

Item No. 12.	Classification: Open	Date: 13 September 2022	Meeting Name: Cabinet
Report title:		Southwark SEND Strategy 2022-25	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People and Education	

FOREWORD - COUNCILLOR JASMINE ALI, CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND EDUCATION

This strategy strengthens Southwark Council's commitment to maximise positive outcomes for children with Special Education Needs and or Disabilities (SEND) and their families, through proposals for greater collaboration and a renewed focus on priority areas. This approach could not be timelier, with 2,891 children and young people currently with active Education Health and Care Plans and an increasing demand for specialist services we want to make sure that our children have the opportunity to attend high quality local provision, to enjoy learning and to reach their potential.

Developed and co-designed in partnership with the Institute of Public Care in consultation with our SEND service users, the voices of our families with children with special educational needs have helped reshaped our ambitious vision.

We are building on an already well-established SEND system, with excellent provision for children, young people and families across Southwark's special and mainstream schools and early years settings. While we cannot underestimate the challenges involved in improving the quality of special needs services, these challenges will not temper our commitment and ambition to deliver the best for our children and young people with special educational needs.

The current cost of living crisis is bearing down on all our families, not least those reliant on special educational needs services. Working together will improve outcomes for children and young people, by helping us overcome administrative and external financial challenges and find better ways to deliver services.

The four key priorities that came out of the consultation will be at the centre of our joint work. As clearly set out in this strategy, these are: *Improving provision for complex needs; Provision of more timely, high quality identification and provision; Development of greater confidence skills and competencies in all*

settings; and Development of pathways into adulthood for young people with SEND.

The priority framework will enable all relevant partners to focus on the areas important to our children and young people, including the importance of working with children in their early years and later on in their transition from childhood to adulthood. The strategy will also help develop close working relationships that could make a real difference to life chances through educational and employment opportunities.

The collaborative approach to the strategy will be maintained throughout the next phase, namely the design of the implementation plan. The SEND Operational Group, with representation from all agencies across the borough including health, social care, parents and carers, CAMHs and adult health, mental health and therapy services, will sign off and monitor the plan.

As deputy leader and cabinet lead for children, young people and education, I ask cabinet to agree this strategy and work closely with your departments to influence the delivery of the vision.

In the spirit of this strategy we must work together to make this strategy and plan purposeful, we will hold a new open annual Southwark Special Education Needs and Disabilities conference to bring members, key stakeholders and families with special educational needs together. Everyone including councillors will have a meaningful opportunity to understand and positively contribute to our commitment to enhance the lives and outcomes for children and young people with special educational needs in Southwark.

RECOMMENDATIONS

1. That the Cabinet agree the special educational needs and disability Strategy 2022-25 as set out in Appendix 1 of the report.

BACKGROUND INFORMATION

2. In line with the national trend Southwark has and continues to experience year on year increase in demand and complexity of need for special educational, needs and disability (SEND) services.
3. Our own data shows an increase in children and young people with a diagnosis for autism and an increase in demand for services in the early childhood. In addition there is a growing need for developing a range of alternative pathways for those age 19-25.
4. The Southwark SEND Strategy recognises and reflects the priorities for and identified by Southwark children, young people, families and services and sets a challenging agenda for improvement that remains within budget.
5. This strategy also looks to build on the good progress made since the SEND Area Review in 2018 (50019750 (ofsted.gov.uk)) and to address the areas for action identified in that review.

6. The final draft strategy has been developed in collaboration with the Institute of Public Care (IPC). IPC carried out much of the consultation process with professionals, parents and carers and young people in the SEND Local Area.
7. The consultation process commenced in March 2022, and was concluded in early June. A number of methods were used to engage the entire community and specifically the SEND community. A full report from IPC is presented in Appendix 2 of the report and provides detail of how the consultation was conducted, who was consulted, the process and the findings.
8. Consultees were broadly happy with the themes and the direction of the strategy, but wanted to strengthen references to inclusion, prevention and wellbeing, including being more specific about evidence of disproportionality and being broader in the descriptions of need (to include complex and/ or multiple needs). There was also feedback on simplifying, or changing wording in some cases to make the strategy clearer.
9. The recommendations for redrafting the strategy are included in Appendix 2 and the redrafted strategy in light of these is presented in Appendix 1 of this report.
10. There was further discussion about whether the most appropriate term to use was ASD (Autistic Spectrum Disorders) or ASC (Autistic Spectrum Conditions), with parents/ carers favoring the latter and the World Health Organisation favoring the former. We have decided to continue using ASD in the strategy for that reason.
11. The final strategy is more accessible for all stakeholders in the SEND Local Area and provides the framework for the implementation plan that will follow and the budget recovery work underway.

KEY ISSUES FOR CONSIDERATION

12. Alongside increasing the capacity of SEND provision locally to meet the needs of children and young people from 0-25 years old, the Southwark SEND Strategy is focused on ensuring good practice in every school and a stronger commitment to inclusion at all ages from 0-25.
13. The local area's challenge in this period is to ensure that we focus our resources on the most educationally effective provision that provides best value for money, remain within budget and that we use what we know about our children and young people, and their families, to plan ahead effectively.
14. The final strategy is ambitious. There are four key areas for development and all require engagement and support from across the council and its partners in order to deliver the desired outcomes.
15. The SEND operational group has a broad membership across the Local

Area and will oversee the development of the SEND implementation plan (to be called the SEND Inclusion Plan), assign project leads, monitor timelines and delivery.

16. Senior managers will be kept up to date with progress through SEND governance and quarterly reports.
17. It needs to be emphasised that the outcomes in the strategy can only be achieved with the engagement of all agencies to support our SEND population and coproduction at all levels of the system from individual casework to developing new in borough provision.
18. The strategy is designed to be a summary document that is accessible to all. Please find enclosed with this report the following appendices:
 - Appendix 1: The Southwark SEND Strategy
 - Appendix 2: Consultation response report

Policy framework implications

19. The essential features to recognise here are:
 - I. There are no conflicts with existing SEND policy and practice. All processes adhere to the Children and Families Act 2014 and follow the statutory guidance in the SEND Code of Practice 2015.
 - II. The SEND Strategy should complement the wider strategic planning and vision of the Council. Including its borough plan, linking to “A great start in life” and “Tackling health inequalities”.

Community, equalities (including socio-economic) and health impacts

Community impact statement

20. This Strategy will impact the community of children, young people, parents, carers and families with SEND; those who have SEND support and those with an Education, Health and Care Plan (EHCP). It may also impact those who have not yet received a diagnosis. The strategy specifically address support provided for children and young people 0-25. Central to the strategy is inclusion in mainstream and universal services. This will have a positive impact on the culture of the wider community.
21. In developing the strategy we consulted widely with members of the public as well as those directly involved in or impacted by SEND provision delivery, please see Appendix 2 of the report.

Equalities (including socio-economic) impact statement

22. A full Equalities Impact Needs Analysis (EINA) is presented in Appendix

3 of the report.

Health impact statement

23. The Strategy seeks to improve the health and life chances of children and young people with SEND and has been developed with due regard to the draft Joint Health and Wellbeing Strategy and the draft Joint Strategic Needs Assessment (JSNA). The data and analysis can be found in the EINA and the draft JSNA due for release soon.

Climate change implications

24. The SEND strategy will have a positive impact on reducing carbon emissions as there is a drive to develop more local provision therefore reducing the need for travel out of borough.

Resource implications

25. There are a number of resource implications to ensure the strategy delivers effectively and within budget.

Consultation

26. Appendix 2 details the extensive consultation undertaken in preparation of the strategy and gives detail of how children and young people, parents/carers and families were consulted, as well as education settings and residents. It provides information about the feedback we received and evidence of how we have used it to amend the strategy.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance

27. This report seeks the agreement of the cabinet to the council's Special Educational Needs and Disability (SEND) strategy 2022-25.
28. The strategy is produced in the context of the statutory requirements set out in the Children and Families Act 2014 together with the guidance in the SEN Code of Practice that was issued alongside the 2014 Act.
29. These provisions include the duty to keep under review the educational provision, training provision and social care provision (1) made in its area for children and young people who have special educational needs or a disability, and (2) made outside its area for children and young people for whom it is responsible who have special educational needs or who have a disability (section 27 of the 2014 Act). The Act also requires the authority to consider the extent to which this provision is sufficient to meet the educational needs, training needs and social care needs of the children and young people concerned.

30. In addition the council also has a duty under section 30 to set out a “Local Offer” which indicates the range of education, health and care provision available in the Borough for children and young people with special educational needs or a disability or outside the Borough for those children and young people with special educational needs that it is responsible for or who have a disability where this may be needed. The Act and Code of Practice make it clear that the Local Offer should reflect the services that are available as a result of the strategic assessments of local needs and reviews of local education and care provision under section 27. The Code of Practice states that “linking these assessments and reviews to the Local Offer will help to identify gaps in local provision.” Section 27 also requires the council in producing a strategy to have regard to the assessment of relevant needs and joint local health and wellbeing strategy.
31. In carrying out its review and producing the strategy the council is statutorily required to consult a number of people including children and young people with special educational needs and disabilities and their parents and local schools. The report refers to the consultation that has been carried out in connection with this strategy which is attached as Appendix 2. It is necessary, as a matter of law, for the cabinet to carefully take account of the outcome of this consultation as set out in the report and appendix in reaching its conclusions on this matter.
32. The council also has a statutory duty under the Education Act 1996 to secure that there are sufficient primary and secondary schools available in the Borough and in doing so have to give particular regard to the need for securing that special educational provision is made for pupils who have special education needs (section 14).
33. The production of this strategy is an executive function of the council which is required to be considered by the cabinet in accordance with the Local Government Act 2000 and Part 3B of the council’s constitution.
34. The cabinet will need to ensure that the public sector equality duty in section 149 Equality Act 2010 is considered i.e. to have due regard to the need to eliminate discrimination, advance equality of opportunity, and to foster good relations between people with protected characteristics and others. Reference is made to this in the “Community, equalities (including socio-economic) and health impacts” section above and an equalities impact assessment has been carried out and is attached as Appendix 3 to which the cabinet should give due regard in its deliberations.

Strategic Director of Finance and Governance CAS22/08

35. The cost of placements for SEND pupils is met from the High Needs block of the Dedicated Schools Grant. The High Needs block had a deficit of £21.6m at the end of the 2021/22 financial year and this is expected to grow to £23.6m by the end of March 2023. The number of pupils with SEND is also expected to grow and inflation is expected to add pressures to the budget. The funding from central government is not expected to

increase in line with this. This strategy needs to ensure it controls and reduces the cost of provision.

36. Further financial and policy strategies are being worked on alongside this report to ensure that the high needs expenditure remains with the resources available. The Schools Forum will consider this on the 29th September 2022.
37. Alongside this, discussions are taking place with the Education and Skills Funding Agency for Southwark to become a “Safety Value Funded Authority”. This will potentially provide financial support to address some of the accumulated deficit within the High Needs block. Any funding will be subject to the delivery of the plans.
38. There is no immediate impact on the Core Funding, but if in the future the High Needs Block remains overspent then this may fall on the Core.

Other officers

39. Not applicable.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Care Quality Commission and Ofsted Joint Local Area SEND Inspection, 2018. (50019750 (ofsted.gov.uk))	SEN and Inclusion Education Directorate Children’s and Adults’ Services 4 th Floor, 160 Tooley Street, London, SE1 2QH	Yvonne Ely 020 7525 52738
Link: https://files.ofsted.gov.uk/v1/file/50019750		
SEND Code of Practice 2015	SEN and Inclusion Education Directorate Children’s and Adults’ Services 4 th Floor, 160 Tooley Street, London, SE1 2QH	Yvonne Ely 020 7525 52738
Link: https://www.gov.uk/government/publications/send-code-of-practice-0-to-25		
SEND	SEN and Inclusion Education Directorate	Yvonne Ely 020 7525 52738

Background Papers	Held At	Contact
	Children's and Adults' Services 4 th Floor, 160 Tooley Street, London, SE1 2QH	
Link: https://www.gov.uk/children-with-special-educational-needs		
NHS - Autistic Spectrum Disorders	SEN and Inclusion Education Directorate Children's and Adults' Services 4 th Floor, 160 Tooley Street, London, SE1 2QH	Yvonne Ely 020 7525 52738
Link: https://www.nhs.uk/conditions/autism/		
Children and Families Act 2014	SEN and Inclusion Education Directorate Children's and Adults' Services 4 th Floor, 160 Tooley Street, London, SE1 2QH	Yvonne Ely 020 7525 52738
Link: https://www.legislation.gov.uk/ukpga/2014/6/contents/enacted		
Equalities Act 2010	SEN and Inclusion Education Directorate Children's and Adults' Services 4 th Floor, 160 Tooley Street, London, SE1 2QH	Yvonne Ely 020 7525 52738
Link: https://www.legislation.gov.uk/ukpga/2010/15/contents		
Institute of Public Care	SEN and Inclusion Education Directorate Children's and Adults' Services 4 th Floor, 160 Tooley Street, London, SE1	Yvonne Ely 020 7525 52738

Background Papers	Held At	Contact
	2QH	
Link: https://ipc.brookes.ac.uk/		
Southwark Council's Equality Objectives	SEN and Inclusion Education Directorate Children's and Adults' Services 4 th Floor, 160 Tooley Street, London, SE1 2QH	Yvonne Ely 020 7525 52738
Link (please copy and paste into browser): https://www.southwark.gov.uk/council-and-democracy/equality-and-diversity/equality-objectives		
Public Sector Equality Duty	SEN and Inclusion Education Directorate Children's and Adults' Services 4 th Floor, 160 Tooley Street, London, SE1 2QH	Yvonne Ely 020 7525 52738
Link (please copy and paste into browser): https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty		
Southwark Council's response to tackling the climate emergency	SEN and Inclusion Education Directorate Children's and Adults' Services 4 th Floor, 160 Tooley Street, London, SE1 2QH	Yvonne Ely 020 7525 52738
Link: https://www.southwark.gov.uk/environment/climate-emergency		

APPENDICES

No.	Title
Appendix 1	SEND Strategy for children and young people 0-25 (2022-2025)
Appendix 2	IPC Consultation report
Appendix 3	Equalities Impact Needs Analysis

AUDIT TRAIL

Cabinet Member	Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People and Education	
Lead Officer	David Quirke-Thornton, Strategic Director of Children's and Adults' Services	
Report Author	Yvonne Ely, Assistant Director SEND	
Version	Final	
Dated	1 September 2022	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
List other officers here		
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	1 September 2022	