Joint SEND Commissioning Arrangements

Blackburn with Darwen Borough Council and Blackburn with Darwen Clinical Commissioning Group

Proposed joint commissioning arrangements
Introduction

This draft Joint Special Educational Needs and/or Disability (SEND) Commissioning Arrangements document sets out the process for joint commissioning between agencies for 0-25 year olds with Special Educational Needs and/or Disabilities who are resident within Blackburn with Darwen. It outlines the process for both those with an Education, Health and Care Plan and those with identified needs who do not require this level of provision.

The Blackburn with Darwen vision and priorities for children and young people aged 0-25 with Special Educational Needs and/or Disabilities are set out within the 0-25 Strategy within the context of a changing national policy environment, and a changing local context.

We have developed our joint commissioning arrangements as a result of:

- The requirements placed on education, health and social care services for children with SEND set out within the Children and Families Act 2014. Services for children with SEND should be integrated where this would promote wellbeing and improve the quality of provision for disabled young people and those with SEND.
- Local authorities and clinical commissioning groups (CCGs) must make joint commissioning arrangements for education, health and care provision for children and young people with SEND.
- The introduction of the Care Act 2014 which requires local authorities to ensure co-operation between children’s and adults’ services to promote the integration of care and support with health services and ensure smooth transitions.
- The duties placed on local authorities and partners commissioning bodies for developing joint commissioning arrangements within the Special Educational Needs and Disability Code of Practice: 0 to 25 years.

Adoption of the arrangements will lead to improved access to appropriate services, greater choice and better outcomes for individuals. For organisations, the arrangements will see commissioning for joint objectives, efficiency and streamlining of decision making processes, and pooling of budgets.

This document is the foundation for partners to develop integrated commissioning arrangements for children with SEND. It is intended to be a “live” document to be continually reviewed and updated in order to take account of feedback from families and other key partners. An action plan (Appendix 3) will be developed to support implementation. The action plan will be monitored through the 0-25 SEND Partnership Strategic Board.
We will work together to support all children and young people aged 0 – 25 with complex needs, their families and carers to:

- maximise their opportunities
- enhance their experiences
- promote social inclusion
- enable them and their families to live ordinary lives wherever possible in their local community.

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**Our Vision**

**Our approach to commissioning:**

**Personalised**
Building on the strengths of the family and their community to find solutions through a person and family-centred planning approach

**Integrated**
Working to keep children and young people with SEND in education and care local to their home by providing coherent and joined up arrangements across services and the community

**Local**
Based and developed within local communities by families, children and young people with additional needs

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**Our purpose and success measures will be judged by children, young people, and families:**

- My needs are identified at the earliest opportunity
- People that know me help me and my family to ensure I have the support I need
- Help, advice and support is available in different formats to suit our needs
- I can see the people supporting me close to home or at school
- The people that know me work together to share information and help me plan support and services
- There is a high quality offer of services locally so I can make friends and live in my community
- I have appropriate advice and support as I grow up, make choices and move

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**Our draft outcomes will drive the commissioning of support services:**

- Children, young people and families are listened to, valued and understood so the things that matter to them inform provision, process and experience
- Comprehensive, effective, timely and person-centred identification and assessment of need which is updated in response to changes in skills and circumstances and is used effectively to inform provision, support and services
- All CYP have access to a range of high quality multi-disciplinary services to meet their needs, support progress, promote independence, raise aspirations and enable achievement of appropriate outcomes
- All those involved in supporting and working with children, young people and their families work effectively together to share information, plan and provide services together including a high quality local offer
- CYP will be supported at key phases in their life so that ultimately they are able to successfully move into adult life with improved life chances, independence and work opportunities
Key principles

This document is intended to support local partners to make a real shift to personalised commissioning which focuses on what children, young people and families really want and provides individuals and families with increased opportunities and responsibilities to create solutions which match their individual circumstances.

Personalised

- Children, young people and families are at the centre of all we do and we will support them to identify how they can improve their own outcomes
- Children, young people and families will be empowered, engaged and listened to to understand the whole family perspective
- Support provided will have a positive impact and help build independence and resilience for children and families
- Preparing for adulthood will start early and play an essential role in informing a child’s educational pathway
- Resources will be targeted to develop the aspirations of children and young people to ensure they become more independent and ready for adulthood

Integrated

- We will be innovative in creating solutions, and allowing children, young people, families, teachers and the people that know them best work together to find solutions in the local community, making the best use of resources
- A shared understanding an expectation across our workforce about supporting SEND commissioning outcomes will shape services
- We will identify needs early to improve outcomes and experience, providing preventative services where appropriate
- We will effectively jointly commission to ensure appropriate services are able to deliver support to help schools, colleges and settings meet the needs of children and young people with additional needs

Local

- Wherever possible, children and young people will access education and care in their local area, supported by joined up services in the community
- People are supported to access education, care in the local area and services will be accessible to all
- We will be open and transparent in our commissioning processes and involve children, young people, parents and carers in developing, shaping and reviewing the local offer of SEND services and provision
- We will keep safeguarding and the welfare of children and young people at the heart of the commissioning process.
Key levers for joint commissioning

There are a number of reasons for putting in place arrangements for joint commissioning.

Children and Young People

- Raised aspirations and improved outcomes
- Choice through use of personal budgets
- Tell your story once
- Move successfully into adult life

Partner Agencies

- Joint assessment and early planning to make the best uses of resources and interventions
- Joint early planning of transition
- Common objectives
- Common performance indicators
- Joint and pooled budgets
- Legal duty to assess and secure provision

Our joint commissioning approach

Joint commissioning is the process by which partners across education, health and care agree at a strategic level what is needed in an area and how they will work together to commission and deliver it. Critical to doing this well is engaging with children and young people with SEND and their families.

Joint commissioning is a continuous improvement cycle, which will enable partners to integrate the local support, reduce unnecessary duplication and improve the outcomes and user experience of accessing support.

Commissioning includes the cost, staffing, service providers, capital, community resources and specialist equipment. It will be judged against outcomes both on a strategic and individual level, as appropriate.

Resources brought by the family/child/young person (when related to individuals) will also form part of the holistic view of a child/young person support needs and package.
A breakdown of provision against responsible commissioner has been included in Appendix 1. Any provision not listed will be discussed at local officer level, and if not agreed will be discussed further at the overarching, cross agency Joint Commissioning Recommendations Group.

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Resources brought by the family/child/young person (when related to individuals) will also form part of the holistic view of a child/ young person support needs and package.

When the commissioning process involved services at an operational or strategic level, tendering and procurement regulations will be followed.

Who are the commissioners?

The partners involved in commissioning services for children, young people and families with SEND include:

- Blackburn with Darwen Borough Council – this is known as the local authority and refers to all early years, social care and education provision provided as well as universal health services such as health visitors and school nurses
- Educational establishments including schools, academies, colleges and free schools – this may include speech and language services, pastoral care and counselling services to support pupils
- Blackburn with Darwen Clinical Commissioning Group - this refers to health provision such as GPs, dentists, pharmacies, community services including speech and language therapy, special health services for example for children that require a ventilator
- NHS England – this refers to specialist provision such as residential mental health provision

Who are services commissioned for?

These arrangements apply to all children and young people in Blackburn with Darwen from birth to 25 who have SEND.
There are a number of different groups of children and young people with SEND that may require services and support to meet their identified needs.

These include:
- Some children / young people who are identified at SEND Support in schools
- Those children / young people up to the age of 25 with an Education, Health and Care Plan
- Young people aged 18 years and older who are eligible for an EHCP and who meet eligibility according to the Care Act 2014.
- Young people aged 18 years and older who are eligible for an EHCP and who do not meet eligibility criteria under the Care Act 2014.
- ‘Looked After’ children / young people with SEND

**Our joint-commissioning approach**
Blackburn with Darwen’s approach to joint commissioning will be on three levels:
- Individual
- Operational
- Strategic

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- Health and Wellbeing Board
- Executive Joint Commissioning Group
- Joint Commissioning and Recommendations Group
- Specialist Advisory Boards e.g. 0-25 SEND Partnership Board
- Children’s Partnership Board
- 0-25 Joint Commissioning Group
- 0-25 Joint Commissioning Panel

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Strategic Commissioning
Operational Commissioning
Individual Commissioning
### Strategic

We will ensure our combined resources are used to best effect to meet the needs of the population, aligning and pooling resources to be most effective.

We will co-produce strategic plans whether that be on a Blackburn with Darwen, Pennine Lancashire or on a Pan-Lancashire footprint, and putting in place performance management and governance arrangements.

Underpinned by the Integrated Strategic Needs Assessment and Health and Wellbeing Strategy.

Key decisions will be made by the Joint Commissioning and Recommendations Group, in consultation with parents and young people.

Services listed in the Local Offer will be commissioned local partners.

Partners will work together to monitor outcomes in education, health and care to understand the impact of provision on needs of the population

The changing needs of the population of children and young people with SEND and disabilities will also be reviewed to closely to establish whether services put in place are effective.

### Operational

We will review and reform specific services within our Local Offer to address gaps in provision and improve outcomes.

There will be opportunities around personalisation to look at the most cost effective and appropriate services.

It will follow either the individual or strategic commissioning approach as relevant.

### Individual

Personalised support for children and young people with SEND whose needs are normally identified through an EHC Plan, utilising Personal Budgets and direct payments where appropriate.

Co-production of plans between families/children and young people and the brokers of the finance (e.g. schools/colleges/settings/local authority/ health).

Schools, other educational providers and colleges will provide services for pupils/students with SEN as part of their own offer.

Agreement by a multi-agency panel will occur prior to the sign off of EHCPs, where additional funding is required.

A joint review process will take place to see if the support in place is enabling the child or young person to achieve their desired outcomes and identify necessary changes to the EHCP. If needs have changed or a transition is taking place, the process will be followed depending on current level of need.
The individual commissioning process

Disagreements

There will be three aspects of disagreement resolution processes. The first is where parent or the young person wants different levels or type of provision to meet SEN or
a disability than is currently being provided, where an EHCP is not required. The second relates to the same situation, where an EHCP is in place. The third is where there is disagreement between agencies over who should provide the provision listed in an EHCP. Parents and young people will also recourse to the appropriate complaints procedure for the service/agency concerned. Further details are outlined in Appendix 3.

Planning joint commissioning

Successful joint commissioning will enable the local authority and NHS Clinical Commissioning Group to make best use of all the resources available to improve outcomes for children and young people in the most efficient, effective, equitable and sustainable way.

The joint commissioning process outlined in this document will support commissioners to plan and commission based on a clear assessment of local need.

Strategic commissioning decisions will be identified by the 0-25 Joint Commissioning Group and recommended to the Joint Commissioning and Recommendations Group, followed by the Health and Wellbeing Board in advance of approval by individual organisations.

The purpose of the 0-25 Joint Commissioning Group is to:

- resolve any day to day issues in joint commissioning
- develop joined up processes
- review levels of need and demand to identify potential opportunities for commissioning jointly
- monitor outcome of existing commissions to see what should be changed
- ensure feedback from children, young people, parents and carers are part of the commissioning process
- identify and agree changes required to the joint commissioning arrangements.

The local offer

Access to information is essential to enabling children and young people with SEND and their families to have a choice and make informed decisions.

As part of the joint commissioning cycle, partners have worked together with children, young people, parents and carers to develop the Local Offer, mapping provision to meet the needs of children and young people with SEND in Blackburn with Darwen.

The local offer details the services that are available locally, aims to support personalisation and empower people to find their own solutions and plan for the future and transition, by providing information that is accessible, high quality and
The Local Offer is regularly reviewed and developed in consultation with children, young people, parents and carers.

**Measuring performance**

We will be able to evaluate the impact of our arrangements and the quality of our offer through three key measures:

**Outcome measures for children and young people**
Do young people feel that they are getting the outcomes they want in relation to education, social inclusion and community participation, health and wellbeing and others?
Is provision improving achievements in education and life chances in relation to employment and independent living as they progress their adult lives?

**Feedback from children, young people and their families**
About their experiences of school, college, programmes, services, support, processes and their outcomes.
Have we adapted the offer in line with their responses?

**Ofsted and CQC inspection feedback of the Council and the providers we commission.**

**We will know we have made a difference when**

- Children and young people achieve their goals and aspirations within their Educational, Health and Care Plans.
- Commissioning is informed by active engagement with children, young people and families using appropriate methods for them.
- Services for children and young people are appropriate to meet their needs, and delivered in suitable settings.
- Services address the specific needs of particularly vulnerable or at risk groups of children and young people.
- Shortfall and gaps in services are identified and addressed by the appropriate agency.
- Identification, assessment and intervention ‘pathways’ are clear to parents/young people.
• Resources across the partners are understood, transparent, aligned and/or pooled.

The arrangements will be reviewed annually in January of each year. This will be carried out by the 0-25 SEND Joint Commissioning Group and reported up through the 0-25 SEND Strategic Partnership Board and Joint Commissioning and Recommendations Group. Account of feedback from parents, carers, children and young people and feedback from the Local Offer will form part of this process.

Progress against the attached action plan will be reported up to the 0-25 SEND Strategic Partnership Board on a quarterly basis.

Appendix 1: Examples of provision

Please note this list is not exhaustive.

<table>
<thead>
<tr>
<th>Level of provision</th>
<th>Social Care (local authority)</th>
<th>Health</th>
<th>Education/training (local authority)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Universal- available to all children and young people (not needed in plan)</td>
<td>Children centres Youth clubs Leisure “for all”</td>
<td>Hospital GP Dentist Health visitors Mid wife Community nurse</td>
<td>mainstream school inc SENCO support Early years providers Children centres Post 16 settings Apprentices Education Psychologists Advisory teachers</td>
</tr>
<tr>
<td>Specialist (much will be listed in a plan- not all depedant upon case)</td>
<td>Outreach Short breaks Parenting support Direct payments (over care) Parenting courses Specialist child minding Joint health / care packages Family link work Transition support Foster carers</td>
<td>Occupational Health therapy Speech and language therapy Physiotherapy Continence support Equipment Transition support Care packages CAMHS</td>
<td>Speech and language therapy Physiotherapy Mainstream support above £6k Specialist teaching teams (mostly not listed) EPs (mostly not listed) TA support in school/ setting over and above that “available to all” Specialist teaching programmes Specialist equipment Transition support Specialist Educational Resources Facility in schools</td>
</tr>
<tr>
<td>Highly specialist (much will be listed in a plan- not all</td>
<td>Overnight short breaks Residential</td>
<td>Residential/ in hospital placement</td>
<td>Special school Independent Specialist Provider (post 19)</td>
</tr>
</tbody>
</table>
dependant upon the case) placement Out of borough specialist (day/ residential) school Supported apprenticeships/ work

**Appendix 2: Action plan**

<table>
<thead>
<tr>
<th>Action</th>
<th>Target date</th>
<th>Who is going to lead this?</th>
<th>What does success look like?</th>
<th>RAG¹</th>
</tr>
</thead>
</table>

**Appendix 3: Disagreement resolution protocols**

*Disagreement between Agencies over who should Commission/ Finance the Provision*

Initially any dispute should try to be resolved between the front line staff concerned, within the agreed parameters of each of their agencies in terms of commissioning. If this does not provide resolution it should go to their line managers, and then the 0-25 Joint Commissioning Board (or the key representatives for this body). If there is no resolution at this stage decisions should occur at the Joint Commissioning and Recommendations Group.

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Disagreement over whose responsibility it is to fund provision at Joint Commissioning Panel

0-25 Joint Commissioning Group discussion - if no solution

Decision at Joint Commissioning and Recommendations Group