



# The Children and Family Act, SEND Reforms and thinking 'whole life'

Nic Crosby and Andrew Baxter (In Control)

**in**  **Control**<sup>®</sup>

# The Children and Families Act 2014

*Children and young people and their carers will be fully involved in decisions about their support and what they want to achieve...*

*SEN and disabilities will be picked up at the earliest opportunity...*

*Aspirations will be raised through an increased focus on life outcomes, including employment and greater independence*

**Dr Dan Poulter**  
**Parliamentary Under Secretary of  
State for Health**

**Edward Timpson**  
**Parliamentary Under-Secretary  
of State for Children and Families**

# The Care Act 2014

The Act is built around people, it:

- ensures that people's well-being, and the outcomes which matter to them, will be at the heart of every decision that is made;
- puts carers on the same footing as those they care for;
- creates a new focus on preventing and delaying needs for care and support, rather than only intervening at crisis point, and building on the strengths in the community;
- embeds rights to choice, through care plans and personal budgets, and ensuring a range of high quality services are available locally.

# Families at the centre of the Children and Families Act 2014

Local Authorities **must** have regard to:

- The views, wishes and feelings of the child or young person, and the child, and the child's parents
- The importance of the child, young person and parents participating as fully as possible in decisions, and being provided with the information and support necessary to participate
- The need to support the child, young person and parents to achieve best possible educational and other outcomes, preparing them for adulthood

# Promoting Integration and Co-operation

C&F Act:

Duty on LAs to ensure integration between: education and training, health and social care provision to promote the wellbeing and improve quality of provision for children and young people with SEN and disability

Care Act:

LAs are required to ensure co-operation between children's and adults services to promote integration of care and support with health services, so that young adults are not left without care and support as they make the transition from children's to adult social care.

# Preparing for adulthood

SEND Code of Practice (chapter 8):

- High aspirations are crucial to success – discussions about longer term goals should start early, well before Year 9 (age 13-14) and not just for those with EHC plans.
- Focus on strengths, capabilities and outcomes they want to achieve in terms of:
  - Employment
  - Independent living
  - Health
  - community participation

# Preparing for adulthood

SEND Code of Practice (8.01), LAs and CCGs:

- Should develop a shared vision and strategy which focuses on aspirations and outcomes.
- Should ensure there are pathways into employment, independent living, participation in society and good health.
- Should set out clear responsibilities, timescales and funding arrangements where pathways need further development

# Person Centred EHC Planning – it's not just SEN

SEND Code of Practice:

- The purpose of the EHC plan is ... to secure the best possible outcomes across education, health and social care and, as children and young people get older, prepare them for adulthood.
- EHC plans should be forward looking ...specifying how services will delivered as part of whole package and explaining how best to achieve outcomes across education, health and social care.



# Not just Individual Outcomes

It's also the £££s:

- NAO estimate that supporting one person with a learning difficulty into employment could increase that person's income by 55-95 per cent.
- And that supporting a young person with the skills to live in semi-independent rather than fully supported housing could reduce lifetime support costs to the public purse by approx. £1m

# But DfE says there are challenges...

- Local capacity is stretched, especially for managing the transfer of SEN statements and Learning Difficulty Assessments to Education, Health and Care plans
- More to do to strengthen joint commissioning by LAs and Health and embed the role of Designated Medical Officers
- Local Offers vary in quality and co-production with children, young people and parents is variable
- Education, Health and Care plans are of variable quality and specifying outcomes remains a particular challenge
- More to do to ensure that accountability works well locally and nationally

# PCF and DfE LA summer

## survey - 2015

*67% of PCFs - very or extremely well engaged with reform*

### Parent carer Forums

- Joint commissioning – 51% LAs not started or in early stages
- 48% not engaging YP very well
- EHC reviews person centred - 40% limited progress
- Meeting 20 weeks - 52% not at all/ not very confident.
- All transfers by August 2018 - 20% confident

### Local authorities

- Joint commissioning - 89% have fully/well developed arrangements
- 87% engaging YP at least moderately (40% very well or better)
- EHC Reviews person centred – 97% at least quite well (36% very well)
- Meeting 20 weeks – 24% not at all / not very confident

- All transfers by August

And [headlines from NCPCF/In Control survey]...

- Nic to add!

# Personal budgets and families

- Survey carried out by National network for Parent Carer Forums and In Control
- Rough and ready – not scientific – a snapshot
- 161 responses
- Usefully highlighting issues to discuss with the Department for Education
- Basis for an open letter from NNPCF and In Control to the Minister

# What did the survey tell us? 1

- Of 161 responses, 88 families had not been offered a personal budget
- Lack of information offered to families to help them make an informed choice
- Lack of consistent and shared knowledge across the workforce
- Confusion about what is and isn't a personal budget and direct payments

# What did the survey tell us? 2

- Some evidence of personal budgets working for social care
- Families told 'we don't do personal budgets'
- Or families simply told 'they are not eligible'
- Lack of any mention of personal health budgets

.....basically not the best of findings

# However .....

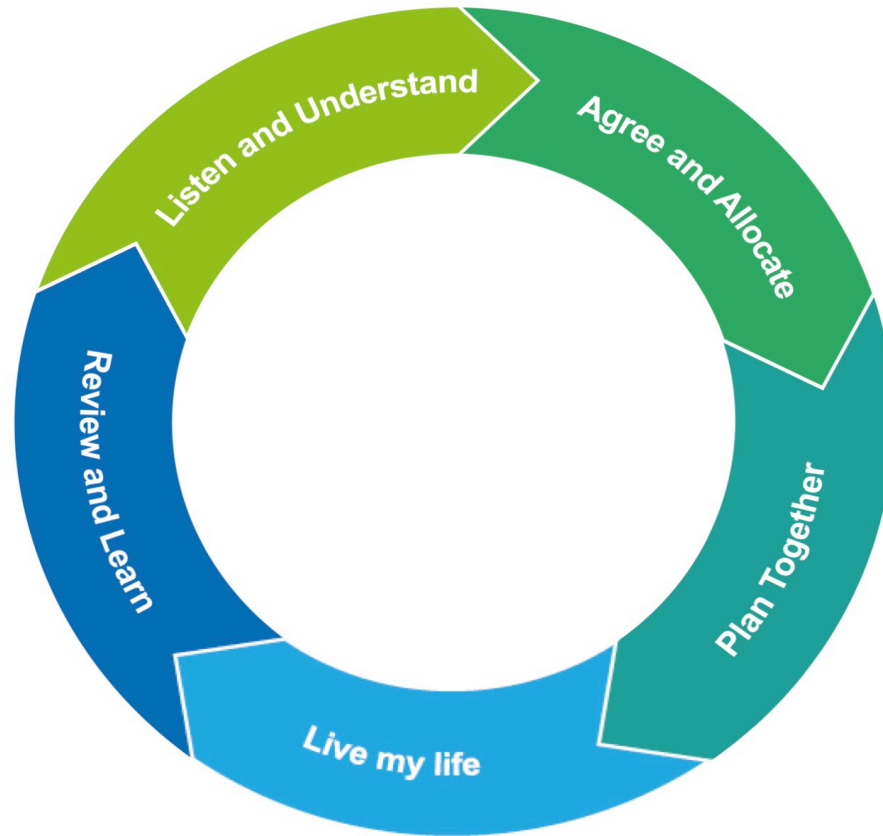
- As much as it didn't surprise us it probably doesn't surprise you....so maybe this is an opportunity.....
- We need.....
  - A clear simple definition which is consistent across the country
  - We need the DfE to restate the importance of personal budgets as core to the reforms
  - We need 'Local Offers' to share easy to understand and accessible information about personal budgets and for all those supporting families to understand them and to discuss with all families



# .....and most importantly.....

- We need people to see personal budgets as positive .....that families wishing to get more involved in their child's support and lives is a good thing
- We all, at least of those of us here, know personal budgets have a huge potential to improve the support we and families can make available .....
- So.....

# Collecting and sharing 'Good practice'





Thank you

**in**  **Control**<sup>®</sup>