

SEND STRATEGY RESPONSES TO SCHOOLS

January 2024

Thank you to those leaders and governors who reviewed the draft SEND strategy and provided comments. Whilst the majority of those who responded to the strategy agreed with the principle and ambitions, there were a number of comments we wanted to respond to.

Your feedback is important to us and is key to us getting it right. We have made some changes as a result. The changes that have been made since the last version are as follows:

- More clarity on the LA's targets to improve compliance rates of new EHCPs and annual reviews as part of the strategy
- Inclusion of AP into the strategy so it is now a SEND and AP strategy in line with the new national SEND and AP improvement plan

The new strategy is now a SEND and AP Local Area strategy.

We will continue to work closely with schools and our partners in determining and implementing the delivery plans that will support delivery of the new strategy.

There were a number of Headteachers who shared the same responses to the consultation so it felt important to respond to the key points along with some other points, so schools have clarity about what we are proposing and why.

The desire for early intervention is good, however the money available for ESF is often not enough to put in the right level of early intervention, which makes it difficult to prevent movement to EHCNA

Early Support funding is allocated using the same premise as funding for an EHCP, albeit on an individual basis and dependent upon the information in the application, My Support Plan and provision map provided. If there is an evidenced need for support to access a specific intervention, then this will be funded at the same rate that is currently incorporated into the EHCP banding, therefore, there is no difference between the two. The average expenditure on ESF is the equivalent to Band 4 which is the most common band allocated to mainstream pupils with EHCPs.

We are reviewing ESF as part of the Banding Review and are looking to ensure that ESF is allocated using a system which will further consolidate the alignment of amounts allocated linked to evidenced need.

Early Support funding process is too paper based and not child focused.

ESF only requires a short application form and a My Support Plan (MSP) with a clearly costed provision map linked to the use of OAP which demonstrates the provision made to date, how long it has been in place and the impact of this support in that time. Hillingdon MSPs are very child focused and tells the story of the child's journey, strengths/needs, desired outcomes and how this will be achieved. Development of a MSP should be standard good practice for schools when working with children with SEND, who require complex intervention, regardless of application for top-up funding. ESF is allocated based upon the evidence of the applicant's assessment of needs, which is reviewed by a panel - there is no lengthy assessment carried out by additional professionals such as the process in a EHCNA, therefore, the information provided in the MSP must be robust enough to make an informed decision.

Not comfortable with a success criterion which is to reduce the number of EHCPs. Surely the ambition is simply for each child to have the necessary support, whatever their need...

The idea behind early intervention is that, as a SEND system, we identify needs early and put in place appropriate support and interventions as soon as possible to close the gaps. In doing this, many children would not get to the point where they require a long term EHCP as their needs are met early enough. This would prevent many children's needs increasing to such a point that they require more intensive support through an EHCP. We would want to minimise needs increasing and instead focus on closing the gap at the earliest opportunity.

"Providers must have arrangements in place to support children with SEN or disabilities. These arrangements should include a clear approach to identifying and responding to SEN. The benefits of early intervention are widely recognised- identifying need at the earliest point, and then making effective provision, improves long-term outcomes for children." (SEND Code of Practice)

SEND & AP Improvement plan, p5:

The foundation for the new nationally consistent SEND and alternative provision system will be new evidenced-based National Standards. Standards will improve early identification of needs and intervention, and set out clear expectations for the types of support that should be ordinarily available in mainstream settings. This will give families and providers clarity, consistency and confidence in the support that is ordinarily available, in order to be responsive to children's needs. With these expectations, and improved mainstream provision, more children and young people will receive the support they need through ordinarily available provision in their local setting. Fewer will therefore need to access support through an Education, Health and Care Plan (EHCP).

From the SEND and AP Improvement Plan, p8:

"With the right resources and accountability in place, our intention as we deliver the new national system is for children's needs to be identified earlier and met more effectively. National Standards will place a greater emphasis on the important role mainstream settings play in providing quality first teaching and evidence-based SEN Support to meet the needs of the majority of pupils with SEND, so that all settings provide consistently high-quality provision. By improving early identification and the quality of SEN Support, we expect to reduce the need for EHCPs because the needs of more children and young people will be met without them, through ordinarily available provision."

'Right' place – this is potentially a positive move away from inclusion in mainstream regardless of whether this is the right setting for the pupil or because of lack of provision of more suitable settings.

Our data currently shows us that we do need more local specialist settings but we are not short in placing children in specialist settings. We have double the national percentage of places in high-cost independent settings and our total percentage of placements in specialist settings (local settings and independent) is above national. Therefore, the need is around more financially sustainable local settings rather than requiring a higher number of specialist placements. As part of our strategy, we want to reduce the variation in practice across the local area, and ensure that we all work together to support the best practice becoming common practice. Please see the previously shared banding report for more detailed information.

'Fully inclusive' – what is meant by this term? – more clarity is needed here. This appears to contradict the 'Right Place' ambition. Surely the needs of the pupil dictate

which setting placement is best? ‘Not all schools in Hillingdon welcome children with SEND as much as others, whilst some schools are very inclusive.’ SEND Strategy page 35.

The right place refers to a range of factors, not just the school setting. But there is a move towards greater inclusion in mainstream settings according to the new SEND and AP improvement plan and a strong emphasis on the fact that families have the right to choose mainstream for their children. Currently we have a range of approaches to inclusion across the borough with schools who have very high levels of EHCPs, who continue to attract more children with SEND due to their reputation, and other schools with very low levels or no EHCPs. We need to move towards all of our schools being inclusive in their approaches and shaping support to enable this. We recognise that we need to work together to support schools where the child might meet the admissions guidance for a special school, but the parent/ carer has indicated that they would like their child to attend a mainstream school and the school is not yet confident in meeting the child's needs.

SEND and AP Improvement plan p32

Many consultation responses highlighted how the need for specialist provision exceeds the available places because the system is not managed well enough. Children and young people whose needs could be met in a well-supported mainstream setting are instead in special schools or alternative provision, while those who need a specialist placement may not be offered one, or able to find one close to home. Children and young people with particularly complex SEN and disabilities often have to be placed a considerable distance from their families and community.

SEND CoP p25

1.26 As part of its commitments under articles 7 and 24 of the United Nations Convention of the Rights of Persons with Disabilities, the UK Government is committed to inclusive education of disabled children and young people and the progressive removal of barriers to learning and participation in mainstream education. The Children and Families Act 2014 secures the general presumption in law of mainstream education in relation to decisions about where children and young people with SEN should be educated and the Equality Act 2010 provides protection from discrimination for disabled people.

SEND & AP Improvement Plan p23

In practical terms, improved mainstream provision will enable more of the children and young people with SEND in early years, schools and further education to fully participate within mainstream settings and receive the additional support they need through ordinarily available provision.

SEND & AP Improvement Plan p23

This ambition is based on evidence that greater inclusion in mainstream settings can improve the academic achievement for children and young people with SEND and has neutral or small positive effects on the outcomes of those without SEND. A whole-setting inclusive ethos improves the sense of belonging for those with SEND and has been found to increase acceptance of difference amongst peers

What is being done at an LA level with these schools who are dissuading parents?

When we become aware of this, our Education Improvement team will work with schools to support them with any aspects where they may feel they need support. The LA will challenge this behaviour if this continues despite support offered. We have added into the strategy that

we will 'include schools with low levels of EHCPs when consulting on settings, as they have resources and capacity to meet needs' also.

The high levels of accountability for schools on results (particularly going into a year where there is no progress measure) is a barrier to being inclusive. Heads who lead schools that are inclusive are paying the price for being inclusive. Is there a way of contextualising results across the borough so that inclusive schools (and/or those with SRPs) do not feel penalised?

Ofsted no longer relies on data to inform judgements on Ofsted inspections. Whilst it is understandable that schools want to achieve high results and demonstrate the impact of their hard work with children's outcomes, this should not be a barrier for any school. We do not see schools stating that they cannot accept more children who are on FSM due to concerns with attainment – rightly so. Therefore, we should not have a culture where school attainment outcomes are more important than supporting some of our most vulnerable children in the borough due to SEND. There are many ways to display data to show where there may be pressures from various factors in a school and the progress different vulnerable groups are making. The Council would urge schools to consider this as a more effective way to demonstrate impact rather than excluding children from being part of their school.

Concern around a potentially new banding model; is this a way to reduce funding by other means?

'Review of banding is completed through co-production with stakeholders and a new model created which is fit for purpose long term, ensures equity and supports children appropriately in all settings'. We have a number of schools involved to support the direction of travel. We know from the initial review that has been completed that there are fluctuating levels of funding for EHCPs and we intend to create a new framework in co-production with schools to ensure there is more consistency and funding is provided for the resources required. For some EHCPs, the funding may be too high and for others it may not be sufficient, so the review aims to find a consistent approach to funding moving forward.

Pg 38 is very loaded!! 'We will quality assure existent SRP provision'. HOW? /By Whom? /-WHY? Do you not trust Ofsted? If Ofsted is good enough for Special Schools and OAP in mainstream, then why do SRP/AP need additional measures?

I am sorry to read that this is interpreted to be a loaded statement. It is vital that, as a local area, we are continually looking at provision and support available to ensure we deliver the strongest support and outcomes for our children and young people. This is not about 'inspecting' provision but instead about the Local Authority understanding how each SRP operates and how we can recognise strengths and work together to ensure placements are appropriate, support is available where needed and potentially new SRPs can learn from other more established SRPs. The Local Authority commissions these SRPs so it is important that the LA has clarity on how these provisions are working and where we can support. It is also key that there is a level of consistency across SRPs but also that officers have clarity about how they operate in order to ensure placements are effective and there is enough information available to be able to support parents with their choices etc. We recognise that this has not been the case before, however, we are working towards working more closely with our partners moving forwards. This process should be seen as a supportive process rather than an inspection process and we look forward to finding out about the good work our existing SRPs have been doing for Hillingdon's children.

The proportion of children with EHCPs in mainstream and SEND schools is in line with national- this is a worrying success criteria. We are not a typical National LA...we are

a port authority with lots of mobility and children arriving with all sorts of trauma. There is 'no' such thing as national expectations for number of EHCPs.

Our SEND support statistics are lower than national and statistical neighbours and have been for some time.

From banding desktop review:

Figure 1. Percentage of pupils across all Hillingdon schools identified as receiving support at 'SEND Support'.

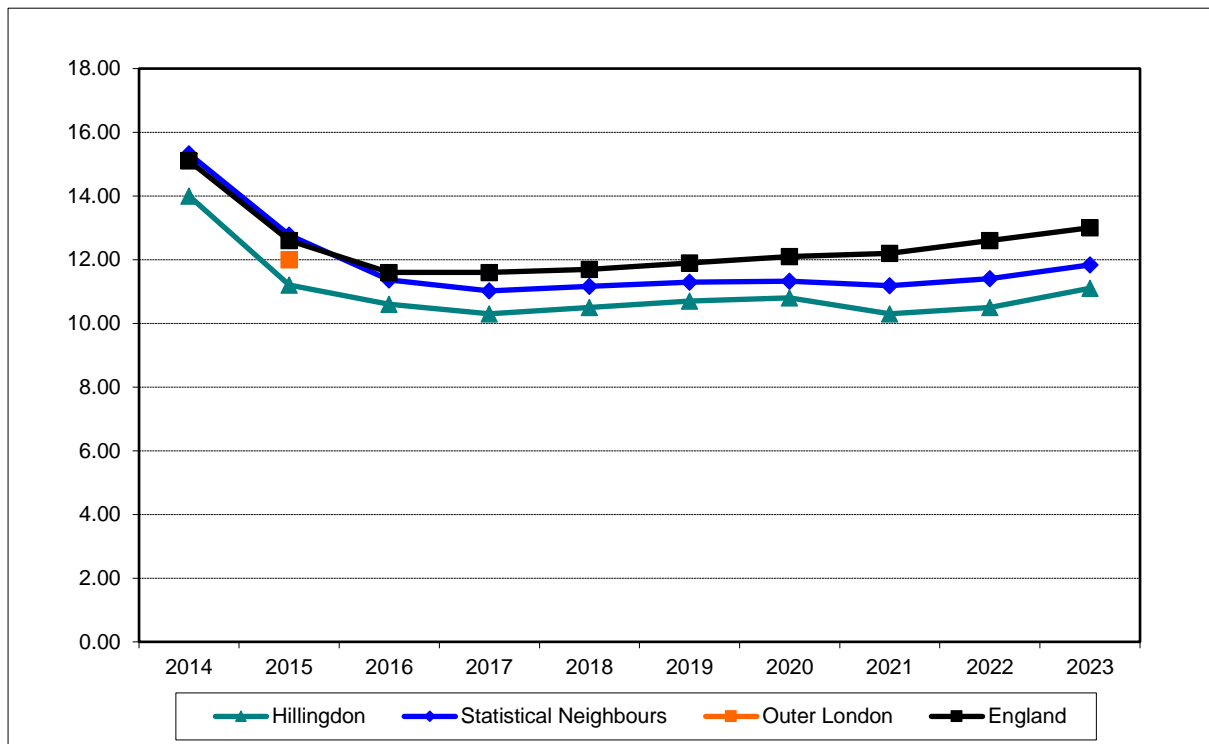


Figure 2. Percentage difference between Hillingdon and Comparators

Year	Hillingdon	Statistical Neighbour gap	England gap
2020	10.80%	+0.52%	+1.3%
2021	10.30%	+0.88%	+1.9%
2022	10.50%	+0.90%	+2.1%
2023	11.10%	+0.74%	+1.9%

The identification of children and young people at SEND Support across Hillingdon has remained lower than comparators since 2014. However, our levels of EHCPs have been significantly above national and statistical neighbours for some time. This suggests that our level of needed is not above other areas but that the needs may have become more significant. This could be because there has not been enough early intervention to close the gap early enough. If our needs were higher than other areas, we would expect to see this trend in both SEND support and EHCPs for a number of years.

The SEND and AP improvement plan states the following:

Delivering an inclusive society will require improved, high-quality mainstream provision where children and young people have their needs identified early and can access prompt, evidence-based, targeted support. This will mean that more children and young people can have their needs met through ordinarily available provision, without the need to rely on an EHCP to access the support they need. An inclusive system also depends upon improved access to timely, high-quality specialist provision, where this is appropriate for the child or young person, so that every child and young person has access to the resources, information and opportunities that enable them to thrive and feel a strong sense of belonging. For some children and young people who are falling behind their peers, high-quality teaching, alongside short-term classroom-based support will be sufficient to meet their needs without a SEND diagnosis.

p23-24

The voice and perspective of 'schools' seems to be completely missing, we have been lumped together with LA. Lots of references to children and families will be positive about their experiences etc.

Schools are important stakeholders in the local area SEND approach. We need to work together as partners to deliver the best outcomes for our children, young people and their families. We want any challenges that schools face to be discussed openly with the Council as a partner and to work together to find positive ways forward. The Council is keen to work together as partners to improve the system and deliver strong outcomes. We understand there have previously been challenges but all of the education services are working hard to improve these and the working relationships with schools. We want your voice and perspective to play a key part in strengthening our relationships and to work together and take a partnership approach to making the system better. It is also important that schools understand the areas that the Council can look to improve and the limitations. We do not have the ability to increase the High Needs budget for example. We have a set allocation and must work together to ensure we are looking at new ways to work to ensure outcomes are strong whilst also working within the allocation we receive.

We will be working on ensuring a greater transparency of our local area data so all schools can see strategically what the data shows us across the borough. This is part of our ambitions – ensuring that all local leaders have a clear understanding of our contextual data and where we need to improve collectively for all of Hillingdon's children and young people.

Where is the data from the school surveys – were they positive about the support and guidance they receive from central teams etc.?

Feedback from school professionals is included in the strategy – this was used as part of the second iteration of the strategy to shape it around the local area needs. It is important to note that the SEND system is seen as the local area partners – LA, schools, health and the voluntary sector working together to achieve the outcomes. All of these partners have been involved in this version of the strategy. Before sharing the new version, members of SEPB gave feedback on the ambitions and whether these were the right ones. Members include the Parent Carer Forum, education and social care teams, health partners (ICB and CNWL), SENDIASS, schools. The strategy has also been tested with children and young people to see whether the ambitions meet their needs and to capture their views on their challenges in the system and how we can improve it.

Why is there no references made regarding the LA meeting statutory timelines for completion of EHCP plans? Also no mention of annual reviews being responded to within timeframes etc. as part of success criteria.

These targets are included in the strategy.

EHCP compliance –

Success criteria:

- Education, Health and Care assessments are completed in a timely manner and are high quality

We have added the wording for additional clarity:

Added to actions:

- Ensure high levels of compliance to timelines for new EHCPs

Annual review compliance

Reviews are thorough, and support providers to enable improvements in the outcomes for the child or young person

Changed wording to:

Actions:

- Ensure annual reviews are up to date and high quality, appropriately planning for the next phase of education and completed in expected timeframes

Success criteria:

- Reviews are on time, thorough, and support providers to enable improvements in the outcomes for the child or young person.

More detail/information is needed on the support available for parents whilst they are waiting for an assessment/diagnosis.

Health and the Council are working on providing more information on pre/ post diagnosis support. A multi-disciplinary working group has developed 'The Autism Pathway' in order to support parents during this waiting period. This can be found on the local offer Autism support - Local offer. Currently the pathway is up to the age of 11, however, further work will be undertaken to make this relevant for older children and young people. Also, where necessary, a referral to the SEND keyworking service, via Stronger families can be made, and parents/carers can attend workshops which provides key strategies, signposting etc.