

**Question 2: How should we develop the proposal for new Local SEND Partnerships (LSPs), to oversee the effective development of local inclusion plans while avoiding placing unnecessary burdens or duplicating current partnerships?**

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**SNJ's response to Question 2**

1. This is not a new idea, it is strategic commissioning that the local authority is - or should be - already doing.

The SEND Review recognises that Health & Social Care providers don't always work properly together or with education services – it could hardly conclude otherwise. But the Children and Families Act 2014 (section 26) and SEND Code of Practice (chapter 3) set out in a lot of detail how joint planning and commissioning should work. Why hasn't this worked, and what will make it work now under LSPs?

2. How will a Local Inclusion Plan differ from the Local Offer? The local offer is supposed to be a commissioning tool to help local authorities do their job, but it hasn't worked that way. Instead of reinventing the wheel, the DfE should be asking why?
3. Having worked on Local Offer steering groups for Surrey, and heard from many families about their own area's Local Offers, it is clear that the Local Offer has been seen as a directory of local and national services - many that are on LO websites are not even relevant. Many LAs do not have social media set up for their Local Offer and so it continues to be almost a 'secret'. Many LAs did not set up a dedicated website, just created some pages on their main council site so it became impossible to tell where the LO started or ended.
4. It has also been used as a repository for LA policies and documents but may not have been kept up to date. Ofsted has had a role in examining Local Offer websites as part of their SEND area inspections and there is much room for improvement.
5. We recommend:
  - a. Ensuring LO websites are dedicated spaces for SEND
  - b. Ensuring that all entries to "directory" sections are kept up-to-date, and it is clear how they offer services to local children and young people with SEND
  - c. Have a dedicated section for 16-25 that is easy to navigate and interesting to the eye.
  - d. Use accessible UX to ensure all parents can navigate it.
  - e. Use video where possible, and ensure that it is visually appealing
  - f. Ensure that all SEND documentation uploaded is up to date and legally compliant.
  - g. Ensure that every LA has a SEND newsletter that parents can subscribe to.

- h. Ensure that the LO website sets out clearly and easily the provision available in the LA (from different types of schools, short breaks and other respite, leisure facilities in the area) how they are accessible to disabled children, and how to gain access to them. It must be easily searchable. It must be possible to see how many children they serve and how use can be funded. It must be suitable for data interrogation and crucially, kept up to date. Only then will it become useful as a tool for commissioning.
    - i. To do this, staff need to understand what it is for - both informational and strategic - and keep that as their central goal.
    - j. Every LO should have social media set up that is regularly updated. Please see Surrey's for a good example.
  - 6. Who will decide who sits on a Local SEND Partnership? This is one of the most important questions should this proposal go ahead. It must include parental representation - and not just from the Parent carer Forum as this is just lazy. Every area has numerous local groups and charities and representatives could be carefully drawn from these.
  - 7. Decision-makers from Health, Education and Social Care must be compelled to participate fully, which means that funding must be provided to back-fill their positions, or that it is included in a job description.
  - 8. These panels must be able to be held accountable for decisions - they need to be transparent and reasons for decisions must be provided. They need to be accountable to the LGSCO and health ombudsman at a minimum and must publish annual reports where appropriate, with a transparent complaints procedure.
  - 9. Any LIPs must also include full plans on what they offer for 16-25-year-olds with SEND, with or without an EHCP.
  - 10. Nevertheless, simply having a panel or plan, does not ensure that they are legally compliant, or meet local need. If it is apparent that more funds are needed to do this, will they be able to request them from the Department for Education? If not, how will they fill any commissioning gaps?
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## Responses from parents/SNJ readers.

***NB: These views are those of parents for whom we have acted as a conduit for their response to the Green Paper. The views expressed from here are not necessarily those held by Special Needs Jungle.***



1. How will LSPs do something different than strategic joint commissioning? Will the partnership be inclusive, for parents and young people? Will it include parental representation outside Parent Carer Forums? Health & Social Care. Will roles be funded to ensure participation where needed? Ensure that surveys etc. are collaborative and appropriate? Ensure there is a working agreement between local groups and partnership with published accountabilities?
2. The Children and Families Act 2014 (section 26) and SEND Code of Practice (chapter 3) set out in detail how joint planning and commissioning should work but in Bristol, this doesn't work. Responses from the LA suggest they know it's not working but won't commit to an improvement.
3. Fund the Local Offer appropriately.

### **Philippa Gordon-Gould**

1. At the moment, commissioning by local authorities is budget-led and not needs-led. This is another reason why assessment of needs (whether it is for Education, Health or Social Care) should be independently assessed and not by the Local Authority responsible for paying for the services. In addition, health care services were invariably inadequate and not maintained sufficiently for all those who needed them. This was because of internal squabbles over who was responsible for funding them. The questions for many health care workers such as speech and language or occupational specialists working with pupils were about whether funding was going to come out of the schools' or the health care budgets. These issues should not be dictating the level of provision or the long-term commitment to that provision needed by pupils. The need must come first if this is ever to be effective.

2. The provision needed should then be billed to the department responsible for meeting that need. The partnerships between commissioned groups need to be coordinated by the body responsible for the assessment of pupil needs body (as described in Q1) but this should remain independent of the body tasked with funding which may be the LA or the Education and Skills Funding Agency.
3. The people sitting on a Local SEND Partnership (LSP) should include a selection of parents and specialists from Health, Social Care & Education. They should function as a recognized coordinated group mandated to provide a report and data for the local area for each of the departments they serve. Independent oversight by a body not connected with the DfE should ensure that decision-makers from Health, Education & Social Care fully participate and work cooperatively.
4. There should therefore be a separate OFSTED inspection specifically for the coordination and implementation of commissioned services. Recognition of excellent practice should focus on the appropriateness of provision and the success of long-term outcomes, not simply on numbers of SEND pupils being included at any particular school or college. Recognition should also take into account the satisfaction of parents and pupils with the quality of the therapy, opportunities and support provided.
5. Joint commissioning will work well as long as there is a mutual interest in providing the best possible quality of care. That means services have to be adequately supported and paid for the quality of provision they provide. This would enable them to take pride in the partnership work they do in each area. Whilst so many problems with the SEND provision continue to exist, it is vital that funding reduction should not be the main Government focus in the short term. There are many examples of poor implementation that need to be undone; many damaged families and children will need a lot of effective support before we can expect to see the genuine improvements and savings we are looking for. The system has to become effective and develop workable foundations for responsible inclusion before there is any expectation that costs can be reduced. In the same way, as a country would expect to rebuild itself following a war, much money has to be invested in growing expertise and a sound infrastructure to ensure an effective long-term recovery.
6. The local offer suffered from being a discretionary rather than a mandatory service by the LA. Services able to genuinely meet the needs of a local community need to be specified as statutory and properly funded. Many of the services in Suffolk fell by the wayside because a)

there was no incentive or obligation to keep them running b) there were inadequate resources to keep them functioning c) they were not clearly visible to the public and those families needing them.

7. Standards can only rise if provision is appropriate and delivered by those who are appropriately trained and properly supported so that too few people are not being expected to shoulder the burden of work. Providing for SEND effectively is a team effort. The entire system needs to be supportive and coordinated in a way that is not happening with our current system. Too often MAT leaders have little concept of how the funds they receive from the Education and Skills Agency are being spent on each child in each school or how it overlaps with support for those children by any Health or Social Care involved with the child. All SEND funding needs to be ring-fenced in order to secure appropriate provision for students – not just those with EHCPs but all children identified as in need of SEND support.
8. The Local Offer has been woefully inadequate in the Suffolk area in practice despite what appears to be an impressive website that may lead viewers to think otherwise. In reality when delved into, many of the apparent services did not continue to exist or provide any plausible level of support. Ofsted needs to assess the implementation on the ground and the way in which parents experience these local services, in order to establish their genuine effectiveness.
9. When thinking about how local inclusion plans can be made to be effective and accountable, it is important to establish first of all whether they are practical and implementable in terms of their design, their staffing, their resources and their funding. Although it is good to use examples of good practice from other countries that have been successful in managing this, it is important that the individual nature, wealth and demographics of each county are taken into account and that it is not presumed to be a consequence of poor management when councils fail to fulfil their work effectively. The same is true for all services that make up the whole programme of SEND support. It should also ensure whole families receive cross-service support and not just the pupil in question. Establishing what it is that makes it possible for one community and not another is crucial to the process of improvement.

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1. Can we more clearly understand why we need another level in this system? The Local Offer already exists to inform the LAs. Why has it not been doing this?
  2. Referring back to the current UK Law, the Children and Families Act of 2014 and the existing SEND Code of Practice, detail very clearly how the law should work pertaining to support for children with SEND. Perhaps you should start by getting the Local Authorities to read this and to stop them employing costly legal Counsel to threaten parents simply trying to have the law applied as it should be to their child.

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1. How will a Local Inclusion Plan be different to the local offer that is already supposed to be a tool to help LAs do their job and support children with SEND. Our local offer needs reporting to trading standards for false advertising and information. It is as much use as a chocolate teapot
  2. Who is accountable should a local inclusion plan fail to meet DfE National Standards?
  3. Again to reiterate, there needs to be clear standards of compliance; at present local authorities are non-compliant and non-accountable. Trust within the SEND community is broken.

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1. I don't think we need an additional SEND partnership as this is what should already be happening. This aspect should be thoroughly inspected and reported on by Ofsted/CQC SEND inspections and re-inspected when found wanting. School Ofsted inspections should cover inclusion in their own inspections.
  2. Yet again we see that the mechanisms are already in place but simply not utilised rigorously enough and no effective sanctions or positive support put in place when inclusion is found wanting.



1. Local authorities should already be overseeing the effective development of local inclusion plans as their main job is to serve the local population including supporting children and families. The current legislation (Children and Families Act 2014 and SEND Code of Practice) set out how joint planning and commissioning should work, so the better question is why hasn't this worked and how can we make it work?
2. In my case, the "local offer" does not offer anything for us. Our daughter's main barrier to attending school has been the combination of her autism, dyslexia and anxiety as there is not a single school locally that can provide the right environment for her to learn. There is a complete lack of a school that can offer the calm, collaborative, non-hierarchical, strength-based approach to learning that would work for her. After years of being traumatised by attending schools that did not look after her properly, her mental health deteriorated to the point of suicidal ideation and extreme meltdown and then shut down. At that point CAMHS (part of our local offer) were helpful, but ideally we needed support much earlier to avoid this extreme response. If CAMHS is the first time you are accessing the local offer, then something is wrong as surely there should be things in place to avoid getting to CAMHS.
3. Again in my case, the real problem is a lack of alternative education. Going down the Academy route does not work for all children. In fact for children like my daughter, schools that focus on discipline and attendance without offering meaningful adjustments (i.e. offering a type of education pretty much diametrically opposed to the system they offer) are the problem.
4. I note there is a new school opening locally (Brick Lane School) which is aiming to offer a calm and supportive place for young autistic people to learn in an environment designed to suit highly-anxious young people, and I hope this school works well. Sadly, it is too late for us as they are starting with a younger intake.
5. To answer the question, I think a much wider range and different types of schools offering a variety of kind, child-centred, calm, autism-positive, strength-based, non-hierarchical schools is needed to develop the local inclusion plans. So a wider school offer that includes therapeutic schools is the answer.



1. These partnerships already exist, or at least the function of them already do, and they are largely ineffective because there is no accountability and they are frequently run by people who have no idea about SEND and are just looking at their budgets.
2. In our local authority, the SEND Partnership is a joke - despite having plentiful evidence of the level of SEND places needed in the county, their 5-year plan will not lead to the creation of sufficient school places for the children already in the system, let alone any slack for those who will enter the system later or move into the area as a result of huge local housing expansion.
3. The partnership and its membership pre-date an appalling Ofsted inspection and allowed services, school places, and systems to fall into ruin. And the same ignorant, unambitious and unaccountable people are likely to remain sitting in any new format of SEND partnership that exists in the future. We will keep going round and round in the quagmire with these people while they continue to draw fat salaries and pensions, and while our children's lives are ruined.
4. Where will be the performance management and scrutiny of these SEND partnerships? Where will be the accountability and the mandate that they must upskill and be able to adequately understand and apply the law?



1. I do not understand what value new local SEND Partnerships are proposed to offer over and above the existing role of a local authority to act as a strategic commissioner of joined-up services across health, education and social care. This is clearly not working when it comes to EHCPs and SEN provision, but what is different about the new proposals that mean it would be successful?
2. How will inclusion plans differ from local offers? What has been informing the local offer for the last 8 years? The local offer in my area is overwhelming and poorly set up, so searching is unreliable. The provision in local areas is a postcode lottery - even SENDIASS services vary from one area to another in terms of support levels and expertise. Provision is very much dependent on what charities and other local organisations

have been set up in a particular area. Rather than spending money on moving to inclusion plans, this would be better spent on having a range of recommended provision to be included in a local offer which LAs should be expected to work towards, with a requirement for co-design with service users and the community and voluntary sectors as well as other partners.



1. The key factors are enforcement and accountability. Currently, there are already adequate/ good standards but enforcement and accountability seem to be missing where most LA's and some schools are concerned.
2. SEN children do not fit a type. For instance, Autism is a wide spectrum and putting these children all in the same category is not a solution. Some children are very intelligent but because of dyslexia, dyspraxia, ADHD and autistic anxiety they cannot fit into mainstream education and certainly lumping them into alternative provision is no answer and long-term add costs to society when they could be excellent contributors to The economy and society instead of needing continual support.
3. Separating responsibility between the NHS and LA's will only reduce the delivery of services to SEND children. For most children, it is important that these are integrated services.
4. The basic problem here is that this bill is being introduced as a cost-cutting mechanism without real consideration of children's needs or the long-term effect this will have on them and society. Proper and timely assessment followed by adequate provision for SEN children will provide long-term benefits for all.



1. There needs to be a national team who oversee local employees



1. The proposal for new local SEND partnerships effectively describes strategic commissioning, i.e. councils' main job. They should take the lead in working with other local organisations to think about the particular local population they serve, the current and future needs of that population, what already exists locally to meet those needs, where the gaps are and how to fill them so children and families aren't left without vital support.
2. It's an excellent idea, but hardly new. If a local authority isn't already doing this, what is it even for?
3. The SEND Review recognises that health and social care providers don't always work properly together or with education services – it could hardly conclude otherwise. But the Children and Families Act 2014 (section 26) and SEND Code of Practice (chapter 3) set out in a lot of detail how joint planning and commissioning should work. Why hasn't this worked, and what will make it work now?
4. The local offer was supposed to be a commissioning tool to help local authorities do their job, but it hasn't worked that way. This question is an opportunity to share your experiences of the local offer in your area and how it has helped, or not.
5. It isn't fully clear how local inclusion plans will differ from local offers. Chapter 2 of the Green Paper says that the local inclusion plan won't replace the local offer, but will "inform" it. This really does beg the question of what has been informing the local offer for the last eight years?



1. I don't know how to even answer this question. 'SEND Partnerships' seem to relate most to strategic commissioning, which is already what councils are supposed to do. Education, health and social care providers are already supposed to work together for joint planning and commissioning, but my understanding is that it often doesn't work well because of the protection of budgets within the different organisations – it becomes a near 'zero sum' game between them. And, for what it's worth, my experience of the Local Offer in informing decision-making has been that it really does not. In my council area, the Local Offer has become the 'directory of existing services' that was foreseen and

forewarned of in the SEND CoP. There is little actual feedback or genuine listening arising out of the Local Offer, just an endless series of meaningless consultations my LA commissions to give the impression of listening. These are performative tick-box exercises before it does whatever the hell it wanted to do in the first place.



1. In Cumbria, this is already supposed to be happening via strategic commissioning so I am wondering how this will be different? Representation via SENDAC parent Carer forum already exists but needs to be more fully supported and promoted by the CCC. Rather than people in posts having to tag this role onto their already existing jobs there should be fully paid roles devoted to Local SEND partnership representatives from all four strategic partners. There should be a separate board made up of parent carers that the SEND partnership reports directly to or Parent Carer forums should be given more power to allow for accountability.
2. The local offer is only as good as the money invested in keeping it up to date and I am not aware of how the Cumbria local offer is being used to inform commissioning although it is clear from it that services in our area are not uniform and involve a postcode lottery of availability. All councils should be able to ask for further funds from the DfES to address the imbalance and enable new national standards to be met.
3. Also not clear how the inclusion plans can be made accountable in a way that ensures there are no loopholes and excuses for lack of provision. Councils should not be left to their own devices to have improvement boards that make the process slow and unwieldy whilst leaving families suffering.