

## **London Borough of Lambeth**

### **Special Educational Needs and Disability Service**

#### **Transition Arrangements for Converting SEN Statements and Learning Disability Assessments (post 16) to Education, Health and Care Plans**

**September 2014 – April 2018**

**Update: September 2016**

#### **Background**

Under Part 3 of The Children and Families Act 2014 all Statements of SEN must be converted to Education, Health and Care Plans by April 2018 and all Learning Disability Assessments by September 2016. Guidance for undertaking this task is set out in the Department for Education's note *Transitional and saving provisions (made under section 137 of the Children and Families Act 2014) relating to part 3 of the Children and Families Act 2014 (children and young people in England with special educational needs or disabilities) July 2014* and has been adhered to for the purposes of writing the transitional arrangements for the children and young people of Lambeth Local Authority with an SEN and/or disability.

All Statements of SEN will be maintained and converted to EHC Plans; no child/young person will lose the statutory protections because of the transition from one system to another. All LDAs will be converted to EHC Plans for those remaining in education or training after 31<sup>st</sup> August 2016. During the transitional period (Sept 2014 – April 2018) local authorities must abide by the Education Act 1996 for Statements of SEN that have yet to be converted. Local authorities must abide by the Learning and Skills Act 2000 between September 2014 – September 2016 for LDAs that have yet to be converted (all LDAs must be converted by Sept 2016).

This document sets out Lambeth Local Authority's plan for converting SEN Statements and LDAs to EHC Plans. This will be a phased approach to ensure that conversions are carried out using a person centred approach capturing the most up to date and relevant assessment information about the child or young person. Parents/carers, children and young people will be at the heart of the process with their involvement being central to the development of each new EHC Plan.

The Special Educational Needs and Disability Service in Lambeth will take the lead on conversions. We have learnt from SEN Pathfinders and from our own pilot cases that the conversion process, when done in with a person centred approach, can take almost as long to complete as a new EHC assessment and plan. We have also learnt from parents taking part in our pilot cases that they have felt encouraged by the new process and happy that

their child's strengths and needs have been fully identified. Lambeth SEND Service is committed to maintaining a high standard of conversion for all of our children/young people by ensuring that all conversions lead to better identification of need and a more rigorous approach to outcomes and setting provision to ensure outcomes are achieved. In this way we aim to send all of our children into adulthood prepared to take part in their community and to feel able to fulfil their ambitions in life.

### **Lambeth Local Authority Data: setting our baseline**

As of September 2014 Lambeth LA had 1600 children/young people with Statements of SEN and/or LDAs.

### **A Phased Approach**

DfE guidance has set priority cohorts for conversion, however, we made a decision not to convert Year 6 in the first year due to newness of the process and a strong Annual Review process in summer term 2014. We also made a decision to convert all Year 2 children, not only those moving from infant to junior school:

#### **1<sup>st</sup> September 2014 – 31<sup>st</sup> August 2016:**

- All Learning Disability Assessments (LDAs post 16) to be converted for young people continuing in further education or training.

#### **1<sup>st</sup> September 2014 – 31<sup>st</sup> August 2015:**

- Children in nursery/pre-school due to start Reception in September 2015
- *All Year 2 children*
- All Year 5 children
- *All Year 6 children in phase 1 will be targeted for conversion when in Year 9*
- Children/young people transferring from a mainstream to a special school
- All Year 9 children
- All children/young people in Year 11 (not just those continuing in further education)
- Children/young people leaving custody
- Children/young people moving from one local authority to another

#### **1<sup>st</sup> September 2015 – 31<sup>st</sup> August 2016**

- Children in nursery/pre-school due to start Reception in September 2016
- All Year 2 children
- All Year 5 children
- Children/young people transferring from a mainstream to a special school
- All Year 9 children
- Children/young people transferring from school (including school sixth forms) to a post-16 institution or an apprenticeship

- All children/young people in Year 11 (not just those continuing in further education)
- Children/young people leaving custody
- Children/young people moving from one local authority to another

**1<sup>st</sup> September 2016 – 31<sup>st</sup> August 2017**

- All Year 2 children
- All Year 5 children
- All Year 8 children
- All Year 9 children
- Any Year 11 children who have not had a conversion in previous years
- Children/young people leaving custody
- Children/young people moving between one local authority and another.
- Any Year 12, 13 & 14 who have LDAs and were not completed by 31/8/16

**1<sup>st</sup> September 2017 – 31<sup>st</sup> March 2018**

- Any children who still have a statement of SEN

**Communicating the Transition Arrangements:**

- Parents/Carers will be informed by letter of the year in which their child is due to have their Statement of SEN/LDA converted
- Young people in post 16 education or training will be informed by letter (with copies sent to parent/carer) to inform them of when they are due to have their Statement of SEN/LDA converted
- These transfer arrangements will be published on the Lambeth Local Offer
- The transfer arrangements will be sent to all Lambeth Special Schools and discussed at an event planned for September 2014
- The transfer arrangements will be sent to Early Years Settings by Lambeth SEND Management and Monitoring Officers
- The transfer arrangements will be sent to all Lambeth schools by Lambeth SEND Service Monitoring and Management Officers
- The transfer arrangements will be sent to Lambeth College by Lambeth SEND Service
- An email link to this document will be sent to all of the independent special schools known to educate a Lambeth child/young person (by SEND Service)

## Proposed Timetable:

	Phase 1	Phase 2	Phase 3	Phase 4*	Notes
	Sept 14 – Aug 15	Sept 15 – Aug 16	Sept 16 – Aug 17	Sept 17 – Apr 18	No. of children**
Nursery/Pre-School	Conversion	Conversion	<i>New EHC Plans from outset</i>	<i>New EHC Plans from outset</i>	
Reception	Statement	EHC	EHC	EHC	
Year 1	Statement	Statement	EHC	EHC	
Year 2	Conversion	Conversion	Conversion	EHC	
Year 3	Statement	EHC	EHC	EHC	
Year 4	Statement	Statement	EHC	EHC	
Year 5	Conversion	Conversion	Conversion	EHC	
Year 6	Statement	EHC	EHC	EHC	
Year 7	Statement	Statement	EHC	EHC	
Year 8	Statement	Statement	Conversion	EHC	
Year 9	Conversion	Conversion	Conversion	EHC	
Year 10	Statement	EHC	EHC	EHC	
Year 11	Conversion	Conversion	EHC	EHC	
Year 12	LDA/Statement	EHC	EHC	EHC	
Year 13	Conversion	Conversion	EHC	EHC	
Year 14	Conversion	EHC	EHC	EHC	

\*\*actual number of children in each year group is subject to minor changes due to movement in and out of borough these are the figures known 1/9/16

\*Phase 4 becomes a period of time in which to convert all outstanding Statements of SEN. It is predicted that we will likely need to use this time as there will be exceptional cases across the first three years which will have knock on effects to maintaining the timetable. Also decisions re change from mainstream to specialist provision cannot be predicted three years hence and these numbers will need to be accommodated within the year of change; yet again resulting in knock on effects to the time table. Finally, although numbers of children/young people leaving youth custody can be suggested, we cannot predict year groups nor exact numbers and these children/young people must be seen as a priority for conversion in any of the given years of the time table.

### Update: February 2016

Government guidance being followed by Lambeth SEND Service can be found by following this link:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/463320/Transition\\_Dept\\_advice\\_sept15.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/463320/Transition_Dept_advice_sept15.pdf)

## Review of adherence to Transfer Plan in academic year 2014-2015

Total Number of Statements at 1.9.14	Target Number of Transfers for 2014-15	Actual Number of Transfers by end of 2014-15
1600	500	195

### Phase 1: Challenges to delivering the process within 14 weeks:

- Guidance from Department for Education (dfe) policy makers insisted that an LA officer must attend all transfer review meetings. With a target of 500 conversions and 7 case workers this became an impossible task with much time lost due to attending out of borough conversions (ranging from South West England to North East England).
- Contact with the dfe in March 2015 allowed a stop to this practice and for officers to attend meetings where there was a request from the parent/carer or likelihood of a request for change of placement/provision. However, by this time a huge backlog of newly transferred draft EHC Plans had been sent to the SEND team with little time to edit and improve within set timescales. **This has meant that many of the Year 11 transfers which were the target cohort for autumn 2014 were not finalised in a timely manner leading to frustration on the part of parents/carers and schools, and young people entering Yr12/college placements without a finalised plan.**
- Out of borough placements in maintained and non-maintained specialist settings and mainstream settings has also been a challenge. This has been because these schools have had to manage various local authority local procedures for transferring statements to EHC Plans (this has been a difficulty for our own Lambeth special and mainstream schools also). We have needed to work closely with schools out of borough to build understanding of our processes and seek compliance in providing us with the information required. This has taken additional time and effort on behalf of caseworkers and SENCOs in schools.
- Over the first year of this legislation we have learnt a great deal in what is meant by writing aspirational outcomes, how to write needs as barriers to learning and how to write provision as specifically as possible with the evidence of professional advice. We are still learning across the Local Area and have needed to ensure training continues to inform all stakeholders in this new approach to writing good, clear SEND information for the purpose of focusing on outcomes for our children and young people.
- Feedback on attendance at conversion review meetings and the length of time meetings were taking told us that we were not achieving consistency in experience across the borough for our families and children.

- Health and Social Care colleagues were engaging in understanding their own role in the process at a strategic level, but at an operational level feedback suggested that capacity in all professions to complete additional assessments on demand was an impossible task for the transfers and that more information was needed on when an existing assessment was sufficient and when newer information was needed.

### **Phase 1: Progress being made in transfers:**

- The government extended the period for transferring a Statement of SEN to an EHC Plan from 14 – 20 weeks. The SEND Service records the start and finish dates of the transfer process.
- **In Phase 1 the SEND Service finalised 196 Converted EHC Plans. 62% were within the 20 week timeframe. 38% took longer than 20 weeks.**
- Throughout 2014-15 lead practitioners in the SEND Service accessed regional events put on by the dfe SEND pathfinders to learn and cascade information to our families and to professionals via Parent Information Events held at our Contact A Family base in Brixton, via SENCO network meetings, and meetings with strategic leads in health and social care.
- By the end of the first period our understanding of what constitutes well written aspirational outcomes had become more formed in the service. We were also aware that changes needed to be made to our EHC Plan template to make the ‘golden thread’ from need to aspirational outcomes to provision clearer. We also knew that the conversion review meetings needed to be more focused and shorter.
- Our engagement with Social Care and Health colleagues began to evolve with the appointment of Ian Smith as Interim Director of Children Services and the formation of the life-long service for Children and Adults with Disabilities (Integrated Disability Service) and in Health with continued talks on how to monitor outcomes.
- By the end of the first period and the announcement of Ofsted and Commissioning Quality Care (CQC) inspections of the implementation of the Children and Families Act 2014 in summer 2016 it was clear that a more robust approach to involving all partners in quality transfers needed to be developed.

## **2<sup>nd</sup> Period of Transfers (September 2015 – August 2016):**

### **Actions taken:**

- new draft templates and accompanying documents to help prepare for a conversion review meeting were ready for circulation September 2015, labelled to facilitate ease of use and uploaded on a central website (Lambeth Schools Services website)
- new draft EHC template targeting Preparing for Adulthood strands was developed
- new guidance for schools was circulated and presented at SENCO Network meetings with follow up advice from Lambeth SEND Service offered to all EY/Schools/Colleges
- Early Years SENCO network launched to support Private, Voluntary, Independent Pre-School/Child Minder colleagues
- Decision to take draft EHC Plans forward to finalised EHC Plans was made with a focus being on them being of good standard and that they can be improved upon at annual review
- Private, Voluntary and Independent Early Years settings are being supported by the Early Years Alliance Team within the SEND Service and via new Early Years SENCO Forum events held termly
- As schools prepare our draft EHC plans (Nursery, Yr 2, Yr 5, Yr 9, Yr 11) more training via SENCO network meetings was given on how to write a good outcome, these meetings are also used to focus on all sections of the plan, most recently what should be entered under health and social care (Section C,D,G and H1and H2)
- Post 16 provision are being supported by the 14+ team within the SEND Service under the guidance of a Deputy Principal Educational Psychologist
- Closer monitoring of process of receiving draft EHC plan from EY/School/Post 16 and moving it swiftly to quality assurance and then proposed EHC plan. This is now completed by the SEND caseworkers and a member of the SEND Panel.

### **Phase 2 - Challenges:**

- Post 16 conversions from LDA to EHC Plan have not all been completed by 31<sup>st</sup> August 2016
- Staffing in the SEND Service and in local providers has led to administrative issues delaying the start of transfer
- Identifying Post 16 courses that fit with a young person's aspirations
- Receiving sufficient information that sets out Post 16 outcomes to be achieved
- Minority of schools not returning paperwork or carrying out conversion process

### Transfer data as we begin phase 3:

Total Number of Statements at 1.9.14	Actual Number of Transfers by end of 2015-16
1600	516

### Phase 2 - Progress

The data above shows that Lambeth SEND have completed 1/3 of the total number of SEN Statements that require conversion to EHC Plans in a two year period. This leaves 2/3 requiring transfer within 19 months (1<sup>st</sup> September 2016 – 31<sup>st</sup> March 2018). Although there has been a great increase in knowledge and understanding about EHC Plans in the borough, there is still a lot more change and development that is needed from all of our services. Especially in the area of report writing that supports the creation of EHC Plans and the involvement of Health and Social Care services in providing assessment of need and provision.

### Phase 2 – Actions to increase number of transfers in period 3:

- Use of external plan writers to manage out of borough cases where schools do not draft EHC plan; this will avoid unnecessary delay in paperwork being ready post annual review
- SEND Service re-organisation and filling of posts to ensure management and monitoring roles can be carried out in a time efficient manner
- Introduction of online survey and postcards to achieve more direct feedback from parents and young people on their experiences

### **Target cohorts for conversion in Phase 3 1<sup>st</sup> Sept 2016 – 31<sup>st</sup> August 2017:**

Schools will be asked to target:

- Year 2
- Year 5
- Year 8
- Year 9

SEND Service will target:

- Children in custody or coming out of custody
- Children Looked After
- Any child/young person 'out of cohort' i.e. those CYP who should have been converted, but have not yet had their statements converted to EHC plans

**Next review:**

If you have any feedback on the transfer plan based on your own experience please do give feedback via the Local Offer website:

<http://www.younglambeth.org/local-offer/landing-pages/give-your-views-on-the-lambeth-local-offer.html>

Our next review on progress towards transfer from Statements of SEN to EHC Plans will be September 2017.