

**NHS DORSET CLINICAL COMMISSIONING GROUP
GOVERNING BODY MEETING**

SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) REFORM UPDATE

Date of the meeting	18/03/2020
Author	S Best, Principal Lead Children and Young People
Purpose of Report	To update the Governing Body on NHS Dorset Clinical Commissioning Group compliance with meeting the Special Educational Needs and Disabilities Reforms Children and Families Act 2014.
Recommendation	The Governing Body is asked to note the report.
Stakeholder Engagement	Ongoing work with local authority partners and parent carer forums.
Previous GB / Committee/s, Dates	N/A

Monitoring and Assurance Summary

This report links to the following Strategic Objectives	<ul style="list-style-type: none"> • Prevention at Scale • Integrated Community and Primary Care Services • One Acute Network • Digitally Enabled Dorset • Leading and Working Differently 		
	Yes [e.g. ✓]	Any action required?	
		Yes Detail in report	No
All three Domains of Quality (Safety, Quality, Patient Experience)	✓		✓
Board Assurance Framework Risk Register	✓		✓
Budgetary Impact	✓	✓	
Legal/Regulatory	✓		✓
People/Staff	✓		✓
Financial/Value for Money/Sustainability	✓		✓
Information Management & Technology	✓		✓
Equality Impact Assessment	✓		✓
Freedom of Information	✓		✓
I confirm that I have considered the implications of this report on each of the matters above, as indicated	✓		

Initials: SB

1. Introduction

- 1.1 This report provides an update on the Special Educational needs and Disabilities (SEND) Reform – Children and Families Act 2014 for the Joint Commissioning Board.
- 1.2 The report highlights the statutory responsibilities of Dorset NHS Clinical Commissioning Group (CCG) and areas for improvement and progress. The report includes the views of parent and carers via the parent/carer forums.

2. Report

2.1 NHS England's SEND Programme Objectives 2018/19 included the following:

- Supporting and coordinating role to improve health and care for Children and Young People with SEND.
- Improved trajectory of submissions and quality of SEND data within the
- Community data set.
- Increased local and regional networking.
- Increased trajectory of co-production rates for all health services.
- Greater alignment of programmes at national level
- Further clarity regarding role and functions of SEND Designated Officers through a national research project.

2.2 In addition to these objectives there is a cross-cutting review of SEND, five years on from the Children and Families Act reforms. The review recognises the importance of collaborative working and aims to explore the role of health care in SEND in collaboration with the Department of Health and Social Care. The review will consider:

- Evidence on how the system can provide the highest quality support that enables children and young people with SEND to thrive and prepare for adulthood, including employment.
- How to better help parents to make decisions about what kind of support will be best for their child.
- How to make sure support in different local areas is consistent and joined up across health, care and education services, as well as ensuring that high-quality health and education support is available across the country.
- How we reach the right balance between state-funded provision across inclusive mainstream and specialist places.

- How we align incentives and accountability for schools, colleges and local authorities to make sure they provide the best possible support for children and young people with SEND.
- Understanding the rise in education, health and care (EHC) plans and the role of specific health conditions in driving demand.
- Assurance that finance is used in an efficient, effective and sustainable manner, placing a premium on securing high quality outcomes for those children and young people who need additional support the most.

2.3 Local progress against 4 key outcomes

Outcome 1 - Children and young people with SEND have trust and have confidence that services are working together which leads to improvement in their child's outcomes and enabled effective preparation for adulthood.

- Dorset NHS CCG continues to work in partnership with Dorset and Bournemouth Christchurch Poole (BCP) councils, providers and parent carer forums to develop a shared vision and strategy to progress the development of integrated, person centred services for SEND children and young people which is in line with the NHS long term plan. This includes completion of a Joint Strategic Needs Analysis, a Joint Commissioning Strategy with BCP & Dorset Councils and robust quality assurance/key performance indicators.
- Joint commissioning arrangements for SEND information, advice and support services (SENDIASS) are currently under consideration, with BCP and Dorset Council, with Dorset NHS CCG business cases prepared. There is a statutory obligation - Sections 19(c), 26(3), 32 and 49 of the Children and Families Act 2014; The Special Educational Needs and Disability Regulations 2014; The Special Educational Needs (Personal Budgets) Regulations 2014 and Section 2 of the SEND Code of Practice - to deliver Information, advice and support to parents/carers and young people for families who have a child/young person with Special Educational Needs and/or Disabilities (SEND). As a result of recent changes in the law the requirements are on the Local Authority and the CCG to provide information, advice and support in relation to SEND. This requirement has a budgetary impact on the CCG.
- The *“Joint Agreement in respect of operational arrangements for Children and Young People with Special Educational Needs and Disabilities”* has been reviewed by Dorset NHS CCG, local providers and the local councils.

- Dorset Council engaged an external consultant to review the SEND processes and systems in Quarter 2 and 3 of 2019/2020. The review process identified areas of duplication, unnecessary waiting and waste within the processes and Dorset council have used these findings to make the process quicker, more efficient and, most importantly, more user friendly, improving the experience for families and young people with SEND.
- BCP council commissioned a Local Government peer review which took place in January 2020. The aim of the review was to support the Council, Dorset NHS CCG and partners to reflect on and improve the outcomes for children and young people with special educational needs and disabilities. The initial draft report has been shared for comment and identifies key recommendations of action for the local authority and Dorset NHSCCG.
- Dorset NHS CCG is currently undertaking a SEND diagnostic checklist for Clinical Commissioning Groups. The tool collates key pieces of evidence to provide assurance that the CCG has an active commitment to support local authority partners in implementing the SEND reforms. An action plan will be developed following this.
- Dorset NHS CCG has led, in close partnership with Dorset Council and BCP Council and provider services, the development of a tiered learning and training offer in relation to the SEND reforms. The Tier 1 training has been successfully implemented and embedded in organisations as mandatory training and has been well received. An audit has now been carried out six months into its being embedded within organisations, showing numbers of staff who have completed this training. Several parents/carers, professionals and young people have been involved in the development of the Tier 2 training and the filming of their video contributions is nearing completion. The next stage is in finalising the content of the Tier 2 training before implementation and the development of the Tier 3 training.
- The core competency framework is now finalised and will act as a SEND training directory for each organisation to amend to their specific training, Dorset council have embedded this within their Nexus training for staff.

Outcome 2 - Children and young people and their families have needs assessed in a timely way that are personal to them leading to improved life chances.

- The statutory 20-week timescale for completion of Educational Health Care Plan's (EHCP's) and quality assuring EHCP's content continues to be a focus of Dorset NHSCCG and partners. The Designated Clinical Officer (DCO) is informed of health response times for EHCP information on a monthly basis by exception, however the oversight of this needs to allow for analysis of trends and themes of providers.

- Dorset NHS CCG has been working with both councils Providers and Parent Carers to audit the quality of content within EHCP but also needs to move towards audits of annual reviews to ensure compliance with the regulations and SEND Code of Practice.
- The Designated Clinical Officer (DCO) liaises with Dorset and BCP council leads for SEND to jointly review the information on children and young people who have or are waiting for an EHCP that require input from Health. This is regularly reviewed to ensure that follow up from health teams and professionals can be identified and barriers to provision reduced. However there needs to be a mechanism developed by Dorset NHS CCG to provide a clear correlation to future commissioning intentions.
- During 2019/20 there has been a collaboration with partners focussing on a whole system approach to speech, language and communication provision across Dorset to improve support available to children and young people with speech, language and communication needs (SLCN). Dorset NHS CCG, councils and providers have worked together to initially understand the needs of the local population and map the local services, this has been supported by the use of the “Balanced System” a jointly commissioned strategic, outcome focussed and whole system framework to improve the delivery of Speech, Language and Communication services. The next stage is to work collaboratively with partners to design a new whole system pathway or framework based on the information gathered in the understand phase.
- Dorset NHS CCG has continued to work across the system to improve children, young people, families’/carers experiences of health services within specific diagnostic pathways such as the neurodevelopmental pathway. However, there continues to be significant waiting times for neurodevelopment assessment for Dorset County Hospital. The Paediatric Service at Dorset County Hospital has recruited to additional posts and has a recovery trajectory in place to reduce waiting times significantly by the end of 2020.

Outcome 3 – Children, Young People and their families feel engaged in all aspects of assessment, identification and provision at an individual and strategic level, leading to parental satisfaction with Children and Young People leading happy and fulfilled lives.

- There continues to be improved communication, strengthening of relationship and partnership working between NHS Dorset CCG and the parent carer forums. However the challenges which are identified by the forums are mostly around communication, information sharing and co-production. There is an ambition for Dorset CCG to have a partnership agreement in place with DPCC.

- Dorset Parent Carer Council (DPCC) have been asked to provide feedback on areas of work being undertaken at Dorset County Hospital with the children's therapy team and 'transition planning' work. DPCC value this involvement however our shared ambition is for parent carer involvement to happen sooner via participation or co -design rather than forums being asked for feedback on the final output.
- DPCC recognise that there are examples of good practice such as the joint SEND training developments and the EHCP quality assurance audit. However identify that further challenge is around communicating the work undertaken to implement the SEND reforms to SEND families as well as how healthcare teams/organisations use the *You Said We Did* section of the local offer to share information about improvements as a consequence of listening and responding to 'voice' of young people and families.
- BCP have a SEND co-production working group and have developed an action plan with clear outcomes. The group want to ensure that parents/carers, and CYP with SEND are well informed about issues that affect them and ensure that there is transparency and demonstrable respect for parent/carer and CYP engagement.

Outcome 4 - Provision is matched with need, leading to services which support Children and Young People to meet their aspirations.

- Dorset NHS CCG continues to work in partnership with Dorset and BCP councils, providers and parent carer forums to ensure that provision is matched with need, this includes the completion of a Joint Strategic Needs Analysis and development of a joint commissioning strategy.
- Dorset NHS CCG continues to use the balanced system for understanding the current level of need for Speech and Language provision, this will lead to responsive services using information regarding need to target resource effectively.
- Dorset NHS CCG and partners have key objectives to ensure that services are developed focusing on:
 - * Working together to improve the understanding of the needs of children and young people with learning disabilities and autism.
 - * Investment in expanding access to community based mental health services.
 - * Developing age appropriate services to create comprehensive offers for 0-25-year olds.
 - * Developing integrated care pathways for children with complex and multiple needs.

- Dorset NHS CCG have a key objective to ensure that there is a minimum data set for SEND reporting to ensure a clear line of reporting into the organisation and for quality assurance purposes.

3. Conclusion

- 3.1 Whilst there has been a significant level of work around the SEND reforms Dorset NHS CCG needs to have a systematic understanding across the organisation of the statutory responsibilities this will ensure that there is delivery of the full requirements of the SEND Code of Practice internally and externally with partners.
- 3.2 The requirements of Dorset NHS CCG to contribute to the funding of SENDIASS for Dorset and BCP are a must do and requires urgent consideration.
- 3.3 For year 20/21 there needs to be a focus on:
- An improved understanding between the different Directorates of Dorset NHS CCG in relation to SEND statutory responsibilities and the code of practice.
 - An agreed mechanism for reporting both quantitative and qualitative data into Dorset NHS CCG and a clear connection to commissioning intentions for the future.
 - Joint commissioning with partners.

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