

**HERTFORDSHIRE COUNTY COUNCIL**

**HEALTH AND WELLBEING BOARD**  
**Wednesday 13 November 2013 at 10.00am**

**SUBJECT: Hertfordshire's SEND Pathfinder**

**Report of Jenny Coles, Director of Children's Safeguarding & Specialist Services**

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**1. Purpose of report**

1.1 The purpose of this report is to provide a summary of the Hertfordshire's Pathfinder journey so far and consider potential implications for joint commissioning and integration.

**2. Summary**

- 2.1 Significant changes in the way we work with, and provide support to, children and young people (0-25) with special educational needs will be required following the implementation of the Children and Families Bill in September 2013.
- 2.2 Children, young people and their parents or carers will have more choice and control in terms of identifying the support they need to meet their outcomes but also how it is provided in line with the personalisation agenda.
- 2.3 There are clear duties and government expectations that local agencies will work more effectively together, jointly commission provision and take advantage of opportunities to integrate where it will improve the service provided to families.

**3. Recommendations**

Hertfordshire Health and Wellbeing Board is asked to:

- 3.1 Recognise the legal duty of each agency to promote integration between education, health and social care services for children and young people with special educational needs (para 4.9).
- 3.2 Endorse and support the proposal to review how we support this cohort of children and young people across the agencies in Hertfordshire and identify opportunities for effective integration of services where appropriate (para 6.8).

#### **4. Background**

- 4.1 The government is proposing significant reform in relation to how children and young people with SEN and their families access support to ensure the best outcomes.
- 4.2 The cohort of children and young people that are covered by the SEN reforms are identified as those children or young people (0-25) who have a learning difficulty or disability that requires special educational provision; specifically if they have:
  - a) a significantly greater difficulty in learning than the majority of others of the same age; or
  - b) a disability which prevents or hinders them from making use of educational facilities provided for others of the same age in mainstream schools or mainstream post-16 institutions.
- 4.3 Children under school age will be considered to have SEN if they fall within the definition above, or would do so upon reaching school age.
- 4.4 If a child or young person has a disability or health condition which requires special educational provision, they will also be covered by the SEN definition above
- 4.5 These reforms were first outlined in the Green Paper 'Support and Aspiration – a new approach to special educational needs and disabilities' and then became a significant element of the proposed Children and Families Bill<sup>1</sup> which will be introduced in September 2014. The main elements of the reforms are as follows.
- 4.6 Greater choice and control for families

One of the underlying principles of these reforms is that the views of parents, children and young people will be at the centre of decisions regarding their individual support; for example through person centred planning and the offer of a personal budget to access more personalised and flexible support should they choose. In addition, there is an expectation that children, parents and young people will be involved in decision making at a strategic level; in the development and review of the local offer as an example.

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<sup>1</sup> <http://www.education.gov.uk/a00221161/>

#### 4.7 Introduction of Education, Health and Care Plans (EHC Plans)

From September 2014, SEN statements and Learning Difficulty Assessments will be replaced by Education, Health and Care Plans, thereby providing the same statutory protection for young people who attend college, in receipt of training or in an apprenticeship as school age pupils (including academies and free schools). The statutory timescale for the process, from the point of request for an assessment to completion of the EHC Plan will reduce from the current 26 weeks for the education statement process to 20 weeks. The assessment and planning process will be person centered and focus on the achievement of outcomes both short and long term. There is also an expectation that early transition planning (from year 9) is in place for all young people with an EHC plan. This will focus not only on support required to continue any training or education but also on outcomes relating to employment, independent living, good health and participation in the community to ensure a smooth transition into adulthood.

#### 4.8 A new duty on Health

During the Commons committee stage of the legislative process for the Children and Families Bill, the Government introduced an amendment requiring health commissioners to deliver the health aspects of the EHC Plan.

#### 4.9 Integration.

One of the key features of the reforms is the requirement for local authorities and local partners to integrate SEN provision with health and social care provision where this would promote the well-being of children or young people or improve the quality of provision (clause 25 of the Children and Families Bill 2013<sup>2</sup>). This is reinforced by the mandate to the NHS and Health and Social Care Act 2012, which expects NHS England, CCGs and Health and Wellbeing Boards to promote integration of services. The Government clearly consider this an opportunity to redesign local services to operate more effectively, improving the customer journey and outcomes for children and young people and making the best use of resources.

#### 4.10 Joint commissioning of services

Continuing the theme of co-operation, local authorities, health and care services will be required to commission services jointly to ensure the needs of this cohort of children and young people are met and their outcomes achieved. Joint commissioning arrangements will encompass the full range of provision required to support children and young people with SEN in the area. This includes specialist support,

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<sup>2</sup> <http://www.publications.parliament.uk/pa/bills/lbill/2013-2014/0032/14032.pdf>

provision delivered by the private or voluntary sectors and social care services reasonably required by the learning difficulties and disabilities which contribute to a child or young person's special educational needs. In addition the recently published '*Draft Special Educational Needs (SEN) Code of Practice: for 0-25 years*'<sup>3</sup> proposes that it could also include support for parents and carers which will support the child's outcomes identified in the EHC Plan, for example mental health.

#### 4.11 A transparent local offer

There are two elements to the local offer element of the reforms:

- A clear and comprehensive web based set of information, easily accessible to parents and young people so that they know what support is available and how they can access it. A key feature is that this is developed and reviewed with parents and young people.
- A requirement to ensure that provision meets local needs and aspirations by:
  - Ensuring it is flexible to accommodate increasing Personalisation
  - Involving children, young people with SEN and their parents or carers in its development and review.

### 5. **Local Context**

5.1 Hertfordshire is one of 20 Pathfinders in England established to:

- Develop and test the key elements of the reforms locally,
- Inform the government as it continues to shape/ refine its thinking on this complex agenda.
- Contribute to the national evaluation of the pathfinder programme

5.2 In addition, we are a Pathfinder Champion (one of 9) for the Eastern Region with a remit to share our learning and facilitate shared learning across the region through a series of workshops and 1:1 sessions with each local authority area.

5.3 The programme governance arrangements are outlined in fig 1 below, with the programme overseen by the Children with Complex Care and Additional Needs Commissioning group (CCCAN). Both the Programme Board and two workstreams include representatives from Education, Social Care (children and adults), Health, the voluntary community sector and parent/ carer representatives from Herts Parent Carer Involvement.

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<sup>3</sup><https://www.gov.uk/government/consultations/special-educational-needs-sen-code-of-practice-and-regulations>

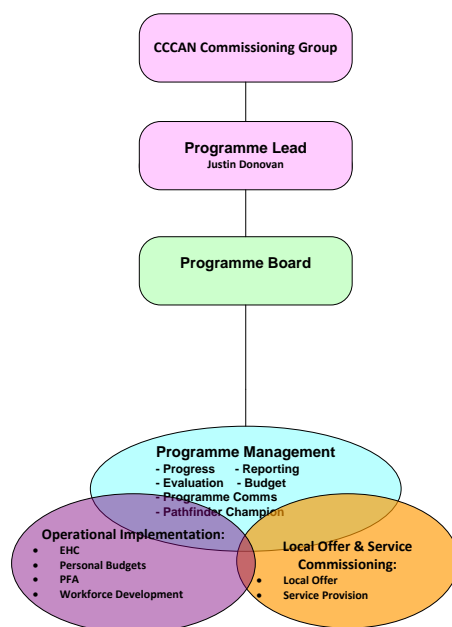


fig 1

## 6. Hertfordshire's Pathfinder Journey

- 6.1 Following the pilot, the EHC planning process is being rolled out across the county through a phased approach. The first two districts, Broxbourne/ East Herts went live in May and the second phase of four districts (Dacorum, St Albans, N.Herts and Stevenage), will go live in mid November following a series of briefings attended by over 400 professionals. The remaining part of the county will go live early next year.
- 6.2 Parent and carer engagement has been a significant feature of the programme both in terms of shaping its direction through involvement in the programme groups, information events co-hosted by Hertfordshire's parent/carer forum HPCI and at an individual level. Both families and those working with them have reported that the new way of working has encouraged more positive relationships.
- 6.3 Feedback from families and staff involved in the pilot, and more widely across the Pathfinders, indicated that the required change in skill set was significant. As a result, a workforce development programme has been established to support the required changes in skill set and ethos. In addition with the underlying move towards 'personalisation' and increasing pressure on agency resources, we will also be exploring how parents, carers and young people could take a more significant role in determining what support is needed to meet their needs and how it is provided.
- 6.4 The Pathfinder programme has also seen the completion of the first phase of the Local Offer. This has focused on establishing an on-line single access point for information regarding support and provision for disabled children and young people; initially acting as a sign post to existing information on HertsDirect which has been reviewed to ensure

that it is up to date and written in a way that is accessible for families. Further development will include a more sophisticated search facility to enable families to quickly access the specific information they require

6.5 Colleges and training providers have been actively engaged in the programme element focused on preparing for adulthood, engaging in training and the trialling of a Live Planning approach with families and a local special school. As a result of the programme, 20 young people have engaged in supported employment activities through the employment of specialist employment advisors.

6.6 The new person centred planning approach is clearly valued by both families and the workers, providing the opportunity to establish positive relationships between them and ensure the wishes and aspirations of the child or young person are at the heart of the Education, Health and Care (EHC) Plan.

*'It's refreshing to look at my child as a person with wishes rather than a child with complex health and special needs'*

*'It felt a much easier process to go through than the ones already in place which are disjointed and a headache!'*

6.7 Whilst the EHC plans appear to have reflected the views and wishes of the child and parent well, they have been less successful in translating those into robust outcomes and creative provision to achieve them. This could be due to a number of reasons including:

- Lack of experience and confidence in the new process
- The need for further development in terms of outcome focused planning
- Limited knowledge of what other support/ provision is available beyond the 'traditional' services commonly used.

6.8 Whilst the legislation and the draft code of practice is focused on special educational needs, these reforms are more than a new type of SEN statement by another name. They require a fundamental change in ethos and way of working with families across agencies and it is this that will change the experience of families for the better rather than a change in paperwork and process. However, this has reinforced the commonly held view of parents that current arrangements and ways of working have evolved to meet the need of the services rather than those of the 'customers'.

6.9 These reforms provide the Health and Wellbeing Board with an opportunity to promote a new strategic direction, encouraging the integration of; education, social care and health pathways, commissioning and service provision. Experience of the Pathfinder indicates that this would significantly enhance the outcomes for children and young people with complex needs in Hertfordshire.