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THE NATIONAL SEND FORUM Minutes 8th July 2020 Virtual Zoom Meeting

Present: David Bateson OBE (DB) *Chair*, Lorraine Petersen OBE (LP) *FLSE*, Carolyn Morgan (CM) *FLSE*, Rona Tutt OBE (RT) *NAHT*, Caroline Wright (CW) *RCSLT*, Kiran Hingorani (KH) *SWALSS/NASS*, Stephen Deadman (SD) *NAHE*, Michelle Haywood (MH) *WMSEND*, Penny Barratt (PB) *SSV*, Wendy Rainbow (WR) *IPSEA*, Carol Kelsey (CK) *NNPCF*, , Rob Williams (RW) *NAHT*, Richard Boyle (RB) *engage*, Chris Rollings (CR) *FLSE*, Malcolm Reeve (MR) *WSS*, Melanie Foster (MF) *NAS*, Julie Walker (JW) *sen.se*, Brendan Heneghan OBE (BH) *Engage*, Clare Dorer (CD) *NASS*, Catherine Ollington (CO) *NSN*, David Canning (DC) *BATOD/NATSIP*, Kim Taylor (KT) *FLSE*,

Guests: André Imich (AI) *DfE*

Minutes: Andy Petersen (AP)

1. Welcome and Introductions

DB welcomed and thanked everyone for joining this virtual meeting, in particular Wendy Rainbow who was new to the group representing IPSEA.

2. Protocol for meeting

DB went through some protocols for this virtual meeting

3. Apologies

nasen, Browne Jacobson

4. Minutes of last meeting and matters arising

The minutes were agreed

5a Covid 19: schools and services. SEND reference group update and additional Forum comments.

**For
Action**

DB commented that he had previously circulated for information, a letter to Minister Ford from AB, minutes from SEND Reference Group meeting 17th June, a letter from the Secretary of State for Education to AB and a PPE document.

CK commented that the PPE paper missed the issue of children not being able to cope with PPE worn by adults.

CR commented that there were different views from different local authorities about the appropriateness of health risk assessments for children who had got comorbidities and complex health care needs. Newcastle had agreed to take the lead on these issues but CR was aware that this was not the same across England. CR felt that it was not right that teachers should be expected to take the lead on this issue. Clinicians were telling parents that it was safe for pupils to return to school but resources were not available for this. CR queried whether there were going to be some guidelines on this.

AI responded that all children should be returning to school in September – children who had been on the shielding list would be removed by their GP or their specialist doctor following consultation over the summer.

CR replied that there were a range of needs, some of them around tracheotomy, some of them around youngsters producing aerosols, some around feeding and drinking issues. Advice was needed about what PPE there should be in the school and what should staff be doing to mitigate that risk.

AI responded that he was aware that there was some further work going on in relation to children with aerosol generating issues or tracheostomies and how they were going to be managed. AI was not aware of any national standard for health risk assessment being prepared.

CM commented that she had sought legal opinion about shielding staff returning to school and the feeling was that schools ought to prepare a personalised risk assessment for adults coming back from shielding, especially in settings where 2m social distancing was not possible. She was hoping that this might be clarified by the end of the summer.

AI commented that the guidance said that education leaders should be flexible in how these staff are deployed and enable them to work remotely where possible, or be deployed in settings where it's possible to maintain social distancing. Thus, headteachers would have decisions to make about these individual members of staff.

DC commented that he had been asked to raise the issue of face masks being worn by staff when working with the hearing impaired, who needed to see a face entirely in order to understand. Currently facemasks were not required in a school setting but should this change in the future this might well present a problem for hearing impaired pupils.

AI responded that this was an important message for all to hear and be constantly aware of. A lot of young people relied on non-verbal communication not just those children with hearing impairments. Thus, the guidance stated that the majority of staff would not require PPE beyond what they would normally need for their work.

5b Policy and DfE Update (AI)

The drive to get children back into school was dominating the work of the DfE at present. A recent survey that one local authority carried out of 550 children with SEND, revealed that three quarters were very excited and pleased to be going back and felt that they would manage okay. About a quarter were apprehensive about returning and felt it would be quite hard.

The local authority asked them what things were going to be difficult and what might help them. Children said that having someone to help them when they worried, a lot of artwork and exercise and getting to know new teachers would help. They felt they might need help with the change of going back to school and learning how to sit down all day,

Some children were going back to a new school and commented that seeing their new school virtually before going back would help. Getting to know new teachers would also help. Some were concerned about saying goodbye to old classmates, particularly since many will have left their school in an unusual circumstance.

In respect of the full return from September, the government's message was very clear - all year groups and all settings should return to education full time from the first of September.

There was also much greater clarity about the measures that needed to be in place in all settings for safety. The government recognise that the time out of an education setting is detrimental to children's cognitive development, their academic development and their health development, and that was especially true for those with special needs and disadvantaged groups.

Evidence showed that the risk to children and young people of becoming severely ill from Coronavirus was very low. However, there were issues around the adults who support them. The guidance for all schools and the guidance for special schools and specialist settings gave similar messages.

Two documents released on 2nd July – similar in their content

Actions for schools during the coronavirus outbreak – full opening of schools

<https://www.gov.uk/government/publications/actions-for-schools-during-the-coronavirus-outbreak>

Guidance for full opening: special schools and other specialist settings

<https://tinyurl.com/yb2v9n5v>

Section 1: Public Health England endorsed a system of controls and principles to guide the return to schools. They were clear that one size would not fit all. Thus, the guidelines would need to be applied differently in different settings.

Visiting therapists should now resume their usual SEND duties. Some will already have been delivering these remotely but the expectation was that in September they will be delivering on a face to face basis. They should act like other teachers in schools, by ensuring that they minimise contact with children and maintain as much distance as possible from other staff.

Another issue which is slightly separate from the guidance for schools, is that the legislative changes DfE made in response to the Coronavirus situation, in particular the alleviation of the statutory duty to fulfil all the provision in an education health and care plan, was modified so that local authorities and health bodies were under a duty to use reasonable endeavours rather than their absolute duty, has been renewed monthly by the Secretary of State. Whilst this had been renewed for July, the Secretary of State announced earlier this week that it won't be renewed again.

Obviously, that could change in the future, but certainly going into August and September local authorities and health bodies are under a duty to ensure that plans are delivered as they should be. Schools and others are under an obligation to cooperate with that. So, the DfE expect a full range of provision to be returned in September when children go back to school.

Risk Assessments are likely to still have some value over the summer term, particularly for those children who are returning to specialist provision on a slightly graduated approach and certainly for anyone who remains at home for health reasons.

There were going to be children coming back, who would be quite far behind in their learning or who may present with increased social, emotional and mental health issues but schools shouldn't jump to the conclusion that this was a long term special educational need.

Schools are expected to make contingency plans in case there is another virus outbreak and the guidance says that the contingency plan from a school needs to be ready by the end of September. Schools should have a plan and ensure remote education plans are ready to be rolled out to all pupils.

Transport was a really critical issue. A special school head recently stated that she felt that the biggest worry for parents was nothing to do with the school environment or the adults in the school, it was much more to do with transport. The DfE is due to publish some guidance very shortly.

AI paused to take questions.

DC commented that home learning had been very successful for some students. However, he wanted to know if there had been any discussion or plans about a mixed method of approaches to learning in the future.

AI responded that there was a need to look carefully at surveys and information that is being released. Parents had praised what had been offered virtually but schools needed to be cautious about the impact of home learning.

CK agreed about the concerns around transport, mainly because children are in a bubble in school but are not in the same bubble for transport. Thus, there was a concern about greater chance of infection, particularly for the driver and the escort who were often over 50.

Across the country there were mixed messages about what support children have had, some have just had non - differentiated work sent home and others have had a huge amount of daily online lessons. One problem was the emphasis put on fining parents for not sending their children back to school. This is very worrying for parents of children with SEND.

AI responded that whilst all children must go back to school it was felt that initially the chances of fines being exercised was very small.

RW raised two points, firstly the concern around mental health issues and the need to ensure that schools don't medicalise things too much and have an understanding about the reactive responses of children and young people to this unprecedented situation. Secondly there is a question about basic contingency planning. The guidance talked about appropriate authorities deciding upon measures to implement when an outbreak takes place. **RW** queried which authorities should this involve and whether this should be localised in its response?

AI responded that there would be a number of Government departments (including the DfE) involved and the response would be based on medical evidence.

RT asked how far had the mental health trailblazers progressed and whether the wave three trailblazers would be in place soon? **RT** also queried whether the education mental health practitioner training had been able to carry on

AI responded that he did not have the answers to these questions but would take them back to DfE and find out.

LP commented that trailblazers would be starting in September across Herefordshire and Worcestershire who have already notified schools of what they are offering.

Also the training for EMHP had also been launched - <https://www.healthcareers.nhs.uk/explore-roles/psychological-therapies/roles-psychological-therapies/education-mental-health-practitioner>

LP queried when the training for Designated Mental Health Leads in schools would be launched?

AI responded that he would need to take that away and ask the question.

AI continued that the only other item was to say that the SEN review which had not been particularly prominent over the last few months was getting back on course. Minister Ford and the SoS are very committed to moving this forward at a pace so hopefully there would be more coming out in the next couple of months.

DB thanked **AI** and invited him to stay for the rest of the meeting.

6. Regional Centres of Excellence

DB welcomed **CD** to the meeting and said that a decision was needed about the survey and he wanted it signed off at this meeting.

CD stated the survey was a factual questionnaire to get a sense of what regional activity was going on. The group would like to do a soft launch and requested forum members to fill it in and share with contacts. The results from the soft summer push may enable the group to prepare a paper to go to the SEND Review.

RT responded that the evidence from everything that had come up in the last few months including the most recent Education Select Committee's review of the Impact of COVID-19 on education and children's services, made it very clear that SEND was not in a good place and this needed to be addressed.

KH responded that the thinking behind the survey had been very thorough. **SWALLS** would help disseminate it.

MR commented that he hoped that Whole School SEND would be able to be involved through their regional representatives.

DB reminded everyone that this is funded research from a donation of £20,000 to carry out a research programme. Funding was now needed for "data crunching" the evidence obtained from the soft launch and if there were no objections then **NSENDF** should go ahead with this project. There were no objections so **CD** was mandated to get this underway.

KT joined the meeting.

7. Thought Leadership Paper on Zero Tolerance Behaviour Policies

DB introduced the next item by saying that the latest amendment of the Zero Tolerance paper was circulated prior to the meeting. **nasen** were underwriting this project and they had a format for the 'think pieces' so once the forum was happy with the final paper **nasen** would get it into their format and distribute on behalf of the forum. **DB** also re-iterated that this is not a document that expresses the views of every member of the group but it is a 'think-piece' paper on a particular topic from some members of the group rather than a national position statement.

ALL

RB commented that the last paragraph had been removed resulting in quite a short piece of “thinking” and at the end a request for members of the forum to identify resources that they use for managing behaviour or if they would be available to support schools in their area or region.

DB thanked the group for all their work in getting this done.

RB thanked **LA** for all her contributions.

DB commented that this was now being signed off from the Forum and passed to nasen to complete in their particular format – **DB** suggested that any final comments should be addressed to **AB**.

CO commented that it was a very interesting read – however she had concerns about the sentence on page 4:

Team and resource building between locality schools was also understood as a valid way of reducing learning disruption as long as the leadership of locality schools are open to collaborative working and unencumbered by LEA or Academy administrations.

CD

The point about the value and the importance of collaborative working and the role of leaders in driving that within their local areas is very clear but she queried whether “unencumbered by LEA or Academy administration” added value to that sentence especially if the document was to be distributed to LEA’s or Academies.

DB responded by saying that as a Trustee of a couple of Academy Trusts he would not be concerned by this sentence.

KT added that maybe a short section was needed on a response to COVID-19 to state that all involved had a duty to be patient with the children when they return.

MR commented that the landscape had changed and every organisation had a responsibility to work with other organisations in its locality. He felt that some of the zero-tolerance message had been driven by the academisation process so it was a good point to make.

DB commented that that sentence may need re-wording slightly. However, the forum needed to draw a line now and let nasen take it from here.

8. Thought Leadership – next paper – Initial Teacher Education

DB invited **MH** to lead on this

MH thanked David and explained the background – Through the work she had done on her PHD on SEND Leadership in school she had already looked at the route from ITE to being a specialist teacher and SENCO. Most of the training was fairly general and she was interested in establishing when teachers decided to become a SENCO. **MH** has used some of the evidence from her PHD and circulated it to the group. **SD** had also sent information from a study from a university. Unfortunately, the group had not been able to meet due to COVID-19. However, they would be trying to finish it off in the next couple of weeks so will circulate it through Dropbox for people to make comments.

DB asked what length of document was likely to be?

MH replied about 1500 words – the group had recognised that there was not enough SEND in ITE and so were trying to focus on this area. If anyone had any evidence of good practice then could they let **MH** know so it can be added to the paper.

CM commented that she was working with Sunderland University about having a specialist route into teaching and would check how this had progressed.

CM

MH agreed to feedback at the next meeting.

DB responded this was an opportune moment, especially with the SEND review, for the forum to be looking at. **DB** raised the issue about future “think-pieces” and that it was a good idea to have the next topic ready to go.

RT was interested in being part of the next study on the Real Meaning of Inclusion but due to other commitments would not be available until the beginning of October.

DB replied that this would be a really good topic to do next **DB** asked for volunteers who would be interested in being part of a group looking at the Inclusion paper – **DB**, **KT**, **RB**, **LP** volunteered **DB** commented that would be good if **RT** would lead on this based on her previous published work.

MR commented that another topic could be the Identification of children with SEND. There was conflict between the data collected by the DfE census and the four broad areas of need within the Code of Practice. Having considered a number of Local Area reports recently, identification is frequently a topic that is raised within these.

RT replied that if **MR** was ready to go then identification would fit well before a paper on Inclusion.

CK was in favour of this idea because a lack of identification was one of the reasons why things go wrong for some children. There was confusion about what professionals should do to identify need.

MR commented that he had all the data that would support this piece but would need others to help.

DB asked **MF** if she would be willing to support this with her knowledge around identification of ASD.

LP asked **AI** if he thought the categories of need within the DfE data would change as a result of the SEND Review.

AI responded that there were no plans for categorisation to change but it might come through in the review.

RB agreed to be part of the group on Identification. He suggested that **CK** would also be an excellent member of this group. **CK** replied that she could do this but she did have capacity issues. **DC** also agreed to be a member (via chat).

MR/RT

DB suggested that the Identification group lead by **MR** and the Inclusion group lead by **RT** should run simultaneously.

CR (from chat) commented that he was very happy to support any of the suggested projects via Equals and NE FLSE if that would be helpful.

9. Update from members

SEN.se - **JW**

- Local Area SEND inspection for Somerset did not go very well with nine areas for improvement, special schools were trying to work with the LA to support/influence them.
- Regional Centres of Excellence would provide a vehicle to support change.
- SEN.se were working with a charity called Young Somerset to set up a permanent shop which will offer supported employment through MENCAP.

FLSE – **CR**

- Thanked **LP** for the regular updates to all FLSE members – There had been a really active response to COVID-19 with everyone working together and supporting each other
- Equals had also been sharing materials
- All meetings and conferences were on hold – FLSE NE may have to offer remote training – hopefully in 2021 conferences would be able to run.

BATOD/NATSIP - **DC**

- PPE – Use of masks when working with hearing impaired children very difficult for those trying to lip read – this had been discussed earlier.

- There had been an NDCS survey about home learning.
- Lack of all therapy has been noted during COVID-19 – this needed to get back to normal as quickly as possible
- Early identification work had been difficult during lockdown
- Possible suggestion for thought paper – new school buildings which are not accessible especially around sound and vision

NAHT - RW & RT

- Had held a number of podcasts for both members and non-members and launched a survey for special schools and AP – fed back to DfE
- There were many challenges facing special schools and wider opening especially in respect of transport and schools lack of control in these areas. Good collaboration was needed between LA and schools – however there was a mixed picture across the country.
- There were worries around RPI training and how this could be accessed by September.
- APPG on SEND took place on 15th July - information available at: <https://www.naht.org.uk/about-us/organisations-we-support/all-party-parliamentary-group-on-send/>
- Late placements on admissions was also an issue for members due to delays
- Due to COVID-19 Schools had not been able make adaptations to buildings to ensure accessibility for new pupils which might have an impact on pupils at the start of new year.
- There were concerns about exclusions – might see an increase in September
- NAHT was concerned about managing local lockdowns if they have to take place – contingency plans needed to be made.
- A document has been produced titled “Coronavirus – Supporting Pupils Mental Health and Wellbeing” by the Anna Freud Centre, NAHT and PSHE Association – information available at: <https://www.annafreud.org/insights/news/2020/07/working-with-naht-to-provide-guidance-for-pupil-s-mental-health-and-wellbeing/>

IPSEA – WA

- CEO appeared before the Education Select Committee
- CEO also been invited to give evidence at the Woman and Equalities Committee Inquiry

NAS - MF

- Have continued to raise concerns with DfE about the modification of section 42 rights, risk assessments, and planning for children to return to school.
- NAS have submitted evidence to various parliamentary committees - the Education Select committee, the Women and Equalities Committee, and the JCHR - on the impact of COVID-19 on autistic people.
- NAS will be responding to the Government's consultation on changes to the School Admissions Code.
- There was a coronavirus hub on the NAS website updated with details of government guidance on schools and other things.
- NAS have participated in the Disabled Children's Partnership 'Left in lockdown' campaign.
- NAS are running another 'Understanding autism' session later this month for MPs and their staff. This will take place virtually rather than in Parliament as previously.
- NAS have received external funding for a new policy-based project on developing community mental health services for autistic children and adults.

MR – WSS/Firmament

- Year 3 of the contract was now underway – new condition specific videos and the suite of updated review guides had been prepared - <https://www.sendgateway.org.uk/whole-school-send/find-wss-resources.html>
- WSS was currently working on SEND Reviewer online training course which would be available from September
- A revised SENCO Induction Pack had been prepared - <https://www.sendgateway.org.uk/whole-school-send/sencos-area/>
- Webinars and training were taking place via WSS and nasen
- WSS were going to be offering support to 20+ local authorities highlighted by DfE
- There are now 3 WSS colleagues in every region and plans were being developed on how they were going to disseminate support across all the regions in the next year
- Firmament had analysed the recent SEND Statistics which were in a new format with graphs and tables <https://www.gov.uk/government/statistics/special-educational-needs-in-england-january-2020>
- Two LAs were using analysis tools and schools in those LAs are using the SEND in a Nutshell one-page summary.

KT – FLSE East

- Thanked LP for the updates sent to FLSE members.
- FLSE E had focused on supporting leaders in schools – it had been a really difficult time especially for new heads – **KT** had been trying to join people together and had strengthened relationships with LA and across schools working collaboratively.
- Next term there was a need to concentrate on the staff and people who are delivering at this difficult time
- **KT** thanked NAHT for all their support –the main issue had been the speed at which decisions needed to be made and communicated to parents – **RW** responded (on chat) that a wellbeing and mental health survey had been sent to members this week.
- There was still concern about therapists coming into school and use of PPE for school staff – it would help if more guidance was provided.

ENGAGE – RB

- There had been a webinar with Richard McCann – supporting leaders
- RB thanked LP for FLSE updates – these had been well received
- Everything postponed until next term

SWALLS (from chat)

- Held Zoom meetings about Deep Dives
- Action plan for next year currently being finalised

NAHE (from chat)

- October annual conference has been cancelled
- November Leadership conference had also been cancelled
- Had a number of focused webinars and these may continue next term
- New website – nahe.org.uk will launch in September
- Engagement with DfE has improved recently and we are pleased that hospital schools are being specifically mentioned in guidance.

RCSLT (from chat)

- Main focus had been supporting members to restore services safely – guidance had been published for all settings and age groups. This included a risk assessment framework to support decisions around PPE. <https://tinyurl.com/y8g8ye3e>
- **RCSLT** had brought together a group of children’s leads across the UK to discuss ongoing challenges and share some solutions/good practice

NSN (from chat)

- Hosting a number of events for free schools in response to COVID-19 including crisis management

NNPCF (from chat)

- Continuing to work online as best as possible and continuing to liaise with Government departments

10 Relevant Updates from Other Affiliations, Forums, Trusts, Alliances and Partnerships

No issues arose

11. NSENDF Operations

AP would be sending out subscription requests in early September. There is an issue with the website – hosting company updated it two months ago and broke the site, following this the site was hacked. AP has been trying to do updates but it is not possible at the moment as the hosting company have to action everything. Apology to Engage as AP had not been able to update the new logo. May have to think about taking away from Lab3Media and doing it ourselves.

DB thanked AP and LP for the updates

12. Any Focus for Action and Statements of Agreement Including Future Invitees

No issues arose other than those agreed above

13. AOB

No issues arose

14. Date of Next Meeting

DB thanked everyone for attending. Next Meeting to be held on 7th October. Venue/Format to be arranged.

DB