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SEND REVIEW – IMPLICATIONS FOR CHILDREN WITH SENSORY IMPAIRMENT

Introduction

The Department for Education document *Special Educational Needs and Disabilities (SEND) and Alternative Provision (AP) Improvement Plan*¹ presents a number of welcome opportunities to improve outcomes for children with sensory impairment (SI). The needs of children with SI should not be overlooked in implementation and testing.

Key points

- Children with SEND are not a homogenous group. Support for children with low-incidence needs, such as SI, may look different to that for other types of need. It is important that any testing or changes specifically consider the impact of the changes on those with low-incidence needs.
- The quality of early intervention support to children with SI aged 0 to 4 is critical. For these children, early intervention starts when their SI is identified, not when they go to an early years setting, or fall behind in school.
- Local authority specialist education services for children with SI play a key role in securing effective early interventions. There should be a specific consideration of these services in any 'sufficiency' reviews. This should include considering if there might be benefit in cross-border commissioning or collaboration between services.
- Any testing of reforms around Education, Health and Care Plans should ensure that parental confidence in the SEND system and reforms is not undermined. It should be made very clear to parents that there have been no changes to their statutory rights.

Background

In March 2023, the Department for Education in England published the *Special Educational Needs and Disabilities (SEND) and Alternative Provision (AP) Improvement Plan*. The plan outlines the Department's intention to test a number of changes to the SEND framework through its Change Programme. This programme will see the Department working with clusters of two to four 2 to 4 local authorities in each region² on different aspects of the proposed reforms including:

1. Local SEND partnerships and local inclusion plans
2. Reforms to the process for Education, Health and Care Plans
3. National standards
4. SEND dashboards.

1. Local SEND partnerships and local inclusion plans

Local SEND partnerships are intended to bring together key partners to plan and commission support for children with SEND. Partnerships will be asked to publish local inclusion plans to set out how the area will meet the needs of children with SEND.

The change programme will test the governance model for these proposed new local SEND partnerships and approaches to engaging different education, health and care providers. It will also test a new national template for planning SEND provision and a benchmarking tool.

Local SEND partnerships could be valuable levers for reviewing the sufficiency of specialist support for children with SI in each area and identifying where there may be gaps. However, given that SI is a low-incidence disability, we believe that there is a high risk that specialist education services and provision for children with SI will be overlooked.

In forming local SEND partnerships and developing local inclusion plans, we encourage LAs to consider the following:

a) Co-production with and involvement of children with sensory impairment and their families

The DfE has emphasised the importance of co-production with families and young people for local SEND partnerships. Thought should be given to how the perspectives of parents of children with SI can be captured as part of this, particularly as such parents may not always be well represented in parent-carer forums.

Local authorities should also ensure that any co-production activities for young people are accessible to deaf, vision impaired and multi-sensory impaired young people. Some young people with SI may need additional support to be able to meaningfully participate.

b) Understanding and evidencing the needs of children with sensory impairment

The needs of children with SI will vary according to, for example:

- their level of sensory impairment
- what language they use - for example, if they use sign language
- what (if any) technology they use
- their language development - which may be negatively impacted if their sensory impairment was identified late and/or the right support was not put in place
- their habilitation needs.

Heads of Services will also likely have data on any changes in the numbers of SI children, based on the numbers being identified by local audiology and hospital VI services. There may be some children who have greater needs because their SI was identified at a later age.

NHS England has recently identified concerns³ around the identification of deafness in some local areas. In these areas, a number of deaf children have been identified later than should have been the case, and so have missed out on support they needed to develop language and communication skills in the vital early years.

It will also be important to look at the outcomes achieved by children with SI in the early years, in school, and post-16. It may be necessary to aggregate data for SI children over a number of years to generate a large enough cohort size.

c) Understanding the sufficiency of support to meet those needs – specialist services

It will be helpful to review both:

- i) the specialist education services that are provided to children with SI and their families
- ii) any specialist provision (e.g. resource provisions) in place for those who do not attend mainstream provision.

For specialist education services, all local authorities commission a team of Qualified Teachers of the Deaf,⁴ Qualified Teachers of the Vision Impaired, and many have Qualified Teachers of the Multi-Sensory Impaired or access to them, as well as other specialists to provide peripatetic support to families and SI children. This support includes:

- information and advice to families in the early years post-identification
- Information and guidance to early years practitioners and mainstream teachers
- carrying out specialist assessments
- working with other professionals as appropriate

Other professionals include audiologists, speech and language therapists, health visitors, specialist technicians, teaching assistants (including Braille specialists), habilitation specialists, intervenors, communication support workers and others. The aim is to ensure that support to families and SI children is 'joined-up' and effective.

Many local authority services use the *NatSIP Eligibility Framework*⁵ to identify what level of support children with SI children need.

As part of any sufficiency review, it may be helpful to explore with Heads of Services if they feel that they are able to meet the assessed needs of SI children in line with this framework, so that all SI children achieve good outcomes and the attainment gap between SI and non-SI children is closed.

Other relevant evidence and insight will include:

- caseload data – the number of children with SI and families that individual specialist teachers are working with, and how this has changed over time
- the results of any audits that the service has undertaken on provision, against sector-developed quality standards such as the *Quality Standards for Sensory Support Services in England*⁶ document, published by NatSIP
- feedback from families and young people
- feedback from mainstream early years practitioners and teachers

The *NatSIP Commissioning Guide and Workbook for Sensory Support Services*⁷ will also be a useful resource.

d) *Understanding the sufficiency of support– specialist provision*

Given the diverse needs of children with SI, it is important that LAs are able to commission high-quality specialist provision where it is needed, and that they work with other LAs to secure this. Local SEND partnerships should also assess the quality of this provision. Quality can also be assessed by reference to sector-developed quality standards for resource provisions.⁸

An assessment should also consider the qualifications and skills in sensory impairment held by staff. It is a statutory requirement under the Education (School Teachers' Qualifications) (England) Regulations 2003,⁹ that teachers of classes of children with SI must be qualified SI teachers, or in training to become so within three years. This requirement is reiterated in the SEND Code of Practice.¹⁰

e) *Ensuring there is a focus on early years and early intervention, starting at ages 0 to 4*

SI is often identified shortly after birth through newborn screening programmes. Support from peripatetic qualified SI teachers to families at this time is critical, especially as most families will be new to SI.

The SEND Review has identified early identification as being key to eliminating a recurring problem that missed early identification results in costlier support and provision being required further down the line. For many children identified with SI, the early years does not begin when a child enters an early years setting. Similarly, early intervention should not begin when children with SI start to fall behind in mainstream school.

If local SEND partnerships are going to be effective in addressing this issue, they should have a particular focus on the support that is provided to children with SI between the ages of 0 to 4.

In particular, this should consider:

- effective engagement with health on identification of needs
- support to families in early years, particularly around language and communication
- support to early years settings to identify and meet needs.

f) *If there are gaps in provision, consider the possibility of cross-border collaboration and commissioning*

As SI is a low-incidence need, it can be challenging for local authorities, and especially for smaller authorities, to be able to achieve the scale of operations needed to effectively meet the needs of all the children with SI in their area. For this reason, local authorities should be strongly encouraged to work together to explore the possibility of cross-border collaboration and commissioning, especially if a review identifies gaps in support.

The specific benefits cross-border commissioning include:

- greater consistency in the quality and equity of support provided to children with SI, addressing any area-related gaps in provision and developing a more consistent approach in the management of eligibility criteria, thresholds and levels of support across the wider area
- more effective planning and commissioning of specialist provision and the creation of a wider continuum of support from 0 to 25 years
- greater scope for strategic workforce planning. This is particularly important in a context where services and schools may struggle to appoint qualified specialist teachers, and where there has been a long-term decline in the number of such teachers
- services being better able to develop specialisms (e.g. early years, post-16) or further expertise on specific needs. Expert staff can be deployed where need is, across a wider area
- greater scope for economies of scale and savings that can be reinvested into raising outcomes
- greater sharing of knowledge and good practice across a wider area
- scope for greater coordination with health and social care (e.g. on provision of equipment).

The DfE guidance document *Sustainability in High Needs Systems*¹¹ also highlights the potential benefits of cross-border commissioning for low incidence needs. NatSIP has also produced guidance on this topic.¹² Local inclusion plans should include any plans by the local SEND partnerships to collaborate with other local authorities to commission support effectively.

g) *Involve the Head(s) of the SI Specialist Education Service(s)*

It is important that local SEND partnerships have access to advice and insight from the Head(s) of the local authority specialist education service(s) for children with SI. Change programme partners may want to explore different ways in which this advice and insight can be effectively incorporated.

The involvement, direct or indirect, of Children Hearing Services Working Groups (CHSWGs) may also be valuable. CHSWGs are multi-disciplinary groups that are well established in many areas, bringing together services for deaf children and families, include specialist audiology and other health services for deaf children.¹³

2. Reforms to the process for Education, Health and Care Plans (EHCPs)

We understand that change programme partners will test proposed reforms to how EHC plans are provided. While we understand the rationale for testing these reforms, it is important to emphasise to parents that there has been no change to their statutory rights around EHCPs, and that any involvement in pilots is entirely voluntarily. The change programme will not succeed if parents do not have confidence in it.

Regarding the specific proposals being tested:

- Multi-agency panels
Specialist teachers of SI should be part of any multi-agency panel that is considering a plan for a child with SI. At the very least, the panel should have access to their advice.
- Tailored lists of settings
NatSIP supports the proposal tailored lists of settings providing that it is:
 - a) genuinely advisory and does not become a tool of constraining parental choice
 - b) meaningfully inclusive of the specialist provision that may meet the needs of childrenSuch lists should therefore include details of any national or regional specialist provision for children across the UK
- Mediation processes
Given that most appeals to the First Tier Tribunal (SEND) currently either find in favour of families, or are conceded by local authorities, it is clear that the focus should be on increasing parental confidence and improving the quality of SEND provision, rather than compelling families to resort to the tribunal.

The SEND review improvement plan is being delivered alongside the DfE's *Safety Valve Programme* and *Delivering Better Value Programme* to provide targeted support for local authorities with the highest deficits on high-needs funding.

NatSIP supports the DfE's view that children with SEND should be able to access high-quality support without the need for an EHC plan. NatSIP also supports the view that the best way to reduce the need for more and costlier support later in life for children with SI is to focus attention and resources on specialist *early* intervention so that children with SI start school with age-appropriate language. Mainstream schools also need to be inclusive and have access to ongoing advice from specialist services as needed.

Analysis by NatSIP has shown that the cost-per-use of a specialist peripatetic service is significantly lower than the cost of a residential placement.¹⁴ For these reasons, investment in specialist education services for SI children should be a primary focus of any engagement with LAs on high needs funding.

NatSIP is concerned by reports that, in some areas, there are inappropriate incentives in place to reduce the number of new EHC plans, or to prematurely end EHC plans in ways that clearly do not meet the needs of children and young people with SEND. Such reports are disappointing, given the potential impact such actions will have on parental confidence in the SEND system and the improvement plan.

3. National standards

The DfE intends to establish new national standards to help address the variability by area in provision that many families experience (a so-called 'post-code lottery'). The DfE states that national standards will achieve this by clarifying:

- what types of support should be made available, based on evidence of what works
- whose job it is to make different types of provision available
- which budgets should be used to pay for support.

NatSIP understands that the priority for the Change Programme is to test proposals for national standards on early years speech, language and communication.

NatSIP support the aims around national standards. Many families of children with SI report feeling uncertain what support for their child they should reasonably expect, particularly in the vital early years. Any testing around national standards should specifically consider how such standards will provide clarity to parents, as well as to commissioners and practitioners.

4. SEND dashboards

NatSIP remains supportive of plans to introduce new national and local inclusion dashboards as a way for families to see how provision their area compares to others. It is essential that any dashboard, national or local, includes data on children and young people with SI. Any dashboards that treat children with SEND as a homogenous group will not be helpful to parents of children with SI, or to other parents.

5. About the authors of this briefing note

NatSIP – the National Sensory Impairment Partnership, is a unique national partnership of professionals and the main voluntary and professional organisations working across the sensory impairment sector to improve outcomes for children and young people with SI and their families.

The National Deaf Children's Society - is a leading charity dedicated to creating a world without barriers for every deaf child. It provides free impartial and unbiased information to families, empowering them to make informed choices for their child.

RNIB – The Royal National Institute of Blind People, raises awareness of the experiences of blind and partially sighted people and campaigns for change to make our society more accessible for all. The RNIB wants to change our world so there are no barriers to people with sight loss.



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6. Contacts

To contact NatSIP about the content of this briefing, please email us at: send-reforms@natsip.org.uk

For deaf children and young people, you can also contact: localengagement@ndcs.org.uk for information and support from the National Deaf Children's Society.

6. References and supporting materials

- ¹ The document *Special Educational Needs and Disabilities (SEND) and Alternative Provision (AP) Improvement Plan* can be downloaded from: <http://www.gov.uk/government/publications/send-and-alternative-provision-improvement-plan>
- ² The change programme regions and local authorities are:
 - a) North East:
 - Hartlepool (lead)
 - Durham
 - Gateshead
 - Stockton-on-Tees
 - b) North West:
 - Manchester (lead)
 - Oldham
 - Rochdale
 - Trafford
 - c) Yorkshire & the Humber:
 - Wakefield (lead)
 - Bradford
 - Calderdale
 - Leeds
 - d) East Midlands:
 - Leicester
 - Leicestershire
 - Rutland (possibly joint leads)
 - e) West Midlands:
 - Telford & Wrekin (lead)
 - Herefordshire
 - Shropshire
 - f) East of England:
 - Bedford (lead)
 - Central Bedfordshire
 - Luton
 - g) London:
 - Barnet (lead)
 - Camden
 - Enfield
 - Islington
 - h) South East:
 - Portsmouth (lead)
 - Brighton
 - East Sussex
 - West Sussex
 - i) South West:
 - Gloucestershire
 - Swindon (joint leads)
- ³ The NHS England document *Quality Improvement in Paediatric Hearing Services: recommended actions for immediate implementation* can be downloaded from <http://www.england.nhs.uk/long-read/quality-improvement-in-paediatric-hearing-services-recommended-actions-for-immediate-implementation/>
- ⁴ *Specialist SI teachers* are teachers who have gained an additional mandatory qualification in teaching and supporting children with SI (or are in training to gain this qualification). More information on the qualification can be found at: <http://www.gov.uk/guidance/mandatory-qualifications-specialist-teachers>
- ⁵ The *NatSIP Eligibility Framework* document can be downloaded from: <http://www.natsip.org.uk/eligibility-framework/685-natsip-eligibility-framework-2015>
- ⁶ The *NatSIP Quality Standards for Sensory Support Services in England* document can be downloaded from: <https://www.natsip.org.uk/doc-library-login/quality-improvement-for-services/01-quality-standards-for-sensory-support-services/1044-quality-standards-for-sensory-support-services>
- ⁷ The *NatSIP Commissioning Guide and Workbook for Sensory Support Services* can be downloaded from: <https://www.natsip.org.uk/doc-library-login/future-of-the-sector/1427-commissioning-guide-and-workbook>
- ⁸ The National Deaf Children's Society booklet *Quality Standards for Resource Provisions* can be downloaded from <https://www.ndcs.org.uk/QSRPs>
- ⁹ The *Education (School Teachers' Qualifications) (England) Regulations 2003* can be found at <https://www.legislation.gov.uk/uksi/2003/1662/contents/made>
- ¹⁰ The SEND Code of Practice can be found at: <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25> See paragraph 6.61.

- 11 The Dfe Guidance Sustainability in high needs systems can be found at:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1084835/Local_authority_guidance_on_high_needs_sustainability.pdf
- 12 The NatSIP Report *Regional Commissioning for low-incidence, high-need children with SEND* can be downloaded from : <https://www.natsip.org.uk/doc-library-login/send-reforms-implementation-support/joint-commissioning-files/1421-regional-commissioning-report-mar-2018?highlight=WyJib21taXNzaW9uaW5nIl0=>
- 13 Often pronounced ‘*chizzy-wigs*’. NHS England guidance on CHWGS can be found at www.england.nhs.uk/wp-content/uploads/2019/11/what-works-chswg-guide.pdf
- 14 The NatSIP *Commissioning Guide and Workbook for Sensory Support Services* can be found at:
<https://www.natsip.org.uk/doc-library-login/future-of-the-sector/1427-commissioning-guide-and-workbook>

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