



“Countdown to the SEN Reforms”

14th March 2014, St Mary’s - Additional questions from feedback forms

Question: Referred to overstretched services - so passed around with no service or support. Would like to know what the plan is, in terms of the Local offer?

Mary Collins (Sheffield City Council): Like many local authorities, Sheffield is having to manage significant cuts to budgets and funding streams. Inevitably, the question we need to address at every stage is “What Services do we need to retain as centrally funded, and what might be financed through the developing traded market?” with schools and other settings purchasing some activities, and what is no longer a priority for local authorities to offer themselves. Schools and other settings can buy from a wide range of providers now, there is an increasing focus on value for money - maximum impact for minimal outlay. So it is important that we use what funding comes into the local authority in the most effective ways in terms of pupil outcomes. The Local offer has to sit within this wider financial context – making the best use of resources for maximum impact and in a way which remains fair to all. Obviously with more money, we could do more things – but in the real world budgets do matter while we need to set high but achievable and realistic aspirations for the Local Offer and work from there.

Question: I childmind two boys with autism and there is no joined-up approach to SEN and children in Sheffield. I now receive SNIPS funding, but it took me 6 months to find out about available funding. Most childminders do not feel committed enough or confident enough to pursue this.

Mary Collins (Sheffield City Council): This is why getting the Local Offer right is so important, and how it needs to improve year on year, in the light of feedback from service users. The local authority has to show feedback is taken on board in improving local services, and this monitoring role is an important one in ensuring parental confidence in local services. Your experience is justification for the need for bringing information for families into one single point, which is the purpose of the Local offer.

Question: When will the local offer / final EHCP be available in Sheffield?

Mary Collins (Sheffield City Council): September this year, 2014 is when all local authorities must publish the Local offer. It won’t be perfect at the outset, but it is the start of a process for improving information available to families. Co-production means we have to have worked together to get the new systems in place, and being clear about the cultural challenges we need to address.

Question: Do parents have any say in how the extra pupil premium is used for children without statements, i.e. SEN and adopted children?

Mary Collins (Sheffield City Council): Schools have a high degree of autonomy in how they use pupil premium but they are accountable for its use in a number of ways, including a requirement to publish online the allocation they receive and their plans for spending this. Ofsted also scrutinise this as part of their school inspection process. So parents can reasonably ask this question of their local schools although they may not have direct influence over its use. In 2012 Ofsted published a report detailing the results of a survey on use of pupil premium – the most common use was to pay for teaching assistants. Ofsted will continue to closely monitor the use of pupil premium to ensure it is being used for the purpose intended i.e. improving outcomes for disadvantaged pupils.

Question: How can I get involved in the local offer?

Mary Collins (Sheffield City Council): Get in touch with myself or with Eva Juusola from the Sheffield Parent Carer Forum (eva.juusola@sheffieldparentcarerforum.org.uk or 0300 321 4721) or Yolande Tose from Parent Partnership (yolande.tose@sheffield.gov.uk or 0114 273 6009). (We are hoping to set up a parents representatives' group around the Local Offer so you'd be very welcome)

Question: Still very unclear how it will be practically possible to "sit around a table" to discuss a child for EHC plan with all the necessary professionals.

Alasdair Duerden (DfE): This is what the Pathfinder local authorities have been testing on our behalf. There are a number of different approaches to making this work and it will be up to Sheffield to work with parents, young people and professionals to design something that will work best locally. It may actually need to be different for individual families so that it responds to their needs and circumstances. A "one size fits all" approach is unlikely to be effective. All the learning from the Pathfinders is being made available in information packs which can be found here: <http://www.sendpathfinder.co.uk/>. Anyone can look at these, consider how others are developing their approaches and read case studies on how this is working for parents, children and young people.

Question: What actions will the LA in Sheffield be taking to ensure that culture change within mainstream and special schools is as fast as possible? Mainstream attitude must become "it's our job to educate all children". Special attitude must be "our children can aspire to great achievements".

Mary Collins (Sheffield City Council): Yes you are quite right – all schools need to be on board. It is as much a "heart and minds job" as legal requirements. We do have some excellent mainstream practice but schools are at different starting positions, and confidence as well as attitude is key to building successful inclusive schools. The Equality Act 2010 is important here, and schools have to understand what this requires of them in terms of admissions and reasonable adjustments. It may be helpful to produce some guidance for services/providers in completing their template for The Local Offer – this can include links to the Equality Act and the School Admissions Code of Practice and share this with all providers, not just schools and early year's settings.

Question: I would like a bit more written info on legal duties / requirements on LA / schools / colleges / employers from the reforms.

Alasdaire Duerden (DfE): This will all be set out in the new SEN Code of Practice. We are also intending to produce summaries of the Code aimed at various audiences including parents. If implemented effectively, the legal duties and requirements will matter less than a genuine, person-centred and collaborative approach which ensures children and young people with SEN get the support they need. There are no additional requirements on employers within the SEN reforms – employers are already subject to legislation such as the Equality Act.

Question: Why do ASD children have to reach breakdown stage and miss school before they are helped? Why do schools not listen earlier - will this change? Why are children helped whose parents are on the inside of the system and not others?

Mary Collins (Sheffield City Council): Sheffield has a significant number of children and young people with diagnosed ASD and there are probably a number of reasons for this. There are a range of schools and Services that can support pupils in schools and advise staff around autism, but we know that at points of transition, things are more likely to go wrong. This is why the autism team have reviewed their practice to prioritise children at these transition points. The Educational Psychology Service has an open access policy – anyone can ring them for advice (tel. **0114 250 6800**). The Autism Team have a support line (**0114 235 8056**, Monday to Thursday during term time from 1pm to 4pm) which is well used and feedback has been positive. Schools can access a range of training opportunities to develop staff skills/confidence, and can ask their designated Educational Psychologist to set up drop in sessions in schools for parents. The Service has co-produced with a parent a number of leaflets around Asperger Syndrome which parents and schools can access. The Autism Team are also developing community drop-in sessions where families can get information and advice.

Question: I asked Alasdaire about children aged 16 ceasing their statement in order to proceed with the S139a funded route and the Sheffield offer, or what rights were available in the intervening period of the cessation of the statement and start of the EHC plan when effectively all that would be in place is a s139a. His advice to me was to get LA to go straight to EHC plan - bypass the S139a. After speaking with Lesley from SEN - this isn't possible as the pilots are not running/complete as yet. Presumably we will have a break in legal cover from the period after the statement ends to the transition from the S139a to the EHC plan, which is a concern?

Alasdaire Duerden (DfE): We are about to send local authorities an implementation pack setting out the answers to questions like these. It doesn't sound like Sheffield are in a position yet to start using draft EHC plans instead of s139a Learning Difficulty Assessments (LDAs). In that case, young people with statements leaving school this year to start further education or training in September must be given a LDA. For **existing** statements and LDAs, the current legal frameworks will still apply from September. Local authorities will maintain statements and LDAs for those who already have them, until they reach a conversion point – e.g. an annual review. When we consulted on this, we proposed that all LDAs should be converted within two years from this September, statements within three years. We will publish shortly the final position on how long local authorities will have

to convert to the new system. It is worth pointing out that compared to statements, LDAs have no statutory framework governing them at all other than the initial requirement for local authorities to carry one out when a young person with a statement leaves school for further education. Even a draft, test EHC plan may prove to offer a more joined up, collaborative plan of support than a LDA ever will. Testing EHC plans with those making the transition to further education this September therefore offers a local authority a good opportunity to develop and test their approach for this age group, including engaging colleges effectively.

Question: Lots of questions about how it will work in reality. Do special schools really have capacity to take in extra children while plans are produced?

Mary Collins (Sheffield City Council): With the right training, strategies and support the majority of children and young people with SEN and disabilities can be, and are successfully included in mainstream school, especially at the primary level. Peer education (helping non-disabled students develop a better understanding of special educational needs) is another approach that can help reduce stress experienced by those pupils who face challenges because of their special needs/disabilities. Recognising and valuing differences is an important aspect of the journey through education for all learners, and this can be explicitly taught as well as modelled by staff in how they respond to the diversity of pupils attending mainstream schools. Getting these things right means that those who have the most complex needs, and do require specialist provision are prioritised for placement. Staff and parental confidence in what is “ordinarily available” is critical to getting the right balance of investment in mainstream and specialist provisions.

Question: How do you expect to get extra funding from NHS services to meet the needs of the children?

Alasdair Duerden (DfE): There is no extra money within NHS services as a result of the SEN reforms - the 2006 NHS Act already requires them to meet the reasonable health needs of the whole population. Health services are incentivised to invest in children and young people with SEN and disabilities through the NHS mandate which the Secretary of State for Health uses to hold health services to account. Under the Children and Families Act, local health services will also be under a legal duty to work with the local authority to commission jointly the services that are needed for all children and young people with SEN and disabilities, making the best use of the funding already available. Local clinical commissioning groups will have a major role in ensuring this happens effectively. For those with EHC plans, health services will also be under a legal duty to deliver any health services that are written into an individual’s EHC plan. Aside from these legal requirements, it is in the best interests of health services to invest in appropriate health provision for children and young people. Early intervention can ensure that health problems are addressed in an effective and timely way thus reducing longer term costs.

Question: What strategic planning has been done to look at which services will be needed most to meet the EHCP for all children?

Response from Sheffield City Council to follow.