

**Children, Young People and Family Support Scrutiny and Policy Development Committee**

**Meeting held 19 September 2016**

**PRESENT:** Councillors Ian Saunders (Chair), Steve Ayris (Deputy Chair), Olivia Blake, Terry Fox, Kieran Harpham, Mohammad Maroof, Josie Paszek, Alison Teal, Adam Hanrahan (Substitute Member) and Dianne Hurst (Substitute Member)

**Non-Council Members in attendance:-**

Gillian Foster, (Diocese Representative - Voting Member)  
 Alison Warner, (School Governor Representative - Non-Council Non-Voting Member)  
 Waheeda Din, Education Non-Council Voting Member  
 Peter Naldrett, Education Non-Council Voting Member

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**1. APOLOGIES FOR ABSENCE**

1.1 Apologies for absence were received and substitutes attended the meeting as follows:-

<u>Apology</u>	<u>Substitute</u>
Councillor Andy Bainbridge	No substitute nominated
Councillor Karen McGowan	Councillor Dianne Hurst
Councillor Colin Ross	Councillor Adam Hanrahan
Councillor Cliff Woodcraft	No substitute nominated
Joanne Heery (Parent Governor Representative – Non-Council Voting Member)	
Alice Riddell (Observer – Healthwatch Sheffield)	

**2. EXCLUSION OF PUBLIC AND PRESS**

2.1 No items were identified where resolutions may be moved to exclude the public and press.

**3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

**4. MINUTES OF PREVIOUS MEETINGS**

4.1 The minutes of the meeting of the Committee held on 18<sup>th</sup> July 2016, were

approved as a correct record and, arising from their consideration, it was noted that consideration would be given to the inclusion of an item on A-Level Provision in the City in the Committee's Work Programme.

- 4.2 The minutes of the special meeting of the Committee held on 3<sup>rd</sup> August 2016, were approved as a correct record and there were no matters arising.

## **5. PUBLIC QUESTIONS AND PETITIONS**

- 5.1 There were no questions raised or petitions submitted by members of the public.

## **6. DELIVERING THE SEND REFORMS IN SHEFFIELD - UPDATE ON PROGRESS**

- 6.1 The Committee received a report of the Head of Inclusion and Targeted Services, Children, Young People and Families, which provided an update on progress on delivering the SEND (Special Educational Needs and Disability) reforms in Sheffield. The report was supported by a presentation which referred to the Inclusion Vision, Locality Working and the Inspection System and provided statistical information in relation to progress on completion of the EHC (Education, Health and Care) plans.

- 6.2 In attendance for this item were Tim Bowman (Head of Inclusion and Targeted Services) and Alasdair Duerden (Programme Manager, Inclusion and Special Educational Needs Programme).

- 6.3 Members made various comments and asked a number of questions to which responses were provided as follows:-

- The requirement to convert all SEN statements to EHC plans created a significant pressure. This contributed to the reason why only just over 3% of new EHC plans had been completed within the statutory 20 week timescale by the end of 2015. With hindsight, it was clear that the Council's initial implementation plan did not enable the Service to move quickly enough in delivering the reforms. In addition, there had been capacity issues within the relevant teams. These capacity issues had now been addressed and the latest data showed that new EHC plans were now being completed on average between 21 to 25 weeks for those that were started in 2016.
- The Executive Director, Children, Young People and Families, was made aware in November 2015 that the failure to meet the 20 week target for completion of EHC plans and the related capacity issues were becoming a serious concern. At which point, she restructured the management oversight of delivery, embedding the SEND reforms within a wider Inclusion Strategy and setting up and chairing a City-wide, senior level, strategic Inclusion Programme Board. It should be borne in mind that there was a national shortage of Educational Psychologists and skilled colleagues, and because of the challenging timescales, it was easy to fall behind and difficult to catch up. In dealing with the backlog, this put average timescales up which had an

impact on reported performance figures.

- In relation to the completion of EHC plans, present performance looked fair and there was now capacity in the teams. The question was whether the system itself had the capacity and consideration needed to be given as to how to target resources. Self-evaluation would still indicate that improvement was required, but there was evidence that improvement was underway and plans were in place to ensure this happened.
- The appropriate policy and procedures were in place, but the challenge was delivering system-wide change and achieving timescales. It was felt that no local authority was presently in a position to achieve all of this.
- The present situation reflected a hard won position and it was important to keep up momentum. The Council had implemented a new way of working to deliver inclusion, delegating funding to, and focusing central resources around, geographical groupings of schools. This approach drew on best practice, including the model operated by Nottinghamshire County Council, which had recently been the subject of an inspection and received a good report.
- A further 1,250 statements would need to be converted to EHC Plans between September 2016 and April 2018. Significant progress had been made over the Summer in dealing with the backlog of converting statements, with less than 10 left outstanding from 2014/15 and less than 40 from 2015/16.
- There were issues relating to the interaction with parents, children and young people, but it should be borne in mind that a high volume of correspondence was being received and that staff were often dealing with families in crisis. Positive work in this regard was being undertaken with the Parent Carers' Forum and it was accepted that there was a need to address volume. Having said that, there had only been six formal complaints this year.
- Staff had undertaken EHC plan training and there had been regular training events and work with locality Special Educational Needs Co-ordinators (SENCOs). The Fusion Teaching School Alliance had also been involved in staff training. It should be noted that implementing this new regime represented a step change for officers and a shift in culture.
- There were always a very small number of children without school places, eg. new arrivals to the City. These cases were managed through the Council's Children Missing Education team and children or young people were placed in schools as quickly as possible. Delays to EHC Plans should not mean that a child or young person was not in education. There was also a cohort of families who were home educated at any one time.
- A final EHC plan would state which school was best for the pupil based on clear identification of need and agreed specific and measurable outcomes.

Wherever possible, the choice of school must reflect the parents' preference. The exceptions were where placing a child or young person in that institution would be unsuitable for their age, ability or aptitude or if their attendance would be incompatible with the efficient education of others or efficient use of resources.

- It was felt that locality working increased personalisation, as this enabled a better allocation of resources to the child.
- Administrative burdens were not being pushed down the system. The aim was to enable schools to make timely, more effective decisions.
- Statistics on the number of young carers who had been identified and the number of parent carers who had been referred for assessment under the Care Act 2014, would be sent to the Policy and Improvement Officer for circulation to Committee Members.
- Work was being undertaken with Learn Sheffield in relation to the training of school governors regarding the SEND reforms.
- There was no pass or fail situation with the Ofsted inspections and it was not felt that Ofsted would make strong criticism of the Council for not meeting the 20 week deadline, provided that the quality of the EHC plans was good. The Inspection Framework was more focused on looking at outcomes, positive experiences and preparing children for adulthood. The aim was to complete all new plan requests within the 20 week deadline. Officers were clear that the present figures were not good enough, but the 2014/15 backlog was now down to less than 10 plans. It was considered that Ofsted would comment that timeliness and implementation were a problem. The challenge was matching timescales with quality.
- The key actions required were increasing capacity and quality, which were historical issues and were being addressed.
- My Plan was a non-statutory version of an EHC plan and there was a City-wide tool to identify what packages of provision parents, children and young people should expect to be in place in relation to their need. It was important that families were informed of what to expect from schools.
- The focus was on a constant review of EHC plans and, in relation to their quality, inclusion was a very important factor, together with how mainstream schools responded.
- The limitation on special school places was a constant issue, with demand outstripping supply, thus creating the Council's biggest challenge. Funding for special school places was fixed and the Council was funding more places than the funding it received covered. There was an incidence of complex needs and confidence issues, in that some special schools were not felt to be getting the best deal, although the Westfield Hub was cited as an example of

a new development that was working well.

- Officers were not prioritising one statutory duty over another and the backlog of statements to conversions was being addressed as part of ensuring that all the new statutory SEN requirements were delivered. This was 157 plans at the start of the year and would be down to less than 10 by the end of the month. The average time for the completion of new EHC Plans had increased due to the clearance of longstanding cases, but the external plan writers were now in place and the matter was being treated seriously.
- The plan writers worked for an external organisation, which also undertook such work for other authorities. The primary focus was on completing new plans within the timescales, so that the in-house team could focus on more complex cases. The plan writers were contracted to write 350 plans between the present time and the end of March 2017. The 625 cases referred to in the diagram in the report were conversions, whilst the 350 now referred to were new plans.
- The plan writers were additional capacity and, if they proved successful by the end of the contract period in March 2017, further consideration would be given to maintaining the resource until the end of the implementation phase in March 2018. By April 2018, decisions would need to have been made about what capacity was required to deliver the new SEN system once all conversions had been completed.
- In relation to requests for new assessments, it was important to identify that the young person was not making the progress that they should be making. The challenge was to make parental requests the exception, with requests from the schools being the norm. Parental requests often came with insufficient evidence to indicate that a statutory plan was required.
- Whilst it had been noted that autism was on the rise, there were no plans for any new special school places. The strategy being pursued was one of inclusion, with the aim being to support mainstream schools. Consideration was also being given to support mainstream schools to get outreach support from the Special School sector for SEND pupils.
- Advice was accepted from outside providers, but it was only rarely that the timeliness of advice caused parents to make such approaches. The Code of Practice for delivering SEN support required the Council to take external advice and this could cause tensions and delay, particularly in relation to what support was required. It should be noted that the Council's Educational Psychologists provided independent advice.
- The SEND team received a high volume of correspondence and it was accepted that the system of responding was not working as it should. This was, however, being reviewed in conjunction with the Parent Carers' Forum.
- It was difficult to comment on individual cases and it was accepted that some

cases were not resolved quickly enough. In these situations, it may be better to refer these to dispute resolution or a tribunal. Officers were prepared to discuss individual cases with Members outside the meeting.

- The Code of Practice stated that the Council must comply with parental preference for a school place, unless the requested placement was not suitable for the individual, or it would be incompatible with the efficient use of resources, or the efficient education of other learners.
- The first £6,000 of any support must come from the individual school's budget. Additional funding was provided through High Needs Funding, which was now delegated to school localities. The new locality model focused more on ensuring that strategic investment delivered the support individual children needed, rather than fixed amounts of funding being attached to particular children.
- With regard to the EHC Plans, the Council had a duty for the educational and care aspects, whilst the Clinical Commissioning Group had responsibility for the health aspects.
- Officers were disappointed to hear reports that schools were now diverting high level teaching assets to cover the cost of SEND support and representations had been made to Central Government regarding funding.
- Both parents and pupils should be involved in the writing of the EHC plans.

6.4 RESOLVED: That the Committee:-

- (a) thanks Tim Bowman and Alasdair Duerden for their contribution to the meeting;
- (b) notes the contents of the report and presentation and the responses to questions;
- (c) expresses its grave concerns with regard to the delivery of the SEND Reforms in Sheffield, but accepts that steps were being taken to address these concerns; and
- (d) requests that a meeting be arranged between the Chair (Councillor Ian Saunders), the Deputy Chair (Councillor Steve Ayris), Tim Bowman and Alasdair Duerden, and the Cabinet Member and Executive Director for Children, Young People and Families, to discuss the delivery of the SEND Reforms in Sheffield and how this was affecting young people and families in the system, with feedback to be shared with a future meeting of the Committee.

**7. DRAFT WORK PROGRAMME 2016/17**

7.1 The Committee received a report of the Policy and Improvement Officer which set

out the Committee's remaining Work Programme for 2016/17.

- 7.2 RESOLVED: That the Committee approves the remaining Work Programme for 2016/17 as detailed in the report, subject to the inclusion of an item on A-level provision in the City.

**8. A-LEVEL AND POST 16 LEARNING**

- 8.1 RESOLVED: That the Committee notes;

- (a) the contents of the A-level and post-16 provision in Sheffield report now submitted; and
- (b) that the potential effect on school places in the City arising from the proposed introduction of grammar schools, could be covered in a briefing paper on School Places, to be submitted to the Committee's next meeting in November 2016.

**9. DATE OF NEXT MEETING**

- 9.1 It was noted that the next meeting of the Committee would be held on Monday, 21<sup>st</sup> November 2016, at 1.00 pm, in the Town Hall.

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