

Somerset Health and Wellbeing Board

Thursday 27 September 2018

11.00 am Luttrell Room - County Hall,
Taunton



SUPPLEMENT TO THE AGENDA

To: The Members of the Somerset Health and Wellbeing Board

We are now able to enclose the following information which was unavailable when the agenda was published:

Item 6	Special Educational Needs & Disability (SEND) Joint Commissioning Strategy (Pages 3 - 20) Report to follow.
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Community Governance, County Hall, Taunton, TA1 4DY

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Somerset Health and Wellbeing Board

Report for Health and Wellbeing Board
27th September 2018

Special educational needs and disability (SEND) Joint Commissioning Strategy.

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	Seen by:	Name	Date
Report Sign off	Exec Board	A. Perrington Assistant Director	9/9/2018
	Relevant Senior Manager / Lead Office (Director Level)	Julian Wooster	
	Cabinet Member / Portfolio Holder (if applicable)	Frances Nicholson	
	Monitoring Officer (Somerset County Council)	Scott Wooldridge	
Summary:	<p>The Joint Commissioning & Partnership Programme as a subgroup of the Local Area Improvement Network (LAIN) is working to contribute to the SEND Strategy outcome: Creative partnership working delivers effective, fair and transparent systems and services</p> <p>The SEND Code of Practice requires that “Local authorities and clinical commissioning groups (CCGs) must make joint commissioning arrangements for education, health and care provision for children and young people with SEN or disabilities (Section 26 of the Act). The term ‘partners’ refers to the local authority and its partner commissioning bodies across education, health and social care provision for children and young people with SEN or disabilities, including clinicians’ commissioning arrangements, and NHS England for specialist health provision.” pg38. Development of the SEND Joint Commissioning Strategy sets out the principles we are working towards together in our commissioning, and the governance arrangements.</p> <p>The SEND Joint Commissioning Strategy is supported by an Action Plan for which the focus of the first year will be:</p> <ul style="list-style-type: none"> • Co-ordinating Information, Advice and Guidance (via Participation and Engagement Group) • Identification and Assessment • Improving outcomes - EHC assessment, planning and review 		

Recommendations:	<p>That the Health and Wellbeing Board note</p> <ul style="list-style-type: none"> The future intended direction to support progress being made against the 5 SEND strategic outcomes and recommendations from the Gloucestershire SEND peer review in relation to Joint Commissioning and Partnership. <p>That the Health and Wellbeing Board approve the draft Somerset SEND Joint Commissioning Strategy.</p>
Reasons for Recommendations:	<p>To formalise our shared understanding of commissioning and inform the development of robust priorities and effective joint working to meet local needs more effectively. And to include this within the HWB strategic refresh.</p>
Links to Somerset Health and Wellbeing Strategy:	<p>The SEND Joint Commissioning Strategy and the SEND Joint Commissioning & Partnership groups oversight of joint commissioning work will ensure partners meet the joint priorities as set through the three key strategies; the Health and Wellbeing Strategy, Children and Young People’s Plan and SEND Strategy.</p>
Risks:	<p>Purposeful data sharing: The sharing and analysis of statistical information across key partners remains problematic and isn’t routine. Data across partners is used for different purposes and is not easily matched at individual level. Joint commissioning therefore remains at an early development stage and will be addressed through the work supporting this strategy.</p> <p>Financial pressures on all key partners; Historical structures which are not matched to need, staff vacancies and the need for additional savings continue to pose significant risk to the pace of transformation across the Local Area. Restructures and holding vacancies are commonly used across key partners to meet the financial challenges, and have resulted in a loss of expertise and capacity to support the heightened legislative duties under the Children and Families Act 2014 and Code of Practice 2015. The timescales relating to decisions about savings needing to be made encourage partners to work separately</p>

Background

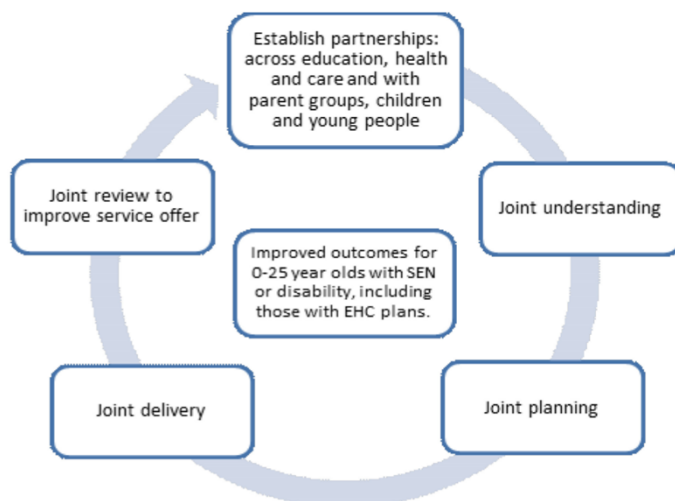
The Joint Commissioning & Partnership Programme as a subgroup of the Local Area Improvement Network (LAIN) is working to contribute to the SEND Strategy outcome: Creative partnership working delivers effective, fair and transparent systems and services. The subgroup brings together partners from Health, Education and Social Care and parent carers.

The SEND Code of Practice requires that *“Local authorities and clinical commissioning groups (CCGs) must make joint commissioning arrangements for education, health and care provision for children and young people with SEN or disabilities (Section 26 of the Act). The term ‘partners’ refers to the local authority and its partner commissioning bodies across education, health and social care provision for children and young people with SEN or disabilities, including clinicians’ commissioning arrangements, and NHS England for specialist health provision.”* pg38.

Development of the SEND Joint Commissioning Strategy sets out the vision, principles, processes and reflects the wishes of young people in Somerset for the commissioning of services for children, young people with SEND and their families. It is drafted by the Somerset local area Joint Commissioning Group. Joint Commissioning for SEND is overseen by the SEND Intervention Board. The SEND Intervention Board reports to the Somerset Children's Trust and the Health and Wellbeing Board, who hold overall accountability for meeting the outcomes of children and young people with SEND. The SEND Joint Commissioning & Partnership group will oversee the commissioning process for SEND Reforms, reporting by exception to the SEND Intervention Board.

Commissioning is a process for securing better outcomes for people, children and families across partners including parent carers and children and young people, in using resources in the most effective and efficient way to ensure that the right service is available in the right place, at the right time.

The joint commissioning cycle



Principles

We seek to embed the SEND Charter and will ensure our joint commissioning supports the following principles (see page 6 of the strategy for more detail);

- Participation & Engagement
- Co-production & Collaboration
- Evidence Based and Outcomes Focussed
- Transparent
- Effective Communication

Through the joint commissioning cycle we will jointly ensure all professionals:

- share responsibility for children and young people's outcomes and are familiar with the annual action plan
- work to the vision and Principles of the joint commissioning strategy
- have clear expectations and clarity in their roles and responsibilities
- Align existing contracts, develop new joint contracts and identify priorities and risks
- Implement a shared commissioning cycle, including quality assurance reviews
- Understand dispute resolution protocols for parents, carers and young people and for professionals.

Action Plan

The SEND Joint Commissioning Strategy is supported by an Action Plan for which the focus of the first year will be:

- Co-ordinating Information, Advice and Guidance (via Participation and Engagement Group)
 - Local Offer, SENDIAS and SEND communications plan; single point of access and navigation support
 - Guidance for parent carers and schools including toolkits
 - SENDIAS Service
- Identification and Assessment
 - Emotional Health and Wellbeing / SEMH (shared pathway for behavioural presentations)
 - Refresh ASD strategy including identification, assessment and provision pathways for both SLCN and ASD
 - Developing a joint needs assessment
- Improving outcomes - EHC assessment, planning and review
 - Person centred planning and reviewing including Personal Budgets and Direct Payments
 - SEND Workforce Development Plan (as part of Children's Services Workforce Development Strategy)
 - Capital Sufficiency Programme

Background Papers

Appendix A – SEND Joint Commissioning Strategy (JCS)

Appendix B – SEND JCS Action Plan – Year 1

SEND Joint Commissioning Strategy



"Our Education. Inspire Today... Change Tomorrow"



principles

6



SEND Joint
Commissioning Strategy on a

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The SEND Joint Commissioning Strategy for the local area sets out our vision, principles, processes and reflects the wishes of young people in Somerset for the commissioning of services for children, young people with SEND and their families.

“We want every child and young person to have the greatest possible opportunity to be the best they can be, to be happy and to have choice and control over their life”

Somerset SEND Strategy, 2016-19

We know that generally children and young people with Special Educational Needs and /or Disabilities do not achieve the same educational, health and social outcomes as other children. We need to transform our services and work together to develop a commissioning approach to meet the guiding principles outlined in Somerset’s Special Educational Needs and Disability (SEND) Strategy for Children and Young people aged 0-25.

“Personally, for me joint commissioning stands out to me as different teams coming together and working as one to reach the best possible outcome.

This could be sharing resources and making sure the right support is in place.

When different services and teams work together, we can achieve the right support for the individual at the right time, in the right place. This will also create a healthy relationship between teams and agencies.”

Luke Foster, Young Person’s Champion

- “Choose our next school or college
- Find a job and keep a job
- Live more independently
- Find things to do in our spare time
- Stay safe and healthy”

Choices for Life Strategy, 2017 - 2018

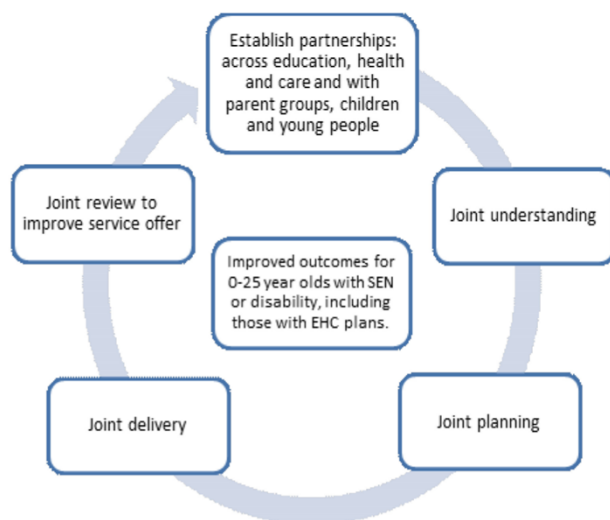
The Children and Families Act 2014 included Special Education Needs and Disabilities (SEND) reforms, which place a duty on agencies to work together across education, health and care to secure better outcomes. Local authorities and clinical commissioning groups (CCGs) must make joint commissioning arrangements for education, health and care provision for children and young people with SEN and disabilities (section 26 of the Act)

Commissioning is the process of understanding the needs of a population or group, and, using available resources, to meet those needs through procurement and contracting processes. Joint commissioning is where this is done in partnership to increase efficiency and enable joined up services. Increasing financial pressures across education, health and care provide the catalyst to transform our services by working closely together to eliminate duplication and spend wisely, whilst striving to improve quality and outcomes for the children, young people and their families in Somerset.

The focus of this strategy is to provide a commissioning approach that uses resources efficiently and promotes fairness, inclusion and opportunity for all so that all children and young people in Somerset can lead the lives they want. This includes choosing their next school or college, finding and keeping a job, living more independently, find things to do in their spare time and staying safe and healthy.

The Somerset local area Joint Commissioning & Partnership Group brings together partners from Health, Education, Social Care and parent carers. We believe that joint commissioning and planning are pivotal to the improvement and transformation of services to empower children and young people with SEND. Together we have developed this strategy which sets out how we want to identify, develop, plan and put in place services in the Local Area to support CYP with SEND and their families.

The joint commissioning cycle



This SEND Joint Commissioning Strategy along with our local Children and Young People's Plan provides an overarching agreed model for how best to deploy the local area resources available and to ensure the right funding is in the right place at the right time. It sets out the vision for the next 3 years and has an action plan that is refreshed annually by all partners. Every year we will produce a local area Needs Assessment (www.somersetintelligence.org.uk/SEND.html) this will help us to identify the key challenges and shape activity for the following year. We will contribute to the emerging 'Fit for our Future' Joint Commissioning Strategy to ensure alignment further developing our approach as opportunities arise.

Our services will be flexible, person centred and focus on the individual's, wishes, aims and specific requirements as they move through childhood into adult life. Many services are linked to schools, with others based around the home.

We will support children and young people to have high aspirations, effectively participate in their community and grow to live the life they want, as detailed in Choices for Life Strategy.

The SEND Joint Commissioning Strategy will:

Provide a shared understanding of SEND commissioning and the local model for Education, Health and Care partners, which is simple and easily understood.

- Deliver a joined up, consistent and coherent approach to SEND services with clear accountability.
- Meet the vision of the local area SEND Strategy and improve outcomes for children, young people and families, with a focus on adding value and making a positive difference.
- Inform the development of robust priorities and effective joint working to meet local needs more efficiently.

The benefits of this joint commissioning approach will be:

- Improved outcomes for children, young people and their families.
- Closer partnership working.
- A more coherent service offer in the local area which supports individual personalised solutions.
- Shared best practice, expertise and what works to improve outcomes.
- Shared intelligence and a shared understanding of local area need able to adjust when local area need changes.
- A clear understanding on the aspirations of our young people and what they have told us is important to them.

The Joint Commissioning & Partnership Group's work reports to the Local Area Improvement Network, the SEND Intervention Board, and the Health and Wellbeing Board through the Somerset Children's Trust (See Appendix 4)

We seek to embed the SEND Charter and will ensure our joint commissioning supports the following principles;

- **Participation & engagement** – the child or young person and parent carer’s voice is heard and acted upon leading to better engagement and involvement in processes that are child and family centred, and improved confidence in services. Together we aim to achieve the aspirations, goals and priorities as defined by children, young people and their families and recognise the importance of the voluntary sector and communities in delivering this.
- **Co-production & collaboration** – together we involve parent carers, children and young people and our partners in developing and reviewing local services in an open, honest and transparent way. We will be clear about how decisions are made, who is accountable and responsible for them, including how disagreements will be resolved. We will also collaborate with those providing the services.
- **Evidence based and outcomes focussed**– We will share and use a wide range of research, best practice, policy and data to identify the most effective and efficient service models, to ensure that high-quality services are delivered and focus on prevention and early help.
- **Transparent** –Constraints on public finances mean it’s essential to find new ways of working that deliver outcomes while at the same time making efficiency savings. As a first step we intend to be transparent with our budgets so that funding streams for specific areas of activity can be looked at closely in one place
- **Effective communication** -Information sharing is vital to support an effective assessment and planning process. We will establish local protocols for the effective sharing of information which addresses confidentiality; consent and security of information. Communication will be clear and open, ensuring information is shared and clarity is given over roles and responsibilities.

Continually improving...

Joint priorities are set through three key strategies; the Improving Lives Strategy (Health & Wellbeing Strategy), Children & Young People’s Plan and SEND Strategy; with a directed contribution to the Improving Lives Strategy Outcome 3: fairer life chances and opportunity for all.

Supporting children and young people with SEND and their families is everyone’s business. Through local, regional and national development we seek to remain at the forefront of SEND improvements engaging in relevant regional and National networks.

Joint Commissioning for SEND in Somerset is overseen by the SEND Intervention Board. The SEND intervention Board makes recommendations to the Somerset Children’s Trust and the Health and Well-being Board, who hold overall accountability for meeting the outcomes of children and young people with SEND.

The SEND Joint Commissioning & Partnership Group will develop the commissioning process for the SEND Reforms and identify opportunities for joint commissioning work.

We will jointly ensure all professionals:

- share responsibility for children and young people's outcomes and are familiar with the annual action plan
- work to the vision and principles of this SEND joint commissioning strategy
- have clear expectations and clarity in their roles and responsibilities
- align existing contracts, develop new joint contracts and identify priorities, benefits and risks
- implement a shared commissioning cycle, including quality assurance reviews
- understand dispute resolution protocols for parents, carers and young people and for professionals.

Strategically the partners work to the [Working Together Partnership Protocol](#) (Somerset Health and Wellbeing Board (HWBB), Somerset Children's Trust (SCT), Somerset Safeguarding Children Board (SSCB), Somerset Safeguarding Adults Board (SSAB), Somerset Corporate Parenting Board (SCPB) and the Safer Somerset Partnership (SSP)).

It is important that professional differences and disagreements are not viewed negatively and that protocols are established for multi- agency SEND working. The [Protocol for Resolving Professional Differences in Work Relating to the Safety of Children](#) will be followed.

Nationally the powers of the First-tier Tribunal (SEND), often referred to as the 'SEND Tribunal', have been extended to make non-binding recommendations about the health and social care aspects of Education, Health and Care (EHC) plans as part of a two-year trial from 3 April 2018. This is known collectively as the 'single route of redress'. There is a requirement for Education, Social Care and Health to work together to ensure that needs of a child or young person are met in a holistic, person centred way. Having clear protocols and principles in place will support the swift resolution of any disputes.

Our Vision

We want every child and young person to have the greatest possible opportunity to be the best they can be, to be happy, and to have choice and control over their life.

Somerset SEND Strategy

Our Principles

Participation & Engagement

Co-production & Collaboration

Evidence based & Outcomes focused

Effective communication

Transparent

Our Processes

Shared governance

Shared data

Shared priorities

Transparent budgets

Joint contract monitoring

Our young people want to:

choose their next school or college

find a job and keep a job

live more independently

find things to do in their spare time

stay safe and healthy

The SEND Joint Commissioning & Partnership Group Action Plan is a Partnership Document updated yearly. It is subject to co-production and therefore may change as we progress. The current Action Plan can be viewed on the local offer.

For 2018/19 the key areas of work are;

Improving outcomes

- Ensuring that children and young people have access to good quality education provision local to their homes through the further development of the Capital Sufficiency Programme.
- Design a SEND Workforce Development Plan (as part of the Children's Services Workforce Strategy) to ensure that all professionals have the skills and knowledge to effectively support children and Families.
- Develop personalised planning and reviewing including personal budgets & direct payments

Identification and assessment

- Provide guidance for professionals and parents of children and young people who may have social emotional or mental health needs, how we will identify, assess and support these children and young people.
- Refresh the ASD strategy including identification, assessment and provision pathways for children, young people and young adults with speech, language and communication needs and autism.
- Develop a joint needs assessment that can be refreshed annually to support joint commissioning

Co-ordinating Information, Advice and Guidance

- Provide effective support to parents and carers at the right time by further development of the Local Offer, SENDIAS service resulting in a single point of access and navigation support.
- Work together with parents to develop guidance for parent/ carers on a range of issues identified in the parental response survey, and distribute.
- Develop toolkits for professionals and schools

Structure and processes

- Design processes that act as a gateway for SEND Joint Commissioning.
- Offer joint impact analysis to wider system changes considering impact on children and young people with SEND.
- Refine a fit for purpose Joint Strategic Needs Assessment chapter for SEND and finalise, embed and share the 6 monthly SEND Needs Assessment.
- Review processes for securing independent provision.

Full Needs Assessment can be found at: www.somersetintelligence.org.uk/SEND.html

Executive Summary

Context

This Needs Assessment was initiated by the Special Educational Needs and Disabilities (SEND) Improvement Board in Somerset. The Improvement Board includes members from Somerset County Council, partner organisations including Clinical Commissioning Groups, health providers, Education and representatives from parent carer groups.

The term 'Special Educational Needs' specifically refers to children and young people who meet the definition given by the SEND Code of Practice: "a child or young person aged 0-25 has special educational needs if they have a learning difficulty or disability which calls for special educational provision to be made for them". However, disability can be defined in different ways, in particular in planning, health and social care settings. The statutory definition of disability in the UK comes from the Equality Act (2010): "a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities".

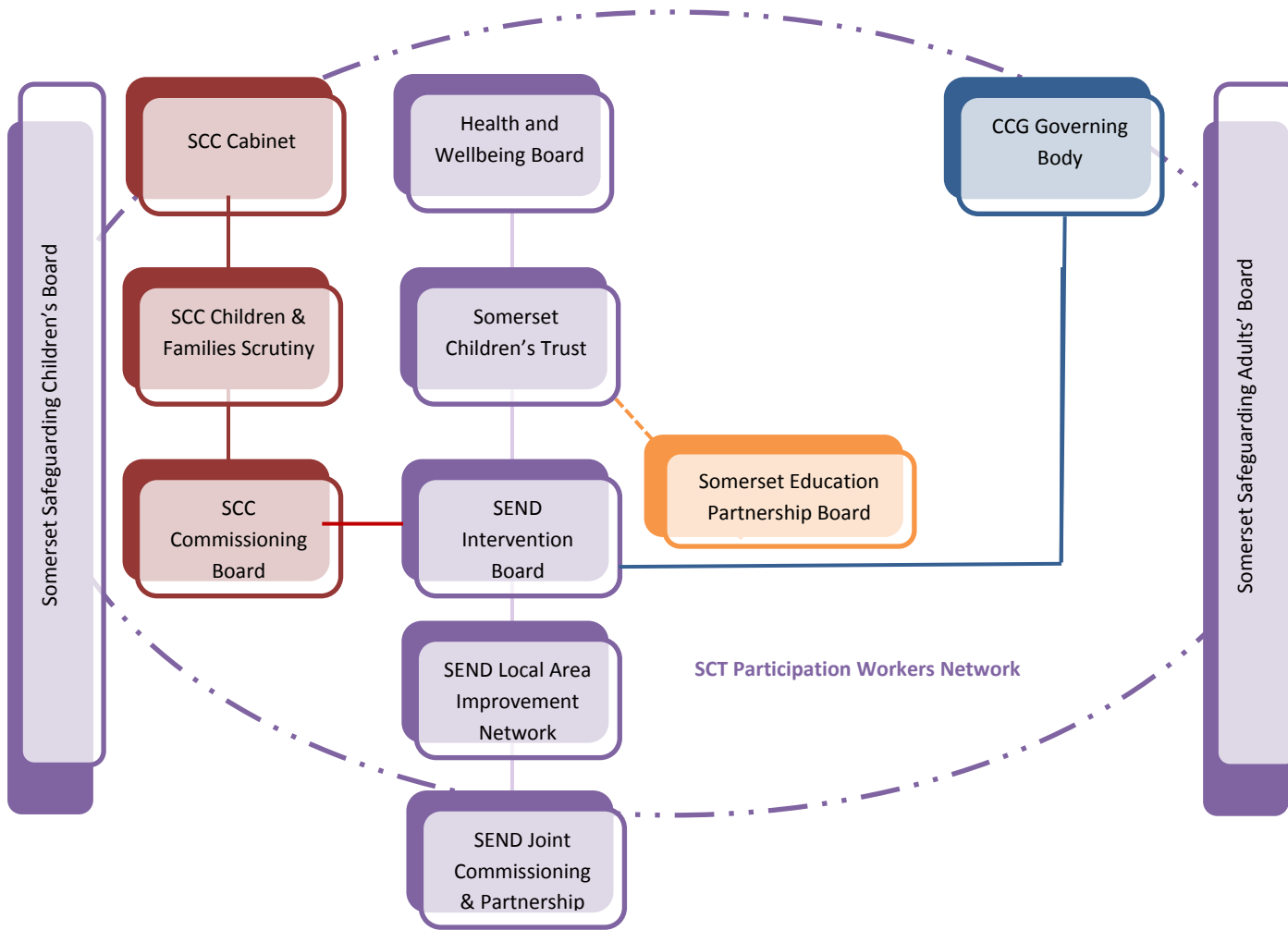
National outcomes for children and young people with disabilities

Whilst disabled children and young people are all individuals with different experiences and strengths, on a population level they continue to experience poorer outcomes across the board:

- Disabled young people are more likely than their non-disabled peers to not be in any form of education, employment or training (NEET)
- Four in every ten disabled children live in households where income is below the poverty line, compared to three in ten children without disabilities
- The annual cost of bringing up a disabled child is 3 times greater than that of bringing up a non-disabled child
- Disabled children and young people still report barriers to participation in sport, education, leisure and using public transport, and in personal relationships
- Disabled children are more likely to be bullied; and to experience violence and abuse
- Special educational needs may go unrecognised, leading to adverse outcomes. Children with Speech, Language and Communication needs who are vulnerable to offending are significantly at risk of having their communication disability misdiagnosed as a "behaviour" problem. It is estimated that up to 80% of young offenders nationally have severe communication difficulties.
- Parents and carers of children and young people with disability are also at risk of developing physical and mental health problems; their economic and social wellbeing can also be affected.

For young adults with disabilities, there are often challenges in making the transition to adulthood and adult services. Sometimes this transition in reality can represent a disrupted 'transfer' of care, and where insufficient support is available, young people can feel as though they have been thrown "from the pond into the sea"

Appendix 4: Governance Route



Key:



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	Activity
1	Improving outcomes <i>Support needs to start early and should centre around the child or young person's own aspirations, interests and needs Page 122 SEND Code of Practice</i>
1.1	Ensure sufficient and appropriate local school places through needs analysis, joint planning and the capital sufficiency programme.
1.2	Promote the use of personal budgets and personal health budgets and establish mechanisms to combine the assessment, allocation, management and monitoring of personal budgets
1.3	Develop an engaged and confident workforce through a multi-agency offer of CPD across the local area
2	Agreeing Identification and Assessment <i>Local authorities must carry out their functions with a view to identifying all the children and young people in their area who have or may have SEN or have or may have a disability (Section 22 of the Children and Families Act 2014). Page 23 of SEND Code of Practice.</i>
2.1	Develop a shared understanding and pathway for children with additional needs (SEMH presentations) by bringing together existing workstreams and ensuring a graduated response for those with SEMH needs at risk of exclusion.
2.2	Develop joint commissioning strategies arising from the Autism Strategy refresh, including pre-diagnosis interventions for those seeking diagnosis
2.3	Develop coordinated assessments for those with complex or continuing care needs. Strengthen the work of the Multi-Agency Complex Needs Panel decision making
3	Coordinating Information, Advice and Guidance <i>..arrange for children and young people with SEND, and their parents to be provided with information and advice about matters relating to their SEND, including matters relating to health and social care. Page 30 SEND Code of Practice</i>
3.1	Promote the local offer across the local area as the single point of access for information advice and guidance.
3.2	Work together with all partners to map existing information and toolkits, identify and address gaps
3.3	Complete an audit of current information, advice and guidance and align to national requirements
4	Structure and Process <i>Local authorities and clinical commissioning groups (CCGs) must make joint commissioning arrangements for education, health and care provision for children and young people with SEN and or disabilities (section 26 of the Children and Families Act) Page 38 SEND Code of Practice</i>
4.1	Design process to provide a SEND Joint Commissioning Gateway for education, health and care that supports joint funding of provision
4.2	Provide joint impact analysis for wider organisational change identifying the potential impact for children and young people with SEND
4.3	Refresh a fit for purpose Joint Strategic Needs Assessment (JSNA) chapter for SEND and finalise, embed and share the 6 monthly SEND Needs Assessment

