



Founded and enabled by FLSE

**THE NATIONAL SEND FORUM
DRAFT MINUTES 21st NOVEMBER 2018, 10.30 – 2.45pm**

Present: David Bateson OBE (DB) *Chair*, Barry Payne (BP) *FLSE*, Rona Tutt OBE (RT) *NAHT*, Melanie Foster (MF) *NAS*, Claire Dorer (CD) *NASS*, Carol Kelsey (CK) *NNPCF*, Steve Cullingford-Agnew (SC-A) *Equals*, Lucy Hayes (LH) *IPSEA*, Julie Walker (JW) *SEN.SE*, Caroline Wright (CW) *RCSLT*, David Canning (DC) *BATOD/Natsip*, Jane Carter (JC) *pdnet*, Nick Carey (NC) *Shaw Trust*, Penny Barratt (PB) *SSV*, Ashley Jacobs (AJ) *PRUsAP/Raewald Trust*, Michelle Haywood (MH) *WM Research SEND*, Chris Rollings (CR) *FLSE*

Apologies: Andy Petersen (AP), Lorraine Petersen (LP) *FLSE*, *engage*, *NSN*, *ASCL*, *Browne Jacobson*, *nasen*, *SWALSS*, *NGA*, *WSS*, *DfE*, *NHS*

Guests: Simone Vibert – *SEND Lead for the Office of the Children’s Commissioner*

Minutes: Ann Payne

1. Welcome and Introductions to meeting no.2 of 2018-19

DB welcomed everyone and asked each attendee to introduce themselves. DB explained that AP was away so Ann Payne would be taking the minutes for this meeting.

2. Changes in representation, guests and links

DB welcomed Simone Vibert who is the SEND Lead for the Office of the Children’s Commissioner

3. Apologies – see above

4. Minutes of Last Meeting: Accuracy, Matters Arising not covered elsewhere and AOB for later

Grammatical errors were highlighted ie

Item 2 in paragraph below website addresses, 3rd line should be ‘and’ not ‘ad’

Item 8 2nd paragraph, 4th line should be ‘have’ not ‘has’

Item 7 2nd line should read ‘further work was currently on hold as UCL and possibly on behalf of Whole School’

Item 11 Under Engage it should be ‘events’ not ‘evets’

Item 11 Under SEN.SE ‘focusing on creativity’ needs to be removed.

It was also pointed out that pdnet should be all lower case letters **ACTION by AP.**

Item 13 JC reported that there were restrictions on the use of the cartoon vectors.

5. Policy and DfE update

The funding letter was sent to The Chancellor of The Exchequer but it has been redirected to the DfE.

There was general discussion about the letter to The Treasury and how the message could be shared –

NC (Shaw Trust) will submit the letter for the 2019 Funding Review **ACTION by NC**

MF (NAS) – gave it to her CEO who tabled it at the Parliamentary Select Committee

Equals have shared it on their forum

CK suggested sending it to Philip Hammond's constituency ie Runnymede and Weybridge & other junior ministers

PB (SSV) will take it to her meeting with the DfE

ACTION by ALL

There was general discussion regarding funding to High Needs block . DB referred to an article in The Times which calculated £100 million spent by LAs contesting objections and actions initiated by parents. **DB will circulate.**

RT (NAHT) gave an update of the last meeting she attended. She shared recent documents and DB will circulate them with the minutes of this meeting along with any additional articles. **ACTION by DB**

6. Simone Vibert, Public Affairs and Policy Analyst – SEND Lead for the Office of the Children's Commissioner

DB introduced Simone and gave an overview of the general issues regarding SEND.

Simone thanked DB for the invitation to attend the meeting and gave a summary of her background, the Office of the Children's Commissioner(OCC) and the various projects that they are running. She stated that she is very keen to keep up the link. DB invited her to attend further meetings with unanimous agreement.

SV informed the meeting that the OCC is in the process of putting together their next April to April business plan. She will circulate her email so attendees can share their ideas and suggestions with her in relation to issues around vulnerable children and SEND. She explained that the present on-going projects included Speech and Language; joint commissioning arrangements and building a national picture regarding variation of spending; exclusions; alternative provision; and home education. The OCC is looking for participants to take part ie excluded children and their parents and asked if anyone had any suggested nominees that may be interested and for them to be put in contact with her. SV is also interested in examples of what works well in reducing exclusion and other issues that members wish to raise.

ACTION by DB to circulate Simone's email with the minutes

ACTION by ALL members to contact her directly

BP (FLSE) talked about the issues that Eastern Counties are experiencing, including informal exclusions as well as those schools who are being scrutinised by the DfE but have SRBs which bring down the statistics of the school. He voiced concerns regarding capacity and the push to raise standards for schools but not the support for those that have many SEND pupils . BP would like the Commissioning Office to look at these points.

CK (NNPCF) followed this from BP, saying that some schools are asking parents to sign letters to say their child will be home educated or in school on a part-time basis and how this has a knock on effect to the detriment of the family etc. Simone agreed this is a very good point to be fed back to the Commissioner.

PB (SSV) supported CK anecdotally.

LH (IPSEA) informed the meeting that Scotland has a much lower exclusion rate and wondered if the OCC could look at this.

CR (FLSE) asked who Simone was reporting to and was told it was government departments and Parliament. It was requested if Simone could distribute a copy of the letter, to which she agreed and BP has given her a copy.

There was general discussion regarding 'joined up thinking' since the diminution of LAs.

DB fed back that there was concern about medical issues and EHCPs that are now affecting the schools and are now

becoming an acute problem.

MF (NAS) stated that there were some very good practice happening too.

JC (pdnet) felt that not enough was known about the availability of an SEND expert being available at an exclusion panel and this needs to be encouraged e.g. a number of Warwickshire schools are using a SEND expert.

BP (FLSE) supported this stating that many parents have SEND issues themselves and do not understand the system and don't have the ability to argue and so support their child, he suggested that the Commissioner could look at this. RT (NAHT) also pointed out the difficulties that Heads have in getting suitable support.

There was general discussion regarding Pupil Premium Funding and difficulties SENDCos have. CR (FLSE) said that schools should be made accountable regarding their funding and SC-A (Equals) stated that SENDCOs should have an awareness of the funding and should be part of the school senior management team.

BP (FLSE) supported this and spoke about often the lack of training and effectiveness of some Teaching Assistants who are supposed to be supporting SEND pupils. He suggested that the S2S practitioners of Norfolk would be happy to speak to the Commissioners office regarding this.

DC (BATOD) was concerned about the time pupils with SEND spend out of school.

CR (FLSE) stated that there was no long term vision from the DfE regarding the vulnerable/SEND children when they leave school and compared us to Nordic countries that have a much better system.

Simone thanked the group for their input and asked them to share any further ideas they felt the Children's Commissioner's Office could help with.

DB said the group should also share good practice that are going on. **ACTION by ALL**

7. UCL/WSS report if available (CD)

The report was due out last month but is still not available.

CD (NASS), RT (NAHT) and DB have been working together regarding the research donation and were waiting for the report before moving on. RT gave an update regarding regional centres of expertise and distributed copies of 'Defining low incidence/high cost needs' and asked for any thoughts to be sent to her. DB suggested we identify centres of expertise that can support this.

ACTION by ALL

8. Parental legal action against cuts to SEND provision (CD)

Further to the point mentioned above regarding the £100 million spent by LAs on legal cases in the last 4 years, CD (NASS) talked about how parents are grouping together and fighting cuts but there are concerns regarding those parents who do not have the ability to do this. High profile cases such as Bristol were cited.

CK (NNPCF) said they pass on the necessary information to parent groups without compromising the charity.

LH (IPSEA) updated the meeting on various cases that have recently occurred. IPSEA are trying to target support to the most needy parents and have had some useful help from certain special schools. They have been doing some of the national trial cases, working with the DfE and are now waiting to see how it develops.

ACTION CD TO GIVE the link for the coalition of organisations fighting send spending issues. all members agreed that NSENDF should join

9. Update on membership and the running of the Forum (M D-E)

M D-E was not able to attend.

Federation of Leaders in Special Education (FLSE, the NSENDF sponsor)
Association of School and College Leaders (ASCL)

The British Association of Teachers of the Deaf (Batod)
The National Sensory Impairment Partnership (Natsip)
brownejacobson (*host*)
Department for Education (DfE)
engage in their future (*engage*)
Equals
The Independent Parental Special Educational Advice (IPSEA)
National Association of Head Teachers (NAHT)
National Autistic Society (NAS)
National Association of Special Educational Needs (nasen)
National Association of independent Schools and Non-Maintained Special Schools (NASS)
New Schools Network (NSN)
National Governors Association (NGA)
The National Network of Parent Carer Forums (NNPCF)
National Health Service SEND (NHS-SEND)
Physical Disability Network (pdnet)
The National Organisation for Pupil Referral Units and Alternative Providers (PrusAP)
The Royal College of Speech and Language Therapists (RCSLT)
Special Educational Needs. Somerset Expertise (sen.se)
Shaw Trust
Special Schools Voice (SSV)
South West Association of Leaders in Special Schools (SWALSS)
West Midlands Schools Based SEND Forum/Research SEND
Whole School SEND/ Firmament

DB requested that everyone checked the list and logos to make sure they are on it and send through any missing logos to him, LP and AP. **ACTION by All**

10. Update from members: successes, issues and events

engage are revamping website and relaunching courses as well as a conference (tickets can be purchased on the website). They have had some support from the DfE.

BATOD have a 2 day conference in March and all are welcome. They are working with NATSIP developing CPD regarding the need, what is actually happening and where it is taking place. Stated a concern about the supply of teachers of the deaf. DC talked about the proposal to re-instate a bursary for training teachers.

FLSE are looking at the pressure of places available and the quality of some of the EHCP plans. Stated that every authority is under pressure regarding funding. Said that there are difficulties in recruiting leaders of Special Schools but are getting good Teaching Assistants. The Eastern region schools are having difficulties with budgets, finding places and stated that the complexities of needs are increasing. BP said that there are a number of plans in the East attempting to address some of these issues. He also stated that there are issues regarding tribunals from Suffolk pupils wanting Norfolk schools.

The North East regional FLSE has doubled in size. At a meeting all heads shared their school development priorities and found that the majority were the same.

Equals conference next week is sold out. Next summer the conference will probably be about the Equals curriculum and development of the pre-formal curriculum (P1-4). Equals is being used both in mainstream and special schools.

NAS attended the House of Commons Education Select Committee inquiry into SEND provision and highlighted the problems many families have in getting the support their children need and to make the case for a national autism and education strategy. This would set out what good provision looks like and how schools and councils should meet their duties to autistic children. NAS reported that they had won their intervention in an appeal to the Upper

Tribunal on the exclusion of autistic children from school using the 'tendency to physical abuse' exemption in the Equality Act 2010. NAS have written to the Education Secretary, jointly with Ambitious about Autism, asking how the DfE is monitoring implementation of the new framework for initial teacher training and ensuring ITT providers are including autism training. They have also written to the Chancellor and Prime Minister, alongside the Special Educational Consortium and other alliances of children's organisations calling for children and young people to be at the heart of Government spending. NAS have contributed to the Government exclusions review and are waiting for the report.

This update was continued with discussion regarding pupils with autism/SEND and issues parents and schools have.

NASS talked about the High Needs Operational Guidance and are waiting for clarification from DfE. Updated issues and actions in Wales stating that the December consultation will be very important. NASS are working on various projects including Whole Education and Enquiry based projects and looking at various events for next year eg 'How to manage a GDPR breach' and in May an event in London looking at children who have had adverse childhood experiences and how to support them, a flier will be sent to AP to circulate when available. **ACTION by NASS & AP**

NNPCF are holding their 10 year AGM conference tomorrow and will be sharing the impact they have made and issues they are experiencing. Court cases, tribunals and that families are struggling with this, along with the benefit changes.

pdnet run development days for practitioners and schools and there is one about Post 16 on December 7th. JC will pass on the details to LP/AP. There is also information/resources on the website including a very useful one on toileting and intimate care. pdnet are analysing the data from the last 2 years but are experiencing difficulties in getting responses with enough information. Many services are disappearing across the country. pdnet recently had an article in NASEN Connect. They are also worried about effect of 7% pension contribution. **ACTION by JC & AP/LP**

PRUSAP are finding that increasingly more children are appropriately placed in alternative provision. They stated that there is a lack of provision in Suffolk in Early Years and KS1. At present they are in negotiations regarding High Needs Funding.

RCSLT have issued a 6 month report on Berco. They stated that there were continued concerns with children who have long term speech and language issue and are talking to the DfE. A DLD fact sheet has been launched and is available on the website. RCSLT are running a workshop on DLD but people need to register interest by end of this week, details are on the website.

Sen.se are working with LA to further develop outreach support to mainstream. They talked about a number of successes from special schools.

WM Research SEND are planning an event on March 2nd 2019 at the University of Wolverhampton and any presentations etc would be very welcome. They are running an event on June 15th 2019 in London, programme as yet undecided and, again, any presentations etc would be very welcome.

11. Update from other affiliations, forums, trusts, alliances and partnerships

None were presented

12. NSEND website: information and areas of special expertise, links

The website is being updated, send AP/LP any upcoming events. **ACTION by ALL and AP/LP**

13. Any focus for action and statements of agreement including future invitees

All actions are stated above in the minutes

14. AOB

RT (NAHT) suggested that a new representative of the New Schools Network should be invited to the next meeting. DB asked members to let him know if there are any other people that should be invited too. **ACTION by DB**

15. Dates and venue for 2019

30th January; 27th March; 22nd May; 10th July all at 10.30-14.45

At BrowneJacobson, 15th Floor, 6 Bevis Marks, Bury Court, London EC3A 7BA.

Meeting closed at 2.30pm

Signed

D. Bateson OBE (Chair).

The Federation of Leaders in Special Education (FLSE) set up and sponsored the National SEND Forum in the spirit of a summit meeting in 2005 to improve the quality of experience and outcomes for vulnerable children. Each meeting or mini-conference brings together people from across the SEND field to share their perspectives and to identify areas of agreement or not. This joining up knowledge and expertise is then shared regularly with policy makers in government departments and inspection services. It was appreciated at the outset that the Forum intended to influence policy and practice rather than always be able to present a unified response.