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People Services
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Director for Learning, Inclusion and Skills

Special Educational Needs & Disability (SEND) ‘Living My Best Life’, Capital Programme in Derby

Purpose

- 1.1 The Council and Local Area has a Special Educational Needs and Disabilities (SEND) Strategy and Vision ‘Living My Best Life’. Through co-production with our partners, we are improving the lives of children and young people (CYP), 0-25 and their families. The strategy and vision were previously approved by Council Cabinet in November 2020.
- 1.2 In Derby we strongly believe in an inclusive approach and are investing in the Graduated Response in schools and improving SEND services. Following very careful consideration and initial consultation with parent representatives, SEND partners and headteachers, proposals have been developed to improve both mainstream and specialist provision for CYP with SEND.
- 1.3 The purpose of this report is to seek the approval of Council Cabinet to consult on the proposals set out in the report. These proposals are directly informed by an initial call for views process carried out across the local area on the SEND Capital Programme in December 2020. The findings were reported to SEND Governance meetings and CYP Scrutiny Committee in January 2021.
- 1.4 The outcomes of the call for views were:
 - a) to strengthen the Graduated Response and support CYP earlier in their lives
 - b) to Provide more Enhanced Resource Places in mainstream schools across the city
 - c) to Provide more support for social, emotional, and mental health of CYP with SEND.
 - d) to quality assure specialist provision both within and outside the city.

On this basis we wish to consult the local area on the proposals set out below. (See also Appendices 1- SEND Strategy and Vision, 2- SEND Co-production Charter, 3- Call for Views summary, 4- Map showing schools.) There are no proposals to reduce the overall levels of funding available for CYP with SEND. There is £8.882m of SEND Capital funding available as set out in paragraphs 7.1 to 7.2, and subject to recommendation 2.3.

- 1.5 The key proposals are:

Secondary Provision

Improve secondary specialist provision at **St Clare's School** to provide a school that is fit for purpose and has the capacity to meet all curriculum needs both practical and academic. Expand the school by 14 places (from 146 to 160 places). Providing a broader curriculum and additional places will enable more CYP to remain in a Derby school to achieve good outcomes. The consultation will include a feasibility study for the St Clare's improvements which will enable informed decisions to be made about the funding available for all the options being proposed. If the cost of improving St Clare's requires the whole of the capital available, then clearly it would not be possible to develop the proposed enhanced resources bases.

A smaller scale expansion of St Andrew's Specialist School is underway and is providing 16 additional secondary specialist places.

New Proposed Enhanced Resource Bases (See appendix 4- map of proposed schools) Subject to available funding once the St Clare's scheme has been agreed.

- a. Murray Park Community: 15 places for autism needs with Social Emotional and Mental Health (SEMH) support
- b. Landau Forte: 15 places for autism needs with SEMH support
- c. City of Derby Academy: 15 places for autism needs with SEMH support
- d. Chellaston Academy: 10 places for autism needs with SEMH support

Primary Provision

New Primary Inclusion Hub proposed at Cotton's Farm Primary School. This would support the graduated response and include more CYP with SEND in a supportive mainstream setting with a strong focus on early identification of need, skilled staff and high levels of adjustments to support CYP to 'Live their Best Life'.

- 1.6 The proposals also include a new quality assurance framework for existing enhanced resource units provided by the outstanding specialist teaching schools in Derby.

Recommendation(s)

- 2.1 To approve a consultation on proposals outlined in the report to improve Derby's specialist provision for children and young people with Special Educational Needs and Disabilities.
- 2.2 To receive a further report in due course detailing the outcome of the consultation and final proposals for Cabinet to consider to improve specialist provision in Derby.
- 2.3 To approve the amendment of the approved 2021/22-2023/24 capital programme to add an additional £1,565,260 in High Needs Provision Capital funding, following the announcement of confirmed allocations from the DfE, and to add this in 23/24, as set out in paragraphs 7.1 to 7.2.

Reason(s)

- 3.1 To improve provision of the full secondary phase curriculum at St Clare's School leading to better life chances and outcomes for CYP.

To provide more Enhanced Resource (ER), places for CYP who may need more support than in mainstream school but do not need to attend specialist schools. Schools have been chosen as potential sites for ERs because they have an inclusive ambition and do not require new buildings to be constructed. Respective Multi Academy Trust (MATs) and school leaders have given authority to proceed to consultation if approved by Cabinet.

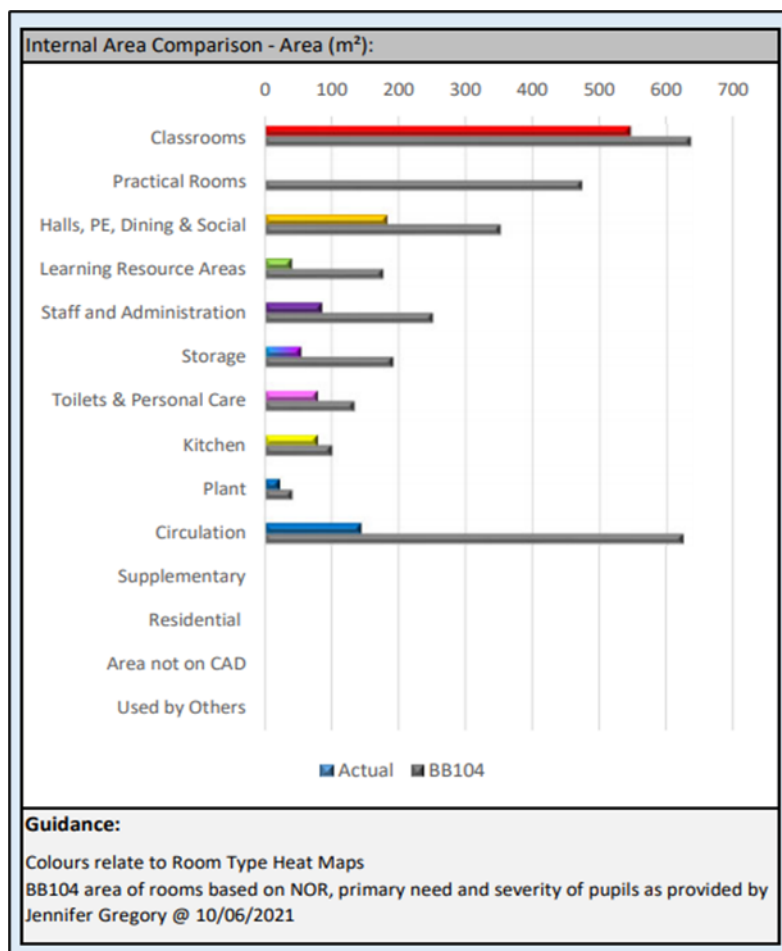
To strengthen the Graduated Response in mainstream schools through the first Inclusion Hub in Derby leading to improved outcomes for CYP in this setting.

To support more young people to attend their local school rather than travelling away from their community to attend school.

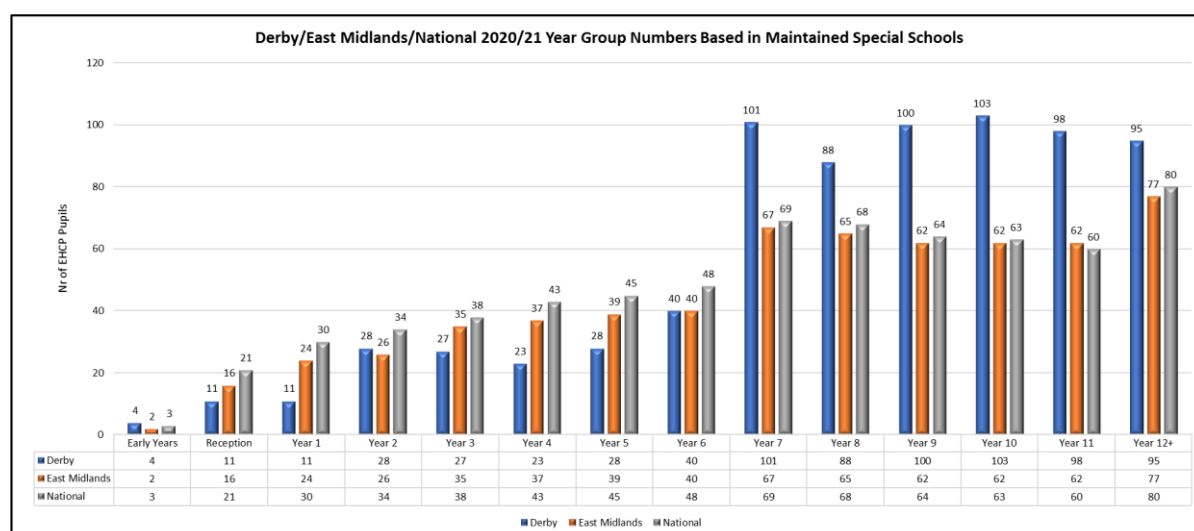
- 3.2 In accordance with Financial Procedure Rules, additions to the Council's capital programme not provided for in the approved budget are required to be reported to Cabinet.

4.1 Supporting information

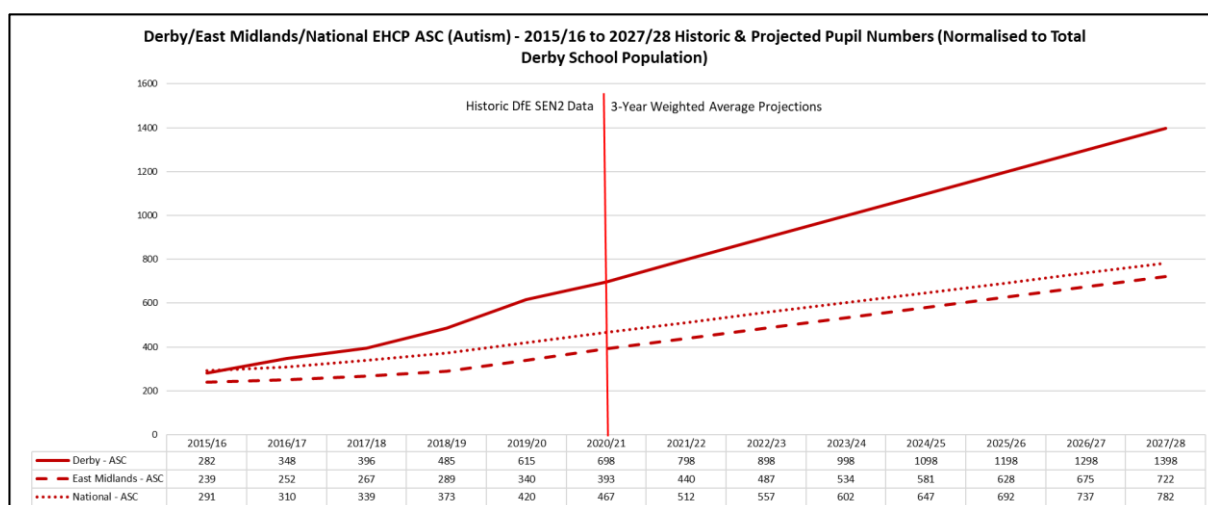
Using DfE building bulletin standards BB104 the current building at St Clare's does not allow for the full curriculum to be taught in technical rooms.



- 4.2 The demand for special school places in Derby is much higher than national and regional authorities. In developing the Enhanced Resource provision and strengthening inclusive practice more CYP will be included in aspects of mainstream education and their outcomes, independence and social skills can benefit.
- 4.3 Graph showing high demand for secondary phase specialist provision in Derby in comparison with East Midlands and national figures.



- 4.4 The Joint Strategic Needs Assessment 2020 and the profile of new Education Health and Care Plans (EHCPs) and placements show increasing number of autistic CYP. Autism is the main need to be supported through the new Enhanced Resource bases.



Consultation and next Steps

- 4.4 This report seeks Council Cabinet approval to consult on the proposals set out in the Consultation Document and in summary at section 1.5.
- 4.5 The outcome of the consultation will be reported to Council Cabinet in due course where Council Cabinet will be asked to consider consultation responses and decide whether to:
- Approve those proposals that do not require a statutory process
 - Approve moving to the next stage of the consultation process for those proposals that do require a statutory process
- 4.6 If approved, the proposals will be implemented from 20th September 2021 with a 12-week consultation period.
- 4.7 Following the consultation, the full business case will be co-produced through the SEND governance structure and then considered by the PMO Board for Gateways 2 and 3 approval before moving to the design process.

Public/stakeholder engagement

- 12 week formal consultation process
- Engagement with Parent Carer's Forum and young people
- Engagement with the SEND local area through SEND Boards
- Engagement with schools through CEO, Headteacher, governor and SENCo networks

Other options

- 6.1 The previous SEND Capital consultation proposals were reconsidered with stakeholders and ruled out as preferred options.
- 6.2 The option of improving St Clare's without additional ER provision was considered but this would not support our work in strengthening the Graduated Response and creating a more inclusive mainstream system.

Financial and value for money issues

- 7.1 The approved 2021/22-2023/24 capital programme currently contains provision for £7,317,358 capital funding for capital schemes emerging from the SEND Strategy. This consists of £5,915,951 in Basic Need funding and £1,401,407 in DfE Special Provision capital funding, as set out below. In addition, the DfE have announced a further allocation of High Needs Provision Capital funding of £1,565,260. The overall capital allocation for capital works arising from the SEND Strategy is therefore £8.882m, as set out below.
- 7.2 It is proposed to add the additional allocation of £1,565,260 High Needs Provision Capital funding to the capital programme in 23/24 as set out below:

	Existing approved Capital Programme 22/23	Addition to the 23/24 Capital Programme	Total
Basic Need SEND Commitment	£5,915,951	£0	£5,915,951
DfE Special Provision capital	£1,401,407	£0	£1,401,407
High Needs Provision Capital funding	£0	£1,565,260	£1,565,260
Total	£7,317,358	£1,565,260	£8,882,618

Further detailed proposals, and allocations to specified schemes, will be reported back to Cabinet for approval, following consultation as set out in this report.

- 7.3 The DfE announced a national allocation of £280m in High Needs Provision Capital (HNPC) for new school places for children with special educational needs and disabilities. The funding is to support the delivery new places and improve existing provision for children with SEND, and for those pupils that require alternative provision. Derby has received a formulaic allocation of £1,565,260 in HNPC.

Legal implications

- 8.1 Part 3 of the Children and Families Act 2014 places legal duties on Local Authorities to identify and assess the special educational needs of children and young people for whom they are responsible. LAs become responsible for a child/young person in their area when they become aware that the child/young person has or may have SEN. They must then ensure that those children and young people receive a level of support which will help them “achieve the best possible educational and other outcomes”
- 8.2 Under the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, local authorities are required to carry out a statutory process to establish, remove or alter provision at a mainstream school that is designated for children and young people with Special Educational Needs and Disabilities. The process involves consultation, publication of a statutory notice and consideration of the responses received. Subject to the outcome of this process, the implementation date is likely to be September 2022.

Climate implications

- 9.1 None arising on this report.

Other significant implications

10.1 Equalities Impact

An Equalities Impact Assessment (EIA) will be completed with the support of the Equality and Diversity Team, Diversity Forums and the Special Educational Needs and Disabilities Information Advice and Support Service (SENDIASS). The EIA will be reported to Council Cabinet.

The consultation form includes equality demographic questions so we can monitor responses from people with protected characteristics. An on-line, Easy Read and paper versions will be provided as well as alternative versions on request. We will also make sure that the consultation events are accessible for disabled people and that British Sign Language interpreters are provided if required.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal	Olu Idowu – Head of Legal Services	20/08/2021
Finance	Alison Parkin, Director, Finance	20/08/2021
Service Director(s)	Pauline Anderson OBE Director Learning Inclusion and Skills	27/08/2021
Report sponsor	Andy Smith Strategic Director People Services	25/08/2021
Other(s)	Ann Webster, Equality and Diversity Lead	
Background papers:	None	
List of appendices:	Appendix 1 – Derby Strategy and Vision for SEND Appendix 2 – SEND Co-production charter Appendix 3 – Call for views findings Appendix 4 – Map showing schools proposed for the secondary ER's	

Derby City Local Area SEND Strategy



Cover images and quotations provided by Derby City SEND pupils.

November 2020



Foreword

As the Strategic Director of People's Services I am privileged to oversee the Council services working to support the children, young people and families in Derby City. Moving forwards from our Local Area Inspection in June 2019 and the related Derby City Local Area SEND Written Statement of Action I am delighted to present our strategy for Derby City Local Area SEND.

We have worked closely with our partners and stakeholders to understand the SEND needs in our City, embracing co-production, as reflected in the co-production charter that sits alongside this strategy, combined with data and technical knowledge from stakeholders across the City.

This high level strategy provides shared and clear direction for Local Area SEND. It outlines the five priority areas that have emerged, what this will look like in practice and most importantly how this will improve the lives of children, young people and their families with SEND in Derby City - the core ambition of this strategy.

Publishing this strategy and framework for joint delivery is another step in our ongoing improvement journey, however we are committed to building on these foundations as we continue to improve SEND processes, experiences and outcomes for children, young people and their families in Derby City, now and in the future.



Andy Smith
Strategic Director of People Services,
Derby City Council

NHS Derby and Derbyshire Clinical Commissioning Group are pleased to be a contributor to the Derby City SEND Strategy for 2020-23. It is through committed system-wide partnerships that the vision, aspirations and priorities outlined in this strategy will deliver the continued improvement in support and provision for children and young people with SEND and their families.

By fully establishing SEND priorities in the work of Joined up Care Derbyshire, we are working together to improve integrated care and delivery of our shared strategies. The NHS Long Term Plan has a number of policy drivers which provides us with the opportunity to strengthen alignment to our SEND Strategy. We will be demonstrating this through integrated governance, for example targeted mental health work in schools.

The work that has been planned and undertaken to date in strengthening the graduated offer, is essential in managing demand across the system and in delivering a better experience for children, young people and their parents/carers. NHS Derby and Derbyshire CCG is committed to continuing to strengthen relationships with our partners and the many agencies that have a vital role to play in making Derby City a great place to grow up for our children and young people.



Dr Chris Clayton
Chief Executive Officer,
Derby and Derbyshire Clinical Commissioning Group

Overview

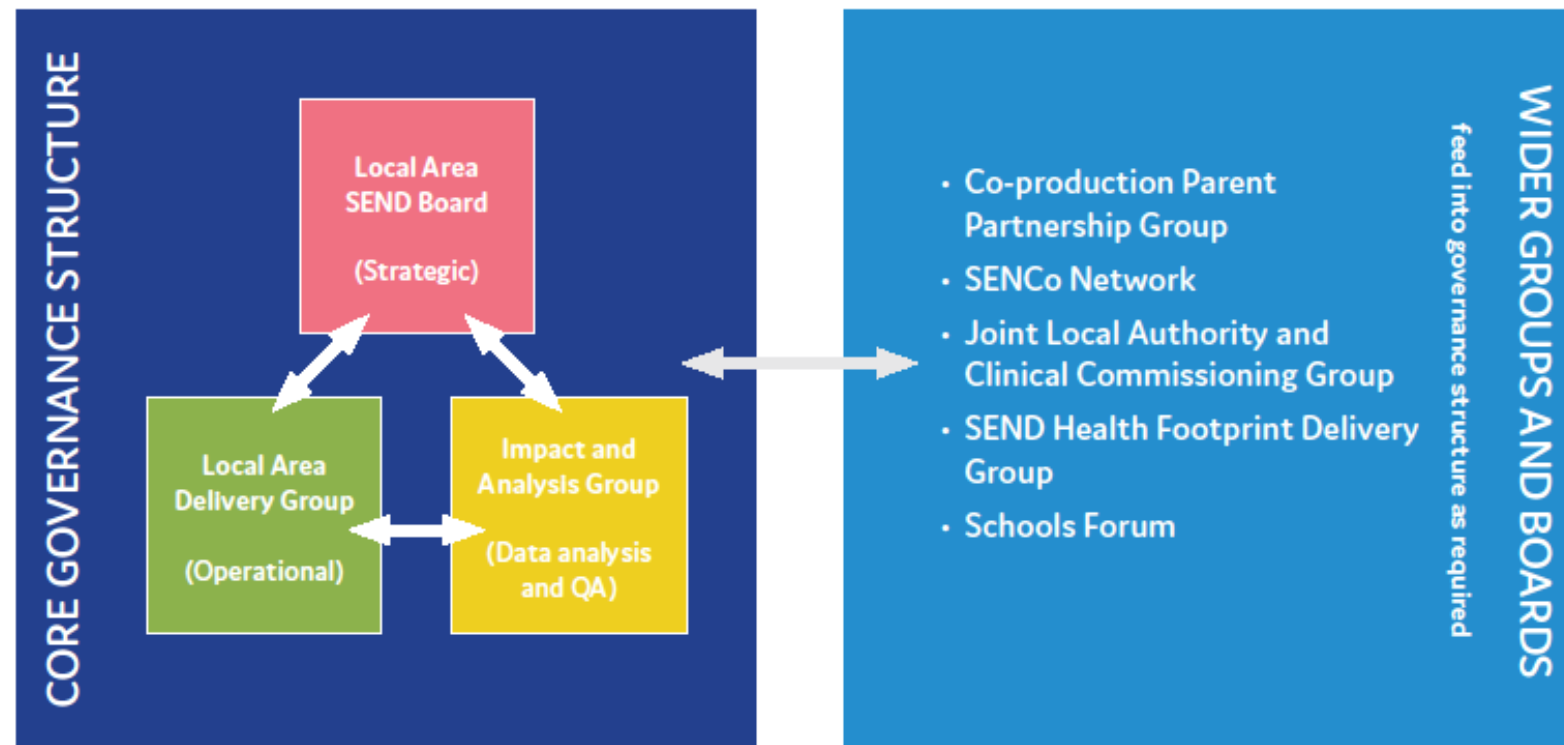
The priorities and vision have been developed with all partners through a series of workshops, meetings and discussions. Some are about improving how we work together and others are about improving the lives and outcomes for children and young people with SEND. Our vision, Living My Best Life, is what we would want for every child or young person in our city.



How are we going to deliver this?

Robust Local Area SEND Governance

We have established a robust governance structure in which all stakeholders participate as equal partners.



Commitment to co-production

Co-production is our way of working as a local area that puts children, young people and their families at the centre of all the work we do. It is built on the understanding that everyone is involved, at all possible stages, as equal partners.

It captures and uses the experiences and strengths of children, young people, families, communities and those involved in SEND across the local area, to improve the services they use.

It means developing trust through listening to, working with and valuing each other, as well as understanding and developing services that reflect the journey of those who use them.

The principles embodied in this Charter have been developed in co-production and describe the commitment we have all made as a local area to work together.

To enable us to create strong partnerships everyone is committed to:

- Listening and allowing all voices to be heard
- Respecting opinions and valuing all contributions
- Being open minded and learning from each other
- Taking responsibility for how we work together and supporting each other to understand the approach.

All partners collaborate and work jointly at the earliest possible stages to achieve shared outcomes.

We embed co-production by pushing the boundaries of our traditional ways of working together, acknowledging that the decisions and outcomes will be better as they are made by all partners, as equals.

The full document can be found at on the Local Offer website. If you would like to get involved in Local Area SEND development please contact paula.nightingale@derby.co.uk.

Joint action planning for effective service delivery

This strategy will build on the Derby City Local Area SEND Written Statement of Action through development of a co-produced Local Area SEND strategic action plan for 2020-2023. Further details on this will be published in due course.

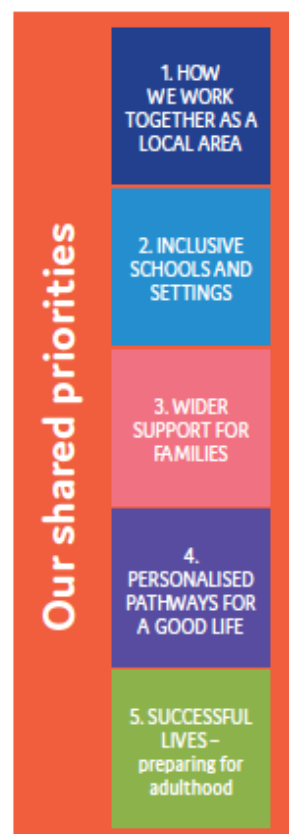
Effective communications and engagement

This is essential to meeting our aspirations for children, young people and families with SEND. This is being developed as part of our work on the Written Statement of Action and we will continue to develop this framework as part of our commitment to ongoing continual improvement.

Data monitoring and quality assurance

In developing this strategy we have scrutinised key data, including our Joint Strategic Needs Assessment (JSNA) and SEN2, and sought the views of our stakeholders to identify the areas of need within Derby City. These are autism, moderate learning difficulties, speech, language and communication difficulties and social, emotional mental health. The Impact and Analysis Group, within the governance structure, has been established to ensure that Local Area data is reviewed continually, including high level outcomes in health, education and social care, so that positive impact is made in these key areas alongside effective implementation of this strategy. A Local Area SEND performance and quality dashboard and a quality assurance framework are already under development to ensure we are measuring and monitoring the impact of our work.

How will we know we are making a difference?



There is **clear evidence** that:

- Stakeholders are participating in Local Area SEND boards and groups as equal partners.
- There is continued development of the graduated approach and embedding of the best international practice in the education system.
- There is a choice of accessible communication for all.
- There are integrated pathways for education, health and social care.
- Preparing for Adulthood outcomes are focussed on person centred reviews from year 9 onwards.
- Careers information and guidance supports young people with SEND.
- Options for independent living are considered early.

Stakeholder feedback tells us that parents, carers and young people feel:

- Respected as Experts by Experience and that they are equal partners in Local Area SEND.
- Their needs are recognised early as possible and they are being treated as individuals.
- Support if offered to meet needs in the mainstream school or setting and the services work for the whole family close to home.
- Supported through advocacy, focussed on supporting the whole family, sibling groups and friendship groups for young people.
- Barriers to learning are removed wherever possible.
- They are having a good life.
- They are supported to manage their own health as they move into adulthood.
- They have the careers information they need at the right time.
- They are prepared for living independently.
- They are supported in the areas of friendships, relationships and community inclusion.

Our key **SEND performance data** will show improvement, progressing in line with or exceeding other national and comparator authority statistics.

Our **quality assurance framework and processes** demonstrate our services and support meets statutory requirements and is of the highest standard possible.

What is next for Derby City Local Area SEND?

As a Local Area we will work together to create and deliver a Local Area SEND strategic action plan for 2020-2023 to ensure we can deliver our ambitious plans to continue to improve outcomes for children, young people and families with SEND in Derby City.



What I love about going to school in Derby is...



With special thanks to

Children, young people and families, education providers and settings, further education providers, alternative provisions, wider voluntary and community sector supporters and health and social care commissioners, providers and practitioners.



LIVING MY
BEST LIFE



Appendix 2



Further support

As part of our Local Area commitment to co-production we all want to ensure the approach is working positively for the children, young people and families that we support.

As a result Derby City Council is proud to be the central contact point for Local Area co-production and encourage any partner with queries or concerns about this way of working to get in touch with us via local.offer@derby.gov.uk

Special Educational Needs Co-Production Charter for Derby City

This Charter sets out how we will make better decisions by working together, in genuine partnership.

For more information please go to
www.derby.gov.uk/sendlocaloffer



Our vision: working in co-production

"If we work together, anything is possible" - Shakil, St Giles School

Co-production is our way of working as a local area that puts children, young people and their families at the centre of all the work we do. It is built on the understanding that everyone works together on an equal basis to create a service or come to a decision that works for us all.

It captures and uses the experiences and strengths of children, young people, families, communities and those involved in SEND across the local area, to improve the services they use.

It means developing **trust** through **listening** to, working with and **valuing** each other, as well as understanding and developing services that reflect the journey of those who use them.

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- **Taking responsibility** for how we work together and supporting each other to understand the approach.

All partners collaborate and work jointly at the earliest possible stages to achieve shared outcomes.

We embed co-production by pushing the boundaries of our traditional ways of working together, acknowledging that the decisions and outcomes will be better as they are made by all partners, as equals.

Our pledge

When co-producing improvements and developments to our SEND services we pledge to:

Honesty, transparency and accountability



- Jointly identify a clear purpose about what we want to do/achieve and why.
- Be accountable and take responsibility for our decisions and how we work together.
- Be honest and transparent with our partners about what can/cannot be delivered and changed, and the reasons for this.

Working in partnership, valuing everyone equally



- Make sure that everyone has the opportunity to contribute, can have a voice that is listened to and represents the full diversity of our community.
- Recognise all partners as equal, including children and young people and their parents
- Make partnership working part of our DNA so we bring partners together to shape work and developments at the earliest possible stage.

Respect, recognition and understanding



- Respect children and young people as individuals and ensure that they are always at the centre of any decisions that impact on their lives and outcomes.
- Respect all partners, for the different and unique experiences skills and knowledge they can contribute and the equally important roles they play.
- Recognise that everyone wants the best outcomes possible, that we all care and we want to make a positive difference through what we do.
- Embrace other people's roles, responsibilities and pressures and support each other to understand these differences.

Communication



- Keep all partners updated about changes that may impact them, as soon as possible.
- Make sure all voices can be heard and that partners are updated as to what has and hasn't changed as a result of their contribution
- Communicate all key messages in ways, and in language, that works for all those involved.

Focussing on Strengths



- Focus on finding achievable solutions, not dwelling on the problems, and working together to solve the issues.
- Start every piece of work/process with open minds and "can-do" attitudes to generate positivity around the work.
- Regularly communicate positive messages about progress being made to help boost morale and increase aspirations across the local area.

Accessibility



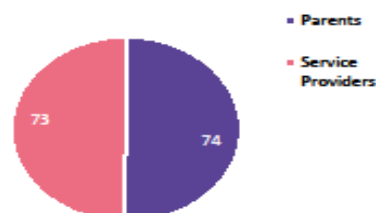
- Consider everyone's availability and accessibility when we plan and work together.
- Use methods and processes that can be accessed by, and tailored to, the needs of children, young people and families, being respectful of different ages, needs, abilities and understanding.
- Adapt ways of working to the children and young people, parents and carers we work with, not expecting children and young people to adapt to our systems.

CALL FOR VIEWS SUMMARY

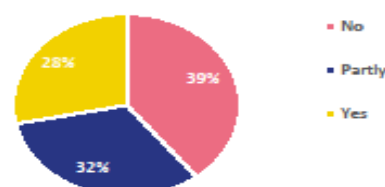


OVERVIEW

Responses by source



Do you feel your child is getting all of the support in school/education that they need?



Total 147 responses

Do you feel that you get all of the support that you need as a parent/carer to help your child through their education?

60% responded 'No'

EMERGING NEEDS



What additional support is needed?

- One to one
- EHCP
- Emotional support
- Neuro development assessment
- Extra curricula activities
- Dyslexia support & software
- Diagnosis
- Help with hygiene, food, sleeping issues
- Specialist teachers for autism and learning disabilities
- Clinical psychology
- Counselling
- Graduated approach
- Extra learning
- Help at home
- Being listened to, being understood- taken seriously
- Uniform support for all families
- Funding
- Support and CPD for SENCOS

"My child gets good support from school, but speech and language support is non-existent."



What kind of support do schools require to better support the graduated response?

- Resources to fund assessments, specialist advice interventions required
- Financial support
- Funding for students who require more support - not just those with EHCPs
- Specialist knowledge, current working practice models sourced by specialist or enhanced provisions
- More specialist support services.
- parents are really struggling to get the support and advice they need for GR and EHCP.
- A clear strategy that provides capacity with strong leadership below the director to make matters happen.
- Structure, of a policy from the LA
- Systems in Derby - they feel archaic and like road stops.
- Cultural change. Schools do not make children with SEND welcome
- support from the right professionals for children- there is little access to professionals-
- More support from educational psychologists, more training specifically around ASD strategies
- In depth help (up to date information in a manual/regular training) of how to be a SENCo
- SENCOs are not Paediatricians, School Nurses, Educational or Clinical Psychologists, social workers, counsellors, GPs, Physios etc
- Quicker turn-around times for applications and updates
- Better knowledge of which services, resources and strategies can be accessed to support and enhance pupils learning and access to the curriculum, including SEMH
- All staff need to be well informed
- More staff and better facilities to ensure that children with SEND within mainstream school do not miss out
- Consistent systems and procedures across different schools/settings
- Training- particularly Wave 1 and Wave 2
- Training and resources to build expertise and confidence
- Increased availability for behavioural support.
- much clearer and more understandable offer for children and young people with severe communication difficulties such as Autism Spectrum Disorder
- More efficient communication from those professionals working within the Local Authority.
- A more coherent and joined-up approach
- specialist support that is free or low cost
- The graduated response is a good tool if used properly.

"Mixed depending on the interest of the Teacher."

"Graduated response or SEN support is not personalised to meet my son's needs."

"My son has a fantastic experience in his mainstream secondary placement."

Themes



Schools better able to support the Graduated Response



"Positive in current placement where child is well supported."

"It's been traumatic and caused mental health issues before both attended a specialist school."

"Since my son has been attending special school it's positive."

What are your views on enhanced resource units/bases?

Parents and professionals are overwhelmingly behind Enhanced Resource units/bases.

- 'Essential to support the increasing level of children with additional needs in Derby'
- More are needed across the city
- Quality is variable

What would the city need to offer to keep more children in our local provision?

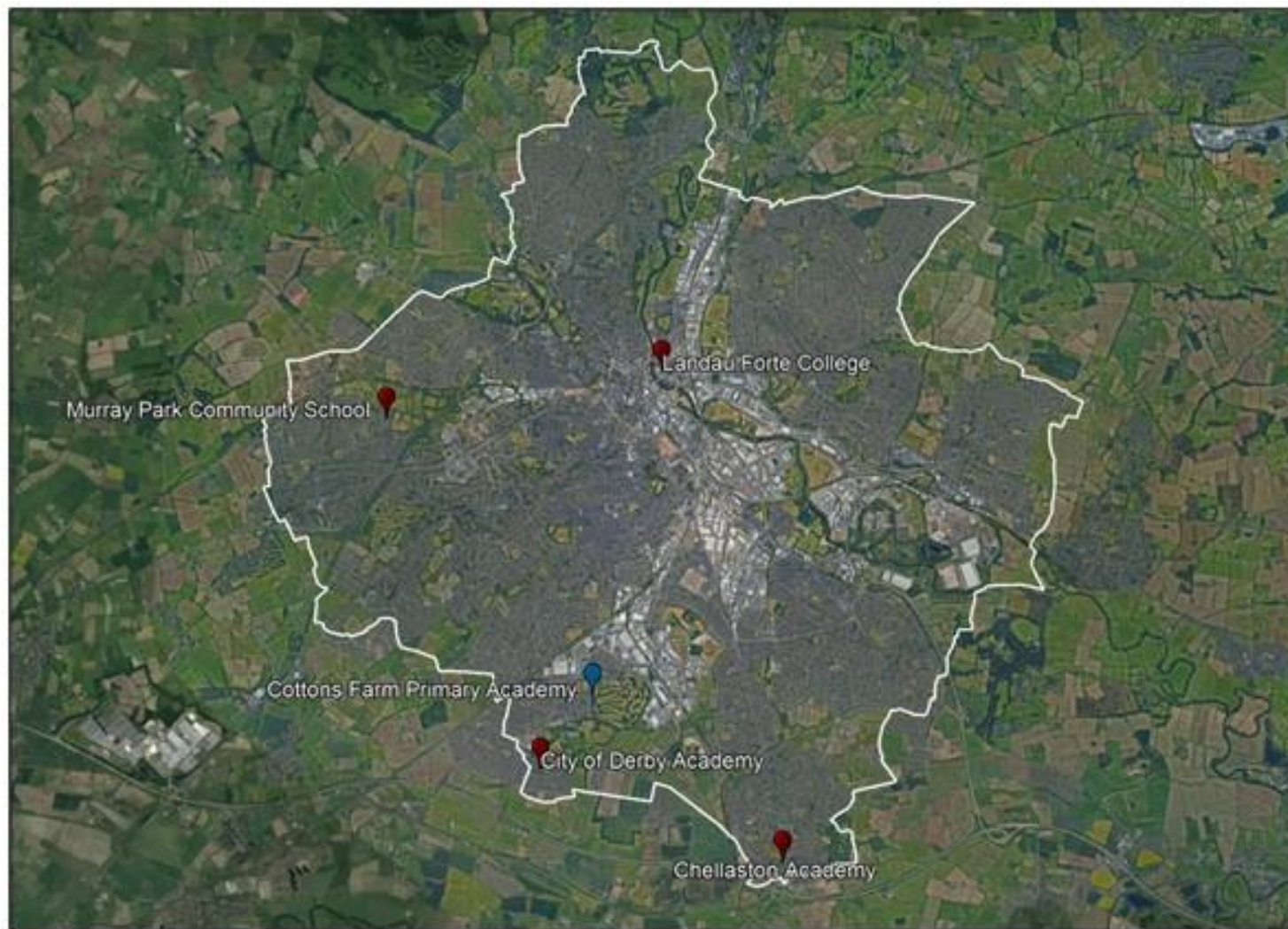
- Create new enhanced resources in the city
- Better access to SALT, OT and clinical psychology
- More focus on social emotional mental health
- Ensure 'the right child is in the right school' - don't send to ERs if they should be in special
- Monitoring of ERs
- More flexible placements options; part-time, dual, period of time
- Bespoke packages including enrichment such as Forest School
- Less focus on qualification and more on independence and life skills

NEXT STEPS

- Prepare a full consultation to be launched April 2021



Appendix 4



Key

Blue – Primary Schools

Red – Secondary Schools

