

Report of the Executive Director Core Services  
and the Executive Director Children's Services  
to the Overview and Scrutiny Committee (OSC)  
on 18<sup>th</sup> July 2023

## Special Education Needs and/or Disability (SEND) Provision in Barnsley

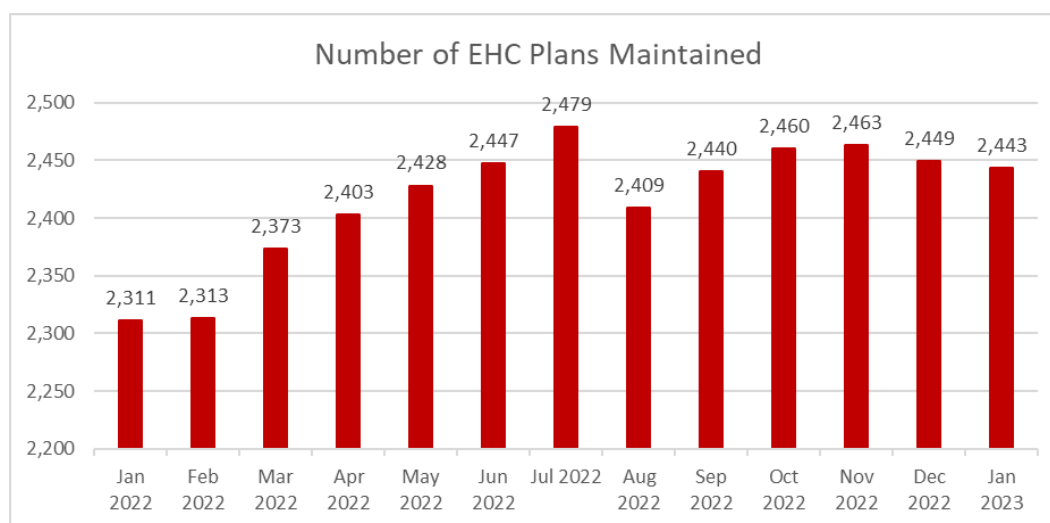
### 1.0 Introduction

- 1.1 This report provides the Overview and Scrutiny Committee (OSC) with an update of the progress and improvement in the local area to support children with special educational needs in Barnsley.
- 1.2 The report also provides an update against the Written Statement of Action (WSOA) since the Barnsley SEND inspection in 2021 and officer attendance at the OSC in March 2022; summarises the new inspection framework for SEND which was launched in January 2023; and outlines the SEND and Alternative provision (AP) improvement plan launched in March 2023 by the Government.
- 1.3 Item 5b (attached) outlines how the Council meets its statutory duty to ensure that travel assistance is provided to facilitate attendance at school for eligible children and students and the challenges associated with current arrangements.

### 2.0 Background

- 2.1 The local area SEND system supports children and young people aged 0 – 25. It includes children and young people who are identified as needing help under SEN support arrangements as well as those who have an Education Health and Care Plan (EHCP). It includes children in early years settings, mainstream primary/secondary/special/independent schools and settings, colleges and support for young people as they move into adulthood.
- 2.2 Working in partnership with children, young people, their families and local communities in the borough is essential. The Integrated Care Board (ICB), Children's and Adult Social Care services, early years providers, schools and settings, health providers and voluntary and community groups make up the partnership across the local area.
- 2.3 Children and young people who have been identified as having special educational needs, and or disabilities (SEND) can be characterised by two main support levels:
  - i. **SEN support:** This is the support that all schools and educational settings should provide for any child or young person who has SEND that can be catered for within their provision.
  - ii. **Education, Health and Care Plan (EHCP):** EHCPs support children and young people who have needs that are above what the SEN support level can meet.
- 2.4 In Barnsley there are 2,443 children and young people who have an EHCP maintained by the Local Authority at the end of January 2023. This is an increase of 5.6% since January 2022.
- 2.5 The % of children and young people supported at SEN support has increased from 10.2% in 2021 to 11.7% as at January 2023. Barnsley is now only 0.9% points below national indicators.

2.6 The chart below shows the numbers of plans maintained between January 2022 and January 2023. The decrease seen between July and August is the result of plans ceasing at the end of the academic year as young people have completed their education outcomes. There is a trajectory of growth month on month as new requests are received and plans issued.



2.7 The tables below show the distribution of EHC plans by age group in comparison to national as at January 2023. This data shows that Barnsley maintain less plans for under 5's, 5 – 10 and 20 – 25, but more plans aged 11-15 and 16- 19. For children under the age of 5, special needs is often still emerging. The additional capacity secured in the new SEND Improvement team is starting to address early identification of SEND in schools and settings. Many children find the transition between primary and secondary challenging, and this sometimes results in a different presentation of need in a different setting. Plans are ceased aged 20 – 25 once a young person has concluded their education and met their outcomes.

TABLE 1: Plans maintained on day of SEN2 Return

Jan-23	Barnsley	National	Diff
age	%	%	
Under 5	3.1	4.1	-1.0
Age 5 to 10	30.9	32.6	-1.7
Age 11 to 15	42.0	36.0	6.0
Age 16 to 19	21.5	20.5	1.0
Age 20 to 25	2.4	6.8	-4.4
<b>Total</b>	<b>100</b>	<b>100</b>	

2.8 The table below shows the breakdown by primary need of the 2,443 plans maintained as at January 2023. The needs of our children in the local area are tracked each year and is used to complete forecasting for sufficiency, place planning and commissioning intentions. This ensures new provision is evidence based and data driven. The data informs us that the highest areas of need continues to be Autistic Spectrum Disorder (ASD), Social and Emotional Mental Health (SEMH) and Speech, Language and Communication (SLCN). Many children have layered needs so complex placement planning is also undertaken.

2.9 This data has driven our commissioning intentions for the newly established placements that have a primary focus on meeting the needs of children with an ASD and SEMH profile of need.

Autism Spectrum Disorder	Hearing Impairment	NC/Blank	Moderate Learning Difficulty	Multi-Sensory Impairment	Other Difficulty/Disability	Physical Disability	Profound and Multi Learn Diff	Severe Learning Difficulty	Social, Emotional & Mental Health	Specific Learning Difficulty	Speech, Lang, Comm Difficulty	Visual Impairment	Totals
988	41	0	174	8	110	87	41	61	455	111	342	25	2443

2.10 All local authorities are measured on statutory performance related to agreeing and finalising EHCPs within a 20 week period. Barnsley has consistently maintained performance above the national averages. Data below is for the 2022 calendar year.

EHCPs issued within 20 weeks excluding exceptions	90.7% (National 50.7%)
EHCPs issued within 20 weeks including exceptions	72.7% (National 49.1%)

### 3.0 Local Area SEND Written Statement Of Action (WSOA)

#### Progress and Improvement

3.1 Following inspection in 2021, the SEND System in Barnsley has continued to be subject to a WSOA and has now completed 4 of the 5 formal monitoring visits conducted by the Department for Education (DfE) and NHS England (NHSE). The formal monitoring period is due to end in October 2023. The two areas of improvement required are:-

1. Engagement of, and communication with, parents/carers - area leaders need to ensure the lived experience of families influences strategic plans for services and provision
2. Improving the identification of, and provision for, children and young people with SEND but without an EHCP.

3.2 There are 28 actions associated with area 1. Of these, 26 are either completed or in progress and 2 actions rated amber which relate to short breaks and social participation. These actions are underway and on track for completion prior to the next monitoring visit in October 2023.

3.3 There are 26 actions associated with area 2. Of these, 25 are either completed or in progress and 1 action rated amber relates to the early help offer. This work is underway and part of the development of local Family Hubs.

3.4 The Council is committed to making sure that people have safe spaces where everyone can contribute to discussions about SEND support in Barnsley. However, the Council has received a number of complaints from parents/carers of young people with SEND, parent groups and organisations and despite attempts to resolve them, the situation has continued. As a result, the Council took the decision not to sign a memorandum of understanding with any local group applying for the DfE parent/carer participation grant. Contact, the organisation commissioned

by the DfE to manage the grant, also decided not to issue a grant to any local group wanting to be the DfE funded forum in Barnsley.

- 3.5 The Local Area has not made as much progress in this area as we would have hoped. The DfE are fully sighted on the recent changes and aware that we are working together with parents and carers to agree a plan that describes how we will effectively establish arrangements that will enable policies, plans and strategies aimed at children and young people with SEND to be co-produced with parents, carers, children & young people so that they are shaping their local area.
- 3.6 In summary there has been progress made since the inspection against the WSOA. The final monitoring visit is in October 2023 after which Barnsley will be due an inspection under the new inspection Framework. To date, the DfE and NHSE have been very positive about the progress made in Barnsley.
- 3.7 The council has made significant investment in SEND services. There is now an established SEND Improvement Team which comprises of an additional six SEND Improvement Officers, two SEMH specialist teachers, and an additional two tutors for the Tuition Team. This investment is already indicating secured improvement and impact. 60% of all schools have had a discussion and /or a whole SEND audit. 75% of schools have had initial introduction meetings with their link officers. Early indications are that schools are open to support, challenge and actively engaging in improving SEND provision in their settings.
- 3.8 Since the last inspection the Clinical Commissioning Group in Barnsley ceased and the Integrated Care Board was established in July 2022. There is a designated clinical officer for SEND who works closely with the council and driving up improvement in practice, standards and provision. There is a focus in the ICB on identification of learning disabilities and autism pathways.
- 3.9 The ICB has a Complex Case Manager who manages the process for children subject to a Care, Education and Treatment Review (CETR). This is for children who are deemed vulnerable and in need of an integrated approach of support as they may be at risk of admission to a health facility or placement breakdown. This is a good example of effective partnership working for some of our most vulnerable children. The ICB has also implemented the Senior Navigator Programme to prioritize children on the Dynamic Support Register (a register of those identified as needing additional support) and link with all professionals involved with that child across education, health and social care.
- 3.10 The Barnsley SEND Strategy 2022 - 2025 was co-produced with local parents and carers, children and young people, stakeholders and partners. It was launched in December 2022 and is now operational. A revised plan is underway to ensure there is progress at pace against all of the objectives.
- 3.11 The post 16 offer in Barnsley is currently being revised involving parents and carers, children, and young people. The aim is to have a local offer that supports effective preparation for adulthood. The Preparation for Adulthood Team is established, and partnership working continues to secure effective points of transition.
- 3.12 The new SEND Inspection Framework January 2023 has a greater focus on the lived experience of children and young people and their families. It requires a comprehensive data set to be established (Annex A). There is a greater focus on the impact that local statutory partners have on the lives of children. There is a focus on early identification of need, how children, young people and families participate in decision making, get the support at the right time, how prepared they are for next steps and how included they are in their communities. Work is underway to prepare for the revised inspection framework.

3.13 The SEND and AP Improvement Plan March 2023 follows the Government’s green paper consultation. It sets out the clear requirements through a road map. There will be a national system providing clarity for support available to children and young people, national standards to improve identification of needs, and standardised EHCP’s. The aim of the reforms is to have a skilled workforce and excellent leadership, secure successful transitions and PFA, strengthen accountabilities and clear routes of redress, and secure a financially sustainable system to deliver improved outcomes. Local areas are required to establish a local partnership group and create a local inclusion plan. The proposal is for the SEND Oversight Board to be the local partnership group and work is underway to develop the inclusion plan.

#### SEND Sufficiency in the Local Area

3.14 There is a sufficiency plan in place which has driven forward the increased provision of school places for children with SEND in the borough. Barnsley has been successful in the joint bid with Sheffield for the new Free Special school, which will create another 100 places for Barnsley children who have an autism profile of need. The anticipated opening date is September 2025 and the academy sponsor selection process has commenced. The table below highlights developments completed in 2022/23:

<b>Setting</b>	<b>Key stage</b>	<b>N° of additional places</b>
Horizon/Nexus Abbey Satellite	KS3-4	10
Penistone Grammar (HS/RP)	KS3-4	10
West Riding Phase 1	KS3-4	24
Newstead Phase 1	KS1-2	15
Athena at Astrea Dearne	KS3-4	10
Nexus Pennine View	KS3-4	4
Really NEET Phase 2	KS5 (post 16)	18
	<b>Total</b>	<b>91</b>

3.15 The aim and ambition is to secure sufficient provision in borough, allowing children to be educated in their local communities, prevent and reduce the use of high cost out of borough placements and allow children to access local community support.

## **4.0 Future Plans and Challenges**

4.1 We are ambitious for our children and want our children to live the best lives that they possibly can, and for them to succeed and achieve. We remain concerned about the number of children and young people with SEND who are subject to suspensions and exclusions, who have low attendance or are on reduced timetables for extended periods of time. There will be a focussed piece of work during the summer and autumn term, taking ‘a team around the child and school’ approach, offering challenge and support with the overall objective of returning children to full time education.

4.2 We plan to expand a quality assurance programme for SEND, involving children, young people, parents and carers who will audit their own EHCP’s and ensure their lived experiences are reflected appropriately.

4.3 The annual SEND Inclusion Conference for 2023 has the theme of building relationships. The focus for the event will be to promote relational practice in our schools and settings. The hope is that schools will adopt relational policies, thus reducing suspensions, exclusions and increase access to full time education.

- 4.4 The plans for an agreed way of working and co-production in Barnsley will be challenging, ensuring we capture a wide range of voices, reach an agreed position and start to test the plan so that parents and carers feel confident in working together. The aim is to have a plan agreed in the Autumn term of 2023, and that three areas of development will be identified to test the new plan. The three areas will be co-agreed between parents/carers and the Council.
- 4.5 The development of Family Hub services in Barnsley is a real opportunity to co locate and integrate support within communities, this will include support for children and young people with SEND at the earliest opportunity.
- 4.6 The new inspection framework and the new SEND and AP improvement plan will present challenges across the local area. A revised Self Evaluation Framework is underway in addition to inspection readiness. The local area operational plan will be revised in line with the SEND strategy and the new framework and statutory requirements.
- 4.7 The demands on services for assessment and support across the local area continues to rise including children's therapy services, Autism assessments and Child & Adolescent Mental Health Services. The demand for specialist school placements continues to rise, however the increase in local placements has allowed children to be educated locally. The requests for assessments for EHCP's continue to rise but is at a slower rate than national.

## **5.0 Invited Witnesses**

- 5.1 The following witnesses have been invited to today's meeting to answer questions from the committee:
- Nina Sleight Service Director Education, Early Start & Prevention, Barnsley Council
  - Anna Turner, Head of Education and Partnerships, Barnsley Council
  - Donna Taylor, Head of Children's Social Care and Safeguarding, Barnsley Council
  - Beverley Bradley, SEND Improvement Manager, Barnsley Council
  - Sue Day, Head of Service SEND and Inclusion, Barnsley Council
  - Neil Wilkinson, Projects and Contracts Manager, Barnsley Council
  - Kwai Mo, Head of Service Mental Health and Disability, BMBC
  - Lee McClure, Headteacher Springvale Primary School and Joint Chair of Barnsley School Alliance
  - Steve Harrison, Head of Service for Children's Commissioning, Barnsley Council
  - Jamie Wike, Deputy Place Director, Barnsley Integrated Care Board (ICB)
  - Hermione Rostron, Designated Clinical Officer, Barnsley Integrated Care Board (ICB)
  - Anthony Devonport, Head of Service for Bereavement, Environment, Sport & Travel Assistance, Barnsley Council
  - Ashley Gray, Strategic Finance Business Partner, Barnsley Council
  - Cllr Trevor Cave, Cabinet Spokesperson Children's Services, Barnsley Council

## **6.0 Possible Areas for Investigation**

- 6.1 Members may wish to ask questions around the following areas, including the first three questions which have been provided by young people:
- How are you working towards the 0-25 pathway for children, and young people?
  - How are you working towards ensuring all young people have a successful transition/discharge from services?

- How are you ensuring Barnsley is a place that includes opportunities for work and experiences for local young people and future generations with SEND? What opportunities are there in Barnsley for Barnsley people?
- How do you know that the completed actions associated with areas 1 and 2 of the WSoA are of sufficient quality?
- How confident are you that the sufficiency strategy will deliver the right kind of placements for those with additional needs? What more needs to be done?
- How are the whole SEND audits being approached within schools? What are the plans to engage with the remaining 40%?
- How do you know that the additional investment in SEND services has helped to deliver secured improvement and impact? How has value for money being achieved?
- Is the SEND Strategy progressing at an appropriate pace, what are the challenges and what does governance look like?
- Can you give tangible examples of how the Preparation for Adulthood Team is 'securing effective points of transition' and how this has improved outcomes for young people?
- How will you demonstrate the impact that the local system has on the lives of children and young people with SEND?
- What does current self-assessment arrangements look like and what is it telling you?
- Is there sufficient resources within the system to meet the requirements of the SEND and AP Improvement Plan? How confident are you that staff are trained to a sufficient level and suitably deployed to ensure maximum impact, providing the right support at the right time?
- What are the reasons for the number of children and young people with SEND being subject to suspensions and exclusions? To what extent is it because their existing settings are unable to meet their needs?
- Can you give recent examples of some of the considerations given to children and young people with SEND when commissioning and delivering healthcare services?
- In your opinion, how effective are current diagnosis pathways for those who may be Neurodivergent? What more needs to be done/done differently?
- How do you think parents would describe the existing SEND system in Barnsley? How do you know?
- What approach is taken to build relationships with parents, provide support and manage expectations?
- What considerations will be made when reviewing the Home to School Transport Policy this year?
- What more can be done to encourage the implementation of more personal travel budgets?
- What can elected members do to support work in this area?

## 7.0 Background Papers and Useful Links

- Report to the Overview & Scrutiny Committee 22<sup>nd</sup> March 2022:  
<https://barnsleymbcintranet.moderngov.co.uk/documents/s94329/Item%205a%20SEND%20Provision%20in%20Barnsley%20FINAL%20220322.pdf>
- Written Statement of Action:  
<https://www.barnsley.gov.uk/media/21438/wsoa-approved-final-version.pdf>
- Department for Education/Department of Health SEND Code of Practice:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/398815/SEND\\_Code\\_of\\_Practice\\_January\\_2015.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf)
- Care Quality Commission/Ofsted - Area SEND Inspection Framework and Handbook:  
<https://www.gov.uk/government/publications/area-send-framework-and-handbook/area-send-inspections-framework-and-handbook>
- Department for Education - SEND and Alternative Provision Improvement Plan:  
<https://www.gov.uk/government/publications/send-and-alternative-provision-improvement-plan>
- Care Education & Treatment Review Code of Practice:  
<https://www.england.nhs.uk/long-read/dynamic-support-registers-and-care-education-and-treatment-review-code-of-practice/>
- Barnsley Council SEND Strategy:  
<https://www.barnsley.gov.uk/services/our-council/our-strategies/send-strategy/>
- Barnsley Council SEND Sufficiency Strategy:  
<https://www.barnsley.gov.uk/media/22854/send-strategy-2022-25-annex-a-send-sufficiency-strategy.pdf>

## 8.0 Glossary

BMBC	Barnsley Metropolitan Borough Council
C&FA	Children & Families Act, 2014
CAMHS	Child & Adolescent Mental Health Service
ICB	Integrated Care Board
CQC	Care Quality Commission
DfE	Department for Education
EHCP	Education, Health and Care Plan
EPS	Educational Psychology Service
INMSS	Independent and Non-Maintained Special Schools
LA	Local Authority
OSC	Overview & Scrutiny Committee
P/C	Parents/Carers
PfA	Preparation for Adulthood
S&LT	Speech and Language Therapy/Therapist
SEN	Special Educational Needs
SENCo	Special Educational Needs Coordinator
SEND	Special Education Needs and/or Disabilities
SEND CoP	SEND Code of Practice, 2015
WSoA	Written Statement of Action



YTD            Year-to-Date

## **9.0 Officer Contact**

Jane Murphy/Anna Marshall, Scrutiny Officers

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28<sup>th</sup> June 2023