

St.Helens Council Policy for Special Educational Needs 2017

**Aspiration and Achievement,
Supporting our children and young
people from 0-25, to achieve well and
to lead happy and fulfilled lives.**



**St.Helens
Council**

St Helens Policy for Special Educational Needs 2017

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- 1.1 This policy represents St Helens response to Part 3 of the **Children and Families Act 2014** and associated regulations. The regulations associated with the Children and Families Act 2014 are:
- 1.2
 - The Special Educational Needs and Disability Regulations 2014
 - The Special Educational Needs (Personal Budgets) Regulations 2014
 - The Special Educational Needs and Disability (Detained Persons) Regulations 2015
 - The Children and Families Act 2014 (Transitional and Saving Provisions)(No 2) Order 2014
- 1.3 This policy reflects the statutory guidance contained within the **Special educational needs and disability code of practice: 0 to 25 years January 2015**
- 1.4 This policy relates to children and young people with special educational needs (SEN) and disabled children and young people. A 'young person' in this context is a person over compulsory school age and under 25.
- 1.5 Note: Compulsory school age ends on the last Friday of June in the academic year in which a pupil becomes 16. For ease of reference, young people are referred to in this policy as 'over 16'.
- 1.6 In all of our decision making we **must** give consideration to what the Code says. We **must** fulfil our statutory duties towards children and young people with SEN or disabilities in the light of the guidance set out in it. These can be summarised as: '**Identify** SEND; **assess** and **meet** SEND, and **improve outcomes** for children and young people with SEND.
- 1.7 This policy applies to the range of need identified with SEN Support and Education, Health and Care Plans (EHCPs). Most needs can be met by the mainstream (universal offer), including additional SEN Support. EHCPs are appropriate for a small proportion of those who generally present with the most significant, complex and lifelong needs. EHCPs can be issued at any time from 0-25, although there is no entitlement to an EHCP after the age of 19 and we would make a decision on this based on individual needs.

Principles

- 2 In line with Section 19 of the Children and Families Act 2014 we are committed at all times and in all decision making to the requirement to have regard to:
 - 2.1 • the views, wishes and feelings of the child or young person, and the child's parents
 - 2.2 • the importance of the child or young person, and the child's parents, participating as fully as possible in decisions, and being provided with the information and support necessary to enable participation in those decisions
 - 2.3 • the need to support the child or young person, and the child's parents, in order to facilitate the development of the child or young person and to help them achieve the best possible educational and other outcomes, preparing them effectively for adulthood
 - 2.4 We are committed to putting these principles into action in order to secure:
 - the **participation** of children, their parents and young people in decision-making;
 - the **early identification** of children and young people's needs **and early intervention** to support them;
 - **greater choice and control** for young people and parents over support;
 - **collaboration** between education, health and social care services to provide support;
 - **high quality provision** to meet the needs of children and young people with SEN;
 - a focus on **inclusive practice and removing barriers to learning**
 - successful **preparation for adulthood**, including independent living and employment

Key partners

- 3 Our policy reflects a team around the child person centred approach. This encompasses:
 - 3.1 **At the frontline** – the child or young person, their parents/carers, services and providers currently and potentially involved
 - 3.2 **At whole systems level** - representative children and young people, representative parents/carers services and providers from children's and adults services across education, health, social care, early help and the voluntary sector
 - 3.3 **Our partners are:** The St Helens CCG, Parent/Carer Forum [Listen 4 Change], St Helens Youth Council, IASS, St Helens early years settings, schools, academies, colleges and alternative providers, headteacher associations, local authority services, Northwest Boroughs Partnership [NWBPP], Bridgewater Trust and a range of health practitioners.

Key structures

- 4.1 **Governance.** Operational and strategic managers report to Elected Members through the Cabinet Member for Children's Services, associated Scrutiny Board and the Children's Improvement Board for accountability and co-production of policy and practice.
- 4.2 **Leadership at every level** is formalised through 'groups' established to provide leadership and review: the SEND Development group and the multi-agency SEND Partners group. Development is underpinned by a joint, multi-agency workforce development framework
- 4.3 **Disagreement resolution:** we aim to resolve complaints and disagreements as quickly and simply as possible; starting with informal local arrangements to discuss issues and seek solutions at service level and then with management. We aim to find solutions as close to the point of disagreement as possible. Formal disagreement resolution and formal mediation is available for parents who wish to pursue this option. See our Local Offer for further information [Disagreement Resolution above is a hyperlink - click to go the Local Offer website page].

Key features of policy into practice

- 5.1 **Clear and transparent decision making** that demonstrates best value use of finite public resources and participation in decision making. This is based on consistent process in line with the SEND Code of Practice 2015 and consistent application of criteria that ensures eligibility for services, resources and provision is fair and appropriate to the level of need demonstrated. See section 15.
- 5.2 **We are a learning organisation** – our self-evaluation framework (SEF) and business improvement planning is based on legislation and best practice as described in inspection documentation. Our self-evaluation (SEF) forms the basis of service and staff performance planning across agencies and for all service user age groups. We consider what is working well, or not and how to improve what we do.
- 5.3 **Evidence based practice** – we use a range of different information and data in a performance management framework; and feedback from service users, staff and stakeholders [you said: we will/we did] to review how well we are working and what difference we are making to children and young people. We use this to help us improve further.
- 5.4 **We implement a graduated approach** to our statutory responsibilities to:- 'identify SEND, assess and meet SEND, and to improve outcomes for children and young people with SEND. This is everyone's responsibility. Mainstream (universal) services are expected to meet most SEND with support as needed. There must be evidence of 'plan – do- review' over time to be sure what the nature and level of SEND is and inform decisions about next steps. This may

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include a statutory needs assessment and may result in issuing an EHCP.

- 5.5 **We prepare children and young people for adulthood and independence** from the early years. The local offer website has further information on [moving into adulthood](#) [follow this hyperlink].

Local Offer

- 6.1 Our local offer is the total picture of services and provision that children, young people and their parents/carers can reasonably expect to be available in St Helens. This encompasses mainstream (universal) services, targeted and specialist services at SEN Support and specialist services and provision identified within Education, Health and Care Plans
- 6.2 Our local offer website is produced, reviewed and updated in co-production with children and young people who have SEND and their parents/carers. This contains all the available information about the local offer and provides an opportunity to tell us what is good, what could be better and where there are gaps.
- 6.3 We review our local offer annually to identify and address any gaps in services and provision. We publish the results of this review and any action taken as a result
- 6.4 We seek regular feedback from service users and stakeholders on the local offer and the website; findings and subsequent action is published on the website ('you said; we did; we will')

The Graduated Approach in St Helens

- 7.1 The graduated approach in St Helens applies from the early years to post school provision.
- 7.2 It is predicated on a range of inclusive mainstream provision and services that ensure
- early identification and intervention of SEND,
 - Removing barriers to learning
 - Capacity building that means universal services are able to meet an increasing range and complexity of SEND
 - Children and young people with SEND and their parents/carers are supported and empowered so that we foster independence. We provide the support that is needed and aim to reduce this as independence develops.
- 7.3 The graduated approach is set out in the graduated approach guidance [document \[link\]](#). This explains how mainstream education providers are expected to meet a range of SEND; providing an inclusive approach that removes barriers to learning and appropriately meets SEND and secures improved outcomes. SEN Support is the main feature of the graduated approach and involves a number of cycles of 'plan-do-review' cycles to identify, assess and meet SEND over time. This will meet the majority of special educational needs and lead to the achievement of good outcomes for children and young people's learning and development
- 7.4 For those with significant, complex and long term special educational needs that require a specialist multi-agency response – a statutory assessment of education, health and care needs may result in a decision to issue an EHCP. The decision to commence this assessment process will be based on consideration of the evidence of what has been put in place to meet needs previously (plan-do-review). This evidence enables us to correctly determine what provision and support is needed.

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- 7.5 All needs, provision and support is reviewed annually with a view to adjusting it to meet changing needs.
- 7.6 Children and young people with an EHCP may be educated in a mainstream provision, an additionally resourced provision (ARP) or a special school. The local authority makes the placement decision based on the outcomes detailed in the EHCP and consideration of what provision is best suited to achieving these.
- 7.7 An EHCP is required for admission to a special school. The local authority is the 'admitting authority' for places in an ARP or special school.
- 7.8 Decision making is moderated by a multi-agency Panel that considers recommendations by the Senior Caseworker for issuing an EHCP and the placement that will be stipulated in the Plan.

Special Educational Provision

- 8.1 We aim to keep children and young people local so that they remain an active and confident member of their local community, equipped for adulthood and life beyond school/education.

As part of the graduated approach we maintain a continuum of special educational provision:

- 8.2 **All mainstream provision** is expected to be inclusive and offer high quality SEN Support that meets the needs of the majority of pupils with SEND.

Where children and young people require specialist staff, approaches, environment and resources, we offer a range of special educational provision.

- 8.3 **Additionally Resourced Provision**

Early Years:	
Primary phase:	Rectory Primary School – ASD and MLD
Secondary phase:	De La Salle – ASD; Haydock High - MLD

- 8.4 **Special Schools**

Penkford	SEMH
Lansbury Bridge	MLD, SLD, PMLD, ASD
Mill Green	SLD, PMLD

- key ASD – autistic spectrum; MLD – moderate learning difficulty; SEMH – social, emotional and mental health; SLD – severe learning difficulties; PMLD – profound and multiple learning difficulties;

- 8.5 We will keep our provision under review to ensure that we have sufficient places of the right type; that these represent best value in terms of cost effectiveness and quality [standards and performance]. We strive to offer outstanding provision where children and young people make good and outstanding progress, achieving their aspirations and meeting our high expectations.
- 8.6 Where children and young people have particularly complex and significant needs that cannot be met by maintained provision in St Helens or neighbouring authorities, we will conduct additional assessments to determine if specialist independent provision is required. We will have regard to the best use of public resources in such decision making as this consumes a

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disproportionate share of a finite resource and more importantly, it takes children and young people out of their community, making it more difficult for them to take a place in the community when education is completed. We will endeavour to ensure that provision is an appropriate and necessary match to individual SEND.

Personalisation and Personal Budgets

- 9.1 In drawing up an Education, Health and Care Plan (EHCP), we will ensure that strategies and provision reflect a personalised response to individual needs. This will include the opportunity to consider the appropriateness of allocating a Personal Budget where this is needed in order to achieve the outcomes identified in the EHCP.
- 9.2 A personal budget will be funded through element three of the **High Needs Funding** Block for education provision, the social care budget for care provision and health budgets where this is provision to meet a medical need. **[create hyperlinks]**.
- 9.3 We will consider all requests for a Personal Budget within the context of the EHCP process. The decision whether or not this is appropriate and necessary will be based on consideration of the options for achieving the outcomes identified. If a Personal Budget is not agreed, the reasons will be given; this will be transparent and comprehensive.
- 9.4 A reason for not agreeing a Personal Budget will be in circumstances where the sum is part of a larger amount of committed spend and disaggregation of the funds for the Personal Budget:-
- would have an adverse impact on services provided or arranged by the local authority/CCG for other EHC partners, or
 - where it would not be an efficient use of the local authority's/health's resources
- 9.5 The High Needs Funding Block referred to above constitutes the total funding available to the local authority for special educational needs provision and services. Our decisions about allocation of this budget, as for all related budgets above, are based on a commitment to delivering high quality provision that secures improved life outcomes for children and young people with SEND, whilst ensuring best value use of finite public resources proportionate to need and equity of decisions for all children and young people across the local area. See our **Personalisation Policy** for further details. **[create hyperlink]**

Joint commissioning

Reference: Joint Strategic Needs Assessments and Joint Commissioning arrangements (Section 26 of the Children and Families Act 2014).

- 10.1 Through our joint commissioning arrangements we aim to achieve greater opportunity for giving service users (children and young people with SEND and their parents/carers) more choice and control over local provision. We involve service users in the commissioning and tendering process and decision making. We seek ongoing and systematic feedback from all service users on the efficiency and effectiveness of services and provision, and gaps in the local offer in order to drive the continual improvement of services that deliver improved outcomes for children and young people with SEND.
- 10.2 We will align funding streams from education, health and care to simplify and optimise the options for decisions about Personal Budgets
- 10.3 We have aligned organisational structures (leadership and management) so that the local authority and Clinical Commissioning Group (CCG) operate as a single entity in making joint commissioning arrangements for children and young people. This is underpinning by a formal

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Section 31 Agreement. [\[check\]](#) Our commissioners work together across education, health and care to commission universal, targeted and specialist services.

- 10.4 Our joint commissioning is informed by the Joint Strategic Needs Assessment (JSNA) which provides a clear assessment of local needs based on national data about St Helens. It includes comparisons with statistical neighbours and the national picture. The St Helens People's Board provides governance and leadership of our evaluation of need, and planning for development and improvement through the People's [Strategy](#) [\[create hyperlink\]](#), which sets out the Borough's approach to improving people's lives by working together to create a sustainable local care system.
- 10.5 We use the flexibility provided by section 75 of the National Health Service Act 2006 to explore opportunities for the local authority and CCG to pool resources where this will help us achieve best use of available resources and improved service delivery that leads to improved outcomes for children and young people.
- 10.6 Our joint commissioning arrangements cover services for the full range of additional and special educational needs and disabilities of those aged 0-25; those receiving universal (mainstream) services, those receiving SEN Support or targeted services and those with an EHCP receiving specialist services.

Multi-agency, Team Around the Child Approach

- 11.1 For children and young people receiving SEN Support and for those with an EHCP, we will work collaboratively to ensure they experience a joined up response to needs. We will jointly plan, deliver and review the impact of services; providing, as far as possible, a single 'team round the child' response to needs.
- 11.2 Where appropriate to individual needs we will have one meeting, one plan and a shared understanding of the roles we each play in this. We will 'plan, do and review' together and in co-production with the child/young person and their parents/carers.
- 11.3 Plan, do and review activity will have the needs, wishes and aspirations of the child/young person at the centre of all discussions and decisions. From the age of 16, the views of the child will take precedence over the views of their parents where the child/young person has the capacity to make decisions for themselves; in all other cases, independent support will be provided to ensure their views are fully included and considered. From the age of 18, young people will receive a Deprivation of Liberty Assessment where appropriate. See information about the [Mental Capacity Act 2005](#) [\[create hyperlink\]](#) and deprivation of liberty safeguards for further information

Workforce development

- 12.1 In order to embed the reforms of the Children and Families Act 2014 and the strategic plans in St Helens, a joint workforce development strategy is considered an essential element of the process and this is linked to our Joint Strategic Needs Assessment (JSNA), self-evaluation and our business plans.
- 12.2 Our multi-agency workforce development strategy includes frontline staff and their managers from all services and providers; it includes service users: young people and their parents/carers. This involves these stakeholders as trainers and receivers of training and development activity
- 12.3 Workforce development covers training, coaching, mentoring, and guidance; based on 'what good looks like' and 'Learning From...' (we are committed to learning from best practice/others/review and self-evaluation/feedback)

Outcomes focussed accountability

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- 13.1 Our overarching aim in all that we do is to improve outcomes for children and young people with SEND so that they realise our high expectations and their own aspirations. This is one of our statutory responsibilities.
- 13.2 We aim to ensure outstanding provision and services are in place to support the realisation of this ambition. In order to do this we subscribe to the principle of outcomes accountability and the challenge to all services and providers – “what difference do we make to children and young people with SEND?” “How do we improve outcomes?”
- 13.3 In order to ensure improved outcomes for children and young people with SEND we employ a robust approach to monitoring and evaluating the impact of provision and services. We track and evaluate individual progress and outcomes from starting point (baseline) at individual and cohort level to ensure that we are making a difference to every child/young person and that we are using resources as effectively as possible. We do this through the Annual Review process for individuals and by using national and local information about progress and achievement to monitor outcomes for all children and young people in St Helens. We aim to close the attainment gap between our children and young people with SEND and the national average and the attainment gap between those with SEND and those with no SEND.
- 13.4 All those working with a child/young person will share information, through appropriate information sharing protocols, about baseline assessment, targets, progress and interventions in order address needs and to evaluate our impact.
- 13.5 We monitor key performance measures (how efficient are we in what we do?) and key performance indicators (what impact do we have on progress, achievement and outcomes?). We use this data alongside data about ‘needs’ to plan and review services, driving developments and improvement
- 13.6 Our key performance measures and indicators are based on national data as found on the local authority interactive tool ([LAIIT](#)) [this is a hyperlink]. These show where we can make improvements and form the basis of strategic plans, service plans and individual staff targets. They inform our discussions with service users as part of the co-production process.
- 13.7 We publish pupil progress and outcomes information and discuss this with stakeholders – professionals, parents/carers and young people with SEND, so that we can most effectively drive continued improvement.

Identifying special educational needs

- 14.1 Every professional working with children and young people in St. Helens has a responsibility for contributing to the identification of special educational needs (SEND) in children and young people at any time between the ages of 0 and 25. We will provide information, training and guidance to build the capacity of universal and mainstream services and providers to identify where special educational needs are apparent or suspected.
- 14.2 We will provide or broker access to specialist services to support the identification of SEND.
- 14.3 We scrutinise data across health, education and care to identify, track and predict the incidence and prevalence of types of SEND in order to plan effectively to meet those needs.
- 14.4 Across agencies within the local area, we share data and information about children and young people in order to provide a joined up multi-agency response to the identification of needs, including where there is ‘transfer of responsibility’ from one agency to another related to the needs or age of the child or young person with SEND

Assessing and meeting special educational needs

- 15.1 St Helens is committed to an inclusive culture that focuses on removing barriers to learning. We promote the presumption for a mainstream education where possible and appropriate, with the caveat that provision should match needs. We provide parents with sufficient information to support their expression of a preference from the options available.
- 15.2 We aim to keep children and young people close to home and within their communities so that they are actively involved and are prepared for adult life in St Helens. We keep the range of mainstream and specialist educational provision under review so that we have sufficient services and places for the needs our children and young people experience.
- 15.3 We will provide information, training and guidance to clarify responsibilities and to build the capacity of universal and mainstream services and providers to assess and meet special educational needs at a level commensurate with those statutory responsibilities. See our [Graduated Approach guidance](#) for further details. [\[insert hyperlink\]](#)
- 15.4 We adopt a person centred, team around the child approach to assessing and meeting special educational needs. At SEN Support and where we maintain an Education, Health and Care Plan or Statement of SEN we expect all professionals and parents to work collaboratively to ensure a seamless and joined up experience (co-production) and therefore ensure that children and young people with SEND make the best progress possible and achieve improved outcomes that equip them for a productive and fulfilling adulthood.
- 15.5 We will provide or broker access to specialist services to support the assessment and meeting of a wide range of SEND
- 15.6 We involve children in decisions about their education, health and care from an early age, using advocates and communication aids where appropriate, so that their role in co-production is independent of their parents/carers. From the age of 16, we give precedence to the views of the child in expressing choice and preference where this is appropriate in effectively meeting their needs. We fulfil the requirements of the [Mental Capacity Act](#) [\[hyperlink\]](#) by assessing the capacity of young people to make decisions, including where this relates to [Deprivation of Liberty assessments](#) [\[create hyperlink\]](#)
- 15.7 Our decisions about statutory assessment are based on robust multi-agency assessments, the graduated approach and [criteria for statutory needs assessment](#) that establish when special educational needs exceed the capacity of SEN Support. [\[create hyperlink\]](#) Decisions are informed by scrutiny of the cycles of plan-do-review at SEN Support.
- 15.8 We convene a multi-agency panel to consider placement decisions for the purpose of moderating decisions for consistency and equity. This also includes consideration of sufficiency and appropriate use of resources; ensuring efficient and fair allocation of available resources. Personalisation, personal budgets and joint commissioning are a focus of this process.