

Report of: Executive Member of Children, Young People and Families

Meeting of: Executive

Date: 13 October 2022

Ward(s): All

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## Subject: Special Educational Needs and Disability Strategy

### 1. Synopsis

- 1.1. The Council is committed to supporting children and young people with Special Educational Needs and Disabilities (SEND) and their families as part of the wider corporate mission to create a more equal Islington where everyone who lives here has an equal chance to thrive. We have a vision of every child benefitting from the best start in life. For children and young people with SEND, this can only be enabled by the whole community of parents and professionals supporting our younger community members to be happy, healthy, resilient and thrive in a connected and inclusive community.
- 1.2. The Council also has statutory duties under the Children and Families Act 2014 and the Care Act 2014 to provide for children and young people with special educational needs and disabilities. This SEND Strategy therefore sets out a bold and ambitious approach that will support the achievement of positive outcomes for young people with SEND as both part of the Council's wider mission and also to ensure statutory compliance.
- 1.3. To achieve the ambition set out in the Strategy, we need strong, sustainable and inclusive schools offering a first-class education. This strategy therefore also sits as a key pillar of Islington's Education Plan.
- 1.4. This report seeks approval of the SEND Strategy attached as Appendix A. The aim of the Strategy is to deliver an ambitious programme of work so that children and young people with special educational needs or disabilities (SEND) will achieve well in early years, at school and college and lead happy and fulfilled lives.

### 2. Recommendations

- 2.1. To approve the SEND Strategy attached as Appendix A to this report.

## 3. Background

- 3.1 This SEND Strategy is underpinned by a detailed needs assessment as set out in the [Special Educational Needs and Disabilities \(SEND\): Islington profile and projections document](#), which is published annually. A [SEND Self-Evaluation](#) document and our [SEND Sufficiency Plan \(2022\)](#) also inform our priorities. Development and delivery are also backed by Islington's solid experience and reputation as system leaders in this area of work, as confirmed through recent [Ofsted and CQC SEND Inspection](#).
- 3.2 Key messages from our SEND Profile and Projections include:
  - We currently have 1,634 children and young people with an Education, Health and Care Plan (EHCP). [This is a statutory document which is put in place when it is concluded through assessment that a child's special educational needs cannot be met through the resources normally available to all children]. This is an 8% increase on 2021.
  - There are 3,605 children receiving additional SEND Support in Islington schools
  - The largest group of Islington resident children with an EHCP by area of need are those with Autistic Spectrum Condition (ASC), at 52%, followed by those with Social, Emotional and Mental Health (SEMH), at 15%
- 3.3 Locally we have seen a year-on-year increase in the number of children and young people identified with SEND, particularly those who have an EHCP, which accelerated during and post pandemic. This is in line with a national trend.
- 3.4 The Strategy has been developed and co-designed in partnership with our local Parent Forum, our Co-Production Board, the Clinical Commissioning Group, schools and settings and Voluntary Sector organisations. Work in creating the SEND Vision and Strategy began in 2021 and has been led by the Head of Pupil Services.
- 3.5 The Strategy sets out a framework for change and the basis for key measures for success. The vision and priorities will be communicated through a leaflet, printed and disseminated widely, as well as available electronically via the Council's website.
- 3.6 The Strategy and Commissioning for Children and Young People with SEND and their Families Board are updated regularly on our self-evaluation of the local SEND system.
- 3.7 The Strategy will be kept under review and will be refreshed in light of any changes in legislation or operation framework that may arise from the SEND Green Paper: 'Right Support; Right Place; Right Time' and the new Ofsted and the Care Quality Commission Inspection Framework to be introduced from 2023, both of which are currently open for public consultation.
- 3.8 As the SEND agenda covers education, health and social care, system wide change may require individual business cases to be developed and presented over the lifetime of the strategy for decision by the appropriate governing body. Other changes will be made through how we work with schools and remodelling existing systems to enhance how we deliver services for families.

## 4. Implications

### 4.1. Financial Implications

- 4.1.1. Provision for children and young people with SEND is funded through the High Needs Block of the Dedicated schools Grant. The Council and schools are facing increasing cost pressures in relation to SEND (demand increased by 8% in 2021/22), but we are one of the few local authorities not to have a deficit against the High Needs Block. This is through a combination of increased funding from the government (High Needs funding increased by 12.3% for 2022/23) and careful budget management.
- 4.1.2. Budget provision has been made within the High Needs Block for the rollout of Additional Resources Provision in Schools. All other priorities under the strategy will need to be managed within the overall funding envelope for High Needs as they are developed.

### 4.2. Legal Implications

- 4.2.1 A child or young person has Special Educational Needs if he or she has a learning difficulty or disability which calls for Special Educational Provision to be made for him or her. Where, in light of an assessment of their needs, it is necessary for Special Educational Provision to be made for a child or young person in accordance with an Education, Health and Care Plan (an EHC Plan), the responsible local authority must secure that such a Plan is prepared and then maintained for the child or young person.
- 4.2.2 The legislation which provides for EHC Plans is Part 3 (Sections 19-83) of the Children and Families Act 2014 (CFA 2014). EHC Plans replace, but are substantially similar to, Statements of Special Educational Needs under the Education Act 1996.
- 4.2.3 The principal Regulations are the Special Educational Needs and Disability Regulations 2014, Statutory Instrument No 1530 of 2014. The other key document is a Code of Practice issued by the Secretary of State.
- 4.2.4 An important duty is to publish and keep under review information about available provision, pursuant to Section 30 of CFA 2014 and Regulations 53 and 54 of and Schedule 2 to the above Regulations and the Special Educational Needs (Provision of Information by Local Authorities) (England) Regulations.

### 4.3. Environmental Implications and contribution to achieving a net zero carbon Islington by 2030

- 4.3.1. No implications

### 4.4. Equalities Impact Assessment

- 4.4.1. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act

2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

- 4.4.2. An Equalities Impact Assessment was completed on 21 June 2022. The main finding is that there are no negative implications arising from the Strategy. The full Equalities Impact Assessment is appended.

## 5. Conclusion and reasons for recommendations

- 5.1. Our local offer for children and families with special educational needs and disabilities (SEND) has been considered a strength by parents, schools and settings and partners for many years. There has been significant investment and redesign of specialist provision (Special Schools, Satellites and Alternative Provision), and there is corporate pride in the high quality of that offer. There are strong, well-established partnerships and collaborative working across education, health and care systems to support children and young people with SEND.
- 5.2 Demand for specialist places has accelerated, particularly over the last 18 months. If this trend continues, demand will outstrip local supply. While provision for children with SEND in the majority of mainstream settings is of high quality, we know that the quality of our mainstream offer is not universal.
- 5.3 Building more local special schools is neither affordable or in line with our vision for a fair and inclusive system. Our strategic focus must therefore now shift to our mainstream schools and early years settings, where we need to build resilience to meet an increasing complexity of need, and find the best ways to capture existing skills, knowledge and best practice within our schools to build capacity so that all of our schools are equipped to manage 21st century need.
- 5.4 Refocusing intervention within mainstream schools will also enable our specialist settings to concentrate on those learners with the most complex of needs as the bar in terms of severity continues to rise.

### Appendices:

- Appendix A: SEND Strategy
- Appendix B: The Equalities Impact Assessment

### Final report clearance:

Signed by:

**Cllr Michelline Safi Ngongo, Executive Member for Children, Young People and Families**

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