

North Yorkshire Council

Executive

16 April 2024

Scrutiny Task and Finish Group – Special Educational Needs and Disability (SEND) Provision in the Scarborough and Whitby Area

Report of the Task and Finish Group

1. PURPOSE OF REPORT

- 1.1 To present the report of the Task and Finish Group concerning SEND provision in Scarborough and Whitby.

2. BACKGROUND

- 2.1 At full Council on 17th May 2023, Councillor John Ritchie proposed the establishment of a Scrutiny Task and Finish Group to look at SEND Provision in the Scarborough Area. The Chair of this Committee accepted his proposal.
- 2.2 The Terms of Reference for the Task and Finish Group were approved at the meeting of the Children and Families Overview and Scrutiny Committee at its meeting on 23rd June 2023 and are enclosed at **Appendix 1**. That Committee agreed to extend the scope of the review, set out below, to include Whitby:-

The Task and Finish Group will examine the following questions:-

- a) *How are parents/carers of children and young people with SEND being supported in their children's education? (essentially, their "journey")*
and, following the engagement process referred to in paragraph 3 of these Terms of Reference ...
- b) *Are there any areas where more could be done to improve access to information, advice and support for families in the Scarborough and Whitby area?*
- c) *Are there any recommendations for action as a result of this process.*

NOTE: Members are aware that SEND provision is working well for many families will be interested to hear examples of this as well.

- 2.3 A Working Group does not have to be politically proportionate. The Task and Finish Group was made up of a range of political groups and comprised:-

- Councillor Liz Colling, Chair (Labour)
- Councillor David Jeffels (Conservative)
- Councillor Janet Jefferson (North Yorkshire Independent)
- Councillor Heather Phillips (Conservative)
- Councillor John Ritchie (Labour)

3. THE CONTEXT

- 3.1 The Working Party understands the challenging financial situation faced by the Council and its partners. The Children and Young People's Service Directorate (the Directorate) face a High Needs Block accumulated deficit of £10.3m (reported in Schools Forum March 2023).
- 3.2 The rise in new Education Health Care Plans (EHCP) is a consequence of the increasing demand for assessments. The total of 1,123 requests for EHCPs in 2022/2023 represented a 40% increase on the number from the previous year. On current data, this increase is expected to be a sustained trend.
- 3.3 Over the course of the 2022/23 academic year to date, a total of 6,509 suspensions have been received by pupils in North Yorkshire Primary and Secondary Schools, an increase from 4,608 seen in the same period of 2021/22. A total of 92 pupils have been permanently excluded this academic year to date, an increase from 47 seen in the same period last year. This high number of exclusions includes 17 children permanently excluded from Primary Schools, the highest number seen in the past five years.
- 3.4 North Yorkshire is impacted by the difficulties there are nationally, in terms of the availability of key professionals, including Educational Psychologists.

Source: Paragraphs 3.2 to 3.4, above are based on published information contained in the Executive Performance Report Quarter 1 for 2023/2024.

- 3.5 All Schools and education settings in the Scarborough and Whitby area have legal duties regarding identifying and meeting Special Educational Needs and Disabilities. At this point in time there are currently no Schools in Scarborough that host Targeted Mainstream Provision (TMPs). There are three TMPs in Whitby, two in Primary Schools and one in a Secondary School.
- 3.6 Scarborough Councillors had received feedback from constituents that there is variability in SEND information, advice and provision.

4. METHODOLOGY

- 4.1 The Working Party adopted a three staged approach as follows:-
- Firstly, we familiarised ourselves with key information concerning SEND in North Yorkshire – the Information Pack we considered, prepared by the Directorate, is enclosed at **Appendix 2**.
 - Secondly, we had a face-to-face engagement session at Scarborough Town Hall, on 26th October 2023. The event, which lasted for three hours, was attended by approximately 20 parents and carers of children with SEND in Scarborough and Whitby, together with three school governors, four charities and one commercial provider.
 - Thirdly, we received a summary of the data for Scarborough and Whitby, which was part of a countywide Survey of SEND undertaken in September 2023. There were 17 respondents for this area. We also had feedback from two focus group sessions organised by Parent Carer Voice in the Scarborough and Whitby area where 12 families participated.

5. WHAT DID THE INFORMATION FROM THE PROCESS TELL US?

- 5.1 The first thing to say is how much the Task and Finish Group appreciated parents, carers, charities, providers and school governors' contributions to the face-to-face session, and participation in the questionnaire and focus groups for sharing their stories and experiences. These were immensely powerful and it was emotional for us to hear first-hand about the day to day lived experiences for families as they support their children/the children in their care.
- 5.2 What also came across was the desire to work together and with the Local Authority to improve the situation – to learn about what is valued and to address the challenges that can be faced for the benefit of all families.
- 5.3 To provide some structure to the session parents and carers were asked to consider the following key questions:-
- What has been helpful, and what were the helpful bits?
 - How did you find out about support?
 - What has been difficult in terms of educational information, advice and support?
 - What else might have been helpful, (more of, less of, different?)
- 5.4 Views were expressed both verbally and via written responses. In this report we have attempted to represent the key points made and acknowledge that some points were made by many respondents, whilst others were specific to a smaller group or an individual.
- 5.5 A summary, in respect of each of the questions asked, is provided below:-

a) What has been helpful, and what were the helpful bits?	
Points frequently made	<ul style="list-style-type: none"> - Good support from my School (examples given from Early Years and Nurseries, Mainstream and Special Schools) - SENDIASS (Special Educational Needs and Disabilities Information, Advice and Support Service) - MPAT meetings, bringing professionals together to discuss options - Joined up help from professionals - Primary School emotional support sessions - SENCOS (Special Educational Needs Co-ordinators) who are understanding and caring - Understanding my child's needs e.g. autism - Autism training in School - Peer support - SEND charities provide good support - A culture of inclusion in the School led by the Headteacher - A professional who really listened - Early help - A diagnosis - Portage - Support (either 1:1 or in a small group) - Understanding and valuing what my child can do (and not just what they find hard)
Points less frequently made	<ul style="list-style-type: none"> - Adapted curriculum materials - School staff and other professionals willing to try - Health staff training School staff on managing medical needs

b) How did you find out about support?	
Points frequently made	<ul style="list-style-type: none"> - Contact with parents in similar situations, online Forums - Social Media - Local Charities - Sharing information from School that comes from outside organisations - Parent organisations, such as Parent Carer Voice, Yorkshire Coast Families and Carers Plus
Points less frequently made	There was general consistency in this section

c) What has been difficult in terms of educational information, advice and support?	
Points frequently made	<ul style="list-style-type: none"> - Poor communication from professionals including the Local Authority and Health - Responsivity/timeliness of communication from professionals - Not knowing where to access accurate information - Concern that there have been cuts to some services - Professionals not working and talking together - Lack of provision - Schools excluding children for behaviours linked to their disability e.g. not making eye contact - Lack of understanding and support from some Schools for parents/carers - Lack of key professionals and delays e.g. Educational Psychologists, Speech and Language Therapists - The process can feel difficult – many hoops to jump through to obtain help within the School environment - Schools lack of knowledge about SEND - It feels like a constant battle - Having to source information yourself - No support is available in the School Holidays for working parents/carers - Lack of play facilities in parks, etc., for children with disabilities - Long waits for autism diagnoses - Timescales generally are too long, including EHCP Process - School not welcoming - My child not receiving full time education/part time timetable - Lack of transition support from School
Points less frequently made	<ul style="list-style-type: none"> - Lack of SENCO in School - Professionals not available due to ill health - Provision for children and young people who are anxious - School budget not allowing for support - No play therapy - Specialist technology support

d) What else might have been helpful (more of, less of, different?)	
Points frequently made	<ul style="list-style-type: none"> - Easier access to services - More information/support from Schools and the Local Authority - A key contact at the Local Authority - Respectful and positive communication - Families and professionals talking together - Greater support for the transition to Secondary School - Staff trained on Autism - Greater support for parents and carers as well as the child - A School Place – all Special Schools are full - The EHCP process not being so slow - The availability of specialist professional support e.g. Educational Psychologists and Speech and Language Therapists - Greater transparency from professionals (the Local Authority and Health) with parents and carers - Higher pupil to staff ratio - More small group support - More parent/carer support - Interventions in Schools/settings that support well being and mental health, speech and language (some specific examples given)
Points less frequently made	<ul style="list-style-type: none"> - More opportunities to work in class - Cover for staff in Schools and the Local Authority who are off work - Better technology support e.g. eye gaze

6. IMPORTANT KEY THEMES

6.1 From the face-to-face session and the survey results, a number of key themes have emerged:-

- The experiences of children and young people and their families is variable
- Parents and carers report considerable variation in practice in mainstream Schools
- The importance of School Leadership in, among other things, setting the right, supportive framework is crucial.
- Information is not always clear and accessible relating to the responsibilities of different parts of the system including Schools, the Local Authority and Health
- Positive and timely communication is important to supporting parent and carer confidence and reducing the sense of 'battle' for families. The quality of communication is variable and timeliness can be an issue, including between the Directorate, Schools and parents/carers
- Knowing how to access timely and accurate advice, support and information can be challenging for families
- The School culture and how rules are applied is important in being and feeling included, and also in being and feeling excluded
- The importance of improving access to more inclusive social and leisure opportunities for children with additional needs, particularly during School holidays
- For some families the 'system' can feel arduous and slow
- Connections and support from other parents and carers is highly valued

7. WHAT WE ARE SUGGESTING IN LIGHT OF OUR DISCUSSIONS - WAYS IN WHICH THE SITUATION CAN BE IMPROVED

7.1 We feel that there are a number of actions by the Directorate that would lead to further improvements. We have grouped these into four headings - Schools; external communications; internal processes and liaison with partners; and wider working with the third sector i.e. voluntary and community organisations. We would also like to note that a cross cutting theme of positive and responsive communication with families and young people runs throughout all of the recommendations.

Schools

- a) *Promote access to training and resources for Schools through SENCO Networks, Locality Board websites and parent carer forums.*
- b) *Ensure that Schools are aware of their legal duties in relation to part-time timetabling as part of their duties.*
- c) *Continue to promote the development of Targeted Mainstream Provision across all areas of the County to ensure an increase in this provision and equity across the localities.*

External Communications

- d) *Review the information/resources that the Directorate make available with service users and families to make them more visible, user-friendly and accessible, including the Local Offer and the Local Area SEND Strategy.*
- e) *Review existing documents/website information setting out what children, young people and their families can expect as part of their SEND journeys, in terms of what they can expect from practitioners and Schools, as part of assessment and support planning, and in compliments, complaints and appeals processes.*
- f) *Regularly publish clear data on the timescales being achieved for SEND processes.*
- g) *Review SEND communication arrangements, so people are not left waiting for responses and follow-up actions to be made in a timely fashion.*

Internal Processes and liaison with Partners

- h) *Share the findings of this review with relevant parts of the system in order to promote good practice and promote the benefits of hosting TMPs, including:*
 - *Scarborough, Whitby and Ryedale Locality Board*
 - *Scarborough, Whitby and Ryedale SENCO Network*
 - *Headteacher briefings*
 - *SEND and Alternative Provision Local Area Partnership Board*
 - *Local Authority and Parent Carer Communications and Engagement Strategic Group*
- i) *That County SENCO Networks and Locality Board Events be promoted as a vehicle for sharing good practice.*

- j) *Share findings of this review with Commissioners in the Humber and North Yorkshire Integrated Care Board to understand views regarding access to and provision of Speech and Language Therapy.*

Wider working with the Third Sector

- k) *Explore with Parent Carer Voice how the work of various Parent Carer Charities is promoted and linked.*
- l) *To continue to support and promote FEAST (Food, Entertainment, Arts, Sport, Together Holiday Activities and Food Programme for North Yorkshire, funded by the Department for Education) for eligible families for children with disabilities.*

8. CONSIDERATION BY THE CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY COMMITTEE

- 8.1 The Children and Families Overview and Scrutiny Committee considered our findings at its meeting on 8 December 2023. The report was presented by Councillor Liz Colling, Chair of the Task and Finish Group.
- 8.2 Members of the Overview and Scrutiny Committee felt that this has been a good piece of scrutiny work and a good report. Accordingly, the Committee endorsed the suggestions in Section 7, above, for onward consideration by the Area Constituency Committee and the Executive.
- 8.4 Among the points made by Members were the following:-
- It is difficult to comprehend how difficult and far reaching some parents find these issues.
 - Members need to seek to increase the budget for this area during discussions on the budget for 2024/2025.
 - There is a plan to improve the availability of places in Targeted Mainstream Provision (TMP) - where children with SEND can make progress within a mainstream environment with access to enhanced support. However, there is no TMP currently in Scarborough.
 - This has demonstrated that there is a Strategy in place. Similar issues will apply in other areas of the county and therefore any lessons learnt need to be applied wider.
 - It is vital that a spotlight is maintained on this area and that parents realise that Members are listening.
 - The importance of early years provision came through.
 - Members should consider getting together with the parents and carers again at some stage – albeit not in a scrutiny forum.
 - It would be helpful for Members to have a better comprehension of what is involved in this area of provision.

The Corporate Director for Children and Young People's Service thanked Members of the Task and Finish Group. He was pleased that the range of complex issues had come through. He accepted the findings, which did not contain anything that the Directorate is not aware of, and also commented as follows:-

- The Service is underfunded but he assured Members that this did not mean the Directorate is not striving to improve provision.
- In terms of the point made about raising awareness, the forthcoming Members Seminar on SEND can provide a mechanism for this. In addition, some of the issues raised will be considered as part of a Strategic Review, which he will report back on.
- There are many positive things happening too. For instance, in the last five years there have been three times as many children and young people on an EHCP and the Council is spending twice as much as it was on this provision five years ago. Provision in Special Schools has increased by 50%. The system has grown massively.

9. CONSIDERATION BY THE SCARBOROUGH AND WHITBY AREA CONSTITUENCY COMMITTEE

9.1 The Scarborough and Whitby Area Constituency Committee considered our findings at its meeting on 22 March 2024. The report was presented by Councillor Liz Colling, Chair of the Task and Finish Group.

9.2 The Area Constituency Committee similarly endorsed our report's findings and suggestions. Councillor Barbara Brodigan, Chair of the Children and Families O&S Committee was invited to address this meeting commending the methodology of this scrutiny review which had been shared with all councillors. The O&S committee would revisit the report at the end of the year to check progress with the implementation of the report's recommendations.

9.3 Among the points made by Members were the following:

- The evidence gathering session with parents, carers, school governors and other stakeholders held at Scarborough Town Hall on 26 October 2023 had been very productive and helped shape our report's recommendations
- LEAs across the country were struggling to cope with the financial constraints on SEND provision whilst still delivering a service
- It was apparent that some young people with SEND and their families were not being listened to. The scrutiny review ensured their voices were heard
- One of the key issues was the time it took to assess and identify children with SEND and then to produce and implement an Education, Health and Care Plan (EHCP) for them. Faster detection, earlier implementation of EHCPs and more resources were all needed

- One of the findings of the enquiry day last October was that some of the third sector organisations were not aware of each other. To address this, the Council would be facilitating a meeting of such organisations
- A question was put to the Children and Young People's Service asking how quickly the recruitment of additional educational psychologists by the LEA would help clear the backlog of SEND assessments

10. LEGAL IMPLICATIONS

- 10.1 It is a statutory requirement for the Local Authority to make provision for SEND. In terms, though, of the recommendations in this report, there are no direct legal implications.

11 FINANCIAL IMPLICATIONS

- 11.1 No additional requirements.

12 EQUALITIES IMPLICATIONS

- 12.1 There are no direct equalities implications.

13. CLIMATE CHANGE IMPLICATIONS

- 13.1 An initial climate change assessment form has been completed and that indicates that there are no direct climate change implications.

14 CONCLUSIONS

- 14.1 The engagement with parents and carers of children with SEND and their lived experiences has been incredibly valuable. All of us on the Task and Finish Group were affected by their stories. The ideal would be to ensure that the good practice that is happening is consistently available to all children and their families in the area and to help overcome some of the challenges that we have heard about. We understand that this will take time to achieve and we must continue to work together across all organisations and with young people and their families.

- 14.2 There are, however, several actions that we could take to help make improvements. We seek your support to these suggestions.

- 14.3 Whilst this piece of scrutiny has looked at the situation in Scarborough and Whitby, we understand that a similar pattern of strengths and concerns identified by parents and carers are likely to be elsewhere in North Yorkshire. Therefore, it would be helpful for any learning from this scrutiny to be shared more widely.

15. REASONS FOR RECOMMENDATION

- 15.1 The suggestions reflect engagement with parents and carers and will, we feel, help as we continue to develop and improve the situation for parents and carers of children with SEND in Scarborough and Whitby.

- 15.2 Any learning from this scrutiny can be applied to other parts of the county.

16. RECOMMENDATION

- 16.1 That the suggestions set out in Section 7 of the report be endorsed by the Executive at its meeting on 16 April 2024.

ACKNOWLEDGMENT

We would like to thank the parents, carers, charities, providers, governors and others who contributed to the engagement process (in writing; in person or by completing the survey); and Janet Crawford, Assistant Director, Inclusion, for her professional input.

Authors

Councillor Liz Colling, Chair of the Task and Finish Group
Councillor David Jeffels
Councillor Janet Jefferson
Councillor Heather Phillips
Councillor John Ritchie

29 November 2023 (and as updated in December 2023 and March 2024 to summarise the discussion at the Children and Families Overview and Scrutiny Committee on 8 December 2023 and the Scarborough and Whitby Area Constituency Committee on 22 March 2024)

APPENDICES

Appendix 1 – Terms of Reference of the Task and Finish Group
Appendix 2 – Information Pack issued to the Task and Finish Group

BACKGROUND DOCUMENTS relied upon in the preparation of this report – None.

NOTE: Members are invited to contact the author(s) in advance of the meeting with any detailed queries or questions.

SCRUTINY TASK AND FINISH GROUP – SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) PROVISION IN THE SCARBOROUGH AND WHITBY AREA

1. Purpose of the Task and Finish Group

To review specific aspects of SEND provision in the Scarborough and Whitby Area and to produce a report on its findings.

NOTE: Whilst it is intended that the review will cover the Scarborough and Whitby Constituency Area and will welcome examples of good practice in both places, it is expected that the main focus will be on Scarborough.

2. Scope

The Task and Finish Group will examine the following questions:-

- a) How are parents/carers of children and young people with SEND being supported in their children's education? (essentially, their "journey")
and, following the engagement process referred to in paragraph 3, below...
- b) Are there any areas where more could do done to improve access to information, advice and support for families in the Scarborough and Whitby area?
- c) Are there any recommendations for action as a result of this process?

NOTE: Members are aware that SEND provision is working well for many families and will be interested to hear examples of this as well.

3. How it will go about this

Members will familiarise themselves with background information/key documents on SEND, which will be provided by the Children and Young People's Service Directorate.

Input will be received from parents/carers on their lived experience, as part of an evidence gathering day, to be held in Scarborough and via the results of a questionnaire.

This input will be mapped against current provision.

4. Ensuring confidentiality

Evidence will be anonymised - to comply with GDPR - and consent forms completed.

5. Membership

A small group of Members from the Children and Families Overview and Scrutiny Committee (CFOSC) and Scarborough and Whitby Area Constituency Committee (ACC):

- Councillor Liz Colling - Chair of Scarborough and Whitby ACC (who will Chair the Task and Finish Group)
- Councillor David Jeffels - a Member of CFOSC and Scarborough and Whitby ACC
- Councillor Heather Phillips - Vice-Chair of CFOSC and a Member of Scarborough and Whitby ACC
- Councillor Janet Jefferson - Vice-Chair of Scarborough and Whitby ACC and a Member of CFOSC
- Councillor John Ritchie - a Member of CFOSC and Scarborough and Whitby ACC (and the person who proposed the Task and Finish Group)

Officer Support

This will primarily be provided by:-

- Janet Crawford, Assistant Director, Inclusion
- Patrick Duffy, Principal Democratic Services Scrutiny Officer

6. Outcome

The outcome will be the production of a report to feed into the SEND Strategy document, providing Members with greater knowledge of the situation in Scarborough and Whitby which will, in turn, help inform policy.

7. Target timescales and reporting arrangements

No.	Activity	Timescale
1	Children and Families Overview and Scrutiny Committee approve Terms of Reference for Task and Finish Group	23 rd June 2023
2	Background Information Pack issued to Members of Task and Finish Group	Mid-July 2023
3	Questionnaire for parents/carers drawn up and circulated	September 2023
4	Questionnaire responses analysed and summarised for Task and Finish Group	October 2023
5	Task and Finish Group hear in person from parents/carers	October 2023
6	Draft report produced and shared, for comment, with the Task and Finish Group and appropriate officers in the Children and Young People's Service Directorate	November 2023
7	Amended draft report considered by:- <ul style="list-style-type: none">• Scarborough and Whitby Area Constituency Committee• Children and Families Overview and Scrutiny Committee <p>NOTE: It was subsequently agreed that it would be more appropriate for the report to be considered by Children and Families Overview and Scrutiny Committee <u>before</u> Scarborough and Whitby ACC</p> <p>The ACC is now expected to consider this at its meeting on 22nd March 2024</p>	1 st December 2023 8 th December 2023
8	Finalised report considered by Executive NOTE: This date will be moved back so that it is after both of the above Committees have met	9 th January 2024



**TASK AND FINISH GROUP ON SEND PROVISION IN THE
SCARBOROUGH AND WHITBY AREA**

**INFORMATION PACK FOR MEMBERS
OF THE TASK AND FINISH GROUP:**

Councillor Liz Colling (Chair)
Councillor David Jeffels
Councillor Janet Jefferson
Councillor Heather Phillips
Councillor John Ritchie

LINK TO DOCUMENTS REFERENCED

NO.	TITLE
1	SEND Code of Practice January 2015.pdf (publishing.service.gov.uk)
2	Special Educational Needs and Disabilities (SEND) and Alternative Provision (AP) Improvement Plan (publishing.service.gov.uk)
3	SEND Local Offer North Yorkshire Council
4	Local Area Special Educational Needs and Disabilities Strategy 2023-2026 (northyorks.gov.uk)
5	SEND Information Advice and Support Service (SENDIASS) North Yorkshire Council
6	SWR Schools and settings handbook 0.docx (live.com)

Context

The following information has been prepared in accordance with the Terms of Reference for this group agreed at Children and Families Overview and Scrutiny on the 23rd June 2023.

The scope of this Task and Finish Group is to examine the following questions:-

- a) How are parents/carers of children and young people with SEND being supported in their children's education? (Essentially, their "journey") and, following the engagement process ...
- b) Are there any areas where more could do done to improve access to information, advice and support for families in the Scarborough and Whitby area?
- c) Are there any recommendations for action as a result of this process?

The initial step of this process was to prepare an information pack for members to familiarise themselves with background information/key documents on SEND, which will be provided by the Children and Young People's Service Directorate.

1. Background Information: National

There are a number of key national drivers that have shaped approaches to SEND. These include:

1.1 Special Educational Needs and Disability (SEND) Code of Practice 2015

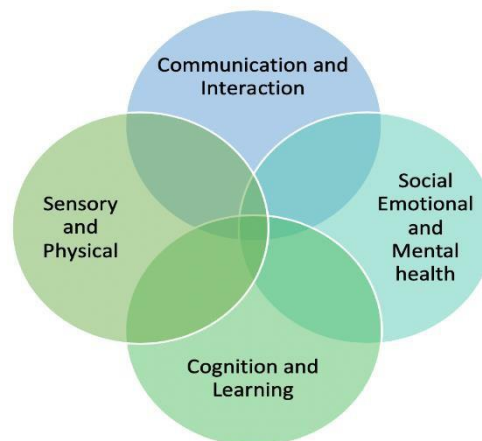
The Code of Practice (CoP) provides statutory guidance on duties, policies and procedures relating to Part 3 of the Children and Families Act 2014 and associated regulations and applies to England. It relates to children and young people with special educational needs (SEN) and disabled children and young people, and identifies duties and responsibilities for Local Authorities, Health Organisations, as well as Early Years settings, schools and Colleges.

The CoP 2014 shifted the SEND landscape. Amongst other things it extended the age range of provision to meet SEND up to 25 years if required, and put children, young people (cyp) and their families at the heart of decision making.

Special educational needs is a term used to refer to children and young people who have a learning difficulty*. This means that they have either:

- a significantly greater difficulty in learning than the majority of children of the same age;
- or a disability which prevents or hinders them from making use of educational facilities of a kind generally provided for children of the same age in schools/education settings within the area of the local education authority

Within the Code of Practice difficulties in learning* can relate to any, some, or all of the following areas.

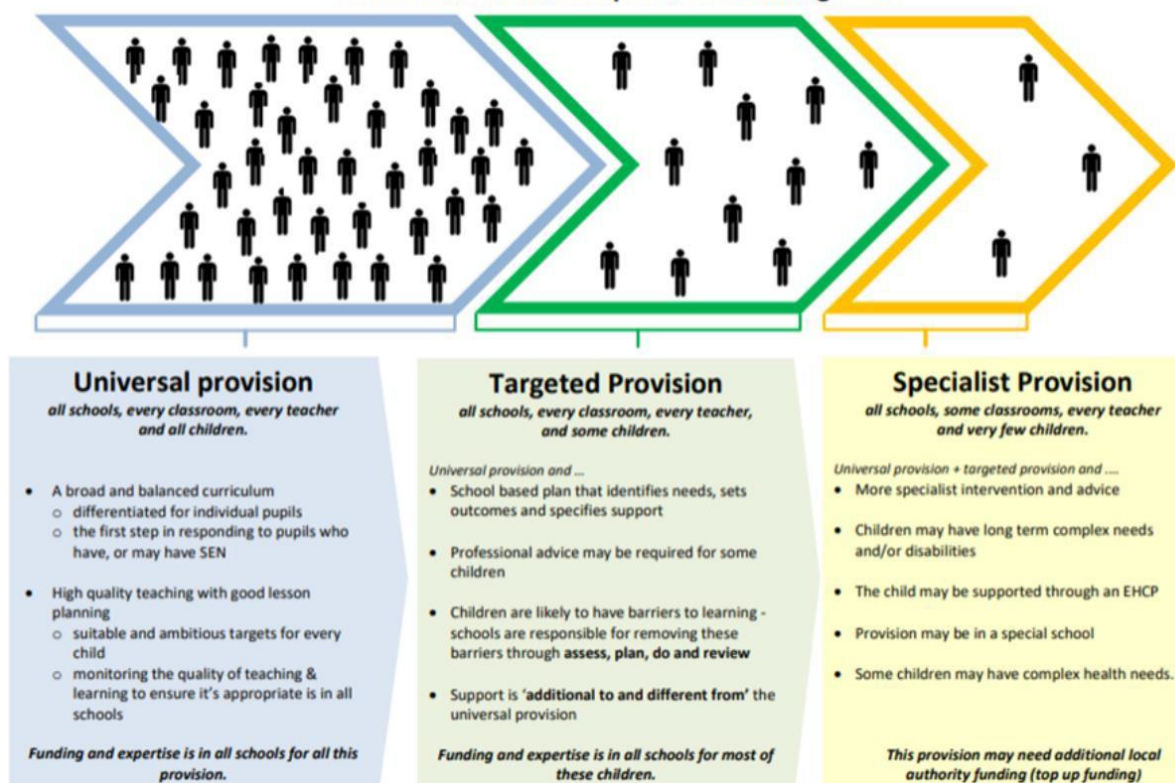


Many children and young people have needs in several areas and although the term 'primary need' is often used it can only give a general headline. In identifying and meeting need all areas should be taken into account with consideration of each individual child/young person's strengths, areas of difficulty and support requirements.

As part of their professional standards all teachers in all schools/settings are expected to have a clear understanding of the needs of all pupils, including those with special educational needs

The CoP is built on the idea of a graduated response with most children having their needs identified and met as early as possible in the system:

SEN: A Graduated Response to meeting need



Principles:

Some of the key principles which underpin the CoP are:

- A focus on inclusive practice and removing barriers to learning
- 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 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.
- All children and young people are entitled to an appropriate education, one that is appropriate to their needs, promotes high standards and the fulfilment of potential. This should enable them to achieve their best, become confident individuals living fulfilling lives, and make a successful transition into adulthood
- Every school is required to identify and address the SEN of the pupils that they support. Mainstream schools **must**:

- Use their best endeavours to make sure that a child with SEN gets the support they need, this means doing everything they can to meet children and young people's SEN
- Ensure that children and young people with SEN engage in the activities of the school alongside pupils who do not have SEN
- Designate a teacher to be responsible for co-ordinating SEN provision (SENCO)
- Inform parents when they are making special educational provision for a child

- Prepare an SEN information report and their arrangements for the admission of disabled children, the steps being taken to prevent disabled children from being treated less favourably than others, the facilities provided to enable access to the school for disabled children and their accessibility plan showing how they plan to improve access progressively over time
- Local Authorities' have a range of duties including:
 - Having regard to the views, wishes and feelings of cyp and their parents/carers
 - Offer advice and information directly to children and young people
 - Together with health services, to make joint commissioning arrangements about the education, health and care provision of children and young people
 - Keep education and care provision under review
 - To include in the Local Offer provision which will help children and young people prepare for adulthood and independent living
 - To consider the need for EHC needs assessments, prepare EHC plans where needed, and maintain and review them, including the duty to ensure that all reviews of EHC plans from Year 9 (age 13-14) onwards include a focus on preparing for adulthood

1.2 SEND and Alternative provision (AP) improvement plan

In 2019 the DfE committed to undertake a review of SEND. The outputs of this review were published in a Green paper in 2022. Consultation responses were published in the SEND and AP Improvement Plan in March 23. Central to this was a desire to promote an inclusive society and promote parent/carer confidence in the mainstream offer.

Its aspirations were set out with a view of testing detailed plans over the next 2-3 years. Key points include:

- Delivering for children and families
- Establish a new national SEND and alternative provision system with the mission to:
 - fulfil children's potential
 - children and young people with SEND enjoying their childhood, achieving good outcomes and being well prepared for adulthood and employment;
 - build parents' trust
 - Provide financial sustainability:
- **The right support, in the right place, at the right time**

1.3 Funding

SEND funding aligns with this graduated approach.

All schools receive funding delegated to them through the National Funding Formula. It is in place to support CYP at SEN Support and schools should use it to plan their provision. Schools have the age weighted pupil allocation, plus notional funding of £6,000 to spend on SEND support if needed before High Needs Block (HNB) funding can be accessed.

HNB Funding in mainstream schools is Statutory funding allocated in line with special educational provision in an Education Health and Care Plan (EHCP). Its allocation is reviewed at least annually as part of the statutory annual review of an EHCP

HNB funding is also used in Special Schools to fund the provision outlined within a child's EHCP. It is statutory funding and must be used to support the individual child

Some children have EHCPs specifying attendance at a college, an independent school, or exceptionally for some provision that is 'education other than at school' (EOTAS). This is also funded through the HNB.

One of the key elements of the SEND reforms relates to ensuring that the HNB nationally and locally is sustainable and offers value for money. This is within the context of the majority of Local authorities experiencing deficits with their HNB. Over 20 LA's with the most significant deficit have worked with the DfE to develop sustainability plans as part of the Safety Valve programme. A further 55 LA's are part of the Delivering Better Value (DBV) programme aimed at securing a sustainable approach to the HNB. North Yorkshire is part of the DBV programme and is in the early stages of this (Wave 3).

2. North Yorkshire

In North Yorkshire all of our Early Years settings, Schools and Colleges have clear duties outlined in the Code of Practice. The Local Authority and Health partners also have clear direct duties. The LA also has an indirect role with education providers and partners across the area to support others in meeting their legal duties.

The information, advice, supports and services that are available across the County, including the Scarborough and Whitby area, follow a graduated approach, supporting the principle of right amount and type of support at the right time. Some of the key areas are outlined below, this is not an exhaustive list:

2.1 Local Offer:

All Local Authorities are required to have a Local Offer. In North Yorkshire the Local Offer website provides useful advice and information for children and young people with special educational needs and disabilities (SEND) and their families. It also provides information for professionals. It is intended to help families, individuals, groups and organisations find information, enabling more choice and control over what support is right.

2.2 SEND Strategy

In the Spring of 2023 North Yorkshire Executive agreed the new, co-produced SEND Strategy 2023- 26. This was agreed by colleagues in Health in May 2023.

The Vision: North Yorkshire's ambition for children and young people is set out in "Being Young in North Yorkshire 2021-2024" as: "All children and young people are safe, happy, healthy and able to achieve in North Yorkshire". The vision for children and young people with SEND is no different. The SEND Strategy underpins the activity across North Yorkshire and the journey of children, young people and their families.

The ambitions for children and young people with SEND in North Yorkshire are:

- They have the best opportunities so that they achieve the best outcomes
- They are able to attend a school or provision close to home, where they can make friends and develop their place within their local community
- They have good social, emotional and physical health and are fully prepared for a fulfilling adult life
- They develop independence and high aspirations are a focus for all throughout their entire educational journey

- They are able to have their needs identified early and met at whatever period in their lives needs arise
- Partners share a collective responsibility for providing high quality support that builds confidence and supports smooth transitions
- Young people move confidently into adulthood where they feel equipped to thrive and enjoy life

2.3 Supports available to children and young people across North Yorkshire, including Scarborough and Whitby:

All schools and settings must have in place their own arrangements for meeting the needs of cyp with SEND as outlined within the CoP and Equality Act. In addition the Local Authority offers advice, assessment, consultation, intervention, provision and training as part of the graduated response. This is available across the whole of North Yorkshire including Scarborough and Whitby.

- North Yorkshire Special Educational Needs and Disability Advice, Information and Support (SENDIASS) is available to cyp and their families. They offer independent advice and support including:
 - information, advice and support for children and young person with SEND from early years to post-16, transition planning and education and learning
 - advice and support about statutory assessments, including annual reviews
 - will listen to views and concerns and supporting to find confidence to express your views
 - work with individuals to explore options, your rights and responsibilities
 - help to prepare for meetings including direct discrimination or special educational needs appeals
 - support to resolve disagreements between parents, carers, young people, schools, the local authority or health
 - help with forms, letters and reports
 - signposts to various services and organisations, locally and nationally
 - information, advice and support about exclusions and other concerns within education setting
- Locality Hubs: there are 4 Locality Hubs in North Yorkshire including one for the Scarborough, Whitby and Ryedale area. The core activity of the Hubs enable:
 - Schools and settings to be more able to identify and meet the needs of cyp with SEND
 - Schools/settings to be more confident in including cyp with SEND
 - Parents/carers to gain a better understanding of their child and have confidence that their needs will be met
 - Increased participation and achievement for cyp with SEND
 - Schools and settings to build their own expertise through wider workforce development leading to better outcomes for all
- Locality Boards: There are five Locality Boards in North Yorkshire. These are partnership arrangements between education providers and the Local Authority and take collective responsibility for maximising outcomes for children and young people and embedding a strong culture of inclusion. Funding is available to the Locality Boards from the HNB. They use data from their area to identify local needs and put plans in place for early identification and support in every setting. These plans were reviewed annually

The funded priority areas identified by Scarborough, Whitby and Ryedale (SWR) Locality Board for 22/23 included:

- Early identification of pupils with SEND: To use the SNAP programme in 75 Primary schools and 12 Secondary Schools, Widgit, funded training opportunities in the areas of sensory differences, handwriting, and de-escalation
- Improving outcomes in early years through the Early Excellence programme
- To lower the rate of exclusions taking place within Primary and secondary schools using mentoring for Y6/Y7 Pupils, for SEND pupils most at risk of exclusion, poor attendance or adverse childhood experiences (ACE's) in Y6. Mental Health Practitioner shared across the Whitby partnership of schools, play therapy, and the Nurturing Schools programme
- Education Health and Care Plans (EHCPs) and the SEND Casework Team
For a small group of cyp there may be a need to have more specialist and frequent support which requires an Education Health and Care needs assessment, which might then lead to an EHCP. This work in North Yorkshire is co-ordinated by the SEND Casework Team. They are also responsible for the ongoing monitoring and review of EHCPs although the annual review meeting is typically undertaken by the schools or education setting.

Children with EHCPs have their needs met in mainstream and more specialist settings. The aim of North Yorkshire SEND Strategy is for education provision to be as local as possible.

In addition to mainstream schools children and young people in North Yorkshire may have their needs met in other settings including:

- Targeted Mainstream Provision (TMP) where children and young people with special educational needs or disabilities can make progress within a mainstream environment with access to enhanced support. At the moment North Yorkshire has 10 TMPs, 3 more are about to open and there are several other schools actively working with the Local Authority. In Whitby there are currently 3 TMPs, there are none at present in Scarborough.
- Special Schools – there are 3 Special schools in Scarborough. Springhead catering for cyp with a wide range of SEND needs aged 2-19, Woodlands which also caters for cyp with a wide range of needs aged 2-16, and Brompton Hall School catering for children with a primary need in the area of social, emotional and mental health aged 7-16.

2.4 SEND funding in North Yorkshire

As reported in Schools Forum March 2023 in North Yorkshire there is a projected accumulated deficit in the High Needs Budget as of 31st March 2023 of £10.0m and a projected in-year deficit in 2023- 24 of c.£3.0m which would result in an accumulated deficit as of 31st March 2024 of £13.0m. North Yorkshire's HNB settlement is in the lowest decile in the country.

3 National, North Yorkshire and Scarborough/Whitby Data

	National*	North Yorkshire*
% population with EHCP	2.9%	2.7%
% population with SEN support	13% (primary) 11.9% (secondary)	12.8% (primary) 11.6% (secondary)
% of population of cyp with EHCPs in special schools	32.5%	32.5%

*SEN2 data published in June 23 for 2022

- In SWR the proportion of pupils with EHCPs is in line with the proportion of the population of the County.
- In SWR the proportion of pupils with EHCPs in special schools is consistent with the county data
- The most prevalent areas of primary need for SWR are autism, social emotional mental health, and moderate learning needs. This is consistent with data from across North Yorkshire.

(** LA generated data for SWR June 23)

Scarborough, Whitby and Ryedale (SWR) – June 2023 Locality Data

