

Minutes of the Joint Meeting of Prosperous Staffordshire and Safe and Strong Communities Select Committees Meeting held on 18 December 2018

Present: Ian Parry (Chairman)

Ann Beech
Ron Clarke
Mike Davies
Mike Deakin
Keith Flunder
John Francis
Syed Hussain

Julia Jessel
Bryan Jones
Rev. Preb. M. Metcalf
Kyle Robinson
Jessica Shulman
David Smith
Bernard Williams

Apologies: Paul Snape, Simon Tagg, Conor Wileman and Mike Worthington

PART ONE

1. Declarations of Interest

There were none at this meeting.

2. Special Educational Needs and Disability (SEND) Strategy

The Special Educational Needs and Disability (SEND) Strategy set out the vision in Staffordshire for children and young people aged 0-25 years with SEND. It had been jointly developed with partners across Education, Social Care and Health, with the opinions of children and young people with SEND and their families having been taken into account.

Members were informed that the total SEND population in Staffordshire had increased by 33% over the last five years, with the number of pupils with an Education, Health and Care Plan (EHCP) having risen year on year, currently at over 4,700. Staffordshire had more children with special educational needs (SEN) attending special schools and fewer attending mainstream schools than the rest of the Country. Over 50% of Staffordshire pupils with EHCPs were being educated in special schools, in and outside of the County, with almost 30% being educated in mainstream schools. The remaining 20% were being taught at colleges and in other education provision. Members were aware that not all children who had a special educational need or disability needed to attend a special school.

The Select Committee were informed that, overall, children with special educational needs and disabilities were still not achieving as well as other children in Staffordshire, with outcomes at Key Stage 1, 2 and 4 for Staffordshire SEND students remaining below the national averages. There were over 15,800 pupils with special educational needs in Staffordshire, which equated to around 13% of the total population of children and young people accessing education.

The SEND Strategy hoped to improve outcomes and set out the following priorities:

- to ensure children and young people were able to achieve and reach their full potential;
- to ensure that helpful information and guidance about SEND was available online through Staffordshire's Local Offer to enable easy access of SEND support online;
- to work closely with partners and commissioners to support children with SEND to live healthy lifestyles;
- to ensure children and young people with SEND had access to quality education locally that was flexible and would meet their needs;
- to work with local schools to reduce the number of children and young people with SEND that became excluded from mainstream schools, so pupils with additional needs were able to feel safe, happy and belong within their community and enjoy academic success;
- to improve and offer partnership opportunities that empowered children and young people with SEND and their families to help transform and shape the solutions that would benefit the SEND community; and
- strategic governance overseen by an established 0-25 SEND Partnership Group, chaired by the Head of Families First or their representative.

The Select Committee queried the increase in Staffordshire's SEND population and whether this was an issue unique to Staffordshire. The general picture was of an increase in SEND pupils. In particular lead members across the West Midlands Region indicated that the increase in SEND was a key issue for them. In 2014 significant changes had been made to codes of practice for SEN, changing the criteria and resulting in a considerable increase in numbers. The criteria for a EHCP differed from those for the previous statements of special education need which had also impacted on numbers. Behavioural issues, which had previously been outside of SEN, were now included in SEND and the top age for SEND had been extended to 25 years (rather than 18 years), both of which effected the SEND figures. Better awareness around SEND also contributed to the increase, as did earlier and better identification. In some instances, where parents felt their concerns were not being addressed by a school, requesting an EHCP was perceived to be the only option for them to ensure appropriate support for their child.

The new Strategy gave a more graduated response at a local level. The intention was to ensure early help was available to address emerging concerns and ensure appropriate support. Parents and young people had indicated that, where possible, they would prefer to remain within their communities for their education. This would reduce the distance travelled by young people on a daily basis when accessing SEN education, which in turn would have an impact on their educational outcomes. Graduated local level response needed the support from all schools as they would play a significant part in enabling the graduated offer.

Ensuring low and moderate needs pupils had an inclusive education within mainstream schools would enable special school places to be freed for Staffordshire children with high needs, rather than these children being educated at very expensive out of county placements. At present there were a significant number of pupils placed outside the County at an average cost of £45,000 per individual. There was a moral, as well as a financial, benefit to ensuring Staffordshire children were placed in County, with exceptions only where need demanded, for example, placements with the Royal

Institute for the Blind. Mainstream schools would need to enhance their provision and would have local specialists to help with this development.

Members shared concerns that labelling a pupil as SEND could have a negative impact and were informed that the proposed graduated response was designed to avoid this whilst still ensuring the right level of support for the individual. Members wanted to ensure that the 13% SEND figure was an accurate reflection of need and comparable with other local authorities (LAs) in assessment levels. The Cabinet Member for Children and Young People informed them that 13% was slightly lower than the national average.

Select Committee Members reflected on Government statistics for SEN and had some concerns at the comparative levels. They requested comparative data to enable accurate benchmarking and a clear assessment of progress made once the Strategy was implemented.

Concerns were shared over the cost implications of a continued rise in SEND numbers, with the current cost being £75m, whilst the grant received from central government was £70m. The Grant was linked to overall school funding, funded through the Dedicated Schools Grant (DSG) High Needs block, with funding passed directly to LAs. Detail of the High Needs block spend had to be shared with the Schools Forum for their views. The allocation was based around historic commitments and pupil demographics. There was a general recognition of funding concerns for SEND, with the Government recently promising extra funding.

Members had received details of pilot initiatives in both South Staffordshire and Leek which gave examples of local graduated response work with SEND. In South Staffordshire the use of locality hubs helped to support SEND pupils and schools to ensure early and appropriate graduated support was available. This work enabled schools to share best practice and advice on measures and strategies to support individual pupils. Going forward links would also be made with Children's Transformation and the place based approach, helping to identify wider issues that may impact on a pupil's progress.

Members were aware that Staffordshire had a large number of school exclusions compared with other LAs, and that pupils with SEND faced higher rates of exclusion than their peers. A statutory process had to be followed for any exclusion, with schools presenting evidence to show the measures taken to address concerns. An appeals process was available to challenge any exclusion and District Inclusion Officers worked with pupils, parents and schools during this process. Where appropriate these Officers had successfully challenged and overturned permanent exclusions. The number of exclusions now appeared to be slowing down, with numbers plateauing this year. Members shared some concerns that school performance ratings may have had an impact on exclusions and that there was a need to ensure schools had a supportive and tolerant approach. Consultation was currently taking place to consider recovering individual per pupil funding for any excluded child from the school budget in year.

The role of the Governing Body would be crucial in challenging and supporting schools with the new strategy. The importance of governor training was highlighted in enabling well-informed governors to afford effective challenge. However in the current schools

financial climate the cost of governor training was prohibitive. The Cabinet Member informed the Select Committees that the Entrust contract was being re-negotiated and would consider how to address further inclusion of governors and SENCOs. He also emphasised the importance of governor feedback as part of the Strategy consultation process. He gave a commitment to ensure that the consultation had gone out to all school governors.

Some concerns were shared over how councillors work closely with schools, in particular academies. Schools needed to buy into the Strategy for it to work, and Members were reminded again of the South Staffordshire and Leek pilots and the successes these were having.

Lack of school funding for SEND also remained a concern. The Cabinet Member agreed that the current costs were outweighing the budget, however he was confident that the changes made, once the new Strategy was finalised and implemented, would address this. However the costings in the short term were likely to remain high. Members highlighted the importance of fully costing the Strategy to ensure appropriate funding was in place.

Members were informed that a local area review had been undertaken recently by the CQC and Ofsted. The Review Outcome was expected early in the New Year and this would help inform work going forward.

On questioning how the success of the Strategy would be measured the Cabinet Member informed them that success would be evidenced through the following outcomes:

- children, their parents and schools see earlier identification of special needs across the spectrum and support in mainstream schools at an earlier, local level;
- special schools used in a different way, being more specialised for the higher needs children and with the mild and moderate needs children receiving enhanced support in mainstream schools;
- a reduction in the number of high needs Staffordshire children being placed in expensive out of county schools;
- a reduction in the distances children and young people with SEND travel on a daily basis to and from school;
- see SEND children and young people's outcomes measured in the normal way showing an improvement over time;
- a reduction in the rates of school exclusions for children with special needs;
- the work of the Family Partnership feedback to show more productive working between schools, families and the Partnership; and
- a reduction in the number of SEN cases going to tribunal, and for those that do, the County Council succeeding by evidencing that they were offering the most appropriate education provision for the individual.

Consultation on the new Strategy would run from 5 November to 21 December 2018, with the consultation analysis and feedback influencing the final Strategy.

RESOLVED – That:

- a) the comments and concerns raised by Select Committee Members be taken on board and influence the Consultation outcome;

- b) comparative data be made available to enable accurate benchmarking and a clear assessment of progress made; and
- c) Members actively encourage wider participation in the consultation.

Chairman

Documents referred to in these minutes as Schedules are not appended, but will be attached to the signed copy of the Minutes of the meeting. Copies, or specific information contained in them, may be available on request.