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THE NATIONAL SEND FORUM Minutes 30th March 2022

Virtual Zoom Meeting

Present: David Bateson OBE (DB) *Chair*, Lorraine Petersen OBE (LP) *FLSE*, Rona Tutt OBE (RT) *NAHT*, Caroline Wright (CW) *RCSLT*, Carol Kelsey (CK) *NNPCF*, Julie Walker (JW) *sen.se*, Kiran Hingorani (KH) *SWALSS/NASS*, Stephen Deadman (SD) *NAHE*, Mari Davis (MD) *NASS*, Annamarie Hassall MBE (AH) *nasen*, Richard Boyle (RB) *engage*, Jane Carter (JC) *PDNET*, Margaret Mulholland (MM) *ASCL*, Brendan Heneghan OBE (BH) *Engage*, Rob Williams (RW) *NAHT*, Tina Wakefield (TW) *BATOD/NATSIP*, Penny Barrett OBE (PB) *SSV*, Khursh Khan (KK) *NAS*

Guests: Geoff Hinkins (GH) *IMPower*, Andre Imich OBE (AI) *DfE*

Minutes: Andy Petersen (AP)

1. Welcome and Introductions

For Action

DB welcomed and thanked everyone for joining this virtual meeting

2. Congratulations

DB extended the group's congratulations on PB's investiture as an OBE.

3. Protocol for meeting

DB went through some protocols for this virtual meeting

4. Apologies

Chris Rollings (CR) *FLSE*, Hajira Liaquat (HL) *NSN*, Lorraine Mulrooney (LM) *NHS*, Carolyn Morgan (CM) *FLSE*

5. Minutes of last meeting and matters arising

The minutes were agreed with two minor alterations.

6. Policy and DfE update

AI gave a presentation on the recently published [SEND Green Paper](#).

- There are some key statistics that need to be considered (Page 8 & 9)
- This Green Paper is joining up the SEND provision with Alternative Provision
- 3 key challenges – Outcomes are poor, navigating the system is not a positive experience, system not delivering value for money

DB commented that he agreed that outcomes such as employment were often poor for pupils with SEND but the homogenising of all those young people with SEND, irrespective of whether they have a

profound learning difficulty or a behavioural difficulty, gets in the way of looking at the difference between attainment and achievement.

AI responded that one of the problems with the current system is that it does not include all pupils. One of the issues the Green Paper was trying to address was the variability of outcome between differing locations.

RT commented that she was pleased to see how closely the [White Paper](#) and Green Paper were aligned. However, she was disappointed with some of the language in both the Green and White papers which used phrases such as “falling behind” and “expected standards”.

AI responded that this was in part due to the impact of COVID where pupils had fallen behind.

AI continued:

- Whole host of reasons why current system is not working – a vicious cycle of late intervention, low confidence and insufficient resource allocation
- Overall aim – create a more inclusive system with excellent mainstream provision which will improve the experience and outcomes for children and young people with SEND and those who need alternative provision
- How this is going to be done – nationally agreed standards

DB queried whether this was about operating standards i.e. process and provision.

AI responded that DfE wanted to state more clearly what national standards of provision were expected from LAs. How they will identify needs, and assess them, and then correlate with that the appropriate provision that should be made available for those different types of needs. DfE also wanted to have standardised processes for accessing and reviewing support.

AI continued:

- What to ensure that excellent specialist provision and alternative provision available for those with more complex needs
- Setting out clear roles and responsibilities for everyone in SEND and AP workforce
- Establish local SEND partnerships to develop co-produced inclusion plan
- New inclusion dashboards – local and national
- Measures to support parents to make informed choice of placement for their child
- Strengthening mediation arrangements
- Increased investment
- National banding tariffs for high needs funding
- Increased capital funding for specialist provision and AP
- Joined up with the White Paper

CK queried where the expected attainment figure of 90% mentioned by AI had come from.

AI responded that this was a carefully chosen national average which was ambitious.

CK responded that learning disability meant that a pupil could not learn to a degree level or even to GCSE level. Her concern was that by setting this target, and measuring progress towards it, a disincentive was being set up, which was the opposite of inclusion, because mainstream schools would not want to have children with a level of learning disability in their school.

AI continued:

- Mandating the use of local multi-agency panels in the EHC Needs assessment process
- Standardising and digitising EHCPs

- Support parents to express an informed preference for a suitable placement
- Mediation process mandatory
- Increase in the number of respite placements
- Improve transitions to FE
- Statutory guidance for Integrated Care Boards on how to discharge their SEND statutory duties
- New Ofsted/CQC framework for Local Area Inspections
- Call for evidence on unregistered provision

Consultation closes on 1st July 2022

JC commented that she welcomed the call for evidence on unregistered provision.

MM commented that she was glad to see the focus on inclusion. She queried whether the SENCO qualification would now be an NPQ? AI confirmed this. MM wondered whether this might have an impact on recruitment.

MM also queried whether Education might have to take more responsibility as part of the two-year check. MM was concerned that this might lead to schools taking on more of the health role.

CK wondered if there was anything in the paper about initial teacher training (ITT). AI was not sure but agreed to find out more. AI confirmed that there was a page in the Green Paper which covered ITT and a reformed suite of national professional qualifications amongst which AI expected that SEND would be included.

RW queried whether the government were confident that the quantum of funding would be sufficient for each role to be delivered, and, if it proved not to be what arrangements were envisaged for a review? AI responded that than the totality of the budget was not the only consideration - other factors, curriculum, organisation, attitudes, and culture, also made a difference to whether the system in a school or college or local authority worked well. RW commented that the division of funding between sectors was also an issue – schools often had disputes as to whether a solution was an education or health issue. RW also commented that the performance measures imposed on mainstream schools could act as a perverse incentive to reduce inclusivity.

DB suggested that the next meeting should focus on the SEND review since it would still be within the 13-week consultation period.

MM commented that she was concerned that the SEN budget did not make sense. She felt that commentators needed to highlight the budget pressures that would be felt by schools in delivering this new agenda. DB agreed and expressed concern that part of the problem was due to schools undertaking roles that had previously been the responsibility of other organisations such as health and social care. DB also felt that sensitivity to process outcomes needed to be highlighted in responses.

SD expressed concern about the so-called post code lottery and the difference in provision geographically. He was also concerned about funding and the problem that additional funds had been used by authorities to reduce deficits.

7. NNPCF update about the DBVS project

CK gave a presentation of the work of the consortium and her involvement to date. The project was providing a set of tools for the DfE to support local areas, learning how to improve and benchmark and looking at outcomes and how to realise them, and how to use examples from other areas. The project aimed to provide good practice and approaches that can help make improvements Whilst developing

the framework the project had engaged with the sector and with parents and carers and also young people. GH gave the forum a presentation with further detail (attached with minutes)

RT queried a project of which she was aware in Stevenage. CK responded that this was a trial of the tool that compared needs and provision.

DB commented that the comparison of outcomes with VFM was a very difficult area. DB queried whether Impower had been given a strict rubric about what good outcomes and value for money might look like? GH responded that they had not. CK commented that the project was as much about cultures and attitudes as it was about provision.

8. Research into Rare Syndromes (RT)

RT explained that this came from the work done by the neuroscience forum of the NAHT. A series of papers on different conditions had been produced to help school staff and school leaders to know how to help children with particular conditions. Rare syndromes was a popular topic with members. Prof. Paramala Santosh an expert in this field had been consulted. A long-term longitudinal study into rare syndromes had resulted from this work. These syndromes could be of the respiratory system, the muscular system, the digestive system, nervous system etc. or they could be divided according to whether it comes from chromosomal deletions and duplications, syndromes without a name, deteriorating conditions etc. Prof. Santosh was carrying out research work to establish how many of these types of children there were and what categories they fall into.

RT would send a paper for members to read so that they could decide whether they wished to contribute to the study.

RT

9. Information item: Liberty Protection Safeguards

<https://www.gov.uk/government/consultations/changes-to-the-mca-code-of-practice-and-implementation-of-the-lps>

Mark Blois would report on this at the next meeting in May

10. Update: Regional Centres of Expertise NSEND Research Update

RT reported that RCEs could fit in with elements of the Green Paper. DB responded that this could be considered at the next meeting.

11. Update from members: successes, issues and events

RCSLT – CW gave an update on the Health and Care bill - this was the legislation that puts integrated care systems on a legal footing and disestablishes Clinical Commissioning Groups and replaces them with Integrated Care Boards. Integrated Care Boards will be required by law to set out the steps they will take to address the needs of those aged 0 to 25 in their forward plans. Each Integrated Care Board must nominate an executive children's lead. There will be statutory guidance around SEND and safeguarding.

BATOD

BATOD's Tier 2 online Language modification CPD is now live -

<https://www.batod.org.uk/resource/batod-tier-2-online-language-modification/>

This course will be useful CPD for any experienced professionals, who want to develop a specific understanding of how to make exam questions more accessible.

BATOD President, Martine Monksfield, was a guest presenter at the recent BSL Act rally in Trafalgar Square. BATOD presented on the recent nasen webinar (9th March), with VIEW and PDNet, to raise the awareness and understanding of LISEND.

NatSIP is working on the Invitation to Tender for the new Mandatory Qualifications for SI (HI, MSI and VI) through DfE commercial division.

There is a planned SI sector event on the SEND Green paper on 11th May.

NAHT submitted evidence to the STRB highlighting how submissions from government ignores the need to attract and retain school leaders. A key area of concern raised by NAHT has been the numbers of pupils missing in education, especially those families who (for a variety of reasons) move frequently with no forwarding address or school details). NAHT has been calling on government to do more to ensure safeguarding duties remain in place, are fully met and the multi-agency response is better co-ordinated. For pupils with SEND, this can be an especially risky period, as well as a huge disruption to their education and access to wider external support. NAHT submitted to the recent updated KCSIE 2022 consultation, highlighting this issue.

There are 5 priority campaigns running at present across NAHT's work – more detail can be found at <https://www.naht.org.uk/News/Latest-comments/News/ArtMID/556/ArticleID/1561/NAHT-launches-its-five-priority-campaigns-for-2022>

- Fix school funding.
- Invest in pupil and family services
- End child poverty
- End forced academisation.
- Restore pay in education

Annual conference in Telford starting at lunchtime on Friday 29th April.

SWALLS - Annual conference for Deputies took place in March in Torquay it was a live event and well attended. [Annual conference for Business Managers](#) and Admin Team to be held 18th/19th May at The Grand Hotel, Torquay. The Committee have worked hard to put together an exciting programme with extremely popular and renowned speakers talking about relevant topics. It will also be an opportunity to come face to face and network with colleagues and friends, something which will be celebrated at the Conference. There is a slot in the programme for an OPEN Forum to talk about any issues that you would like to raise and network with colleagues about.

There are currently 7 professional support groups with 3 new ones to be added for Wellbeing, Sixth Form Creative and performing Arts

SEND South West Conference - Our event this year is at the Westlands Entertainment Venue in Yeovil, located in the centre of our region and offering top notch conference facilities. We are thrilled that Dame Tanni Grey-Thompson has agreed to be our keynote speaker and to set the tone for the day. Tanni will be followed by a choice of workshops that are grounded in practical SEND experience and that will provide all delegates with ideas for good practice in their own settings. School-based SEND training and support providers, including the eight former SW SEND teaching school alliances, and NASEN/Whole School SEND will be available throughout the day to discuss with delegates the training programmes they currently offer.

12. Relevant updates from other affiliations, forums, trusts, alliances and partnerships

Nothing to report

13. NSENDf operation

Nothing to report

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

Nothing to report

13. AOB

“Special Needs Jungle” DB asked the forum to consider the admission of “Special Needs Jungle as members of the forum. After discussion it was decided to leave this issue with the Chair to address.

DB

Consideration and response to the Green Paper – this would be undertaken at the meeting in May. Members were asked to leave the day free in case a physical meeting was possible.

ALL

14. Dates

Next Meetings to be held on 25th May 2022 and 6th July (Venue/format) to be arranged

DB had confirmed the following dates with BrowneJacobson for 2022-23 on Wednesdays 10.30 - 14.45 (10.00-12.30 when virtual): 28th Sept 7th Dec 1st Feb 29th Mar 24th May 5th July

Meeting Closed at 12.00am