

**Divisions Affected – N/A**

## **PEOPLE SCRUTINY COMMITTEE**

**17 February 2022**

### **CONSULTATION ON SPECIAL EDUCATIONAL NEEDS AND DISABILITIES IN OXFORDSHIRE**

**Report by Corporate Director of Children's Services**

#### **RECOMMENDATION**

1. **The People Overview & Scrutiny Committee is RECOMMENDED to consider this paper and formulate a joint response to the SEND (Special Educational Needs and Disability) Consultation which closes on 10<sup>th</sup> March 2022.**

#### **Executive Summary**

2. A public consultation on proposed changes to arrangements for SEND for children and young people in Oxfordshire was launched on 10<sup>th</sup> January 2022. It is intended to run until 10<sup>th</sup> March 2022.
3. The consultation has a single survey with two distinct, inter-related elements:
  - The Oxfordshire Local Area SEND Strategy 2022-27 – developed collaboratively with and involving Local Authority Education, Social Care (Children's and Adult), Health, education settings and parent carers representatives
  - Oxfordshire County Council's proposals for system reform for SEND – these proposals relate solely to education
4. A series of six online roadshows are scheduled, providing opportunity to explain and clarify the proposed changes and respond to questions.

#### **Context**

5. Our ambition is for all children and young people with SEND to have the right support and opportunities at the right time so that they go on to live rich and fulfilling lives at the heart of their communities.

6. The current outcomes for children and young people with SEND in Oxfordshire need to improve. Changes are required to achieve these improvements; more of the same won't be sufficient.
7. Any proposed changes to arrangements will need to be made in light of funding allocated by central government. This means that some hard choices will have to be made about what services/provision can be supported. It is important that these choices are made in ways that are transparent, consistent and fair.
8. We are consulting to give the necessary mandate to make the required changes and bring communities on the journey.
9. This is a single consultation and survey with two distinct but inter-related elements:
  - The Oxfordshire Local Area SEND Strategy 2022-27
  - Oxfordshire County Council's proposals for system reform for SEND
10. The consultation was launched on 10<sup>th</sup> January 2022 and closes on 10<sup>th</sup> March 2022. The consultation documents and survey can be found at <https://letstalk.oxfordshire.gov.uk/SEND-2022>. A hardcopy of the survey is also attached to this paper.
11. The consultation has been widely publicised. Partners have assisted with sharing of targeted e-mails and via social media, print media, newsletter, poster, flyer and staff briefing. There have also been briefings for informal cabinet and councillors more widely, as well as information provided for Oxfordshire MPs.
12. In addition, six online roadshows were held.

### **The Local Area SEND Strategy**

13. The Local Area is the geographical area of the local authority involving council, health partners, social care, education services (including schools) and other agencies.
14. The draft strategy is for the Local Area and was co-designed and collectively drafted with partners from LA Education, Adult and Children's Social Care, Health, education settings and involvement from parent carer representatives.
15. It is a high-level, overarching strategy that focuses on support for children and young people (CYP) with SEND to achieve the best possible outcomes. Once the strategy is finalised, detailed implementation plans will be developed.
16. The key strategic objectives being consulted on are:
  - Improving outcomes for children with SEND
  - Developing a continuum of local provision to meet the requirements of children and young people with SEND
  - Good physical and mental health and wellbeing
  - Improving post-16 education, learning, employment and training

- Positive move into adulthood for young people with SEND

## **Oxfordshire County Council's proposals for system reform for SEND**

17. The current educational outcomes for children and young people with SEND in Oxfordshire need to get better.
18. Changes to the system are needed to improve the educational experience and outcomes for children and young people with SEND across our county, as well as to operate within the available budgets.
19. The proposed changes focus on more high-quality SEND education available closer to home, offering a genuine range of specialist learning provisions for some children and young people who have a high level of need and making every effort to use all the resources available to children and young people effectively and efficiently.
20. The proposed changes were developed over a period of 12 months via focused working groups that included council Education and Finance staff, representatives from mainstream and special schools including headteachers and governors and parent carer representatives. These working groups were overseen by the SEND Transformation Board which was chaired by the Deputy Director for Education for Oxfordshire County Council.
21. Full details of the proposed changes can be found at <https://letstalk.oxfordshire.gov.uk/SEND-2022>
22. There are 6 proposed changes:
  - (a) Reform of Top-Up funding arrangements for children and young people with an EHC Plan - to introduce a clear and consistent system for the individual allocation of additional Top-Up funding for children and young people with an EHC Plan that is:
    - i. child- or young person-led rather than placement-led across mainstream and specialist settings, through early years to further education
    - ii. simple and proportionate, giving objectivity and equity in decision making
    - iii. phased in gradually so that schools can appropriately financially plan and implement them
    - iv. delivers value for money
  - (b) Resource Bases as a core part of the range of provision - expanding from nine Local Authority-run Resource Bases to more Resource Bases located within local mainstream schools across the county, allowing more children to access specialist support within their local school.
  - (c) Sufficiency of specialist day placements in Oxfordshire - to reaffirm the principles of special school place planning in Oxfordshire set out in the SEND Sufficiency Strategy 2018-2027 to ensure a fair and equitable distribution of finite resources for the benefit of all children with SEND.

- (d) Enhanced Pathways within mainstream schools – the council has provided temporary funding to support a small number of schools to trial different options to determine where the most value will be added to a child’s educational experience. The proposed approach involves:
  - i. Primary mainstream schools offering an adapted, bespoke, individualised curriculum via smaller classes with specialist staff and a high adult-to-pupil ratio
  - ii. Secondary mainstream schools following the primary model, with a single class with a single teacher in Year 7. In Year 8, students will continue to access the single class, but begin reintegration into certain lessons with their year group peers. By Year 9, these students will be fully reintegrated with their year group peers but will still have access to the quieter space and their key adults for support when needed.
- (e) Reconfiguring Requests for Additional Funding for Schools – replace the current, council-administered arrangements, with a locality-based, discretionary fund that groups of schools allocate, against agreed criteria based on need. This will encourage professional challenge within localities about each school’s local offer, with schools planning, allocating funds and sharing good practice enabling pupil inclusion without the requirement of an EHC Plan.
- (f) Coordinated approach to supporting children with SEND at the earliest opportunity – to establish a coordinated approach to equip schools and families to identify need for SEND support at the earliest opportunity. This could include:
  - i. Up-to-date and easily accessible online resources so that families, young people and staff can access information to advocate for themselves.
  - ii. A shared understanding in education settings about what should be available to support all students.
  - iii. Additional funding for SEND Information, Advice and Support Services (SENDIASS) to advise parents regarding early support and intervention.
  - iv. Support and challenge for schools on inclusive practice.

## **Financial Implications**

- 23. Funding for SEND is allocated as the High Needs block of Dedicated School Grant. The Council is allocated £88.7m of grant for 2022-23, but expects to spend £109m, an overspend of £20.3m. The accumulated forecast High Needs DSG deficit for 31 March 2022 is estimated to be £35.4m.
- 24. Oxfordshire is forecasting increasing annual deficits driven by the growth in the learners supported. This is a national issue. A survey by the Society of County Treasurers “shows that for 40 authorities in county areas their high-needs deficits have ballooned from £134m in 2018/19 to a projected £1.3bn in 2022/23”

25. The council believes the changes outlined in the consultation will improve outcomes for children and young people and use the available funding more effectively which will contribute to reducing the High Needs deficit.
26. There are no financial implications associated with the consultation. Following consultation, proposals will be worked on in detail and financial implications considered.

Comments checked by: Sarah Fogden, Finance Business Partner  
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## **Legal Implications**

25. Legal Services has advised and provided input into the Special Educational Needs Consultation strategy and delivery of consultation across the county. The consultation provides a comprehensive and informative insight of options and invites interested parties to input into the consultation process. There are no direct legal implications arising from this proposed report.

Comments checked by: Sukdave Ghuman, Head of Legal Services,  
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## **Equality, Climate & Inclusion Implications**

26. Equality and Climate Impact Assessments have been prepared for the Local Area SEND Strategy as a whole and individually for each of the Council proposals for System Reform.

## **Consultations**

27. The primary means of responding to the consultation is via an online SmartSurvey. Arrangements are also in place for responses to be submitted as hard copy.
28. The 'live' responses are reviewed on a weekly basis with comments considered and adjustments made (for example, in response to feedback, an additional online roadshow was added). Consideration is also given to demographics and whether further targeted communication is required to encourage and support participation.

Kevin Gordon  
Corporate Director of Children's Services

Annex: OCC SEND consultation survey print version v1.0

Background papers: Nil

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