathfinder best practice (2)

- **Make clear** how parent, carers & young people can **access** support and services,
- Clarify **how decisions are made**, by whom, and what to do if things go wrong
- Be up to date, **written in plain language**, and available in a range of formats and locations
- Make clear to parents what **provision schools and colleges will deliver** from their delegated funding and what needs additional funding

Personal Budgets: Pathfinder emerging best practice

Personal Budgets should

- be based on **clear, agreed outcomes**
- be **transparent and challengeable**
- allow families and young people to manage **agreed elements of the additional and individual support they need**
- be an **integral part of the planning process** in order to empower creative solutions
- reflect the **holistic** nature of an EHCP, covering education, health and care as appropriate, where additional and individual support is needed
- come with the **support needed for parents and young people** to take up and manage it
- support and inform **market development**
- allow for **local flexibility**.

The New SEN (0-25) Code of Practice

The new SEN Code of Practice:

- The new Code will be a **single piece of statutory guidance** to replace the current Code of Practice, the Learning Difficulties Assessment guidance and the DfE's Inclusive Schooling guidance.
- It will cover **0-25**
- The following bodies will **have to have regard** to it:
 - Schools
 - Academies
 - Colleges
 - Early years settings
 - Local authorities
 - Pupil Referral Units
 - ISPs (pre and post-16)
 - Health Bodies – inc. NHS Commissioning Board; CCGs; NHS trusts; NHS foundation trusts; Local Health Boards.

Headline changes to the Code (1)

- New **single piece of statutory guidance on SEN for 0-25** - brings together current statement and s139a LDD in to one system.
- Significantly **shorter, clearer and more concise**.
- Will include information on **Local Offer, Personal Budgets, Joint Commissioning, Assessments and EHC Plans**.
- For the **first time the FE sector will be included** in the list of organisations that must have regard to the Code when carrying out their duties in relation to young people with SEN

Headline changes to the Code (2)

- **Additional SEN Support** (the 'Single Category') will replace School Action and School Action Plus as the new school and early years based category for additional support for children with SEN.
- **BESD category** to be re-defined to identify social and emotional and mental health issues, rather than focus on poor behaviour.
- **Reinforced role of SENCo.**
- **Outcomes / outcomes / outcomes...**

From now until enactment

- Business as usual.
- 1996 Education Act and current Code of Practice still apply.
- Pathfinder learning will support preparation for implementation.
- Schools to move from awareness to planning implementation.
- Transition arrangements to be clarified by DfE.
- Pathfinders continue with programme of trialling and evaluation moving to implementation when legislation is finally available.