

# Birmingham City Council

## Report to Cabinet

21<sup>st</sup> March 2023



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**Subject:** **BIRMINGHAM SEND STRATEGY**

**Report of:** **Sue Harrison, Director for Children and Families**

**Relevant Cabinet Member:** **Cllr Karen McCarthy, Children, Young People & Families**

**Relevant O &S Chair(s):** **Cllr Kerry Jenkins, Education and Children's Social Care**

**Report author:** **Helen Ellis, Director of SEND and Inclusion,**  
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Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 011132/2023		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:		

### 1 Executive Summary

- 1.1 The SEND Strategy outlines eight priorities for the local area.
- 1.2 Partners are already working collaboratively to improve service delivery, making sure the right support, is in the right place and at the right time for children and young people with additional needs. Action Plans are in place for many of the below priorities and some continue to be developed through a co-productive process.

- 1.3 The SEND Strategy has been comprehensively co-produced via a series of workshops with children and young people, parents and carers, professionals from all partnership organisations, Birmingham Parent Carer Forum, senior BCC officers and councillors.
- 1.4 The SEND Strategy has been considered and signed off by Birmingham City Council (BCC) Children and Families Senior Leadership Team (CSLT), BCC Corporate Leadership Team (CLT) and the local area SEND Improvement Board (SIB), chaired by the DfE appointed commissioner, John Coughlan.
- 1.5 The SEND Strategy has been 'signed-off' by: Birmingham Parent Carer Forum Chair – Sabiha Aziz; Birmingham Children's Trust, Director of Practice – Jenny Turnross; the Birmingham and Solihull Integrated Care Board (ICB/S), Deputy Chief Executive and Chief Nursing Officer – Lisa Stalley-Green; Birmingham City Council (BCC) Director for Children and Families – Sue Harrison; BCC Director of SEND and Inclusion – Helen Ellis, and Councillor Karen McCarthy – Lead member for Children and Families.
- 1.6 An annual report will be produced every 12 months.

## **2 Recommendations**

That Cabinet

- 2.1 Approves the SEND Strategy so that officers can continue to take forward the service improvements which have commenced in partnership with all partners.
- 2.2 Note that the Lead Member for Children and Families, will retain overall oversight of this strategy and the outcomes associated with it. Councillor McCarthy has been involved in co-production and consultation events and has been kept informed about the contents of the SEND Strategy (via BCC Directors and the SEND Transformation team) throughout its creation.

## **3 Background**

- 3.1 The five-year SEND Strategy has been developed to support and align with the Birmingham SEND Improvement program(s) of work. It is a key component of the Children and Young People's plan and will be monitored via the SEND Improvement Board and the Children and Young People's Partnership.
- 3.2 The SEND Strategy also supports the UNICEF Child Friendly Cities and Communities accreditation.
- 3.3 The SEND Strategy is a clear partnership response from all local service providers to improve the delivery of services for children and young people with additional needs in Birmingham.
- 3.4 An Accelerated Progress Plan (APP) was created which is monitored via the SEND Improvement Board, chaired by John Coughlan. Recommendations from John Coughlan were all accepted by Cabinet in November 2022.

3.5 As part of the APP, it was decided that a refreshed SEND Strategy for Birmingham would be developed, and it is a key component of moving the local area forward to improving services for children and young people.

3.6 The strategy aligns with the Inclusion Strategy and the Children and Young People's Plan, where we aim for children to thrive. We will put children at the heart of everything we do and be ambitious for our children. We aim to work together as one partnership, from a strengths and relationship based approach, with shared priorities and principles. Ensuring a family centred holistic approach, especially for our most vulnerable children and young people, wrapping around them with the right support, at the right place and at the right time.

3.7 Interdependencies with both the Inclusion Strategy and the Birmingham Children's Plan have been key to the development of this strategy.

We have fully utilised feedback from families and children and young people as well as the contributions of professionals at many co-production events. These led to the creation of the following priorities, all of which have clear success criteria and monitoring arrangements. We are at the stage of now implementing the priority areas with all stakeholders.

- 1) Early identification of need
- 2) Graduated Approach/Delivery Model
- 3) Smooth transitions
- 4) Comprehensive review of provision (in education)
- 5) District based models of provision
- 6) Excellent communication
- 7) Skilled workforce across the partnership
- 8) Improved data collection and reporting

3.8 In creating the style and content of the SEND Strategy document, we have used images of current Birmingham local provision with current Birmingham users of that provision. We have also ensured that we have followed the SEND Brand which was previously co-produced with families so that it is recognised by all partners.

This is the final draft version of the Strategy; however, it is noted that there may be some minor amendments and grammatical / typographic amendments required, a final proof will be undertaken.

3.9 Accessible version(s), different language versions and short videos will be developed to provide 'easy read' and 'easy access' versions for the communities Birmingham serves. These will be available via the Local Offer website (amongst other media/materials).

- 3.10 The priorities outlined above are already being worked on to implement the necessary changes. Task and finish groups are operating, and detailed action plans are in place (or under development) for each of the priorities. These include clarity on lead organisations/posts as well as the criteria against which we will monitor success.
- 3.11 The SEND Strategy and the outcomes within it will be monitored by the Children and Families Directorate Senior Leadership Team, at the SEND Improvement Board and via regular performance monitoring meetings with Heads of Service with all stakeholders.
- 3.12 An annual report will be produced every 12 months to highlight progress against the outcomes within the SEND Strategy.

#### **4 Options considered and Recommended Proposal**

- 4.1 Different formats/designs and the specific contents of the SEND Strategy were discussed throughout its evolution before presenting this the final version.
- 4.2 This is the final draft version of the Strategy; it has been agreed by all partners and is recommended to be taken forward. However, it is noted that there may be some minor amendments and grammatical / typographic amendments required, after a final proofread is undertaken.

#### **5 Consultation**

- 5.1 The SEND Strategy was a comprehensively co-produced document. It involved robust methodological triangulation of information, which included initial fact finding, series of engagement events and information from surveys.
- 5.2 There were refinements via consultation and task and finish groups with approval through the Accelerated Progress Plan (APP)/the SEND management groups and Birmingham CLT.
- 5.3 Local school leaders and different levels of staff have been involved at all stages of the evolution of the SEND Strategy.
- 5.4 The Birmingham Parent Carer Forum have been a key partner in the development of the SEND Strategy and have endorsed the process followed and the content of the Strategy.
- 5.5 This SEND Strategy is an area wide strategy requiring partnership cooperation from a range of local stakeholders. The final draft has been accepted and will be going through the governance process for Birmingham Children's Trust and Birmingham and Solihull ICB/S.

## **6 Risk Management**

- 6.1 If the SEND Strategy is not approved, momentum may be lost with the co-produced plans for delivery which have been agreed at the SEND Improvement Board through the Accelerated Progress Plan.
- 6.2 Children and young people with additional needs require us to implement the Strategy at some pace and so any delay may create unnecessary delays.
- 6.3 The Director(s) have already commenced discussions and detailed analysis with Education settings and service providers that support children and young people with additional needs.
- 6.4 Clarity regarding the 'direction of travel' is being provided at all meetings for all education settings and service providers. Delay would create confusion and uncertainty about the strategic way forward for services.

## **7 Compliance Issues:**

### **7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?**

- 7.1.1 The agreement to this strategy is directly related to the acceptance by Cabinet in November 2022 to the DfE Commissioners recommendations for delivering better SEND provision in Birmingham.
- 7.1.2 The City Council's plans being delivered via the Birmingham Children and Young People's Plan are interrelated and have been cross-referenced with the SEND Strategy.
- 7.1.3 The City Council's plans being delivered via the Birmingham Inclusion Strategy are interrelated and have been cross-referenced with the SEND Strategy.
- 7.1.4 Ensuring that every child receives the right support to meet their needs and thrive is the top priority for the Children & Families Directorate.

### **7.2 Legal Implications**

- 7.2.1 The Council has a legal duty to make arrangements for ensuring that its education functions are exercised with a view to safeguarding and promoting the welfare of children under section 175 of the Education Act 2002.
- 7.2.2 The recommendations in this report will support the Council to fulfil many of its statutory duties. In particular, the Council must ensure that its relevant education and training functions are exercised by the authority with a view to promoting high standards, ensuring fair access to opportunity for education and training, and promoting the fulfilment of learning potential by every person under the age of 20 and person aged 20 or over for whom an EHC plan is maintained, by virtue of section 13A of the Education Act 1996.

### **7.3 Financial Implications**

- 7.3.1 Costs of implementing the SEND Strategy will be met from combination of General Fund and Dedicated Schools Grant (DSG) High Needs Block (HNB) resources.
- 7.3.2 The service will manage and contain the relevant costs of the SEND Strategy from within existing General Fund and High Needs Block funding allocations.
- 7.3.3 For information - The high needs funding system supports provision for children and young people with special educational needs and disabilities (SEND) from their early years to age 25, enabling both local authorities and institutions to meet their statutory duties under the Children and Families Act 2014. High needs funding is also intended to support good quality Alternative Provision (AP) for pre-16 pupils who, because of suspension or expulsion, illness or other reasons, cannot receive their education in mainstream or special schools. The high needs funding block provides local authorities with resources for place funding and top up funding for institutions, and funding for high needs services delivered directly by the local authority or under a separate funding agreement with institutions (including funding devolved to institutions), as permitted by regulations.

### **7.4 Procurement Implications (if required)**

- 7.4.1 None.

### **7.5 Human Resources Implications (if required)**

- 7.5.1 None.

### **7.6 Public Sector Equality Duty**

- 7.6.1 There are no negative impacts with regards to service Equality and Diversity as outlined in the Public Sector Equality Duty.
- 7.6.2 There will be positive impacts on all ages, genders, sexualities, religions/ beliefs, disabilities, and other protected characteristics.
- 7.6.3 An Equality and Diversity Impact Assessment has been completed and is appended to this report (**Appendix 3**).

### **7.7 Environmental and Sustainability Implications**

- 7.7.1 A positive impact of implementing the approaches within the strategy will be reducing travel for families to access education and support.
- 7.7.2 In the short term, there may be some negative impact if additional capital spaces / building work is needed to develop/enhance existing sites.
- 7.7.3 An Environmental and Sustainability Assessment has been completed and is attached as **Appendix 1**.

## **8 Appendices**

8.1 **Appendix 1** - Environmental and Sustainability Impact Assessment

8.2 **Appendix 2** - The SEND Strategy final draft document

8.3 **Appendix 3** - Equality and Diversity Impact Assessment

## **9 Background Documents**

9.1 Cabinet Report 8<sup>th</sup> November 2022 “Acceptance of SEND Commissioner’s Recommendations”.