

SEND Evidence Day

Information pack



Date: Monday, 3 February 2020

Time: 1.30 pm

Venue: The Writing Room - City Hall, College Green,
Bristol, BS1 5TR

Distribution:

All Members

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Special Educational Needs and Disabilities (SEND) Evidence Day

The Evidence Day is part of the Council’s scrutiny programme which aims to analyse our performance and decision making, and influence policy development reflecting the views and priorities of local people.

The objective of the SEND Evidence Day is to help enable an improved and effective statutory assessment process for an Education, Health and Care Plan (EHCP).

The panel of Councillors leading the evidence sessions is comprised of the lead Members of the People Scrutiny Commission.



Councillor Claire Hiscott
Conservative Group

Chair of the People Scrutiny Commission



Councillor Celia Phipps
Labour Group

Vice Chair of the People Scrutiny Commission



Councillor Eleanor Combley
Green Group

Leader of the Green Group



Councillor Tim Kent
Liberal Democrat Group

Party Whip

The following Councillors are also members of the People Scrutiny Commission

- Cllr Carole Johnson Labour Group
- Cllr Gill Kirk Labour Group
- Cllr Jude English Green Group
- Cllr Steve Smith Conservative Group
- Cllr Brenda Massey Labour Group
- Cllr Ruth Pickersgill Labour Group
- Cllr Tim Rippington Labour Group



Special Educational Needs and Disabilities (SEND) Evidence Day

Schedule

1:30pm	Introductions and opening comments from the Chair, Cllr Hiscott
1:40pm	EHCPs – local context. Alison Hurley, Director of Education & Skills
1:45 – 2:30pm	Evidence Session 1: Parents and young people. Led by Cllr Phipps

Witnesses

Davina Evans	Senior IAS Advisor, Bristol Special Educational Needs & Disabilities Information, Advice and Support Service (SENDIAS)
Nick Flaherty	Chair of Bristol Parent Carers
Anthony Hill	Service Manager, Barnardos
Alice Marshment	Founder Member, Bristol Independent SEND Community

2:35 – 3:20pm	Evidence Session 2: Specialists & national policy. Led by Cllr Kent
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Witnesses

Clive Harris	Senior Policy Advisor, Local Government Association
Pat Jones	Founder, Bristol Dyslexia Centre
Eleanor Wright	Chief Executive, SOS!SEN



Schedule

3:20 – 3:30pm	Refreshments
3:35 – 4:20pm	Evidence Session 3: Education practitioners. Led by Cllr Combley
	<u>Witnesses</u>
Jon Angell	Principal, City Academy; Chair of Bristol Association of Secondary Heads and Principals
Darren Ewings	Head Teacher, Knowle DGE
Tracy Jones	Vice Principal, Bannerman Road Community Academy
4:25pm	Summing up: Cllrs Phipps; Kent; and Combley
4:40pm	Summing up & next steps: Cllr Hiscott
4:45pm	End

Each Evidence session will comprise of questions from the Lead Members of the People Scrutiny Commission to the witnesses, followed by questions from the floor.



Special Educational Needs and Disabilities (SEND) Evidence Day

What Are Education Health and Care Plans?

An Education, Health and Care plan (EHCP) describes the child or young person's special educational needs (SEN) and the help they will get to meet them. An EHCP also includes any health and care needs and the provision required.

It is a legal document written by the local authority and is intended to ensure that children and young people with an EHCP receive the support they need.

a) The Legislation

Part 3 of the Children and Families Act 2014 and the Special Educational Needs and Disability Regulations 2014 set out the statutory requirements for an Education, Health and Care (EHC) assessment and plan, including key content that local authorities must include in a plan. The *Special educational needs and disability code of practice: 0 to 25 years* provides statutory guidance which local authorities and other public authorities must have regard to when drawing up EHC plans. The 2014 regulations brought a greater focus on personal goals, increased family involvement and improved rights and protections for young people in further education and training. The intention was to create a better system that puts the family and child/young person first.

b) Who needs an EHCP?

The majority of children and young people with identified special educational needs do not require an EHCP to have their needs met. These children are assessed by the early years or education settings as requiring 'SEN Support', additional support to help children achieve the outcomes or learning objectives that have been set for them.

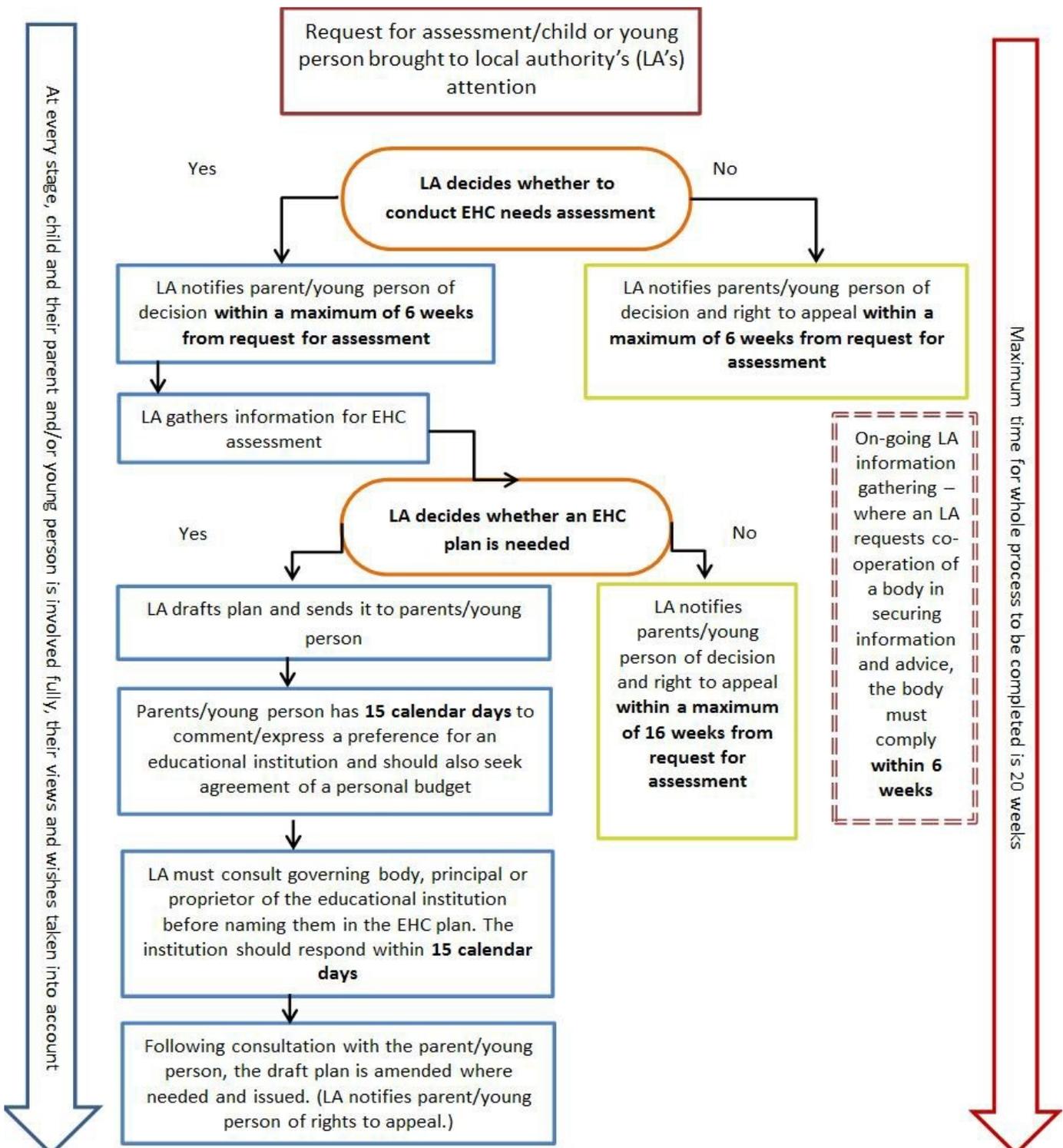
Some children and young people may not make the progress expected of them even with this help. In these instances the child's parent or education setting can ask the Local Authority to carry out an EHC needs assessment. When this assessment is finished the local authority must decide whether to issue an EHCP.

c) The statutory timescales for assessment and issuing an EHCP

The Local Authority must notify the parent carer of the decision whether to carry out an EHC needs assessment **within 6 weeks** of receiving the request for an assessment. If the decision is 'no', the Local Authority must notify the parent carer of their right to appeal.

After carrying out an EHC Needs Assessment, the Local Authority must notify the parent carer of the decision whether an EHC Plan is needed **within 16 weeks** of receiving the request for an assessment. If the decision is 'no', the Local Authority must notify the parent carer of their right to appeal. When carrying out an EHC needs assessment that will lead to an EHC plan the Local Authority **must issue the final plan within 20 weeks** of the initial request.

Statutory Timescales for EHC Needs Assessment and EHC Plan development





What are EHCPs?

d) Disagreeing with a decision

Parents and carers can challenge their local authority about:

- their decision to not carry out an assessment
- their decision to not create an EHC plan
- the special educational support in the EHC plan
- the school named in the EHC plan

e) What has to be included in an EHCP?

Every EHCP must include at least 12 sections, but each local authority can decide how to set these out. The sections are:

A: The views, interests and aspirations of the parent and the child or the young person.

B: The child's or young person's special educational needs.

C: Health needs related to their SEN or to a disability.

D: Social care needs related to their SEN or to a disability.

E: Planned outcomes for the child or the young person.

F: Special educational provision. Provision must be specified for each and every need shown in section B.

G: Any health provision required that is related to their SEN or to a disability.

H1: Any social care provision that must be made for the child or young person under 18.

H2: Any other social care provision required that is related to their SEN or to a disability.

I: The name and type of the school, maintained nursery school, post-16 institution or other institution to be attended.

J: Details of how any personal budget will support particular outcomes and the provision it will be used for.

K: The advice and information gathered during the EHC needs assessment



What are EHCPs?

f) Can parents request a particular school?

The law says that parents or the young person have a right to request that a particular school, college or other institution is named in the EHCP.

The Local Authority must agree to this request unless:

- it would be unsuitable for the age, ability, aptitude or SEN of the child or young person, or
- the attendance of the child or young person there would be incompatible with the efficient education of others, or the efficient use of resources

g) Reviewing an EHCP

There is a requirement for all EHC Plans to be reviewed by the LA at least annually. This is usually referred to as the Annual Review. The Annual Review is more than just a review meeting; the review must be done in partnership with the parent carer and their child or the young person, and must take account of their views, wishes and feelings.

The local authority must decide whether to keep the plan as it is, make changes, or cease to maintain it within four weeks of the review meeting. Parents have a right of appeal if the local authority proposes to cease the EHCP.

For some young people an EHCP will continue until they are 25. However the plan will stop if the young person:

- goes to university
- gets a job
- tells their local authority they no longer want their EHCP, or,
- no longer needs special help and the local authority decides that the EHCP should cease.



Special Educational Needs and Disabilities (SEND) Evidence Day

Education Health and Care Plans – the Local Context

1. Issues that had affected the timeliness of EHCPs

- Significant capacity issues in SEND teams and the Education Psychology Service, which directly resulted in poor customer service and our inability to complete EHCP within timescale
- SEN caseworkers were responsible for new assessments and ongoing casework making it difficult to prioritise
- Poor management information system

2. Action Taken – Where We Are Now

2.a Management Information System

Work has been taking place to improve data quality. There is now a SEND performance data project plan, including all key council stakeholders so we are able to identify quality issues, data gaps, and clarify roles and responsibilities. This will improve data confidence and support robust management information.

2.b Additional Funding to Increase Capacity

In June, Cabinet agreed £1.5m for 2019/2020 to accelerate capacity and improvement. Since then, a wider programme of transformation, across the education directorate, has been developed. The programme has secured further one-off funding of £1.3m from schools and further £0.5m for 3 years (total £1.5m) to deliver a robust response to the SEND inspection requirements and sustainable whole-system improvement.

A successful recruitment campaign at the end of last year has resulted in the appointment of twenty three additional SEN casework staff. Two of these started in December; eighteen started on the 13th January and two are due to start later in February).

A comprehensive training programme has been drawn up for the whole SEN team which includes legal training through IPSEA.

The funding has also enabled us to strengthen the Education Psychology (EP) service, including one additional EP who started in December and four assistant EPs. We also have six graduate EPs starting in September 2020

2.c Improved ways of working

The SEND Casework Team

The SEND Casework team has been restructured in a way that splits responsibility for new assessments and on-going maintenance of EHCPs, by creating a dedicated 'EHCP assessment team' and an 'inclusion team'. This will enable staff to focus on new assessments and parent



carers will have a named member of staff to guide and keep them informed through the process from start to end.

Working with and listening to parents and carers

The first SEND drop in session took place at the Park, Daventry Road on the 13th December. Nine parents attended and shared their views and concerns with regards to SEND in Bristol. SEND casework managers and managers from health services are attending further parent carer events throughout January and February across Bristol to help inform our post inspection action plan (the 'written statement of action'. Additionally we are planning an on-going programme of workshops with parents and carers to work with us on specific improvement areas, for instance, co-producing a leaflet for parents to guide them through the statutory assessment process.

The aim is to host or attend a different parent carer or young person event each month as well as holding working groups for specific agenda items. These will be publicised via the Local Offer website.

2.d Impact on timeliness of EHCPs

The capacity issues described at the beginning of this document resulted in the dire situation of no EHCPs being delivered within the 20 week statutory timeframe and a month on month increasing backlog of assessment requests and unfinished EHC Plans.

The table below shows that since the new SEN Service Manager took up post in July last year, concerted efforts to improve, have had an impact on the volume of EHC Plans being finalised and further work is underway to improve the quality – from January to June 2019 only 100 plans were completed, all outside the 20 week timeframe. From July to December 2019 a total of 307 were completed, of which 5 were within 20 weeks.

Bristol's finalised EHC Plans 2019					
Calendar Year : (Jan to Dec 2019)					
Finalised EHCP	Qtr 4 Jan to Mar 19	Qtr 1 Apr to Jun 19	Qtr 2 Jul to Sep 19	Qtr 3 Oct to Dec 19	Total
Within 20 weeks	0	0	3	2	5
Beyond 20 weeks	51	49	137	165	402
Total	51	49	140	167	407
% in time	0.00%	0.00%	2.14%	1.20%	1.2%

We recognise that for the families waiting for an assessment or EHC Plan this improvement is of little comfort, but we are doing all we can to get up to date with all outstanding assessments and EHC Plans and ensure that new requests for assessment are dealt with in-line with the SEND Code of Practice.

The additional capacity will have a positive impact but it will take time to take full effect.

Special Educational Needs and Disabilities (SEND) Evidence Day

Davina Evans is a Senior Information Advice and Support Advisor. Davina has over 20 years of experience, including working as SENDIASS Bristol Local Coordinator, contributing to SEND Strategies in that time.

She currently spends her time supporting young people and their parents

Nick Flaherty was elected chair of [Bristol Parent Carers](#) in November 2017 and represents the Forum on a wide range of local authority and health groups.



He is dad to a young lady of 11 who has a rare life limiting metabolic condition with complex physical, sensory and developmental needs that require 24/7 care.

Anthony Hill has managed services for Barnardo's since 1999 and has been involved with participation and advocacy



Anthony currently manages the [Barnardo's HYPE Service](#) in Bristol and South Gloucestershire.

The HYPE Service aims to involve children and young people in community health services.

Alice Marshment is a founder member of [Bristol Independent SEND Community \(BISC\)](#). Formerly a civil barrister, she has 2 school-age children; the eldest is 8 and has diagnoses of ASD and ADHD, and has been out of school since May 2019 awaiting a specialist placement.



Alice is a supporter of and advocate for other SEND children and their families.

Clive Harris is a Senior Policy Adviser in the Children and Young People team at the [Local Government Association](#), working on SEND, Education and Children's Improvement.

Clive has previously worked across a number of other policy areas including community safety, finance and waste, as well local government emergency planning functions during the 2012 Olympic and Paralympic games.



Pat Jones set up the [Bristol Dyslexia Centre](#) in 1988. Pat also started Belgrave School in 1993, which provides full time schooling for children aged 7-16 years with specific learning difficulties.



Pat has dedicated her life to helping children with dyslexia. Pat was awarded an OBE for her services to Education.

Eleanor Wright is Chief Executive of [SOS!SEN](#), a charity which helps the families of children with SEN and disabilities. Eleanor is a solicitor specialising in education law, and worked in private practice until 2015.



Eleanor is a committee member for the Education Lawyers' Association and the Richmond Dyslexia Association, and a school governor. She writes Education Law updates for the Legal Action Group Magazine.

Jon Angell is the Principal of [City Academy](#) and chair of the Bristol Association of Secondary Heads and Principals (BASHP). As chair he represents Secondary Head teachers and Principals on a number of boards across the City. Jon became the Interim Principal at City Academy in March 2015 whilst the Cabot Learning Federation supported the school, before becoming the permanent Principal of City Academy in June 2016.

Jon has led the school out of Special Measures, receiving a judgement of Good by Ofsted in April 2019.



Darren Ewings is Head Teacher of [Knowle DGE](#). He has 25 years teaching experience. For the past 20 years he has been working in Special Education.



Over the last 6 years Darren has worked as a Head Teacher and as an Executive Principle for Speech Language & Communication Needs and Social Emotional, Mental Health provisions.

Tracy Jones is Vice Principal of [Bannerman Road Community Academy](#). She has 25 years of experience working successfully with a variety of young people and their families with SEND and additional needs within both special and mainstream schools across primary and secondary phases.



Tracy is passionate about Inclusion and providing the best opportunity for all. She believes in strong working partnerships between schools, parents/ carers, outside agencies and the local authority to ensure the best provision and outcomes for all, and has a deep understanding of what outstanding inclusive practice looks like alongside the requirements of the [SEND code of practice 2014](#).