



THE NATIONAL SEND FORUM
MINUTES 24th JANUARY 2018, 10.30am

Present: David Bateson OBE (DB) *Chair*, Lucy Hayes (LH) *IPSEA*, Rani Kaur (RK) *NGA*, Dr Penny Barratt (PB) *SSV*, Malcolm Reeve (MR) *Firmament Education*, Claire Dorer (CD) *NASS*, Melanie Foster (MF) *NAS*, Ian Hartwright (IH) *NAHT*, Lorraine Petersen OBE (LP) *FLSE*, Lara Roberts (LR) *NNPCF*, Brendan Henegan (BH) *engage*, David Canning (DC) *BATOD/NatSIP*, Unity Howard (UH) *NSN*, Michelle Hayward (MH) *MWRSENDF*, Adam Boddison (AB) *NASEN*, Simon Knight (SK) *WSSSEND*, Barry Payne (BP) *FLSE*, Hugh Steele (HS) *FLSE*.

Minutes: Natalie Bambridge (NB)

1. Welcome and Introductions

DB welcomed everyone and introduced new members Lara Roberts *NNPCF* and Simon Knight *Whole School SEND*.

2. Changes in representation, guests and links

LR and SK introduced themselves and gave a brief outline of *NNPCF* and *WSSSEND* respectively.

3. Apologies

Apologies were received from Mark Dale-Emberton (MDE) *FLSE*, Michael Surr (MS) *NASEN*, Julie Walker (JW) *Sen.se*, Gemma Hope (GS) *Shaw Trust*, Roy O'Shaughnessy (RO) *Shaw Trust*, Nick Carey (NC) *Shaw Trust*, Paul Simpson (PS) *BATOD/NatSIP*, Rona Tutt (RT) *NAHT*, Mark Blois (MB) *BrowneJacobson*, Kiran Hingorani (KH) *SWALSS*, Fran Alexander (FA) *PRUsAP*, Anna Cole (AC) *ASCL*

4. Minutes of Last Meeting

DB informed the group that he and RO would be speaking at the *SWALSS* conference on 25th January 2018 and expressed a positive relationship with *SWALSS*. DB also to speak at the *NAHT* conference.

The minutes were agreed. Thanks were given to NB.

5. Policy and DfE Update

Papers had been circulated via email prior to the meeting.

Working Together to Safeguard Children: The consultation has closed; *NASS*, *NAHT* and *NNPCF* have responded. The policy was discussed with various points raised including a lack of

consideration of special schools and vulnerability of young people with SEND; unclear guidance for schools accepting pupils from more than one LA; understanding when inadequate funding becomes a safeguarding issue; lack of capacity to monitor children who are not in an education setting and the legal issues surrounding this; and the need to consider the safeguarding of parents with challenging children.

Sexual Violence and Sexual Harassment Between Children in Schools and Colleges: The consultation is due to close 22nd February 2018, with an expected findings release date of September 2018. This item was taken along with the revisions to **KCSIE**. This has been previously consulted on and NSEND had responded. Changes are stated in Annex H. The policy was discussed with various points raised including the length of the document and its accessibility; teacher training possibilities; overlooking the issue of poor communication between different agencies; a need to draw views from schools; lack of parental knowledge and engagement; high level of responsibility put on schools to provide safeguarding; levels of sexual harassment in residential schools; generational and technological divide between teachers and pupils; a need to support children with SEND in understanding relationships and what they access online; and understanding appropriate behaviour. An opinion was expressed that the policy is a good set of guidance, clearly highlighting SEND at the beginning and recognising SEND violence within mainstream settings.

LP offered to respond on behalf of NSEND and asked members to forward any contributions.

ACTION: LP

The Teaching of Sex and Relationships: A DfE stakeholder meeting has been held on this policy which MDE attended. The policy was discussed and the various points raised including concerns that PSHE is being overlooked as it is not a statutory requirement of the curriculum; whether evidence-based research exists showing a correlation between absence of PSHE and exclusion; looking to other countries who provide PSHE and sexual education and their healthier levels of wellbeing; social and legal issues; risk of negative/hateful feedback when pushing boundaries; issues of delivery of sexual education; and a recurring issue of gaps in provision.

HS updated the group about a new provision funded by Northumberland LA for children with mental health issues who have been excluded from school. Professionals work with the children on a therapeutic level to teach them how to get back into school.

IH informed the group there had been a DfE consultation on extending QTS to the end of the NQT year. The PSHE Association are in support of wider development of training around PSHE.

Transforming Children & Young People's Mental Health Provision: A Green Paper: The deadline for response is 2nd March 2018. Discussions took place and various points and opinions were raised including a school's role of assigning and supporting children with mental health issues; blurred boundaries of what a school should provide; addressing mental health issues within education on the same level as schools' address physical health issues; schools are very supportive of the mental health agenda; teachers are being drawn into roles they are not qualified for; the Green Paper proposals are very bland; no mention of upskilling; data is out-dated; mental health issues need to be caught early; wider social issues are not addressed; lack of SEND Minister; and issue of culture in schools.

PB has approached the Health Commissioner enquiring about The Bridge School commissioning health directly, instead of via the NHS. PB asked for any examples of this already happening, none were offered.

HS has written to the Education Secretary to inform them of the new provision set up in Northumberland and had a response that a member of the DfE responsible for mental health will

Speak with him.

CD offered to formulate a response on behalf of NSEND. It was agreed CD will organise a conference call with interested members in early February 2018 to gain feedback for response.

ACTION: CD

Restraint and Restrictive Intervention: DB updated the group on NSEND's involvement with this area. BH informed members that Bernard Allen (BA) had formulated a brief response and would email to all.

ACTION: BH

The policy was discussed and various points raised including the opinion the policy could have been released sooner; unclear framework; no signposting to quality training; doesn't apply to mainstream schools; issue of time and costs to SEND schools regarding training; questions of a lead governor in restraint and restriction; large number of excluded children not part of the data set; duty of care for staff; further impacts of restraint and restriction on child beyond school; and invite important figures in this area to keep the issue alive.

DB reminded members that Matthew Barnes (MBa) had an open invitation to attend NSEND meetings and DB now sits on the LA SEND meetings, as well as MBa attending the NAHT and SWALSS conferences; so NSEND are at hand to influence.

HMCI Report and Changes to Inspections: The report was discussed and various points and opinions raised including the report was good with focus on SEND support; there is a narrowing of the curriculum which is not helpful to SEND or mental health; acknowledgement that curriculum has an impact on inclusion; LAs do not know how to support schools with SEND; there has been an increase of openness from Ofsted since the involvement of MBa; and exclusion is still too high. NSEND would continue to push Ofsted and offer a voice regarding SEND.

6. Centres of Expertise – update (RT/CD/DB)

A paper was circulated prior to the meeting. CD gave a background on CoE and updated members. CD questioned whether NSEND wanted to continue with CoE and if it is an area NSEND could add value. The group discussed and various points were raised including that ITT is steering in the direction of CoE; need to recognise the context of peoples' needs; need for core funding/support; use of CoE could reduce exclusions; there is good evidence that a more structural approach is needed, schools want good value for money; the need to work strategically by identifying and filling gaps and opportunities; need for joined up working; the use of Rob Tozer to analyse schools data; a need to listen and consider best outcomes and how to achieve this; consider what is the focus and pitch; and an opportunity to put in a bid for tender.

It was agreed there is support from members and an appetite for CoE, DB questioned the next step. Suggestions included more evidence-based research; a national model and structure; need resources to join together; further conversations with the DfE as they often fund training; include mainstream schools in support; and gather views and opinions from schools.

CD offered to put together a template and circulate to members.

ACTION: CD

7. Update from Members: Successes, Issues and Events

NNPCF (LR)

The AGM was held in November 2017 where a mission statement was agreed, shaped by all members.

NNPCF are consulting on various policies.

LR informed the group NNPCF has over 80,000 members, the majority of which are passive. It is an

opportunity for parents to shape local forums.

NAHT (IH)

NAHT is currently campaigning around pay and ongoing funding for schools. Recruitment and retention is a big issue as well as PSHE and mental health.

A conference being held jointly with the Royal College of Psychiatrists is due to take place on 30th January 2018, this has sold out.

The Capturing a Teenage Brain conference is due to be held 9th February 2018 in Birmingham.

The Special Schools Conference is due to be held 8th – 9th March 2018 with a great range of speakers. Tickets are still available, IH asked members to remind colleagues through networks.

NAS (MF)

NAS and APPGA are working together for a national autism and education strategy. The report is due to be launched in Parliament on 31st January 2018. The DfE are due to give a detailed response of the report within a few months, possibly in line with the Lenehan report.

NAS are working on a good practice guide where Codes of Practice are implemented well.

NAS are working on a response to the Green Paper.

NAS are working with the Special Educational Consortium with regards to EHCPs. Concerns have been raised with the DfE about deadlines, the transfer process, the quality of EHCPs being produced and those not likely to meet the deadline. There has been a decline in those likely to meet the deadline.

NASS (CD)

NASS have been responding to consultations.

NASS are launching a campaign about LAs making late payment to schools, overrunning the 30-day payment window.

NASS are expanding their range of training courses including safeguarding, cybersecurity with SEND and risk management.

The annual conference is due to be held in 11th – 12th October 2018; a theme is yet to be confirmed. Stonewell has commissioned NASS to develop symbols. NASS have been working with Makaton to create a symbol for 'transgender' but this has been difficult. They are now working with Widget for better ideas.

NASS held an event with IPSEA on 16th January 2018.

Firmament Education (MR)

MR is no longer representing AET, but joins NSEND as an Associate Member.

Following the MAT SEND Framework with AET, MR is trialling this with 10 more MATS throughout January to March 2018. This will include training inclusion leaders further in their roles, supporting NASEN with their MAT SEND Leaders programme and working closely with SK on the Whole School SEND Programme. MR will report back on the outcomes of the framework at the next NSEND meeting.

SSV (PB)

PB met with special schools on Tuesday 23rd January to listen to and find out about current issues.

PB informed the group of an urgent issue of the Support Staff Pay Award due in April 2018. Support staff earning under £20,00pa could receive a large salary rise of up to 16%. This will impact hugely on school budgets. This was discussed amongst members. It was suggested that any urgent, time-sensitive matters be circulated amongst members prior to meetings.

NGA (RK)

NGA have been responding to consultations.

NGA are planning their annual conference, due to be held Summer 2018 (date to be confirmed).

IPSEA (LH)

IPSEAs main focus currently is EHCPs. LH confirmed statements will continue to apply if they are not transferred by the deadline. The big concern is EHCPs being rushed and so they are making

parents aware there is a legal requirement for a full review of EHCP and a reassessment can be requested.

There are also concerns for SEND pupils starting FE without a statement in place. IPSEA are interested in helping individual and maybe group cases.

IPSEA have been contacting LAs about EHCPs that are incorrect. There is a theme of gatekeeping resources, IPSEA are trying to work with LAs to address this.

The SEN Law Conference is due to be held 6th March 2018 in London. This is being held jointly with Matrix Chambers and Douglas Silas.

Engage (BH)

The New Zealand Conference is due Easter 2018, sponsored by the New Zealand government.

The Engage Awards and National Creative Awards are open. The Engage Awards are due to be presented at the conference 5th – 6th July 2018 in Newport. The conference is being held jointly with SEBDA.

The South and South East Conference is due to be held 4th May 2018 in Munthorn.

Engage are arranging a special schools Olympics (date to be confirmed).

In November 2018, Engage are arranging for a group of young people to travel to Oman to help break down barriers.

NatSIP/BATOD (DC)

The BATOD Conference 'Evidence, Evidence, Evidence' is due to be held on 17th March 2018 in London.

NatSIP and BATOD continue to provide training.

There are concerns over the age profile of teachers for deaf children. CRIDE has suggested there has been a 14% drop in deaf teachers, though this doesn't take into account many factors.

WMRSEDF (MH)

WMRSEDF is split into one steering group, next due to meet 25th January 2018; and four reference groups, due to meet February 2018.

A launch event is due to be held in March 2018 in Walsall to widen publicity and recruit members.

A conference is due to be held 27th January 2018 in Oxford, this event has sold out.

NASEN (AB)

The annual NASEN conference is due to held 6th July 2018, tickets are still available.

AB distributed some Effective Practice forms at the last NSEND. AB urged members to complete and return these. AB will forward the forms to NB/LP for the NSEND website.

ACTION: AB/NB/LP

NASEN has produced some EY Resources, available for free download. This includes miniguides, webcasts and modules designed for nursery managers.

NASEN and WSEND are working on the MAT SEND Leaders programme, operating across multiple sites. One event has taken place, with other events due in February and March 2018.

NASEN is looking for feedback from NSEND members with regards to SENCOs. SENCO roles are different throughout the country and the DfE is not clear on the policy of SENCOs within schools.

MBa seems a positive direction in this area.

T-Levels are a concern, with an issue of accessibility of placements. AB will follow up on this.

WSEND (SK)

WSEND hold the DfE Workforce contract, this expires on 31st March 2018. WSEND have put a bid in to tender to continue the contract. If accepted, WSEND will be looking to take a more regional approach. WSEND are happy to take on any thoughts/comments from members. The deadline for tender is 29th January 2018, the DfE are due to announce who the contract has been awarded to on 5th March 2018.

WSEND have worked in partnership with Rob Webster from Centre for Inclusive Education to launch a TA Deployment Review.

On 22nd November 2017 WSEEND launched a SEND Reflection Framework.
WSEEND are working with partners to put together a review of SEND Governance.

FLSE (BP/HS/LP)

The AGM is to be held 24th January 2018.

FLSE East remains a strong region, holding termly workshops based on what members require.
The FLSE East conference is due to be held 21st June 2018.

Regional assessment groups meet regularly.

FLSE East runs an Open Schools workshop which allows leaders to visit other schools across the region to share expertise and good practice.

The main issues raised by members are capacity, funding, tribunals and a lack of resources.

FLSE North East remains a strong region, with the aim of working together and supporting one another.

Four members from the North East region are lead schools in the Teaching School Alliance.

9. NSEND Website

LP reminded members to forward links for any events.

The NSEND website is getting a lot of hits due to links to and from member organisations.

10. Any Focus for Action and Statements of Agreement

- Agreed that the NSEND supports PSHE in all schools
- Agreed that the NSEND supports the nasen bid
- LP will review the KCSIE policy and forward a proforma to members for comments. LP will collate comments and formulate a response.
- CD will organise a conference call within a fortnight to gain feedback on the Green Paper and prepare a response.
- BH will forward BA's response on the Restraint and Restrictive Intervention Policy to members.
- CD to prepare a CoE template and forward to members.
- AD to forward Effective Practise forms to NB/LP for the NSEND website.
- IH will circulate NAHT's response to the Restraint and Restrictive Intervention policy.
- DB will see if someone from BJ can brief the Forum about the new data protection requirements

11. Any Other Business

LP informed the forum of a new data protection policy to be released May 2018 and this could have a huge impact on schools. Concerns were raised about confusion of requirements and legal issues surrounding data protection of SEND pupils.

LR will forward a link regarding a steering group which presents good networking opportunities for members.

DB reminded members Andre Imich is due to attend the next meeting.

Christine Lenehan has been invited to attend a NSEND meeting but had previously cancelled due to an operation. It was suggested that Sir David Carter be invited back to a NSEND meeting and also Jon Richards, Head of Education at UNISON. DB to follow up.

ACTION: DB

12. Dates for 2017-18 meetings

Wednesdays 21st March 2018, 16th May 2018, 4th July 2018 10.30-14.45

13. Venue for 2017-18 meetings

Courtesy of BrowneJacobson, 15th Floor, 6 Bevis Marks, Bury Court, London EC3A 7BA

Meeting finished 14.25