

DARLINGTON SCHOOLS FORUM
17th May 2022

ITEM NO 4

HIGH NEEDS UPDATE 2021

Purpose of Report

To provide forum with an update on demand pressures in the High Needs Block, future capital funding allocations and the outcome of the national SEND review and the local areas SEND inspection.

National and local SEND data 2021

National data released May 2022 illustrates the position for EHCPs in England as of January 2022 and outlines activity during the 2021 calendar year. Nationally the data set illustrates rising demand in this period which may reflect issues arising from the pandemic.

The total number of Education, Health and Care (EHC) plans has continued to increase

The number of children and young people with EHC plans increased to 473,300, as at January 2022. This has increased each year since 2010.

The number of new EHC plans made in the calendar year has also continued to increase

62,200 new EHC plans were made during 2021. The number of new EHC plans has increased each year since their introduction in 2014.

The number of initial requests for an EHC plan increased during the calendar year, continuing the long-term trend of increases

There were 93,300 initial requests for an EHC plan during 2021, up from 76,000 in 2020. Apart from a decrease in 2019, initial requests have increased each year since EHC plans were introduced.

The proportion of new plans issued within 20 weeks has increased

In 2021, 59.9% of new EHC plans were issued within 20 weeks. This was an increase when compared to 2020 but lower than the 60.4% issued in 2019.

Validated Darlington data released by DfE continue to show a rise in the numbers of children and young people for whom the LA are maintaining EHCP's correlating with the picture nationally. This trend is expected to continue and accelerate into the data being collected for census in the current year.

As at January 2022 Darlington was maintaining 848 EHCPs an increase from 795 in January 2021. This can be understood in the context of increasing numbers of referrals for statutory assessment and the numbers of EHCPs being awarded. Of the total EHCP cohort 3.2% were aged 0-5, 34.2% were aged 5 to 10, 37.5% were aged 11 to 15, 20.8% were aged 16-19 and 4.4% were aged 20 to 25.

In this period Darlington saw the number of plans increase by 6.7%, compared to a rise of 8.7% in the North East and 9.9% in England. The national figure has increased every year since 2010.

Nationally the number of initial requests for EHCPs rose from 75,951 in 2020 to 93,302 in 2021 – the highest figures since records began in 2016. In Darlington initial requests to assess rose from 117 in 2020 to 154 in 2021.

The percentage of initial requests for assessment that were refused nationally increased from 21.6% in 2020 to 22.3% in 2021. Darlington's refusal rate in 2021 was 19.5% which was below the national average but higher than the North East average of 17.5%.

The relatively low refusal rate applies to both for requests to assess and requests to issue an EHCP following assessment. This can be attributed to the Local Authority's robust and transparent decision-making processes and regular attendance at the Multi Agency Placement Panel (MAPP) by school colleagues, ensuring an understanding of the thresholds and information to support a request for assessment, aligned to the Darlington Ranges of Need.

The structure of the termly keeping in touch meetings with schools led by SEND Officers enables focussed discussion where cases are nearing readiness for assessment, i.e. in cycle 3 of assess, plan, do and review processes at SEND Support level. This is improving the quality and timeliness of requests that the LA are receiving. The numbers of parental requests for assessment, which saw a rise initially attributed to covid-related factors has remained consistent warranting further investigation. There is evidence from the mediation and appeals processes that there is an emerging theme of Parents/Carers feeling that their child's needs are not being met within their mainstream school setting.

It is worth noting that we are seeing not only requests for statutory assessment at Y6 (almost 16% of referrals between September and December 2021) but increasingly requests for specialist provision for this EHCP cohort as they are due to transfer to the secondary phase of education. Despite consistent messaging from the LA regarding this age phase transfer the trend continues.

Compliance with the statutory timeline for EHCP assessment continues to be a strength in Darlington. The rate of EHC plans excluding exceptions issued within the 20-week statutory timeline in Darlington in 2021 was 92.1% compared to a national average of 59.9% and a North East average of 71.8%.

SEND Green Paper

In March 2022 the Department for Education published its long-awaited SEND Green paper as the conclusion of the SEND review which was instigated to 2019. It will be subject to a full public consultation which concludes in July 2022.

The key proposals are summarised below:

A single, national SEND and alternative provision (AP) system

- Establish new, nationally consistent standards across provision, process and systems for how needs are identified and met at every stage.
- Establish new local SEND partnerships across education, health, care and local government to produce a local inclusion plan setting out how each area will meet the national standards.
- Review and update the SEND Code of Practice to ensure consistent systems.
- Introduce a standardised and digitised EHCP process and template to minimise bureaucracy and deliver consistency.
- Support parents and carers to make an informed preference for suitable placements for their child by providing a tailored list of settings, including mainstream, specialist and independent, that are appropriate to meet the child and young person's needs.
- Streamline the redress process, including through mandatory mediation, and retaining the tribunal for the most challenging cases.

Support from early years to adulthood

- Increase core schools' budgets by £7 billion by 2024-25, compared with 2021-22, as set out in the recent Spending Review.
- Consult on the introduction of a new Sendco national professional qualification (NPQ) for school Sendcos and increase the number of staff with an accredited Level 3 Sendco qualification in early years.
- Commission analysis to better understand "the support needed from the health workforce by children and young people with SEND need to inform strategic planning".
- £2.6 billion over the next three years to deliver new and improve existing specialist and alternative provision.
- By 2030, all children will benefit from being taught in a family of schools, with special and alternative provision part of a strong multi-academy trust.
- Fund more than 10,000 additional respite placements and spend £82 million to create a network of family hubs.
- Introduce common transfer files to improve transitions to further education.
- Invest £18 million in the supported internships programme over the next three years.
- Pilot the rollout of adjustment passports to prepare young people with SEND for employment.

Alternative provision (AP)

- Make alternative provision an integral part of local SEND systems and require new local SEND partnerships to plan and deliver an alternative provision service focused on early intervention.
- Give alternative provision schools funding stability by requiring local authorities to create and distribute an alternative provision-specific budget.
- Build system capacity through plans for all alternative provision schools to be in a strong multi-academy trust, or have plans to join one, and open new alternative provision free schools where they are most needed.
- Develop a bespoke performance framework for alternative provision schools, setting robust standards focused on children and young people's progress and re-integration into mainstream or post-16 education.
- Launch a call for evidence on the use of unregistered provision before the summer to investigate existing practice.

System roles, funding and accountability

- Deliver clarity in roles and responsibilities with every partner across education, health, care and local government having a clear role to play, and being equipped with the levers to fulfil their responsibilities.
- Equip the DfE's new "regions group" to hold local authorities and MATs to account for delivery including through new funding agreements between local government and the department for high-needs funding.
- Introduce a new national framework of banding and price tariffs for funding, matched to levels of need and types of education provision set out in the national standards.
- Introduce new inclusion dashboards for 0-25 provision, offering a picture of system performance at a national and local level across education, health and care.
- Work with Ofsted and the Care Quality Commission (CQC) on their plan to deliver an updated local area SEND inspection framework, with clear accountability in place showing where agencies can improve.

"Delivering change for children and families"

- Stabilise local SEND systems by investing an additional £300 million through the 'safety valve' programme' and £85 million in the Delivering Better Value programme, over the next three years, to support local authorities with the biggest deficits.
- Support delivery through a £70 million SEND and alternative provision change programme to test and refine key proposals.
- Establish a new National SEND Delivery Board, bringing together relevant government departments and partners, to hold partners to account for delivery.
- Publish a national SEND and AP delivery plan, setting out the government's response to the public consultation

High Needs Provision Capital Allocations

The Department for Education has now published High Needs Provision Capital Allocations (HNPCA) for financial years 2022-23 and 2023-24. 2021-22 allocation has previously been published. This funding is to support local authorities deliver new places and improve existing provision for children and young people with special educational needs and disabilities or who require alternative provision.

Darlington's allocation is £500,000 for 2021-22 £1,249,033 for 2022-23 and £846,140 for 2023-24.

Following the publication of the SEND Green paper and the outcome of the Local Area SEND inspection the LA will begin a consultation on the use of this funding.

Local Area SEND inspection

The joint Ofsted and Care Quality Commission (CQC) inspection was carried out over five days in January. It looked at how providers across Darlington – including council, NHS and schools – have implemented SEND reforms since 2014 to the present day.

Inspectors spoke to children and young people with SEND as well as their parents and carers, visiting a range of settings.

Inspectors have published a report on the services provided to children and young people with special educational needs and/or disabilities (SEND) in Darlington – highlighting strengths and areas for improvement

They noted that there had been signs of improvement in SEND provision in Darlington recently but said there was a lack of effective working across education, health and care services to ensure consistently positive outcomes.

Darlington’s thriving Parent Carer Forum, which reaches hundreds of families, was praised as a “vital source of information and inspiration” for families and “plays an active role in shaping SEND provision”.

Leaders were praised for their "forethought and creativity", but the report also noted that many parents and carers said they were not supported well enough particularly when preparing young people for adulthood.

The inspection identified two areas of significant concern.

- The ineffectiveness of meeting the needs of children and young people with SEND and the impact of this on their outcomes.
- Poor preparation for adulthood and post-19 opportunities for children and young people with SEND

The local area is required to submit a written statement of action to explain how it will tackle these identified areas of weakness in July 2022 and local leaders will be working with schools and families in the preparation of these plans. Updates on the final written statement and progress made will be submitted to future forum meetings.

Tony Murphy
Assistant Director Education and Inclusion