

BLACKBURN WITH DARWEN JSNA

CHILDREN & YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS & DISABILITIES (SEND)

2020

The legal definition of **special educational needs** (SEN) was set out in the Children and Families Act (2014)¹, and is reflected in the statutory SEND Code of Practice²:

xiii. A child or young person has SEN if they have a learning difficulty or disability, which calls for special educational provision to be made for him or her.

xiv. A child of compulsory school age or a young person has a learning difficulty or disability if he or she:

- **has a significantly greater difficulty in learning than the majority of others of the same age, or**
- **has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions**

It also defines the concept of **special educational provision**:

xv. For children aged two or more, special educational provision is educational or training provision that is additional to or different from that made generally for other children or young people of the same age by mainstream schools, maintained nursery schools, mainstream post-16 institutions or by relevant early years providers. For a child under two years of age, special educational provision means educational provision of any kind.³

Special educational needs and disabilities (SEND) can affect a child or young person's ability to learn. They can affect their:

- behaviour or ability to socialise, for example they struggle to make friends
- reading and writing, for example because they have dyslexia
- ability to understand things
- concentration levels, for example because they have ADHD
- physical ability⁴

These children and young people (C&YP) may need additional support in order to engage in educational experiences. C&YP with SEND often experience poorer outcomes than their peers in educational attainment, employment opportunities and physical and mental health and wellbeing⁵.

Population groups

- Nationally, at January 2019, 20.2% of boys aged 5 to 17 in state-funded schools were identified as having SEND, compared with 10.7% of girls.⁶
- In January 2019, 36.5% of Blackburn with Darwen school pupils lived in neighbourhoods among the 10% most deprived in England. For children and young people with SEND, the proportion was 46%.⁷

CONCEPTS

National Strategies

The **Children and Families Act 2014**⁸ set out a series of significant policy changes, including changes to the way in which C&YP with SEND and their families were to be supported going forward. These changes were called the **SEND reforms** and included:

- Replacing old 'statements of special educational needs' with new birth-to-25 co-ordinated **education, health and care (EHC) plans**
- Offering families personal budgets
- Local authorities publishing a 'Local Offer' of support
- Preparing young people for adulthood

The **Care Act 2014**⁹ focussed on the care and support of adults (18+) and created a single framework for care and support. This means that young people aged between 18 and 25 are entitled to support through both pieces of legislation.

The **SEND Code of Practice: 0-25 years**¹⁰ provides statutory guidance on duties, policies, procedures relating to Part 3 of the Children and Families Act and associated regulations and applies to England

Definitions

SEN support: Provided by schools and colleges, if a parent, teacher or child thinks that some extra help is needed, staff at the school will discuss with the child/young person and their family why the help is needed and what the extra help will look like.

Education, health and care (EHC) plan: If a child or young person needs more support than their school/college provides then they may need an education, health and care plan. This is a statutory document. An EHC plan details the education, health and care support that is to be provided to a child or young person who has a Special Educational Need or a disability (SEND) who need more support than is available through special educational needs support. Drawn up by the local authority after an EHC needs assessment of the child or young person has determined that an EHC plan is necessary, and after consultation with relevant partner agencies.

SEN Support
+ EHC Plans
= Total
pupils with
SEND

EHC plans for 19-25 year olds with SEND: Under the reformed system, EHC plans will cover eligible students up to the age of 25. However, DfE guidance¹¹ makes it clear that this does not mean that students have an automatic entitlement to education up to the age of 25. Nonetheless, 19 to 25 year olds with a learning difficulty or disability have the right to request an EHC needs assessment (unless one has been carried out in the last 6 months), and may appeal if a request is rejected.¹²

Personal budgets: A Personal Budget is an amount of money identified by the local authority to deliver provision set out in an EHC plan where the parent or young person is involved in securing that provision. The funds are either directly held by the parent or young person, or may be held and managed on their behalf by the local authority, school, college or other organisation or individual and used to commission the support specified in the EHC plan.

Individual Pupil Resourcing Agreements (IPRAs): An IPRA is an agreement between a mainstream school or academy and the local authority, which ensures that schools have sufficient funds to meet the needs of a pupil with High Needs (defined as requiring in excess of £6k additional to and different from SEN support). IPRAs are a means of providing timely additional resources to schools to support individual pupils' needs without having to carry out a statutory assessment and then issue an EHC plan.¹³ IPRAs are issued instead of statements to speed up the process of getting support packages into place but they are now being phased out since the introduction of EHCPs.

SETTING THE SCENE

Collecting data on children and young people with SEND can be complex, as there are a number of definitions, cohort sizes and methodologies in use.

In BwD, there are two main sources of data, which provide information on children with SEND:

- All C&YP (aged 0-25) who live in BwD and have a SEN statement or EHC plan are recorded on a database
- The annual School Census which records all C&YP (aged 4-19) who attend local authority maintained schools (not all C&YP will be captured as some BwD children attend schools in other boroughs or independent schools within the borough)

Data for BwD C&YP

According to the published annual school census, in January 2019, there were **29,333** children and young people aged 4-19 attending BwD schools in January 2019 (including state funded primary and secondary and special schools).⁴

Of these, **770** were identified as having a statement or EHC plan, and a further **4,342** did not have a plan but were receiving SEN support.⁴

In September 2019, there were 34 children and young people waiting for EHCPs. During the 2018/19 academic year, there were 124 referrals to the SEND panel, down from the previous year when there were 193 referrals.⁶

Figure 1 - Primary SEND need of BwD SEND school pupils according to their ethnicity (2018)¹⁵

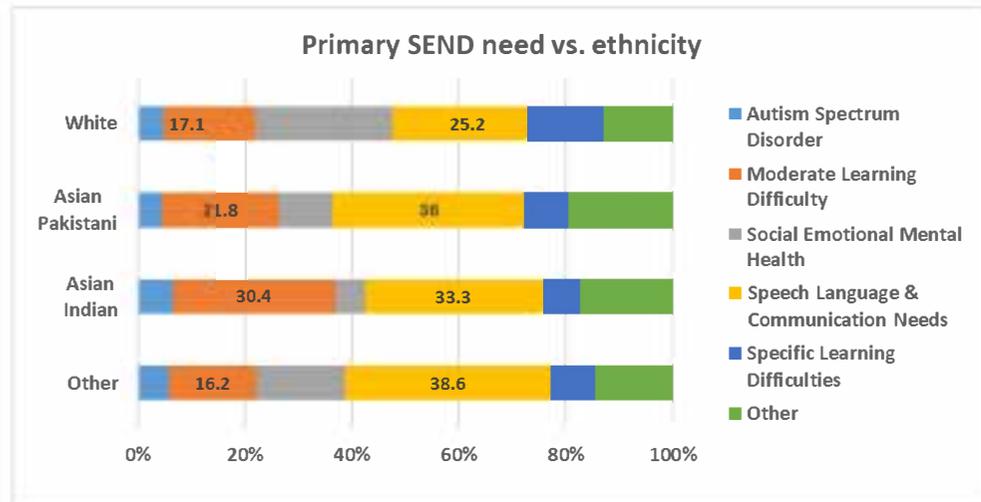
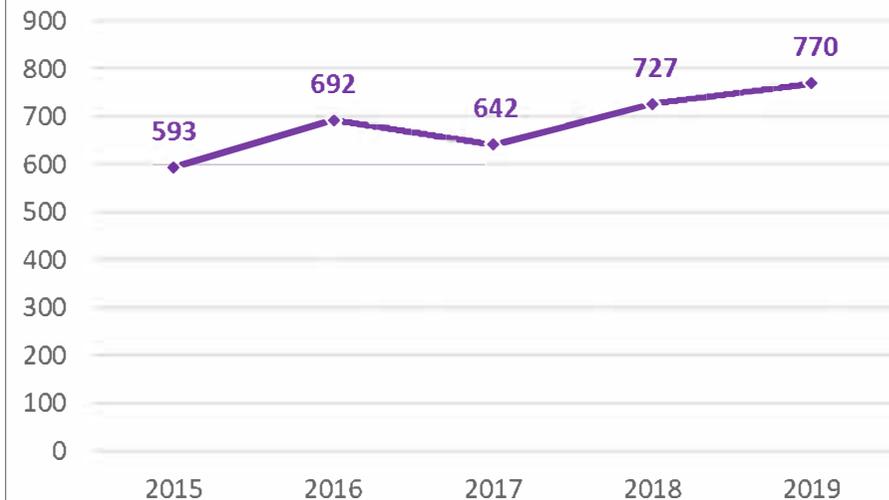


Figure 2 - Pupils in BwD schools with statement or EHC plan¹⁴

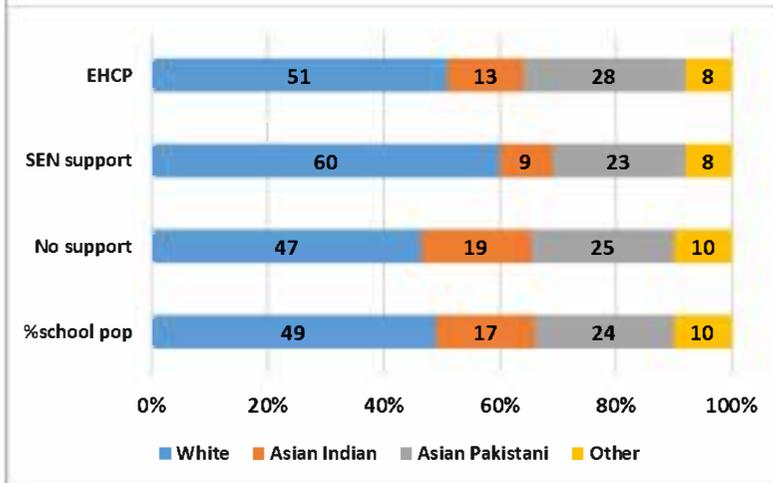


The number of C & YP with EHC plans in Blackburn with Darwen schools would be higher if we also counted the number of IPRA's issued to students.

ISSUES

Inequalities and barriers

Figure 3 - BwD school population (2019)⁷



Ethnicity

In England, there have been two nationally representative studies on ethnic disproportionality (Strand & Lindsay, 2009¹⁷; 2012¹⁸). The 2009 study revealed that South Asian pupils had around half the odds of being identified with Autistic Spectrum Disorders (ASD) compared to White British pupils. Strand & Lindorff (2018)¹⁹ found that Asian groups were also under-represented for Social, Emotional and Mental Health (SEMH). The under-representation of some ethnic groups is just as important to understand as the overrepresentation of others, as it may indicate barriers to accessing services and provision.

Although there are positive outcomes of being identified with SEN, such as access to specialist resources and additional support, there are also possible negative outcomes.¹⁹ Particularly for needs such as SEMH and Moderate Learning Difficulty (MLD), these may include an inappropriate or narrowed curriculum, restriction of opportunities because of lowered expectations, or feelings of stigmatisation/labelling on the part of identified pupils. There is a danger that ethnic disproportionality, if not addressed, may through inadequate or inappropriate provision perpetuate the same unequal outcomes in the future.

Academic achievement

Children with SEND face a number of barriers to achieve the educational outcomes their peers without SEND achieve. In 2018, 13% of BwD SEND pupils achieved a Grade 5 or above in GCSE English and Maths; the non-SEND BwD average was 45.5%. Nationally, 13.5% of SEND students achieved Grade 5 and above compared to 12.3% in the North-West.²⁰

Employment

Young people with SEND often struggle to enter into paid employment after completing their educational studies; this is exacerbated by a lack of opportunities, accessibility issues within the workplace and negative attitudes and stereotypes held by employers and education providers. In March 2019, 94.3% of non-SEND BwD 16 & 17 year olds were in education or training (ET) compared to 86.9% of young people with SEND. Nationally, 88.6% 16 & 17 year olds with SEND were in ET, and regionally 84.6%.

Measures for reducing inequalities

There are a number of local initiatives aimed at addressing this area of concern, for example:

0 – 19 public health nursing service: conducts developmental reviews on every child at 10-12 months and again at 2-2.5 years to identify needs and support them being addressed during early stages of development.

Supported internships: help young people with EHCPs get ready for employment through work placements that provide valuable workplace experience. We have currently have two supported internship programmes running at two different colleges.

RISK / VULNERABILITY FACTORS

As mentioned earlier there is overrepresentation from certain vulnerable groups when it comes to SEND, such as children and young people known to children's social services, and those living in the more deprived parts of the borough.

44%

of looked-after children have SEND (national average 55%)

29%

of BwD pupils with SEND are on Free School Meals (BwD non-SEND pupils on FSM 14%)

65%

of BwD children & young people with SEND are boys

46%

of BwD school-children with SEND live in neighbourhoods among the 10% most deprived in England

WHAT WORKS?

Early assessment and identification

Co-location of services in children's centres (e.g. health visitors, speech and language therapists, paediatricians and early years practitioners) helps to identify and meet children's developmental needs at earlier stages of their development.

Good practice principles

- ❖ **Listen** to the views of C&YP with SEND and their families
- ❖ Work in **partnership**
- ❖ Provide good quality **information and advice**



Support for parents and carers

Short breaks, and fun activities after school, at the weekend and during the school holidays, give parents and carers a break from their caring role. They also provide children and young people with the opportunity to do something they enjoy, independently from their parents/carers.



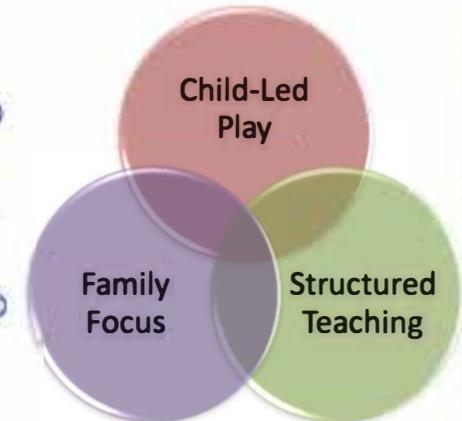
Portage

[Portage](#) is a home-visiting educational service for pre-school children with SEND and their families. The name 'Portage' comes from a town in Wisconsin, USA where the scheme began.

All Portage work observes the 'Portage Principles' and is carried out according to the 'Portage Model':



PORTAGE MODEL



ASSETS AND SERVICES

Education settings and services

Special Educational Needs Information, Advice and Support Services

Provides free independent information, advice and support to parents and carers of children and young people who have or may have SEND.

SEND Support Service (SS) - A team of specialist staff who work with schools and other education settings to provide additional specialist input. Areas of expertise include developmental language disorder, specific learning difficulties, visual and hearing impairment, physical disabilities & autism.



Educational Psychology Team

Provides psychological services to schools and early years settings for the benefit of C&YP aged 0-25 who live in BwD or are placed outside the borough.

Statutory Assessment Team

Deals with requests for statutory assessments for an EHCP for C&YP aged 0-25 who live in the borough. Produces, maintains & monitors plans to meet their severe and complex needs and co-ordinates school and college placements.

Specialist education settings

Blackburn with Darwen has two special schools and three resourced provisions.

Early Years SEND team

A team of Early Years Advisory Teachers and Special Support Assistants (SSAs) who work with children with complex needs aged 0-5 years. They work closely with parents and in partnership with other agencies to meet the individual needs of young children who have or may have a special educational need or disability.

BwD's Early Years SEND team also has an accredited **Portage service**, which works with children from the age of 0-3 years in their homes, offering parents advice and guidance on how to meet their child's developmental needs.²¹



Support groups / Resources

Asian Carers Group is a support group for parents/carers of children with disabilities. It organises workshops and speakers as well as trips and activities for carers.



National Autistic Society

The BwD branch of the **National Autistic Society** is a local support group for parents, carers, children, siblings and adults living with autism including Asperger Syndrome.

Siblings 'Sibs' Group is a group for siblings of children with disabilities to spend some time together enjoying fun activities.

Little Treasures - a weekly group for children with complex needs aged 0-3 years. Opportunity to meet other families, and with health & education professionals who support parents with stimulating activities.

Information, Guidance and Support



Special Educational Needs Information, Advice and Support Services - or '**SENDIASS**' for short. Provides free independent information, advice and support to parents and carers of C&YP who have or may have SEND.



Local Offer BwD's Local Offer website is for children and young people with SEND and their families and includes a whole host of information and guidance on education, social care, and health and community activities/opportunities.

Disability Links is a voluntary register that parents and carers can choose to add their child's name to. The register provides regular information about events, activities and support within the BwD area. In December 2018 there were nearly 900 families signed up.

New Directions - Team of advisers working with young people who hold an EHCP to explore post 16 options available to them, based on the young person's interests and career aspirations. The team's involvement continues through to Year 11 or 13/14 at both Crosshill and Newfield to help support the transition from secondary to post-16 education/training.



Coproduction & Engagement

Friends of the Local Offer (FoLO)

Group is a small group of parents/carers of children and young people with SEND. They meet monthly to find ways to help families to help themselves by recommending improvements to information, guidance and the services available to families locally.



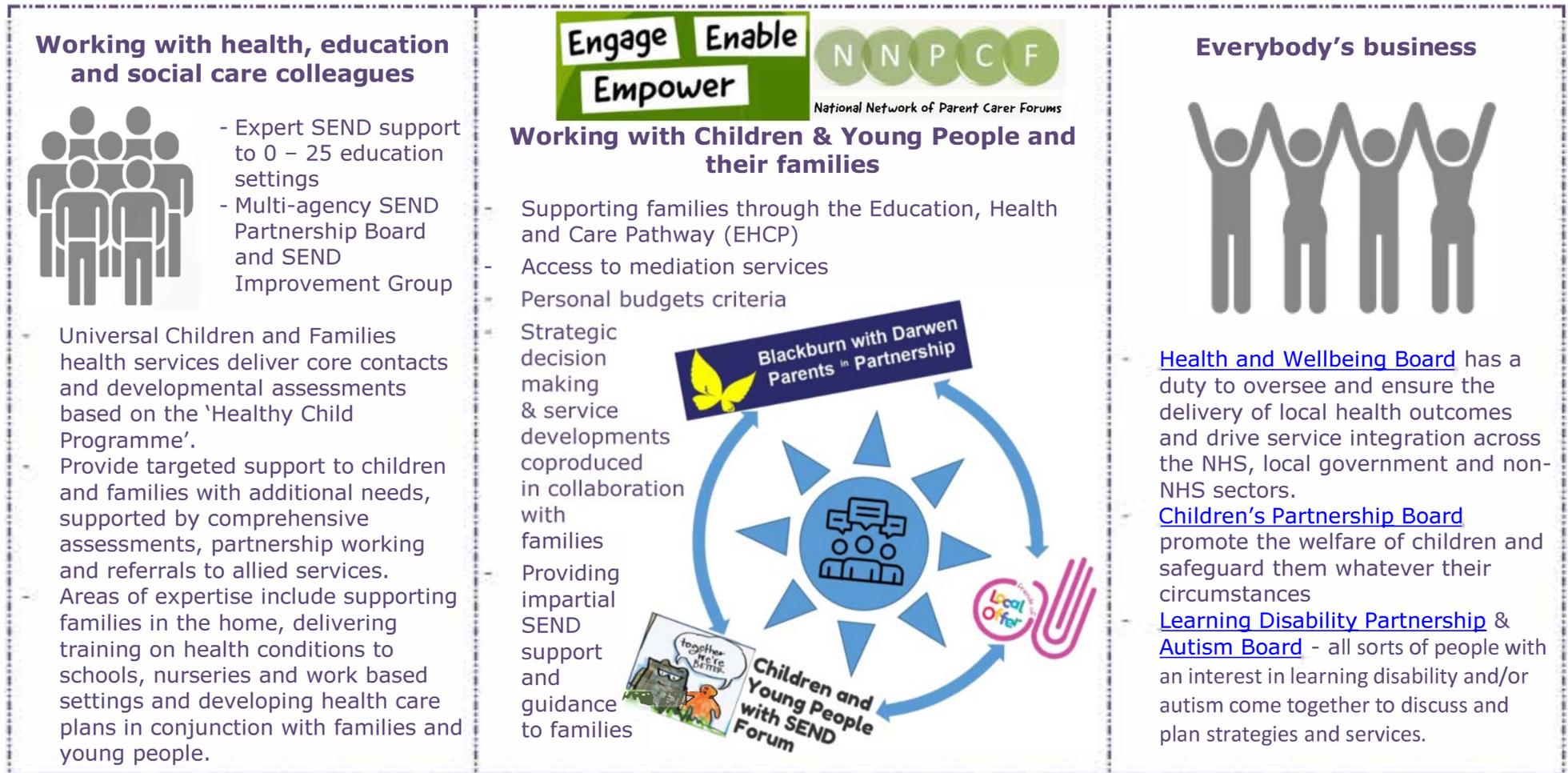
Children and Young People with SEND Forum

The forum was established in 2016 and has been verbally praised by the charity **KIDS**, who have worked with the Council to support participation of C&YP. It provides a creative and fun platform to engage with C&YP with SEND to ensure their views and opinions are understood and used to improve services.



ASSETS AND SERVICES

In Blackburn with Darwen, we actively pursue a partnership approach to designing and delivering services to our residents. This happens on an individual level through the assessment and education and healthcare planning processes around the child or young person as well as at the strategic planning level – SEND Board.



'Focus group' icon: [focus group](#) by ProSymbols from [the Noun Project](#)

CASE STUDIES

Anna*

Anna is a Year 3 pupil with Downs Syndrome (DS). SEND Support Service & the Early Years Team have supported Anna since nursery. Due to her wide range of learning difficulties she was referred to a SEND SS Complex Needs Advisory Teacher (AT) to support, advise and train the school staff. Anna was the school's first DS pupil and the teaching staff were understandably anxious about meeting her needs effectively. The AT spent time with the class teacher and explained how school could change and enhance their practice to meet Anna's needs.

Initially targets focussed on language development, as this is at the core of moving the learning forward. In collaboration with the Speech and Language Therapist, targets were set for home and for school. Anna's teacher moved from being anxious about Anna to being an excellent advocate for Anna. She also had a brilliant Support Assistant who took on board strategies, followed advice and provided a creative environment for Anna to work in.

Part of the AT role is to consider alternative ways for Anna to record her work. Motor skills are often delayed with children with DS and handwriting can be considerably delayed. Anna received a laptop funded by Blackburn with Darwen Borough Council with specialist software, which gave her the ability to record her work. Once the school was given the support and training, Anna began to flourish. She is now talking (difficult to stop her talking!) and is a highly valued member of the school.

The success has come about through good liaison with the school in offering them sound advice, liaising with outside professionals, and providing specialist tools to allow Anna to be fully included.

Sara*

Sara is a 15 year old who has been on short breaks via the Children with Disabilities Team since 2010. She has four siblings, none of whom have additional needs. However, they have benefited from the services that are on offer for the family in the form of attending the sibling group held weekly during every school holiday. This has provided the children (two are now over 20 years of age) with opportunities for fun and relaxation outside of the family home.

Sara's mum has accessed the Carers service and the family is registered with Disability Links that provides a wide breadth of activities within the local community and throughout the year. Because of the family accessing all of the services on offer, they have had the opportunity to make wider friendships in the local community. Sara and her siblings have increased in confidence and the short breaks service has provided her parents with personal time, which has allowed them to continue to be excellent carers for all of their children.

Muhammad*

A senior Child Health Worker identified that Muhammad had significant speech and language delay, gross/fine motor skills delay and had difficulties with problem solving when assessed using the national measurement tool during his 2-year developmental check. When the concerns were shared with his mum, she agreed she also had some concerns and consented for her son to be referred to other services for support and a common Assessment Framework (CAF) to be completed. A Health Visitor led the CAF and following a home visit, an action plan was co-produced with the family. By utilising the CAF process, professional involvement from speech and language, children's centre services, portage and paediatricians was co-ordinated to reduce the risk of duplication and to monitor progress against projected outcomes.

Mohammad began making excellent progress in all areas of his development and was supported to attend nursery through provision of a 2 year offer place.

Nathan*

Nathan has Asperger's and was struggling to keep his place on his A level programme at a Sixth Form College. This was creating a great deal of anxiety and affecting his relationships at home. Realising how important his education is, Nathan and his mother sought support from the New Directions Careers Service to explore his options and discuss his current issues. Despite liaising with the Sixth Form to attempt to negotiate extra support for Nathan, he decided exploring courses at an alternative college would be of more interest. His New Directions advisor supported him to make links with Learning Support in the college who in turn could assess his needs and establish the most suitable course for his interests. However signing up for this course would leave a gap in his learning due to the start date being later in the year. He was signposted to a short course, which allowed him to continue his education but in an environment suited to his learning needs. Nathan completed the short course and has since enrolled on his new full time course, where he is doing well.

*not their real names

OBJECTIVES

Within Blackburn with Darwen's [SEND Strategy \(2018 - 2021\)](#) there is a commitment to realising the vision that families will live ordinary lives wherever possible within their local community.

The overarching objectives are for Blackburn with Darwen to be a place where children and young people with SEND will have every opportunity:

1. **To learn and achieve with the right support from early years through to further education/training**
2. **To live independently in their own community**
3. **To secure employment that meets individual aspirations and skills**
4. **To feel safe in their community**
5. **To access health services and guidance**
6. **To access short breaks and respite**
7. **To participate in society and contribute to their communities**

CHALLENGES

In England, SEN funding is part of the overall Dedicated Schools Grant allocated to each local authority to fund their schools budget. It is for local authorities, in consultation with their schools' forums, to determine the individual allocation to schools. There are huge pressures on school budgets and BwD has a higher proportion of C&YP with SEND compared with other places²².



The recent Ofsted & CQC SEND inspection²³ stated that BwD was committed to improving the lives of C&YP with SEND.



“The majority of families who expressed their views feel that their children get the help and support they need”.

However, the report also highlighted some areas that require further improvement. These included:

- Better use of data, in relation to patterns and trends of need, to inform and evaluate strategic planning and commissioning of services
- Some children experience long waits for neurodevelopment assessments and some mental health services due to high demand for these services
- Opportunities for employment and independent living are limited and need to be broadened
- More emphasis on the positive differences the SEND provision makes to the lives of children and their families, rather than the processes

The Council and its partners recognise that they need to do more work to improve the lives of our children and young people (C&YP) with SEND. To do this they aim to:

- Involve C&YP with SEND and their families, in strategic decision making and service developments to ensure provision meets their needs
- Ensure effective early identification of SEND to secure appropriate support at the earliest opportunity
- Ensure safeguarding needs are effectively recognised and addressed for children with SEND
- Promote inclusive practices in education settings to ensure C&YP with SEND have full access to the whole range of opportunities available
- Plan effective transition between education, health and social care from early years to adulthood
- Support successful preparation for adulthood including independent living, employment, participation in society and contributing to the community
- Strengthen our joint commissioning arrangements to enable children and young people's needs to be met locally wherever possible
- Develop our workforce to ensure they are knowledgeable, competent and confident when supporting C&YP with SEND and their families

REFERENCES

- ¹ HM Govt (2014). Children and Families Act 2014. Available from <http://www.legislation.gov.uk/ukpga/2014/6/part/3/crossheading/special-educational-needs-etc/enacted>
- ² Department for Education (2015), Special educational needs and disability code of practice: 0 to 25 years, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND Code of Practice January 2015.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf)
- ³ Department for Education (2015), Special educational needs and disability code of practice: 0 to 25 years, p.15-16 INSERT LINK
- ⁴ GOV.UK (no date), Children with special educational needs and disabilities (SEND), <https://www.gov.uk/children-with-special-educational-needs>
- ⁵ Ofsted (2010), The special educational needs and disability review, <https://dera.ioe.ac.uk/1145/1/Special%20education%20needs%20and%20disability%20review.pdf>
- ⁶ National Audit Office (2019). Support for pupils with special educational needs and disabilities in England. <https://www.nao.org.uk/wp-content/uploads/2019/09/Support-for-pupils-with-special-education-needs.pdf>
- ⁷ Internal 2019 BwD School Census data
- ⁸ DfE (2014), The young person’s guide to the Children and Families Act 2014, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/359681/Young Person s Guide to the Children and Families Act.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/359681/Young_Person_s_Guide_to_the_Children_and_Families_Act.pdf)
- ⁹ Department of Health & Social Care (2018), Care and support statutory guidance, <https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance>
- ¹⁰ DfE (2015), Special educational needs and disability code of practice: 0 to 25 years, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND Code of Practice January 2015.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf)
- ¹¹ DfE (2017), SEND: 19-to-25-year-olds’ entitlement to EHC plans <https://www.gov.uk/government/publications/send-19-to-25-year-olds-entitlement-to-ehc-plans/send-19-to-25-year-olds-entitlement-to-ehc-plans>
- ¹² DfE (2017), SEND: 19-to-25-year-olds’ entitlement to EHC plans <https://www.gov.uk/government/publications/send-19-to-25-year-olds-entitlement-to-ehc-plans/send-19-to-25-year-olds-entitlement-to-ehc-plans>
- ¹³ Essex County Council (2014), SEN Planning and Provision Education and Lifelong Learning, https://schools.essex.gov.uk/pupils/sen/SEN_Finance/Documents/Funding%20Manual%202014-15%20Final.pdf
- ¹⁴ DfE (2019). Special educational needs in England: January 2019. <https://www.gov.uk/government/statistics/special-educational-needs-in-england-january-2019>
- ¹⁵ Internal BwD school census 2018 data
- ¹⁶ Internal BwD data
- ¹⁷ Strand, S. & Lindsay, G. (2009). Evidence of ethnic disproportionality in special education in an English population. *Journal of Special Education*, 43(3), 174-190.
- ¹⁸ Strand, S. & Lindsay, G. (2012). Ethnic disproportionality in the identification of Speech Language and Communication Needs (SLCN) and Autistic Spectrum Disorders (ASD): 2005-2011 (DFE RR 2012-247). London: Department for Education.
- ¹⁹ DfE (2018), Ethnic disproportionality in the identification of Special Educational Needs (SEN) in England: extent, causes and consequences – Executive Summary, available from: http://www.education.ox.ac.uk/wp-content/uploads/2018/08/Executive-Summary_2018-12-20.pdf
- ²⁰ DfE (2019). Key stage 4 and multi-academy trust performance 2018 (revised). Available from <https://www.gov.uk/government/statistics/key-stage-4-and-multi-academy-trust-performance-2018-revised>. (See ‘Characteristics local authority tables’.)
- ²¹ Early Years Support Service. <https://www.bwd-localoffer.org.uk/kb5/blackburn/directory/service.page?id=M2WLSNbeP20> (scroll down for ‘Portage’)
- ²² The Shuttle (2019), Inspection highlights positive outlook for services supporting children and young people with special educational needs, <https://theshuttle.org.uk/inspection-highlights-positive-outlook-for-services-supporting-children-and-young-people-with-special-educational-needs/>
- ²³ Ofsted (2019), Local area SEND inspection – Blackburn with Darwen, <https://files.api.ofsted.gov.uk/v1/file/50099927>

If you have any queries or comments, please contact: Rabiya Gangreker, Public Health Knowledge Analyst (rabiya.gangreker@blackburn.gov.uk)