

## CABINET

<b>DATE</b>	15/02/2023
<b>REPORT OF</b>	Councillor Margaret Cracknell, Portfolio Holder Children and Education
<b>RESPONSIBLE OFFICER</b>	Janice Spencer, Director of Children's Services
<b>SUBJECT</b>	Approval and acceptance of the Delivering Better Value in Special Educational Needs and Disability (SEND) services grant.
<b>STATUS</b>	Open
<b>FORWARD PLAN REF NO.</b>	<b>CB 03/23/04 - This decision has been brought forward from the provisional advertised date. Therefore, this item will be considered under the general exception provisions of the Constitution</b>

### CONTRIBUTION TO OUR AIMS

The provision of high-quality Special Educational Needs and Disabilities (SEND) and inclusive services which are sustainable in North East Lincolnshire directly supports the Council's aims, Stronger Economy and Stronger Community. These are key to ensure residents, especially children, young people and families in the Borough, experience sustainable communities, benefiting from local services which meet their identified needs.

The Council has developed an Outcomes Framework which sets out five high level outcomes that the Council and its partners aspire to deliver to ensure prosperity and wellbeing for residents of North East Lincolnshire. The provision of staff skill development and support in local schools along with improved data collection will contribute towards achieving these outcomes, i.e. all people in North East Lincolnshire will:

- fulfil their potential through skills and learning
- benefit from sustainable communities,
- enjoy good health and wellbeing, and
- help to grow our strong economy.

### EXECUTIVE SUMMARY

The report seeks approval and acceptance of the ring-fenced Department for Education (DfE) Delivering Better Value (DBV) in SEND services grant of £1,000,000. In line with the national programme and grant requirements, the funding will be used to support delivery of more sustainable SEND services as well as an investment in data and insights. This will enable the Local Authority to improve their planning for SEND services and sufficiency of specialist places to create a more sustainable system for children and young people with SEND.

## **RECOMMENDATIONS**

It is recommended that Cabinet:

1. Authorises the acceptance of the DfE Delivering Better Value in SEND services grant of £1,000,000;
2. Authorises the Director of Children's Services in consultation with the Portfolio Holder for Children and Education to ensure that all necessary actions are carried out in order to co-ordinate and implement the DBV programme; and
3. Authorises the Assistant Director Law, Governance and Assets (Monitoring Officer) to complete all requisite legal documentation arising.

## **REASONS FOR DECISION**

This decision enables the Council to deliver the Delivering Better Value in SEND services (DBV) programme across the borough, and further engage with key partners to co-ordinate delivery via suitable governance process including Children's leadership and education settings subject to acceptance and approval of the grant.

The decision enables the Council to provide funding and a learning programme to all schools in North East Lincolnshire to strengthen skills and inclusive practice culture. The programme will also improve multiagency data visibility, collection processes and data quality, thus strengthening performance and improvement cycles. This decision also supports delivery of the Councils education and Inclusion strategy (2022) and provides further capacity to accelerate activity.

The decision enables the Council to work with Finance colleagues to monitor the indicative budget, and to provide regular updates to the DfE and the Portfolio Holder for Children, Education and Skills as required.

Without this decision, the Council would not be able to deliver the DBV programme over the next 2 to 3 years to strengthen our local services inclusive culture ensuring sustainable approaches and improved inclusivity in local schools for children and young people. Through participation in the programme, and the renewed LA SEND inspection framework, it has identified gaps with our data collection, analysis and performance cycle which need addressing to improve and support our understanding of service provision, quality development and assurance of services. All DBV activities will also enable the Council, with its partners, to be better prepared for future SEND services inspections which without the development could lead to an inadequate judgement and the impact that would have for the borough.

## **1. BACKGROUND AND ISSUES**

- 1.1 On 14<sup>th</sup> October 2022, the Department for Education (DfE) officially announced that North East Lincolnshire Council had been successfully accepted onto the first wave of the Delivering Better Value (DBV) in Special Educational Needs and Disability (SEND) services programme. The Local Authority had been aware of this decision since August 2022 and had already commenced some diagnostic work with the team. The DfE has acknowledged the pressure experienced by local systems in delivering services. The DBV programme aims

to support Local Authorities in delivering services for children and young people whilst ensuring sustainability. The DBV programme is aimed at the Local Authorities who are projecting a deficit on the Dedicated Schools Grant (DSS), based on 2020-21 data. The DBV programme activity contributes to the delivery of the Councils Education and Inclusion strategy (2022) providing additional funding to provide capacity and accelerate activity.

- 1.2 The DBV programme has enabled key NELC officers to work alongside expertise from Newton Europe, a specialist transformation and improvement partner, in collaboration with the Chartered Institute of Public Finance (CIPFA), to analyse North East Lincolnshire's financial data and performance. NELC officers, working with other DBV specialist programme resources, and in collaboration with other Local Authorities, were provided with learning and development opportunities alongside a performance diagnostic to identify areas of strength and improvement for NELC local delivery. Improvement areas identified at the end of the programme were data visibility and improvement cycles and improvement of culture of inclusion in mainstream settings.
- 1.3 Through this collaborative programme NELC has completed the three DBV modules: 1) Diagnostics 2) Deep dive 3) results analysis, grant bid and action plan. Whilst much of module 1 was an internal review of LA data, modules 2 and 3 have been collaborative work with key stakeholders and identified activities to support addressing of data visibility and strengthen culture of inclusion in mainstream settings areas. Consultation on development of the DBV plan has taken place through workshops and attending different meetings. Key partner stakeholders consulted included Trusts, Head teachers, Special Educational Needs Coordinators (SENCO's), parent and children forum representatives, key council officers, health and SEND services, prior to the plan submission to DfE for approval. The approved workstream plans are attached Appendix 1.
- 1.4 On successful completion of the DBV programme, and approval of the submitted activity programme addressing the identified improvement areas, the DfE provides a one off lump sum grant of £1,000,000 to NELC to support the agreed activities. The funding is additional and aims to be a catalyst in supporting the delivery of agreed plan which contributes to delivery of the SEND and Education and Inclusion approved strategies.
- 1.5 NELC will be notified of the award and sign acceptance of the grant offer in February/early March 2023. Funding will be paid to NELC at end of March or early April 2023. NELC are responsible for overseeing coordination and monitoring delivery and performance of activities funded by the grant. NELC will also contribute to national evaluation of the DBV programme.
- 1.6 NELC were successfully inspected in relation to SEND services in March 2022 and the DBV programme activity and the grant funding and activities identified aims to support delivery of continued improvement of inclusive services for children, young people and their families locally to improve outcomes for those who require additional support.

## **2. RISKS AND OPPORTUNITIES**

- 2.1 A risk exists in not being able to deliver improvement activities contributing to successful delivery of the SEND and Education and Inclusion strategies, improving outcomes for some of our most vulnerable children with complex needs in the borough.
- 2.2 The Council has been awarded a grant of £1,000,000 to co-ordinate the delivery of the DBV programme. Should the Council be unable to adhere to all of the conditions as set out in the Grant Determination Letter, to the best of the Councils knowledge we understand there is no clawback of the funding. Risks outcomes for children and young people will not be improved or at an acceptable rate.
- 2.3 There are significant reputational risks should the Council decide not to accept the DfE DBV funding. Failure to deliver the DBV programme could significantly impact the attainment, health and wellbeing of children and young people who require SEND services. The Council also risks further reputational damage with local partners and stakeholders such as schools, academies, parents, carers children and young people, and key partners, if the DBV programme is not successfully delivered.

## **3. OTHER OPTIONS CONSIDERED**

- 3.1 Do nothing. This option has not been recommended as it would not improve inclusion in mainstream settings, outcomes for children and young people, or data visibility required for service improvement cycles. It would leave NELC and its partners at risk of a poor future SEND inspection.

## **4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS**

- 4.1 There are potential positive and negative reputational implications for the Council resulting from the decision to approve and accept the DBV grant and deliver the programme. Positively, by accepting the grant and undertaking the transformation work this will increase parental and professional confidence in the ability of professionals to meet the needs of children and young people with SEND, which without the grant funding would negatively hinder progress in this area. By not accepting the grant funding, NELC will miss this opportunity and further support from the DfE to support the changes identified.
- 4.2 A communications action plan will be developed and agreed with the Council's communication service which will cover the following issues should the approval be given: external stakeholder communications; partner agency/ organisation communications; parent/ carer communications; technical reporting and information requirements. The developed communication action plan will also explain the communications channels to be utilised for each issue.

## **5. FINANCIAL CONSIDERATIONS**

- 5.1 The costs associated with co-ordination and delivery of the DBV programme will not exceed the total amount awarded to the authority as set out in the Grant

Determination Letter. The DBV co-ordination team will work closely with the Council's Finance officers to monitor the grant spend and will produce a statement of expenditure/ statement of grant usage after each phase of the programme's delivery.

- 5.2 The DBV grant must be ring-fenced and only used for the purposes as set out in the Grant Determination Letter. Any under-spend of the grant is not anticipated and there are no claw-back conditions identified by the DfE. Performance will be monitored and there are implications for future inspection outcomes.

## **6. CHILDREN AND YOUNG PEOPLE IMPLICATIONS**

- 6.1 Children and young people requiring SEND services across all geographical areas of the local authority who are aged 0 to 18 years will benefit from activities delivered as part of the DBV programme.

## **7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

- 7.1 There are no direct climate change and environmental implications for the Council resulting from the decision to approve and accept the DBV grant and deliver the programme. However, improvements in our SEND support and inclusion offer we would expect to reduce the need for some specialist education places and therefore there could be a reduction in school transport being used, as children are able to remain in their local mainstream setting supported by outreach services.

## **8. CONSULTATION WITH SCRUTINY**

- 8.1 Consultations have not taken place with scrutiny panels regarding the DBV grant and delivery of the DBV programme.

## **9. FINANCIAL IMPLICATIONS**

- 9.1 On the 23rd May 2023 the Council was advised it had been successful in being selected on the Delivering Better Value programme. The aims of the programme are to facilitate actions which result in a sustainable high needs block moving forward. The programme requires movement at pace and the submission of an action plan. Funding to support these actions will be available and equates to £1m. Whilst this funding is not subject to clawback the DfE is very clear that all of the funding needs to be spent on implementing the actions although there is provision for backfill resource if required.

## **10. LEGAL IMPLICATIONS**

- 10.1 Immediate legal implications arising will be around the terms and conditions of external grant funding and the completion of funding agreements and ancillary documentation. Legal Services will support this process, ensuring the interests

of the Council are protected.

- 10.2 As individual projects emerge throughout the delivery phase, Legal Services will continue to support colleagues.
- 10.3 The delegations sought are appropriate for an exercise of this nature

## **11.HUMAN RESOURCES IMPLICATIONS**

There are no direct HR implications contained within this report

## **12.WARD IMPLICATIONS**

- 12.1 All wards potentially would be affected by the decision to accept the DBV grant, as activity is focussed on all local mainstream settings and NELC and partner SEND services data.

## **13.BACKGROUND PAPERS**

Education and Inclusion Strategy

[Education-and-Inclusion-Strategy-2022-2025.pdf \(nelincs.gov.uk\)](#)

SEND strategy

[NELC SEND Local Offer | Our vision and key documents \(nelincs.gov.uk\)](#)

## **14. CONTACT OFFICER(S)**

Sally Jack, Assistant Director Education and Inclusion, 01472 325631  
Rebecca Taylor, Head of SEND and Inclusion, 07880462414

**COUNCILLOR MARGARET CRACKNELL**  
**PORTFOLIO HOLDER FOR CHILDREN AND EDUCATION**

# Data visibility and improvement cycles – Workstream Summary

## Objective and Approach

Development of an interactive data dashboard of current and projected data which will inform practice and decision making to improve performance and provide support earlier. The workstream is also expecting to improve inclusivity and to keep children in mainstream setting via an earlier identification of needs.

## Programme Team

**Senior Accountable Officer** – Sally Jack  
**Project Lead** –  
**Delivery Team**  
**SEND services**  
**Data team**  
**BIT team**  
**SEND advisors** – Anne

## Stakeholders

**To support design:**  
SEND services team  
Data team  
BIT team  
SEND Advisor

### Impacted by change:

**CYP** will received an earlier support thanks to an earlier identification of needs,  
**Parents** confidence is expected to improve as a consequence of the reduction of timeline to deliver EHCP  
**Educational provider** are expected to become more inclusive thanks to the earlier identification of needs  
**Social care and healthcare**  
**SEND Team:** coordinator will have access to one system and that will free up some capacity and give a better visibility of the performance  
 Other internal teams such as complaints team, data teams...

## Interdependencies

*Working alongside the procurement and implementation of a new system*

## Enablers

<b>Governance</b>	G2
<b>Digital Capability</b>	D1
<b>Leadership</b>	L2
<b>Capacity</b>	Ca2
<b>Capability</b>	Cb2

## Likely Measures

### Top-level

- # CYP starting EHCPs
- Turn around time to issue an EHCP
- # CYP starting specialist placement
- Reduction in High Needs spend
- #EHCP ceased every year

## Milestone Events

- 1 – Setup a programme governance and organise programme kick-off
- 2 – Define the role profile for the programme team
- 3 – Creation of a communication plan towards all the stakeholders impacted by the change
- 4 – Baseline of the performance and definition of the impact tracking mechanism
- 5 - LA accept the grant
- 6 - Recruitment of the resources
- 7 – Design phase
  - 4.1 – Research about data insights and best practices from other local authorities
  - 4.1 – Audit of the current situations (as is position)
  - 4.2 – Design the target data dashboard (operational requirements translated into technical requirements)
  - 4.3 – Delivery of a first version of the dashboards
  - 4.4 – Design of the improvement cycles and performance framework (workflow, governance, quality assurance)
- 5 – Pilot phase: Pilot a priority data set e.g. EHCP timeliness first before full launch to ensure process/systems work as planned.
- 6 – Roll –out: The role out approach will be defined during the design phase.
- 7 – Sustain

## Risks

- Delays in delivery that will impact on our readiness on the new inspection framework
- Impact on not being able to pro-actively allocate resource to priority areas.

# Culture of inclusion in mainstream settings– Workstream Summary

## Objective and Approach

The education system has a culture of shared responsibility and accountability that ensures everyone supporting a child or young person strives towards their most inclusive and aspirational outcome. We will do this by embedding the Education and inclusion strategy, supporting all education settings with workforce development opportunities and adding capacity to teams and services where appropriate.

## Programme Team

**Senior Accountable Officer** – Sally Jack  
**Project Lead** – Rebecca Taylor  
**Delivery Team**  
**SEND services (EP, Specialist teachers, EHCP Co-Ordinators)**  
**Health representatives (where appropriate)**  
**School representatives**  
**Parent Carer Forum representatives**  
**Local Offer Co-Ordinator** – Lauren Thompson  
**Data Lead** – Linda Manley  
**Strategic special projects lead** – Helen Norris  
**People and Culture representative** – Jonathan Sturgeon

## Stakeholders

**To support design:**  
Schools Forum  
SEND team  
Parent Carer forum  
School representatives  
Health representative  
Specialist settings

### Impacted by change:

**CYP** will receive an earlier support thanks to an earlier identification of needs,  
**Parents** confidence is expected to improve as a consequence of the improved knowledge and skills that SENCOs and school staff have.  
**Educational provider** are expected to become more inclusive thanks to the workforce development offer.  
**Social care and healthcare** are expected to become more joined up with education providers in delivering targeted support.  
**Local Authority teams and services** will receive fewer referrals for specialist support and help.

## Interdependencies

*Data development workstream.*  
*Speech and Language strategic steering group.*  
*SEND specialist school places sufficiency.*  
*SEND strategy refresh workstream.*  
*Early Years Inclusion Fund working group.*  
*Start for Life programme*

## Enablers

Governance	G2
Digital Capability	D1
Leadership	L2
Capacity	Ca2
Capability	Cb2

## Likely Measures

### Top-level

- # CYP starting EHCPs
- Turn around time to issue an EHCP
- # CYP starting specialist placement
- Reduction in High Needs spend
- #EHCP ceased every year
- #CYP at SEN support receiving a suspension

## Milestone Events

- 1 – Setup a programme governance and organise programme kick-off
- 2 – Creation of a communication plan towards all the stakeholders impacted by the change
- 3 – Workshop. 3<sup>rd</sup> and 6<sup>th</sup> Feb 2023.
- 4 – Baseline of the performance and definition of the impact tracking mechanism
- 5 - LA accept the grant March 2023
- 6 - Recruitment of the resources commence March 2023
- 7 – Design phase April - August
  - 4.1 – Design implementation plan
  - 4.2 – Seek further feedback from stakeholder group
  - 4.3 – Commission/Procure external agencies and organisations as required
  - 4.4 – Design of the improvement cycles and performance framework (workflow, governance, quality assurance)
- 5 – Roll –out: The role out approach will be defined during the design phase including sequencing of schools.
- 6 – Evaluation of programmes/development activity at the end of year 1 and tweak where relevant for year 2.
- 7 – Sustain

## Risks

- Delays in delivery is likely to put further pressure on existing teams, services and provision.
- Schools not engaging with the proposal and offer, resulting in inconsistent approaches to inclusion.
- Data risk if workstream not implemented that impact data cannot be gathered and used effectively.