

SPECIAL EDUCATIONAL NEEDS AND DISABILITIES GREEN PAPER

Presentation to Children & Young People's Scrutiny
Committee

30th June 2022

CONTEXT

- In February, the Government published its Levelling Up White Paper, setting out its ambitions for social and economic reform across the regions.
- This was followed on the 28th March by a Schools White Paper, **and on the 29th March by a Special Educational Needs and Disabilities (SEND) Green Paper.**
- Subsequently, the Schools Bill was introduced to Parliament on 12th May 2022. The Schools Bill sets out the proposed changes to the statutory framework impacting on the role of local authorities, on schools, and on Trusts.
- The white papers and green paper need to be seen together, given the inter-relationship between each of them.

Levelling-Up White Paper

February 2022

LEVELLING-UP

The **Levelling Up White** paper sets out the broad agenda by which the Government's ambitions for economic and social reform and regeneration across the regions will be met by 2030.

Educational reform is at the heart of that agenda, with an ambition that every child and adult will have the skills to fulfil their potential.

It sets out the key mechanism by which the educational reforms will be addressed, through the establishment of 55 Education Investment Areas (EIA).

These areas have been identified and prioritised based on educational outcomes over time. Bury has been identified as an EIA, largely based on the performance of pupils at Key Stage 4, and Progress 8 2017-19.

Schools White Paper

March 2022

THE CASE FOR CHANGE

The problem: The Government argues that it has made progress since 2016, but too many children are still failing to meet the expected standard in reading, writing and maths, and that this has got worse during the pandemic

The ambition: the White Paper sets out the Government's vision for a **stronger school system** with a focus on **literacy and numeracy** to fulfil **the potential of every child**

The vision: recover outcomes for those hardest hit, raise academic standards in areas left behind, set out a roadmap for reform to build back a stronger, fairer system

The Ambition

We must do more to help every child fulfil their potential

Too many children leave education without key knowledge and skills

Outcomes vary between children and regions with different characteristics

COVID-19 has exacerbated challenges

- Chapter 1: An Excellent Teacher for Every Child
- Chapter 2: Delivering high standards of curriculum, behaviour and attendance
- Chapter 3: Targeted support for every child who needs it
- Chapter 4: A stronger and fairer school system

Accountability/Statutory Framework

The White Paper sets out the intention to clarify the relationship between local authorities and the schools/academies that serve the local area; the importance of the relationship between local authorities and Regional Schools Commissioners in the strategic planning of the educational landscape serving a local area; and the role of Ofsted and Department For Education.

The respective role of local authorities and Regional Schools Commissioners will be reviewed, and potentially some of the statutory duties placed on local authorities will be amended, removed or clarified.

The Government has already begun to lay the foundations for these changes with the publication of the Schools Bill.

Special Educational Needs And Disabilities (SEND) Green Paper

March 2022

SEND Green Paper

The Government launched a consultation on its SEND Green paper on the 29th March.

The Green Paper sets out the Government's vision for a single, national SEND and alternative provision (AP) system that will introduce new standards in the quality of support given to children across education, health and care.

The Thrust of the Green Paper is to respond to the challenges and barriers experience by families following the SEND reforms introduced in 2014, and the difficulties experienced by many local authorities and their partners in effectively implementing those reforms.

The challenges

Outcomes for children and young people with SEND or in alternative provision on average are poor

Navigating the SEND system and alternative provision is not a positive experience for children, young people and their families

Despite unprecedented investment, the system is not delivering value for money for children, young people and families

Aims

To create a more inclusive education system with excellent local mainstream provision which will improve the experience and outcomes for children and young people with special educational needs and those who need alternative provision.

This links to the Schools White Paper

A vision of the school system in which every child or young Person can fulfil their potential, supported by an excellent teacher, high standards of curriculum, behaviour and attendance, backed by high-quality targeted support for those that need it.

“We believe that, with excellent teaching and improved identification of need in inclusive educational settings, fewer children and young people will need additional interventions as they will be getting the support they need as part of high-quality teaching within the classroom.”

Key Features

New national standards across education, health and care

A simplified Education, Health and Care Plan (EHCP)

Councils to introduce 'local inclusion plans' that bring together early years, schools and post-16 education with health and care services

Improving oversight and transparency through the publication of new 'local inclusion dashboards'

A new national framework for councils for banding and tariffs of High Needs

Changing the culture and practice in mainstream education to be more inclusive and better at identifying and supporting needs

Improving workforce training

A reformed and integrated role for alternative provision (AP)

What it means

Consistent national standards will facilitate a more inclusive system, with more children and young people able to have their needs met in high-quality mainstream provision with high aspirations, a confident and expert workforce and access to high-quality targeted support as needed.

Establishment of new local SEND partnerships, bringing together education, health and care partners to produce a local inclusion plan setting out how each local area will meet the national standards for provision, processes and systems

What it means...in practice

How needs should be identified and assessed

Appropriate provision to be made available for different types of need

Standardised processes for accessing and reviewing support

Standards for co-producing and communicating with children, young people, parents and carers

Standards for transition

Mandating the use of local multi-agency panels in the EHC needs assessment process

Standardising EHCPs to ensure consistent access to specialist provision

Digitising EHCPs to reduce bureaucracy

Support parents to express an informed preference for a suitable placement by providing a list of settings drawn from the local inclusion plan

Streamline the redress process, aiming to resolve disputes earlier, including through mandatory mediation.

A reformed and integrated role for AP

Local SEND partnerships to deliver an AP service

Focus on early intervention

Local Authorities to create an alternative-provision-specific budget

A bespoke performance framework for AP, focused on progress and re-integration into mainstream

A clear, tiered package of support from AP

- Targeted support for children in mainstream;

- Time-limited placements in AP with a return to original school;

- Transitional placements for children to transition to a different school or to a suitable post-16 destination.

A call for evidence on the use of unregistered provision

Accountability

Deliver clarity in roles and responsibilities with every partner having a clear role to play, and having the levers to fulfil their responsibilities

DfE's new Regions Group to take responsibility for holding Local Authorities and Multi Academy Trusts to account for delivering for SEND

Provide statutory guidance to Integrated Care Boards (ICBs) to set out clearly how to discharge their SEND statutory responsibilities

Ofsted/CQC to deliver an updated Local Area SEND Inspection Framework

New inclusion dashboards for 0-25 provision, providing a timely, local and national, picture of how the system is performing

New national framework of banding and price tariffs, matched to levels of need and types of education provision set out in the national standards

Delivering change (1)

Increase the total investment in schools budgets by £7b by 2024-25, with an additional £1b in 2022-23 for high needs

Stabilise local SEND systems by investing an additional £300m in the Safety Valve Programme and £85m in programmes, over 3 years, to support LAs with the biggest deficits

DfE to work with system leaders from education, health and care and Department of Health and Social Care to develop the national SEND standards

Support delivery through a £70m SEND and AP Reform change programme to test and refine key proposals and support local SEND systems

Publish a national SEND and AP delivery plan – setting out our response to this Green Paper and how reforms will be implemented

Establish a new National SEND Delivery Board to bring together national delivery partners across education, health and care and hold them to account

Delivering change (2)

Consult on introducing a new Special Educational Needs and Disabilities Coordinator (SENCo) National Professional Qualification (NPQ) for school SENCos

Increase the number of staff with an accredited Level 3 SENCo qualification in early years settings

Commission analysis to better understand the support that children and young people with SEND need from the health workforce

Initial Teacher Training (ITT) - framework sets out a minimum mandatory entitlement for all trainee teachers with mentoring in supporting pupils with additional needs

The Early Career Framework includes training on identifying pupils who need new content further broken down

A reformed suite of National Professional Qualifications (NPQs) for teachers and leaders, designed to help the teaching profession ensure they support all pupils to succeed in both mainstream and specialist settings

SEND Green Paper

Single SEND and Alternative Provision (AP) System	Excellent Provision from Early Years to Adulthood	Reformed and Integrated Alternative Provision (AP)	System Roles, Accountability and Finding Reforms
<ul style="list-style-type: none"> • New national SEND and alternative provision system setting nationally consistent standards for how needs are identified and met • Establish new local SEND partnerships (including AP) to produce a Local Inclusion Plan • Standardised and digitised EHCP process and template • Mandatory mediation prior to registering an appeal to the tribunal. 	<ul style="list-style-type: none"> • Increased funding • Consult on the introduction of a new SENCo National Professional Qualification (NPQ) for school SENCos • Increase the number of staff with an accredited Level 3 SENCo qualification in early years settings to improve SEND expertise • Strengthen the relationship between the SEND governor and the SENCo in the New Code of Practice. 	<ul style="list-style-type: none"> • AP to be an integral part of local SEND systems • Performance framework for AP-focused on progress, re-integration into mainstream education or sustainable post-16 destinations • AP schools will offer interventions and education across a continuum of support, rather than focusing exclusively on expensive long-term placements 	<ul style="list-style-type: none"> • New DfE Regions Group to take responsibility for holding local authorities and MATs to account for delivery for children and young people with SEND locally through new funding agreements between local government and DfE • 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

Project Safety Valve

Project Safety Valve Agreement

Bury Council has entered into a formal agreement with the DfE on Project Safety Valve which is focused on:

- improving SEND services and the experiences and outcomes for children, young people and their families with identified Special Educational Needs and Disabilities
- an agreement to eradicate the High Needs Block Deficit by 2024/25.

PSV – DfE Agreement

Agreement Condition 1:

- Strengthen Special Education Needs assessment and placement process

Agreement Condition 2:

- Ensure robust planning for future provision, including reducing the use of independent school placements by increasing the availability and suitability of local provision within Bury.

Agreement Condition 3:

- Improve quality and timeliness of management information to enable evaluation of impact of central services.

Agreement Condition 4:

- Support and drive schools in Bury to meet a higher level of need in a more cost effective way within mainstream settings, while maintaining the quality of provision. Develop a culture in which demand is more effectively managed throughout the authority.

Agreement Condition 5:

- Remodel financial practice to ensure accurate contributions from appropriate funding sources.

PSV workstreams

Introducing our workstreams

We have separated the work into 6 workstreams. These workstreams include a number of activities that will help us deliver to our outcomes. The workstreams will be supported by co-production, engaging communities and communing the story of transformation to our stakeholders.

Workforce	To build a stable and quality SEND workforce with strong leadership that can meet demand of children and young people in Bury who require SEN support and embed the changes to the service.
Practice & Processes	Create an environment in which people can do their best work and feel valued - where continuous improvement to practice and process are identified, tested and implemented at a sustainable pace, with co-creation at the forefront.
Strategy and Finance	To create a local SEND system which enables needs to be met within Bury's own provisions and services wherever appropriate and which uses its HNF block resources in the most effective way.
Planning for future provision	We aim to identify gaps in provision and use our capital resources to develop appropriate additional specialist capacity. We will also re-design services and provision to ensure that needs are better met within local communities wherever possible.
Technology and Data	Deliver a modern approach to technology systems and culture which supports the SEND service to deliver services effectively, efficiently and sustainably. Creating reliable case management and performance reporting which unlocks the full potential of the wider SEND system.
Graduated Approach	To set the standard for schools and services in Bury in respect of Inclusive, Quality-first Teaching including the systems supporting early identification and early intervention for children and young people with SEN.



What next?

Consultation ends 22nd July.

To continue to update on Project Safety Valve.

To continue to update on the development of Special Education Needs and Disabilities in Bury.

Glossary

AP	Alternative Provision
CYP	Children & Young People
CCG	Clinical Commissioning Group
CQC	Care Quality Commission
DFE	Department for Education
EHCP	Education Health & Care Plan
EIA	Education Investment Areas
ICB	Integrated Care Boards
ITT	Initial Teacher Training
KS4	Key Stage 4
LA	Local Authority
Progress 8	National progress measure across the secondary school phase
PSV	Project Safety Valve
SEN	Special Educational Needs
SEND	Special Educational Needs & Disabilities
KS4	Key Stage 4