

# The new, revised SEND and Inclusion strategy 2021

Date: 3<sup>rd</sup> November 2021

Report of: The Director of Children and Families

Report to: Scrutiny Board (Children and Families)

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

## What is this report about?

### Including how it contributes to the city's and council's ambitions

- Board members will be aware that [The Best Council Plan](#) aspires for Leeds to be a child-friendly city. The [Leeds Children and Young People's Plan](#) (CYPP) explains this child-friendly approach in greater detail and sets out 11 priority areas of work and 3 key 'obsessions'. The third of these is to *improve achievement, attainment, and attendance in learning settings*. To deliver on this, the [3As Strategy](#) was developed in 2018 and is currently under revision to ensure it reflects our current context and the impact of the Covid-19 pandemic.
- The 3As strategy will be further reinforced by our new, revised SEND and Inclusion strategy for Leeds. This sets out our aspiration to improve outcomes across the 3As for our children and young people who have special educational needs or disabilities (SEND), and those in 'vulnerable contexts' such as children looked after, children in need, those who have experienced trauma, and/or those living with economic disadvantage. There is a high co-occurrence between those in vulnerable contexts, and those with SEND needs; for example, around 50% of our children looked after, have identified SEND. Outcomes in the 3As tend to be less positive for these children and young people and they may be vulnerable to inequalities. Our SEND and Inclusion strategy aims to respond to this, and to the disproportionate impact of the Covid-19 pandemic on our most vulnerable children and young people.
- The strategy aligns with recent re-structuring within our Children and Families Services Directorate, which has brought together into one Learning Inclusion Service, our teams supporting children and young people with SEND and those in vulnerable contexts.
- The new strategy is being co-led by partners across Leeds City Council and local health agencies, reflecting our shared aspirations for our children and young people with SEND. Other key partners include those in our learning community, including early years education providers, schools, alternative learning settings, and further and higher education providers; voluntary and community services; children and young people with SEND; and their parents or carers. Reforms under the Children and Families Act 2014 require that we publish a strategy which is co-produced with all these partners.

- The new strategy is governed by our SEND Partnership Board, which represents all our key partners as above, and the development of the new strategy has included considerable consultation with all key partners.
- The new strategy is informed by data on the local population of children and young people with SEND and in vulnerable contexts, and data on their outcomes. Prior to the pandemic, we projected increases in this population, and particularly increased numbers with complex needs that require specialist assessment and support plans; the impact of the pandemic is highly likely to add further increases. This adds significant strain to services that we have a statutory duty to provide. In terms of outcomes, in some respects, these are good; we have one of the lowest rates of permanent exclusion in the country. However, as inspectors noted during our last inspection of SEND services by Ofsted and the CQC, outcomes in attainment for learners with SEND in Leeds do not compare well with national and other comparators. It is vital that our strategy addresses this.
- The impact of the pandemic on our children and young people with SEND and/or in vulnerable contexts, and their families, has been great. Lost time in learning, and restricted access to services, has impacted this group more than their peers. Whilst some families proactively choose to home educate, we have also seen an increase in families 'electively home educating' (EHE) their children in direct response to the pandemic. We have also seen an increase in children identified as potentially missing education. Children and young people not regularly attending an education setting, especially those missing education, may be more vulnerable to poor outcomes in learning, restricted access to health and carer services provided by schools, and less positive life outcomes in terms of employment, health and well-being. They may also be more at risk of exploitation. It is vital that our strategy supports all our vulnerable children and young people to make a successful return to learning after the pandemic. The Covid-19 recovery programme for schools will be a key element of our new strategy.
- Our Leeds vision is one of **inclusion** and commitment to reducing inequalities as a fundamental principle at the heart of our child-friendly city; of **integrated practices** and joint commissioning across a diverse, multi-agency workforce to ensure maximum efficiency; and one that recognises and responds to the diverse **individual needs** and circumstances of our children and young people and communities in Leeds. In the spirit of the '3As' strategy, we express this as the '3Is'.

## Recommendations

Scrutiny Board members are asked to have a full and informed discussion and to make comment on the draft SEND and Inclusion strategy. Local authority officers will be present at the board meeting to provide appropriate inputs and to respond to questions.

## Why is the proposal being put forward?

1. The SEND and Inclusion strategy provides a vital response to our growing population of children and young people with SEND and/or those in vulnerable contexts. Ensuring on-going sufficiency in capacity in our services is vital and there are significant associated risks in terms of statutory services provided by teams in our Learning Inclusion Service. The strategy also aims to improve learning outcomes for our learners with SEND and in vulnerable contexts, which, as Ofsted inspectors have observed, do not compare well with national and other comparators. The Covid-19 pandemic will disproportionately affect outcomes for our children and young people with SEND and in vulnerable contexts, and our strategy must respond to this, and to associated risks in terms of children missing education and the protective factors that schools and places of learning provide.

## What impact will this proposal have?

### Wards Affected:

Have ward members been consulted?      Yes      No

2. The new SEND and Inclusion strategy will be finalised once comments from Scrutiny Board have been considered.
3. The strategy will focus on 6 priorities for change, expressed as shared commitments across the Leeds partnership, and key actions to support these which in phase 1 of the strategy will have been identified as most vital to respond to the disproportionate impact of the pandemic in our children and young people with SEND and already vulnerable to inequalities.
4. **Priority 1: We will support early identification of need and quality holistic, assessment and planning at the earliest stage:** we continue to see instances where children's needs are not identified and met early enough and as a result, they may fall behind in learning, needs may increase or escalate, and families may become prone to crisis. This costs our children and families enormously but also has a financial cost, as families may ultimately require resource-intensive specialist support. We know that in the wake of the pandemic, more children will have additional needs and an early response is vital.
5. **Priority 2: We will continue to build a skilled, confident and resilient workforce able to meet the educational, social and emotional needs of all children and young people:** as a key 'vehicle' of change to support priorities 1, 2 and 3, we will launch a new Leeds SEND and Inclusion Practice Framework. This will provide all schools and education settings with guidance, learning, and resources to deliver high-quality practice in early identification and assessment of needs, and quality, holistic planning to meet needs, all aligning with local and national policy best practice principles. A digital toolkit will provide accessible resources for practitioners, in one place. This will align with wider Leeds systems such as referrals for services and applications for funding, and the wider Leeds Early Help system, to reduce paperwork, increase efficiency, and support joined-up working
6. **Priority 3: We will support high quality plans for all children and young people, based on individual needs, circumstances and cultural identity.** Our work to launch the new SEND and Inclusion Practice Framework as above, will support quality, timely assessments and plans led by schools and settings. We will also develop systems to manage increased demand for Education, Health and Care Plans (EHCPs) for those with the most complex needs, which the local authority must manage. There has been a dramatic increase in demand for EHCPs in recent years; numbers have increased from 2041 at 2014, to 5006 at the time of writing. This

increase is projected to continue and will likely be further impacted upon by the pandemic. This has added significant pressures on capacity in the Learning Inclusion Service teams responsible for EHCPs and their ability to produce and review EHCPs in line with statutory requirements.

To address this, we will review our systems to manage EHCPs, working with our partners across education, health, and care to ensure efficiency in their contributions to EHCPs and avoid delays and duplication. We will also work to re-organise teams within the Learning Inclusion Service to better manage increased demand. We will also work with partners and families to improve the quality of EHCPs and families' experiences of the processes that support them.

7. **Priority 4: we will focus on support for children and young people in vulnerable contexts and work to reduce inequalities:** we will trial and develop new partnership approaches to working together to more pro-actively identify, assess and meet the needs of learners who may be at risk of disengaging from education, permanent exclusion, and other less positive outcomes. We will also develop new opportunities for partners across services to come together to share learning and best practice in supporting our most vulnerable to inequalities, using a themed, case-review approach to embed learning in practice and systems across services.
8. **Priority 5: We will develop a continuum of high-quality provision (schools, settings, and services) to meet diverse needs and promote choice, access, and improved outcomes.** Work will include: developing more specialist education provision for learners with SEND to respond to our growing population; developing our offer of provision at post-16, including supported internships for young people with SEND; exploring digital opportunities to enhance our offer of remote learning; improving our provision of quality and accessibility of information for families about local services; and increasing our support of parent/carer and youth participation. The latter will include new forums for young people and parents and carers to play a role in governing this strategy.
9. **Priority 6: We will integrate practices to identify and meet needs and join up pathways to services:** partners report that waiting times for autism assessment are too long. This was noted by Ofsted and the CQC in our most recent inspection of area SEND services and the position has not improved significantly. We will work across the partnership to review the multi-agency pathway to autism assessment and diagnosis to address this. We will also co-lead a new city-wide approach to trauma-informed practice and reducing the impact of Adverse Childhood Experiences (ACEs). Both of these activities will be led via the *Future in Mind: Leeds* strategy for supporting children and young people's social, emotional and mental health (SEMH), which closely aligns with this strategy and is also a strategy co-produced by local health agencies with Leeds City Council.

### **What consultation and engagement has taken place?**

10. We started work to consult with partners on the new SEND and Inclusion strategy, in 2019; over 350 of our partners took part in surveys, conferences and focus groups, including partners across education, health, care and youth services; the voluntary sector; young people; and parents and carers. They shared their aspirations and priorities for change. We planned to use learning from this to co-produce the strategy through multi-agency work groups in 2020. However, this coincided with the onset of the pandemic, which delayed and disrupted work considerably.
11. In June and July 2021, as some of the pressures of the pandemic eased slightly, we undertook a focused period of activities including surveys and focus groups, to re-engage

partners with the strategy. Around 550 partners took part. They were invited to review and comment on the proposed key elements of the strategy in terms of the '3Is', the priorities for change, and key actions.

12. Responses from our partners clearly confirmed our proposed outcomes, priorities, and actions. However, partners also expressed concerns about the challenging context that all schools, settings, and services are working in due to the pandemic. Lack of resource and capacity in services are a concern, especially in terms of Education, Health and Care Plans, and the increased risks of children missing education. Partners also expressed a need to hear leaders in the city vocalise their commitment to children and young people with SEND, and their support for a workforce that feels under great pressure.

### **What are the resource implications?**

13. There are increased pressures on resource across teams with statutory duties within the Learning Inclusion Service. Partners in schools and education settings also report significant financial pressures. Leeds has a legacy of historical under-funding in terms of our High Needs Block, the budget within the Dedicated Schools Grant used to fund provision for SEND needs in schools and settings. The allocation of funding has been reformed but a cap on gains was implemented. If the cap on gains had not been in place, Leeds would have been allocated an additional £30.4m of funding between 2018/19 and 2021/22 across the Schools Block of the DSG. The High Needs Block element of this is £20.9m. A further funding cap of £1.9m will apply in 2022/23 to the High Needs Block, based on provisional funding allocations released by the ESFA.
14. Given the significance of the financial implications of Covid-19, arrangements are in place for the Council's Executive Board to receive separate and more detailed reports regularly. The Council's Plan and Resources Scrutiny Board maintains oversight of the financial management Plan in accordance with its remit.
15. Children and Families Services resources will be deployed appropriately to ensure support can be given where the most impact can be made for children, families and learning settings across Leeds, with a focus on those who have been disproportionately affected.

### **What are the legal implications?**

16. We have a statutory requirement to produce and publish this strategy under the reforms of the Children and Families Act 2014. This strategy must be co-produced with key partners, including families and partners across education, health, and care services. Local schools have a statutory requirement to publish details of how they deliver support to children and young people with SEND, in line with the strategy published by the local authority.
17. The timeliness and operational management of Statutory duties under the Children and Families Act 2014 may be negatively affected due to a lack of capacity in statutory SEND teams.

### **What are the key risks and how are they being managed?**

18. The cap on funding and historical underfunding in the DSG high needs block for SEND services and the council's current financial challenge means that there is a lack of capacity and resource to meet growing need. The teams within the Learning Inclusion service, supporting children and young people with SEND and those in vulnerable contexts missing out from education, are struggling to meet the ever growing demands across the city.

19. The Children and Families Services Leadership Team, the SEND Partnership Board and the Learning Leadership Team will monitor the progress of the strategy and the actions which sit below it and will regularly assess the risks associated with the implementation of the strategy.

**Does this proposal support the council's 3 Key Pillars?**

Inclusive Growth

Health and Wellbeing

Climate Emergency

20. Our SEND and Inclusion strategy plays a critical role in supporting outcomes in terms of education, employment, and health and well-being of our most vulnerable children and young people. In turn this supports our city's economic stability and sustainability of our adults' health and care services. There is a wealth of evidence that those with SEND typically have low or very low levels of employment in adult life. There is also a body of research identifying the costs of permanent exclusion from school: 'The thinktank IPPR calculates that excluding children cost the government around £2.1 billion last year'  
<https://www.tes.com/news/excluding-pupil-costs-taxpayer-ps370k>
21. Work continues to promote energy efficiency and eco-awareness with services, schools, students and with families. There are likely to be environmental impacts associated with the pandemic that will become clearer over time. It is important to focus on the longer-term impacts of Covid-19 on the climate emergency. Where current changes how work is undertaken, how schooling is delivered and where support is offered to children and families, there are potential opportunities for carbon saving efficiencies. This potential is being balanced against the determination to continue to deliver high quality services.
22. The health and well-being of the workforce, as well as the children and young people they support, is intrinsic to this strategy. Through consultation with partners across the workforce, it was evident that the well-being of staff in all services has been undermined by the impact of the Covid-19 pandemic and increasing pressures on staff time. Supporting the workforce to respond to the impact of the pandemic and recover from it is a key element of our strategy.

**Options, timescales and measuring success**

**How will success be measured?**

23. A shared action plan sets out in more detail the work that partners across education, health, care, and youth services will co-deliver and how we will monitor our progress and evaluate it with partners, including our young people and families. This is a 'dynamic' action plan that changes on working basis as we continue to respond to the demands of a really changing context, due to the ongoing Covid-19 pandemic. It will include key measures of success, defined with all partners.

**What is the timetable for implementation?**

24. The strategy will be a 5-year plan, with phase 1 focusing on those actions that will be most supportive of the response to the pandemic. However, each of the measurable targets, once finalised, will have its own timeframe for completion, implementation, delivery, and monitoring.
25. It is proposed to bring regular updates to the Scrutiny Board in order that members can see progress being made to implement the Strategy.

**Appendices**

26. Appendix 1 - Draft: Everyone's included: the Leeds SEND and inclusion strategy 2021 to 2026

**Background papers**

27. None.