



THE NATIONAL SEND FORUM
MINUTES 4th July 2018, 10.30am

Present: David Bateson OBE (DB) *Chair*, Mark Dale-Emberton (MDE) *FLSE*, Barry Payne (BP) *FLSE*, Chris Rollings (CR) *FLSE*, Jan Hatchell (JH) *FLSE*, Rona Tutt OBE (RT) *NAHT*, Melanie Foster (MF) *NAS*, Adam Boddison (AB) *NASEN/WSEND*, Claire Dorer (CD) *NASS*, Jennifer Gifford (JG) *NSN*, Tina Emery (TE) *NNPCF*, Carol Kelsey (CK) *NNPCF*, Kiran Hingorani (KH) *SWALSS*, Michelle Haywood (MH) *WMRSEND*.

Guests: Andre Imich (AI) *DfE*, Lorraine Mulroney (LM) *NHS*

Minutes: Natalie Bambridge (NB)

1. Welcome and Introductions

DB welcomed everyone and introduced new representatives JH, JG and TE.
 Everyone introduced themselves. DB thanked MB of BJ for the rearranged room provided freely to the Forum.

2. Changes in representation, guests and links

Professor Ben Laker (PBL) was invited to the meeting but sent his apologies.
 CK would be arriving late.
 LM was due to attend for item 9.

3. Apologies

Apologies were received from *engage*, *Firmament Education*, *IPSEA*, *BATOD*, *NatSIP*, *SSV*, *PDNET*, *BrowneJacobson*, *NGA* and *Shaw Trust*, Lorraine Petersen.

4. Minutes of last meeting ad matters arising

Various grammar errors to correct.
 Matters arising:
 Item 11 – DB has had problems contacting Nick Carey (NC) regarding the IT Challenge but will continue to try.
 Item 14 – CR had put in a bid with The Laurel Trust but is yet to receive notification of whether he was successful.
 Item 15 – DB has not contacted Irina Bartlett (IB).

5. Policy and DfE Update (AI)

AI informed that the Select Committee SEND Review has started to collect evidence. 3rd July 2018 was the first date for hearings. DfE are not expecting further hearings before the end of the academic year. DfE do not receive submitted evidence as the process is purely a parliamentary one but a number of organisations have shared their responses. There has been a high number of responses from parents and parent groups. It was questioned if there is a system for inviting people for contributions to a select committee, AI did not know. NSENDF have previously written to offer to stand at a select committee.

CK joined the meeting

Concerns were raised regarding the school funding reforms and its effects e.g. the regional inequality of funds distributed to schools; a lack of strategy and short-sighted view of the future; the stretching of staffing roles; parents turning to independent schools when perhaps there was not the need for those particular children; the changing and differing needs of children not being reflected in funding allocation; how the data collection simplifies childrens' needs rather than looks as the arrangements required to cater for the complexity of co-morbidity of needs; LAs' lack of understanding of school expenditure; and the lack of funding leading to health and safety concerns around children's health and medical needs.

AI highlighted that the high needs funding is not a static budget. There is a statutory duty on LAs to capture the needs of and provide for local education. DfE can only go by data collected and there is no plan to change the way data is collected. The next data publication is due 26th July 2018 based on the school census. AI said the DfE wants to give a strong message there are a lot of challenges recently but they will stick to reforms. There have been challenges between education and health but this has improved – there is progress even if it is slow.

With regards to EHCPs, AI said the majority have now been completed, with 50% of areas receiving a Written Statement of Action (WSA). AI explained the process following a WSA, saying it serves as a catalyst to get council and senior leaders involved and to give schools support needed. There is increased evidence to suggest the WSA would continue for a second round.

DB asked CK and TE for parent reactions to the funding reforms. They reported a rise in unelected home education due to mainstream schools being unable to meet SEND pupils' needs and illegal exclusions; a waiting list in health; an increased drift to SEND magnet schools; the pressure on places in SEND schools; school employment pressures; not enough mainstream schools embracing EHCPs; concerns of schooling and achievement pressures on pupils; and children with less complex needs are suffering. Other members supported the idea that the result-driven system leads to an anti-inclusive approach in mainstream schools and negative effects on pupils' mental health. AI challenged members what can SEND leaders do to help this? He supported the idea of sharing good practice but said not everyone sees this as a priority.

DB thanked AI.

6. Select Committee SEND Review

This was covered in Item 5 but DB reiterated that he sent a submission as Chair

7. Labour's *Early Years, Education and Skills: Towards a National Service*

This was covered in Item 5 and DB said that he had sent the identical submission that was provided for the Select Committee, including a paragraph on inclusion.

8. Whole School SEND bid (supported by NSEND) and Governance Review (AB)

AB circulated a Contract summary prior to the meeting.

AB highlighted the key points and agreed to circulate a PowerPoint presentation with more detail.

ACTION: AB

AB questioned how WSEND could support NSEND. DB raised the possibility of match funding the £20,000 donation received from PBL. AB said there is a research fund in the contract looking into gaps in research but this is to take place in the first 6 months on the contract.

DB asked AB to use the NSEND logo for WSEND work as the Forum had supported the bid.

DB raised a concern from Paul Simpson (PS) of BATOD and NatSIP regarding the wording within the contract at point three. AB responded that that particular point was part of the DfE specification and could not have been changed by WSS but that he appreciated the sensitivity around where the majority of the teachers of the deaf and the sensory impaired work and the requirement of a statutory qualification.

Recruitment was questioned, AB informed that 13 of the 16 vacancies have been filled, the 3 remaining vacancies have been deferred to September 2018.

9. The work of the CYP and SEND Lead for NHS England (LM, Senior Nurse)

DB welcomed LM and expressed excitement about LM's role.

LM gave a background to her role and its development. LM expressed a need for NHS to look at the bigger, long term plan for SEND. LM confirmed that children with SEND per se were a very small part of the NHS's overall work and plan.

All left the meeting

LM opened to the group and responded to questions and concerns:

- There are inequalities in provision for schools: LM said there needs to be a reflection on joint commission and funding for childrens' health. CCGs don't get funding based on a formula and a formula is needed.
- Problems with management systems and leaders not understanding the reality of SEND needs when placing children: LM said schools need to know who their Child Commissioner and designated specialist are and meet with them.
- Schools are paying for pupils' health care needs and not being reimbursed: The 'Who Pays' Guidance should help. NHS and contractors are being asked to provide a separate guidance on support for children.
- Parents look at provisions of local sector before choosing school: NHS is discussing the Bercow Report: 10 Years On. This comes back to the Workforce Challenge, right skills in the right place. A Child Commissioner Forum is being set up in September 2018 to open discussion.
- Who is CCG accountable to? LM said accountability lies within the NHS through the Improvement Assessment Framework, more information is due in July 2018.
- Education is increasingly taking on health roles leading to a lack of confidence in health: LM informed there is a study in West Sussex piloting risk approach tools and joint commissioning but we need to wait for the outcomes of this. Children aren't a priority in health and we need to look at what the key focus should be.
- With regards to workforce reforms, schools are increasingly offering clubs outside of school hours but health provisions are not extending their day, leading to education staff taking on these roles: This comes back to the Royal College of Nursing Delegation of Duties.
- LM expressed concern about the quality and status of documents giving advice to schools about the care of children with medical needs
- A large percentage of health providers' time is spent recording evidence instead of working

with child, at the school's expense: As a regulatory body, evidence needs to be recorded but there needs to be a case for better IT business solution for more effective use of time. DB offered NSENDF support in helping NHS with understanding of SEND.

LM offered to ensure each organisation is connected with local people so they know who to speak to.

LM said she would forward slides to NB for circulating.

ACTION: LM/NB

DB thanked LM and invited her to join NSENDF as a member. LM expressed interest in joining NSENDF.

10. The jointly badged NSENDF/RCSLT event

DB updated the group on this event and confirmed it is to be held 18th September 2018. There are only 36 places. DB has taken part in two telephone conferences so far and RCSLT will send out invites for this initial event which is to be a springboard for further work on DLD.

11. Discussion item: Effective use of research donation

DB gave apologies for PBL.

DB refreshed the group on the donation of £20,000 received personally from PBL. The donation is being held within the FLSE bank account.

Following requests for suggestions for use of the donation, CD had submitted a research proposal on the extent and effectiveness of outward-facing centres of expertise and their regional roles. The particular focus is around low incidence SEND. The proposal was circulated prior to the meeting. The proposal builds on the work of CD, RT and DB which stemmed from earlier iterations of regional centres of expertise pace Bateson, Gray et al.

CD gave a brief overview of the proposal to the group and this was discussed including benefits for professionals and non-professionals; the need to factor how to keep data up to date; the need to be universal; the definition of low incidence; the sharing of data; the potential for further public funding; the mapping exercise to start debate; the support from WMRSSEND, UCL and PBL himself for access to researchers and PHD students; the support from FLSE to provide contacts; and the need to keep the project small and manageable.

There were concerns that this exceptionally generous donation would not be great enough to complete the project, CD offered that NASS would consider contributing funding. The Laurel Trust was also suggested for possible further funding.

The group agreed to back the proposal. A smaller working group would meet prior to the next NSENDF meeting to pull together next steps and this date was to be confirmed.

12. Discussion item: The Forum, its inception, membership, role and future funding (MDE)

DB had previously circulated a paragraph about the origins and purpose of the Forum. FLSE currently subsidises NSENDF c.80% and this is no longer sustainable. The funding issue has been discussed in principle at FLSE National Executive meetings with no firm proposal yet. This would be discussed further at the FLSE National Executive meeting following the NSENDF meeting.

It was agreed that organisations would be sent a breakdown of costs and a formal proposal made.

ACTION: NB

DB said, as an indicator of what members might expect, that FLSE had considered an increased fee of roughly £300 per organisation with the exception of BrowneJacobson who kindly provide a venue for meetings. This would reduce the subsidy by FLSE to closer to 30% of the running costs. If

individual organisations have a problem with the increased cost, they are to inform FLSE who will consider an alternative.

LM left the meeting

13. Update from members: successes, issues and events

FLSE (MDE/BP/ CR)

FLSE are looking at membership and finance.

The East and North East regions remain strong.

The FLSE East Conference took place in June 2018 focusing on mental health.

FLSE East continue to hold Open Schools events.

FLSE North East are trying to expand, giving opportunities to share ideas. FLSE North East will continue with CR following the retirement of Hugh Steele (HS) with the following year already mapped.

NAHT (RT)

Ian Hartwright (IH) is helping with research on accountability due to be published September 2018.

The SEND Council met June 2018 - the next conference is due to be held 2nd-3rd April 2019 in London continuing the Autism and Girls theme. A book Autism and Girls is due to be launched at the conference.

RT attended various conferences in June 2018, meeting with Nick Whittaker and Jonathan Jones of Ofsted.

The SSC is meeting 5th July 2018 to discuss elective home education.

NASEN (AB)

Autism and girls is on the NASEN agenda with autism indicators being misread as abuse indicators.

Three more cohorts have been added to the SEND Casework Awards.

WSEND project was piloted last year across MATS, this is due to begin Autumn 2018.

NASEN Live is due to take place 6th July 2018 with Nadhim Zahawi (NZ) opening.

NAS (MF)

MF yet to provide update

NAS has had a lot of requests from LAs to open schools for children with high attaining AST and mental health.

NASS (CD)

NASS has been looking at GDPR and contract amendments.

NASS is launching a Leadership Development Programme in September 2018, building on NPQH.

This is in partnership with Whole Education, with 2 cohorts mixed mainstream and SEND.

NNPCF (CK/TE)

NNPCF are due to meet July 2018.

A State of the Nation document has been handed to NZ who wants to implement change.

The AGM is due to be held November 2018.

NNPCF are focusing on SEND support and exclusions.

TE will circulate the State of the Nation document to members.

ACTION: TE

SWALSS (KH)

Two research bursaries have gone out to SWALSS schools.

The conference for 2019 has been confirmed.

SWALSS are having a strategic review of structures.

There is an issue with membership, SWALSS are considering what members need from the organisation.

WMRSEND (MH)

The conference was held 27th June 2018, the next conference is due to be held 10th November 2018

in Manchester.

A conference is due to be held 15th June 2019 in London, contributions from members are welcome. The Social and Emotional conference held in Oxford Brookes may be repeated in January 2019. The deadline for contributions for the Research SEND publication is 30th July 2018. The publication is due to be launched at the conference in November 2018.

15. NSEND Website

LP was not present for this item.

16. Any focus for action

- AB to circulate a PowerPoint presentation on the WSEND bid.
- LM to forward slides to NB for circulating.
- NB to circulate a breakdown of NSEND costs.
- TE to circulate State of the Nation document.
-

DB asked for suggestions of invites to future meetings:

- Jonathan Jones or Nick Whittaker, Ofsted.
- Stephen Kingdom, Department of Health.
- Ann Longfield, Children's Commissioner.
- Dominic Herrington, Regional Schools Commissioner.

17. AOB

No further business.

18. Dates for 2018-19

Dates for 2018-19 have been confirmed on the agenda.

19. Venue 2018-19

BrowneJacobson will continue to provide a venue for NSEND meetings, with thanks.

Meeting finished 2.45pm

Signed



D. Bateson OBE (Chair)

21st September 2018