



JOINT COMMISSIONING ARRANGEMENTS FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATION NEEDS AND DISABILITIES 2019

**London Borough of Bromley and
NHS Bromley Clinical Commissioning Group**

Integrated Commissioning Board - January 2019

SEND Governance Board – March 2019

BROMLEY'S JOINT COMMISSIONING ARRANGEMENTS FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATION NEEDS AND DISABILITIES 2019

CONTENTS

Introduction	3
Bromley's priorities for services for children and young people	4
Bromley's vision and priorities for children and young people with SEND	5
Principles of joint commissioning arrangements for children and young people with SEND	6
Governance of joint commissioning for children and young people with SEND	7
Joint commissioning process for children and young people with SEND	9
Engagement and participation of children and young people with SEND, and their parents	13
Where we are now	14
Markers of Success	16
Future commissioning plans	17
Appendix 1: Definitions of special educational needs and disability	18
Appendix 2: Summary of key legislation	19
Appendix 3: Bromley Partnership Structure	21
Appendix 4: Integrated SEND services	22
Appendix 5: Joint commissioning action plan 2019	25
Appendix 6: Statistical profile of children and young people with SEND in Bromley	28
Bibliography	33

INTRODUCTION

The aim of this document is to articulate how, through a commissioning approach and with effective partnership working, Bromley Council and NHS Bromley Clinical Commissioning Group are improving, and will continue to improve, educational, health, and wellbeing outcomes for Bromley's children and young people with special educational needs and disabilities (SEND)

The document identifies joint decision making structures and arrangements in respect of commissioning and delivery of services, with appropriate governance and oversight which ensures that partners can agree joint commitments to commissioning, designing and monitoring of services, and, together, ensure and promote the well-being of children and young people with SEND.

The terms 'special educational need' and 'disability' encompass children and young people with a broad range of needs. For some, the focus of support will be wholly educational, whilst for others they and their families will need support from a number of statutory services and this may continue throughout their childhood and into adulthood. An individual may have special educational needs, or a disability, or both.

For the purpose of this document, the definition of special educational needs and disability as described in the SEND Code of Practice and the Equalities Act 2010 are used (Appendix One).

BROMLEY'S PRIORITIES FOR SERVICES FOR CHILDREN AND YOUNG PEOPLE

Bromley aspires to deliver outstanding services to children and young people which keep them safe, give them the right help, at the right time in their lives and which achieve positive outcomes for their journey into adulthood. We have responded with determination to the challenge to improve our service for children, supported by the strength of the partnership across agencies. The **Bromley Children's and Young People's Plan 2018-2021** says:

'Partners have joined together in the Children's Executive Board to reaffirm a commitment to joint planning and delivery of services to improve the life chances of Bromley's children and young people. Partners share the understanding that all agencies are experiencing funding pressures and national expectations on services are increasing. We recognise that both strategic and operational collaboration are key to our collective success. We understand that innovation and excellence are possible only through the combined efforts of our committed and skilled children's services' workforce, in whatever agency they sit.'

Bromley's Children Executive Board (see Appendix Three) has undertaken to further develop partnership practice across agencies, to increase integration of services where it makes sense to do so, and to strengthen joint accountability for improving outcomes for local young people

The plan for 2018-2021 is focused on the following areas:

1. early help and intervention to deliver improved outcomes for those affected by disadvantage
2. safeguarding children and young people
3. children looked after and care leavers
4. children with special educational needs and disabilities
5. emotional wellbeing and mental health of children and young people
6. enabling communities and securing inclusion.

Our ambitions will be achieved by ensuring:

- the right support
- at the right time
- of the right quality
- in the right place
- for the right price

These principles are reflected in a range of strategies and plans which address Bromley's vision for all the child and young people population, including:

- Health and Well Being Strategy 2019 to 2022
- Children and Young People's Plan 2018 to 2021
- SEND Strategic Vision and Priorities
- Bromley's Safeguarding Children's Board (BSCB) Annual Plan, Policies and Procedures Corporate Parenting Strategy 2017 to 2019
- Children Looked After and Care Leavers Strategy 2017 to 2019
- CAMHS Transformation Plan 2018 to 2019

BROMLEY'S PRIORITIES AND VISION FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

As joint commissioners, Bromley Council and NHS Bromley Clinical Commissioning Group are key partners on our SEND Governance Board, which delivers the SEND priority of our Children and Young People's Plan. From a review of our SEND arrangements in 2018, including extensive consultation with all stakeholders but most especially parents, we have agreed a shared vision for Bromley's children and young people with special educational needs and disabilities set out in Bromley's **SEND Strategic Vision and Priorities** 2018, extended for 2019-22:

'Our vision in Bromley is that our children and young people have their needs met locally, as far as possible, growing up alongside their peers and able to love, learn and work in their local community.'

Our joint ambition is to have a well-planned continuum of provision that meets the needs of children and young people from birth to age 25 who have SEND, and their families.

Our underpinning ethos is to ensure that services are **localised** as much as possible, serving children and young people within their own communities, to **stretch** resources by re-alignment and co-ordination to ensure equity of resources across the continuum of need and to hold services **accountable** for achieving the best outcomes possible for the population of children and young people with SEND who are aged from birth to 25.

This means services across education, health and social care working closely and engaging with children and young people, their parents and carers to ensure that individual needs are met without unnecessary bureaucracy or delay. It also means a strong commitment to early intervention and prevention so that help is provided in a timely way and children and young people's needs do not increase unnecessarily.

Our vision is for all education, health and care providers to have the capacity, skills and confidence to deliver high quality provision for children and young people who have SEND, which results in improved outcomes.

The importance of providing good training to staff in our services, settings and providers is recognised. This can be achieved by using the expertise and knowledge across Bromley's provider base (education, health and care) to increase capacity throughout the local area by sharing best practice and by promoting a model of collaborative partnership working and shared responsibility.

Commissioners, service providers and parents have duties and responsibilities to support our most vulnerable children and young people. We have a shared and collective responsibility and each must play their part. Partners will work together and challenge each other to allow us to meet our moral and legal obligations.

It is within this context that a joint commissioning approach can be set out which will meet these aspirations and ensure compliance with legislation relating to children and young people with special educational needs and disabilities (SEND).

PRINCIPLES OF JOINT COMMISSIONING ARRANGEMENTS FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

Joint commissioning arrangements should help partners identify scope for working more efficiently together. Section 10 of the Children and Families Act 2014 and Section 75 of the National Health Service Act place a duty on local authorities to consider the extent to which children's and young people's needs could be met more effectively through integrating services and aligning or pooling budgets to offer greater value for money, improve outcomes and better integrate services.

Section 4.9 of the SEND Code of Practice: 0 to 25 years commits agencies to '*working in a way which ensures that children, young people and their families feel that they have participated fully in the process and have a sense of co-ownership.*'

How does this look in Bromley?

Bromley Council and NHS Bromley Clinical Commissioning Group have undertaken to jointly

- commission services which support children and young people with SEND to live with their families within the borough, or as close to home as possible
- commission services which support children and young people with SEND to be educated in the borough wherever possible
- ensure that children and young people with SEND and their parents are engaged actively in planning and evaluating the services they need
- commission services which provide the right support at the right time for families which ensure they receive an appropriate early integrated response to meet their needs and which are outcome focused
- commission services which are designed to fit together seamlessly and ensure that there are not gaps in provision at critical points.
- adopt an integrated way of working across Education, Health and Social Care to develop and deliver provision for children with SEND and improve the Local Offer
- develop provision that supports early identification and prevention and anticipates aspirations outlined in EHC Plans, particularly for young people preparing for adulthood so that there can be strong and aspirational post 16 options for young people
- use resources in an effective way to avoid duplication of responsibilities
- commission services which are informed by the voice of service users and children, young people and their families/carers will be consulted in all stages of the commissioning cycle to plan services and implement and evaluate delivery of those services
- commission services which provide consistency and best practice in relation to safeguarding of children and young people with SEND.

GOVERNANCE OF JOINT COMMISSIONING FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

It is critical that local partners understand who is accountable for what in order to understand the strategic leadership and responsibility and in order to hold the system to account. This requires clear governance arrangements and commitment from all partners to operating in an integrated way, agreeing accountability across SEND commissioning. Partners must be clear about who is responsible for what, who the decision makers are, what decision making and funding powers are delegated and how they will hold each other to account in the event of a dispute.

How does this look in Bromley?

See Appendix Three for partnership structure

Health and Well Being Board is a collaboration between Bromley Council and partner agencies whose role is to understand their local community's needs, agree priorities and encourage commissioners to work in a more joined up way. The outcome from this partnership is to ensure that service users experience more joined-up services from the NHS and Bromley Council.

The Board has a role in giving permissions to support the joint working at operational level between partners and external agencies.

Children's Executive Board (CEB) brings together commissioners and providers across the local network of services for children. Through the Children and Young People's Plan, the CEB oversees the action being taken across agencies to tackle local priorities and it provides a problem solving forum to raise and address barriers to improvement by agencies working collaboratively. Partners are committed to working together to further develop partnership practice across agencies, to increase integration of services where it makes sense to do so and to strengthen joint accountability for improving outcomes for local young people. The CEB recognises that both strategic and operational collaboration is key to collective success.

Integrated Commissioning Board (ICB) is a forum for developing joint strategies and initiatives where joint commissioning decisions are made between the CCG and LA. The ICB agrees an annual work plan which identifies opportunities for joint commissioning. The ICB is led jointly by the Chief Executive Officer from Bromley Council and the Managing Director of Bromley CCG, demonstrating the importance and significance that both organisations attach to the work of this Board.

The commissioning functions across the Council and Bromley CCG are led by the shared role of Joint Directors for integrated commissioning.

SEND Governance Board is a multi agency forum to lead the implementation the SEND reforms in Bromley (in line with the Children and Families Act 2014, and the SEND Code of Practice 2015) providing advice and guidance and monitoring the impact of the SEND Vision and Priorities. The SEND Board:

- Agrees, owns and promotes the SEN/D vision and strategy, ensuring the reforms programme is implemented successfully to benefit all children and young people who have SEN/D in the Bromley local area

- Approves the SEN/D self-evaluation and action plans, which are aligned to the Ofsted/CQC inspection framework and the SEN Code of Practice (2015)
- Seeks assurance and evidence that demonstrates all the agreed actions have been delivered satisfactorily and are leading to improved outcomes for children and young people
- Advises on the prioritisation of the agreed actions, tackling those areas of greatest concern to children, young people and families
- Acts to remove any barriers identified and ensure milestones are met wherever possible
- Ensures resources are identified and made available to complete the agreed actions. Hold all services to account for ensuring the available funds and resources are allocated appropriately and are leading to improved outcomes for children and young people with SEN/D
- Ensures that joint commissioning processes are effective
- Regularly reports progress, challenges and outcomes to the wider stakeholder groups throughout the local area

JOINT COMMISSIONING PROCESS FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

Commissioning is defined as a cycle of planning and delivery, working with children, young people and their families to understand and identify needs, specifying what services are required and procuring services to meet these needs. Jointly agreeing on commissioning priorities does not always require joint funding.

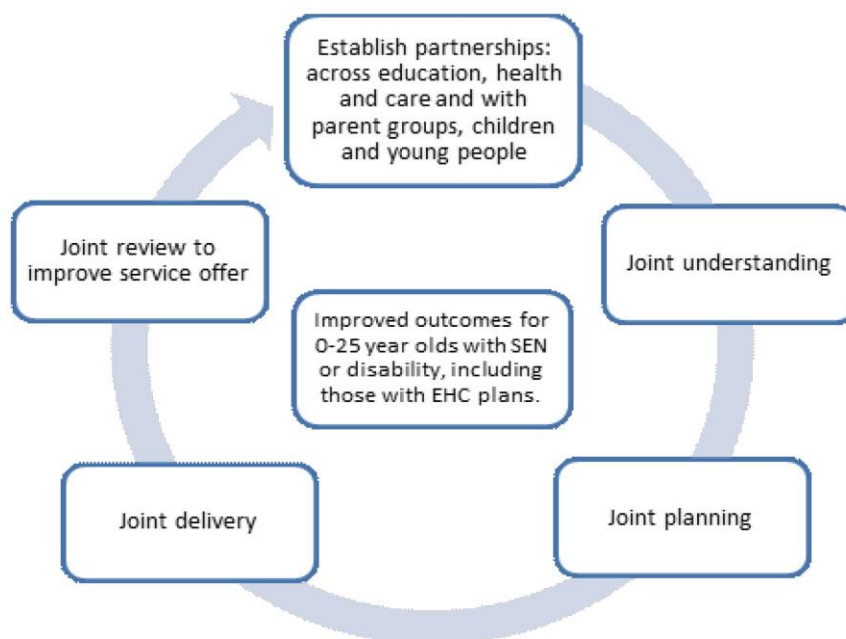
Children and young people with SEND need services across health, social care and educational services to work together in order to achieve their full potential. Crucially, they need person-centred support to help them achieve their ambitions. The importance of this challenge is reflected in the Children and Families Act 2014, the NHS Mandate and the Five Year Forward View.

Joint commissioning provides a strategic approach to planning and delivering services in a holistic, joined up way across services, and is a means for the different partners who commission education, health and care provision to deliver positive outcomes for children & young people within a SEND context. This works best when there is a system that embeds these principles into everyday practice, not relying only on pooled budgets or resources, but on a shared commitment and values.

It requires local partners to identify outcomes that matter to children and young people and their families and then, working in partnership, plan deliver and monitor services against those outcomes. It should involve families and providers in decisions about provision, enabling services to ensure that commissioning is more responsive to local needs on an on-going basis, thus effectively meeting the needs of a local population, whilst offering personalised and integrated support.

The diagram below describes the stages of a joint commissioning process and provides more detail of the stages.

Commissioning Cycle (SEND Code of Practice, January 2015)



Joint Understanding: the needs of children and young people with SEN are identified, with a review of services that meet these needs undertaken to identify the resources available and the gaps in provision.

Joint Planning: identify gaps in services, develop a commissioning strategy which explains the services required and the outcomes we want to achieve with the resources we have.

Joint delivery: services are procured and contracts put in place to deliver the outcomes required.

Joint review: services are reviewed to see if they have met the outcomes of the specification. This includes feedback from service users and their families to help improve current service delivery and feed into future needs assessment.

The delivery of a jointly commissioned service could include maintaining existing provision, re-designing or de-commissioning an existing service or procuring new or alternative provision and should build on examples of good practice where possible.

In summary, by adopting this approach, it is possible to identify joint opportunities to ensure sufficient good quality provision by maximising resources and jointly ensuring desired outcomes are met.

How does this look in Bromley?

The SEND Governance Board retains primary oversight for the initial phase of commissioning service developments. Key partners/partnerships are identified at the Board. These partnerships begin to inform the process to enable a joint understanding of desired objectives and outcomes.

Jointly agreed priorities are then owned and delivered by the commissioners within the local authority and the CCG. These priorities are overseen and taken forward by the Integrated Commissioning Board which may include agreement on funding arrangements.

This enables joint planning to commence, including the engagement of stakeholders who are not formally within the partnership e.g. individual services users, staff within statutory and other services who have an interest in the specific service under development. A number of methodologies may be used for this process, including surveys and focus groups. This process introduces some reflection to ensure that the service is properly designed to improve outcomes for those for whom it is intended.

A formal specification (design) is produced, including detail on responsibility for oversight and including service user oversight, and will also include performance indicators, where relevant, which ensure that the desired outcomes are being achieved. Service delivery can then commence.

The process is cyclical in that learning from the joint planning and delivery forms part of a joint review and the partnership will reconvene if outcomes have not been achieved.

Bromley's processes to identify need

Bromley protocols allow data to be shared between the Local Authority and the CCG, enabling a holistic view of the needs of the SEND population. Bromley Council, with local partners including Bromley CCG, is responsible for creating the Joint Strategic Needs Assessment to analyse the local population and its needs. In 2018, a refreshed JSNA was produced which focused solely on children and young people (0 – 18).

Bromley's multi-agency EHC needs assessment process provides rigour, consistency and transparency of decision making and which informs understanding of need and planning, commissioning and reviewing of provision.

Request to assess:

Requests for an Education, Health and Care needs assessment are considered by the Multi-Agency Statutory Assessment Panel. A decision whether to agree, reject or defer the request pending further information is based on initial evidence presented and in line with the SEND Code of Practice 2015.

EHC needs assessment:

Education, health and social care professionals submit professional advice which describes the child or young person's strength and needs, the provision required to meet needs and the predicted outcomes. Based on the evidence, the multi-agency panel reaches a consensus on:

- the child or young person's needs
- whether those needs can be met within the resources ordinarily available, including the SEN Support offer
- or whether additional provision is required so that an EHCP should be issued.

EHC plan:

For the purposes of commissioning activity, some of the resources required to meet individual need may be met from 'block' contracting arrangements with schools, health and social care providers, and others may be bespoke, either commissioned directly or through a personal budget. EHC plans are quality assured to assist practice and service improvement.

Services are developing mechanisms for data capture from the assessment process to build knowledge of needs, how services are deployed and service gaps to inform the 'localising, stretching and accountability' of services.

Bromley's processes to meet need

Partners in Bromley are redesigning services across education, health and care in order to operate more efficiently, both improving the experiences of children, young people and their families and making best use of resources. These processes must also align with statutory compliance obligations (Appendix Four).

Legislation also requires that Bromley Council and Bromley CCG formally jointly state arrangements for complying with the need to meet specific responsibilities:

Specific Responsibility	Joint compliance achieved by:
Provision for education, health and social care will be secured, and by whom	EHCPs set out provision in relevant education, health and social care sections (Sections F, G & H respectively) which identifies the statutory resource to be secured and the agency responsible for ensuring that provision is made within any stated timeframe
Advice and information about education, health and social care be secured, and by whom	Provided by SEND IASS, contract with Bromley Council. SEND IASS Minimum Standards (2018) met, including steering group including representation from key stakeholders from education, social care and health . Development plan, including targets agreed with steering group
Health services support the identification of children and young people with SEND	EHCP 'request to assess' process identifies relevant health professionals to input into process. Health providers are contracted to provide information and clinical assessment, where appropriate, within prescribed timescale
Process by which health services inform the local authority of those under compulsory school age who may have SEND	'Section 23' Arrangements (to be published on local offer Jan 19)
Managing complaints about education, health and social care	Joint Complaints Procedures (to be published on local offer Feb 2019)
Managing disputes between local authority and CCG	Joint Managing Disputes Procedures (ratified 2017, to be updated and published on local offer 2019)
Partners response to those who need to access services swiftly	Designated Managers have delegated authority for 'Manager's Decisions' outside of published decision making processes

ENGAGEMENT AND PARTICIPATION OF CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES AND THEIR PARENTS

The [SEND Code of Practice: 0 to 25 years](#) (January 2015) provides statutory guidance relating to Part 3 of the Children and Families Act (2014). The Code says:

- Parents and carers must know what services they can reasonably expect to be provided;
- Children, young people and their parents and carers must be fully involved in decisions about their support and what they want to achieve.

Commissioners and their partners must involve children, young people and their families in planning, commissioning and evaluating the services they need. The views of children and young people with SEND should be a key performance indicator within all relevant external contracts. As part of contractual commitments providers must demonstrate their commitment to effective service users participation

How does this look in Bromley?

The shared commitment of Bromley Council and Bromley Clinical Commissioning Group (CCG) to engaging service users stems from our organisational values. Bromley CCG's work is shaped by three core values, including to *"listen to local people to maximise and improve our organisation and services"*. LBB's Education, Care and Health Services values say *"We listen to our users. We understand their experiences. We build effective working relationships with them and their carers. This is at the heart of what we do."*

As commissioners, we ensure that feedback from service users is reflected in all relevant contracting by adding specific clauses within contract documentation which require proactive engagement and participation of service users. This is also reflected in the key contract performance indicators.

An extensive survey was carried out by Bromley CCG in 2016 which gave good indications as to how to obtain the views of children and young people which has resulted in significant commissioning developments during 2018. This methodology is being used to obtain the views of CAMHS service users, with some adaptations for children and young people with SEND who require more bespoke feedback mechanisms. ([Engagement on the Use of and Awareness of Health and Social Care Services in Bromley: Outcome Report](#))

This exercise, along with extensive engagement with parents and carers, representatives of children and young people and practitioners across education, health and care services as part of the SEND4Change Review in 2018, have informed a framework for engaging children and young people with SEND and their parents. The framework, **Inform, Involve, Influence**, set out ways of working which engage children, young people and their parents and carers in discussions and decisions relating to them, shaping the services they need through a six step process: inform; ask; listen; learn; improve; respond.

WHERE WE ARE NOW FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

Bromley CCG and Bromley Council share a joint vision and commitment to develop effective, joined up commissioning arrangements to better meet the needs of children and young people with SEND. In a constrained financial environment, by adopting a common vision and common approach, Bromley can enable more to be done within the resources available.

The strength of working together can be evidenced by practice 'on the ground'. A number of services are already commissioned in a joint way by Bromley Council and Bromley CCG (Appendix Two). There is joint collaboration on these services to ensure oversight of prevalence of need, oversight on how needs are being met, oversight of governance and information sharing across these services.

Additionally, practice is developing rapidly in the following areas:

- Jointly setting commissioning priorities, including joint needs analysis across services, assessments of current needs, oversight of changing needs, identification of service gaps
Evidenced by : multi partnership understanding of emerging SEMH needs which has led to award of CAMHS 'Trailblazer' funding
- Joint collection and analysis of data, including current developments for a data dashboard which reflects needs and performance across education, health and care and which, as it develops, will inform joint planning
Evidenced by: request from Council for Disabled Children to partner on their accelerated working group for the development of a SEND data dashboard
- Robust joint decision making, ensuring the effect and efficient deployment of resources
Evidenced by : multi agency panel process for children and young people with complex needs which joins resources, including personal budgets, to achieve best outcomes for children and families
- Joint allocation of resources and funding for the purpose of commissioning decisions on future services
Evidenced by: Detailed planning underway for future SALT provision beyond July 2019
- Development of a joint workforce strategy which will enable the organisations to work differently, in a multi-agency way
Evidenced by: work led by Designated Clinical Officer and SEN Training Collaborative (led by Teaching Schools) to introduce a SEND workforce framework and SEND champions across sectors
- Joint reviews of services , jointly deploying resources to monitor contracts, including determining whether capacity meets need
Evidenced by: joint review of health provision within Bromley's special schools
- Joint reviews of services

Evidenced by joint review of 'out of borough' education provision and placements to ensure children/young people will achieve good outcomes and that Bromley Council and Bromley CCG are achieving value for money

- Agreement on jointly funded personal budgets
Evidenced by: pilot for 'personalised pathways' for children who cannot attend school due to fragile health
- Joint operational processes, which simplify and streamline activity
Evidenced by : development of SEND IT 'portal' which draws together all EHC assessment material in one place for the purpose of quick and consistent decision making, with complete transparency for parents/carers
- Effective commissioning of universal, targeted and specialist services to support children and young people with SEND within their local communities
Evidenced by: partnership project to understand needs and gaps in provision and support for children & young people either diagnosed, or awaiting diagnosis of ASD, and their families (aligned with Department of Health ASD project)

The role of Designated Clinical Officer (DCO) is now permanently established within Bromley CCG to work on developing understating of SEND across Bromley Council and Bromley CCG to ensure consistency across the organisations. Staff resources at both strategic and operational levels within Bromley Council and Bromley CCG are increasingly well sighted on SEND developments. They are able to bring their sector specific expertise, knowledge and perspective to inform integrated planning and decision making which is maximising those resources.

A number of posts have been created which recognise the value and efficiency of working in partnership to deliver Bromley's SEND vision, namely:

- SEND Project Manager, serving the SEND Governance Board
- Local Offer Support Officer, a joint appointment to lead an editorial group for the Local Offer
- Joint Directors for integrated commissioning (covering both the LBB and CCG function) with a range of integrated commissioner posts across both organisations.

Throughout 2019 Bromley Council and Bromley CCG will ensure that these practices will continue to develop, in co-production with stakeholders.

MARKERS OF SUCCESS TO DETERMINE THAT BROMLEY'S JOINT COMMISSIONING IS DELIVERING BETTER OUTCOMES FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

Children and young people with SEND, their parents/carers and the Local Area should understand, agree and have confidence in the way in which LBB and BCCG work in an integrated way to ensure holistic decision making. In order to achieve this, the Local Area must agree on the mechanisms for reviewing whether joint commissioning has achieved the desired outcomes.

How does this look in Bromley?

- Bromley has already established joint commissioning arrangements for a number of services (Appendix Four).
- Panel decision making processes analyse whether commissioned services are sufficient and designed to meet prevailing needs
- The Children's Community Health Contract has been procured on the basis of 'outcomes based commissioning'
- Processes have been developed to ascertain whether services and commissioning arrangements are achieving the best outcomes for individual service users

However, processes need to be embedded so that children & young people with SEND and their parents/carers have more confidence that resources are being used efficiently and effectively. To this end, there needs to be

- better early identification of needs to put in place preventative services which will reduce the need for specialist services later on in some children's lives
- a better understanding of criteria and thresholds for children and young people and their families/carers to enable them to access some of these services
- more in depth analysis of outcomes being delivered from services to ensure that children and young people's outcomes are improving. This will be achieved through the continued quality assurance of Education, Health and Care Plans (EHCPs) and monitoring of plans for those on 'SEND' Support
- better co-ordination of support across services and across partners, with better understanding of what good integration looks like for service users?
- a more co-ordinated response to complainants that cut across LBB and BCCG

A long term goal is for children & young people with SEND and their parents/carers to oversee these arrangements and to indicate where arrangements may not be working, with clear accountability from both LBB and BCCG integrated services.

FUTURE COMMISSIONING PLANS FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

Commissioning for SEND provision in Bromley is not only carried out by Bromley Council and Bromley CCG. Other commissioners include school and colleges and include parents/carers and young people themselves, who make their own commissioning decisions through personal budget mechanisms. It will be important to have a better understanding of these alternative commissioning routes in order to ensure fairness and parity and to understand how funding and outcomes from block contracts compare and contrast with more personalised approaches.

The work carried out to identify with parents/carers and children and young people how best to include them on an individual basis (during assessments and decision making on individual plans) and collectively (to influence strategic planning and priority setting and to support and influence commissioning activity) will be embedded into the working of both Bromley Council and Bromley CCG so that co-production becomes the recognised way of working.

A joint commissioning operational action plan is being refreshed for 2019 (Appendix Three) which will provide the driver to ensure we are achieving against our vision and which will enable new actions to be included as work progresses.

The vision and priorities for the period beyond 2019 are currently being planned. Further joint commissioning intentions will be aligned with these priorities as they emerge and Bromley's joint vision for the future will be clearly aligned with the SEND Code of Practice and with national expectations that education, care and health commissioning must be substantially integrated.

The timeline for full integration of commissioning will sit alongside the 2019 priority planning for children and young people with SEND. The integration of commissioning roles and commissioning responsibilities will join commissioning functions across both organisations. This integrated commissioning approach will focus on quality and value which achieves the best use of resources across the system. The Joint Director of Integrated Commissioning will maintain over sight of planning for commissioned services which enable the best outcomes for Bromley's children and young people with special educational needs and disabilities.

Appendix One

DEFINITION OF SPECIAL EDUCATIONAL NEEDS (SEN)

A child or young person has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for him or her.

A child of compulsory school age or a young person has a learning difficulty or disability if he or she:

has a significantly greater difficulty in learning than the majority of others of the same age,

or

has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions. For children aged two or more, special educational provision is educational or training provision that is additional to or different from that made generally for other children or young people of the same age by mainstream schools, maintained nursery schools, mainstream post-16 institutions or by relevant early years providers. For a child under two years of age, special educational provision means educational provision of any kind.

A child under compulsory school age has special educational needs if he or she is likely to fall within the definition in the paragraph above when they reach compulsory school age or would do so if special educational provision was not made for them (Section 20 Children and Families Act 2014).

Post-16 institutions often use the term learning difficulties and disabilities (LDD). The term SEN is used in this Code across the 0-25 age range but includes LDD.

Disabled children and young people

A child or young person has a disability if they have a physical or mental impairment which has a long-term and substantial adverse effect on their ability to carry out normal day-to-day activities'.

Appendix Two

SUMMARY OF KEY LEGISLATION

Joint Commissioning Duties

The Children & Families Act 2014 SEND legislation, specifically the Code of Practice (2015), requires local authorities and their health partners (meaning each CCG with responsibility for commissioning health services in the local authority area, and NHS England) to establish joint commissioning arrangements. This affords the opportunity for local partners to redesign services across education, health and care in order to operate more efficiently, both improving the experiences of children, young people and their families and make best use of resources.

Sections 3.25 and 3.26 describe the governance detail which should be established which ensures responsibility and clarity for decision making in joint commissioning arrangements.

Section 25 notes: 'Local Authorities are required to exercise their duties ...with a view to ensuring the integration of special educational provision with health and social care provision where they think this would promote the well being of children or young people in their area who have SEN or improve the quality of special education provision.'

These arrangements should also articulate how the local authority and its health partners will monitor the changing needs within their local population and assess whether or not the available provision is improving their outcomes. This requires clear governance arrangements and commitment from all partners to operating in an integrated way, agreeing accountability across SEND commissioning. Partners must be clear about who is responsible for what, who the decision makers are, what decision making and funding powers are delegated and how they will hold each other to account in the event of a dispute.

The SEND Code of Practice requires that the local authority and its health partners should monitor the changing needs within their local population and assess whether or not the available provision is improving their outcomes.

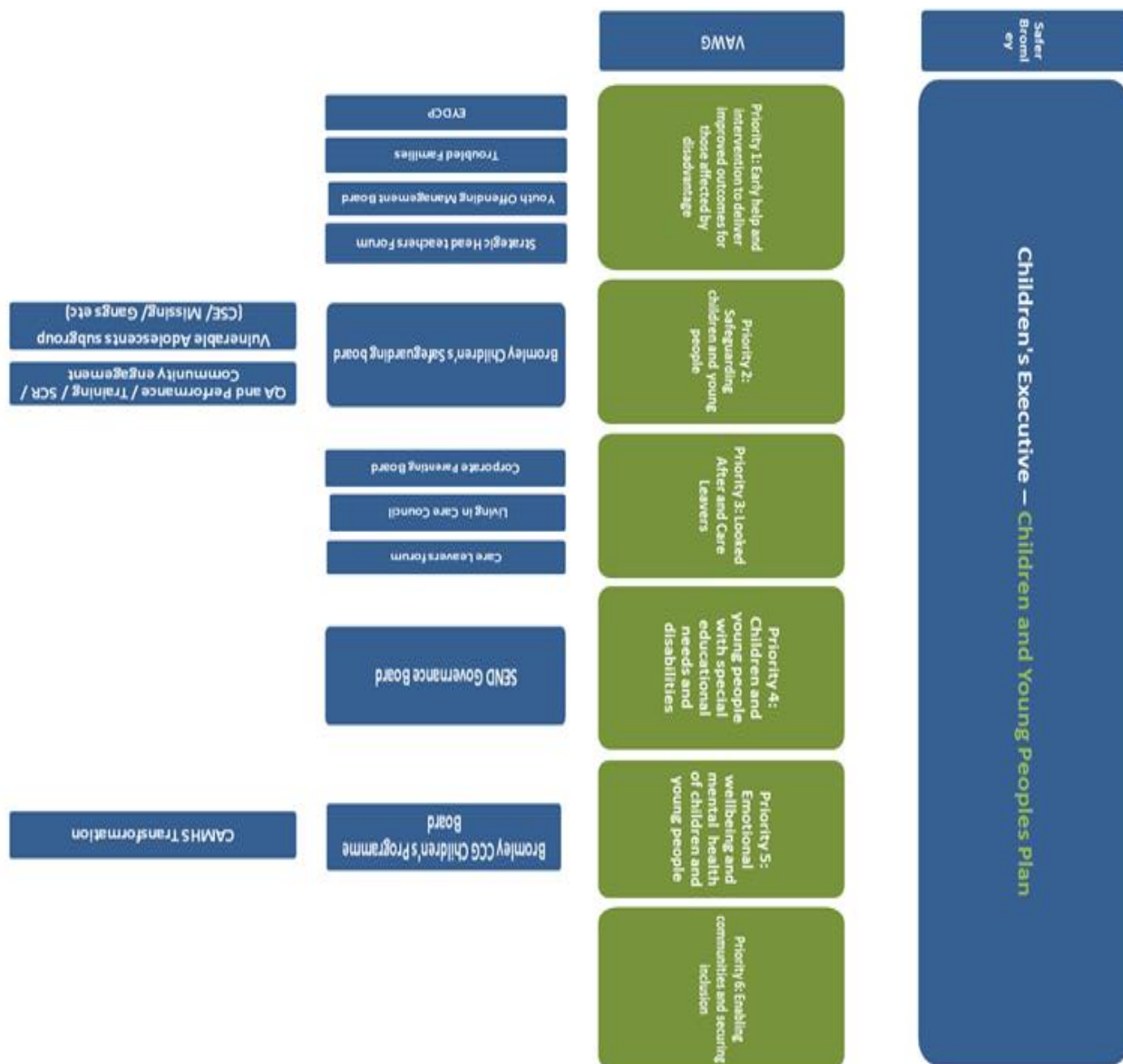
Participation & Engagement

Section 3.18 of the Code of Practice notes:- 'At a strategic level, partners must engage children and young people with SEN and disabilities and children's parents in commissioning decisions to give useful insights into how to improve services and outcomes. Local authorities, CCGs and NHS communities must develop effective ways of harnessing the view of their local communities so that commissioning decisions on services for those with SEND are shaped by user experiences, ambitions and expectations'

Section 3.19 notes:- 'Under Section 14Z2 of the NHS Act 2006 each CCG must exercise its functions to secure that individuals to whom the services are being, or may be, provided, are involved in the planning of commissioning arrangements, in the development and consideration of proposals for change, and in the decisions affecting the operation of commissioning arrangements where implementation would have an impact on the manner in which services are delivered or the range of services available.'

Appendix Three: Bromley Partnership Structure

Formed around 6 priorities in our Children and Young Peoples Plan overseen by the Children's Executive.



Appendix Four

INTEGRATED SEND SERVICES

As at January 2019

SERVICE	CONTRACTING	NOTES
Adoption	Medicals Medical Advisor for Adoption Community Contract provision	
ASD pathways and support	Diagnosis : contract with paediatricians and CAMHS Pre and post diagnostic support	Also, Social Care Early Help Service providing parental support
Audiology	Community Contract provision (Tier 2) Contract with St Georges (Tier 3)	Working in close partnership with Griffins Hearing Impaired Provision at Darrick Wood Schools.
Bromley Parent Voice	Contract jointly agreed with funding from SEND Reform Grant	Parent participation
Children's Dietetics	Community Contract	Including clinics based in C&F Centres and training for schools
Children Looked After (CLA)	(see 'Placements' & 'Paediatrics' below) CLA Designated Nurse CLA Designated Doctor CCG Community Contract	
Community Paediatrics	Community Contract	Providing reports for all EHC assessments Designated doctors & nurses for:- Safeguarding CLA MASH Child Death processes
Continuing Care	Community Contract	Contribute to school support when child needs medical support in school. Offering joint personal budgets with LBB Social Care when child eligible for both services
Family Nurse Partnership	Public Health contract	
Electively Home Educated	Community Contract	

	Public Health	
Health Needs Child Specific Funding	Individual funding for support in schools	
Health Support in schools	Section 75 joint funding agreement	Includes identification & Support for CSE within safeguarding function
Health Visiting Service	Public Health	Integrating with Community Contract therapies for pre school aged children
Integrated Community Children's Nursing Team	Community Contract	Providing nursing support in community and special schools Joint oversight of impact
Learning Disability (Adult)	Adult Oxleas contract	18 +
Mental Health (children and young people)	Wellbeing Service Tier 3 CAMHS	Providing support in community and special schools Providing support in community and special schools
Mental Health First Aid in Schools	Bromley Y	Jointly funded
Mental Health (Adult)	Adult Oxleas contract	18+
Nursing Support in Schools	Public Health	Supporting schools to ensure good processes for those with health needs in mainstream schools
Occupational Therapy	Community Contract Paediatric OT	Providing OT support in community and schools Providing community assessment for equipment & adaptations Currently jointly reviewing and defining aims and requirements of the service
'Open Objects' portal	LBB contract to support EHCP processes across the system	Electronic recording system, providing clearer information on the achievement of outcomes in EHC Plans
Out of Borough monitoring	SEND Reforms require that this is multi agency.	Joint programme running throughout 2018
Paediatric Liaison	Community Contract	Liaison between community nursing & hospitals
Personal Budgets	Jointly arranged across Continuing Care & Social Care &/or Education where appropriate	
Personalised Pathways	Individual child support e.g. SLT, OT provided through Community Contract	Case management by LBB Education
Physiotherapy	Community Contract	Providing physio. support in

		community and schools
Placements (Children Looked After)	Joint funding contribution from CCG where individual needs assessed as requiring 'health' element	
Safeguarding	Separate requirements from providers of all services	Joint working through BSCB
SEN Transport	Continuing Care if child requires medical support on school transport	
Short Breaks – Hollybank	Joint LBB & CCG Section 75	
Specialist Child & Adolescent Mental Health Service	NHS England (Tier 4 provision)	
Speech & Language Service (SLT)	Community Contract	Joint arrangements between health & education Currently jointly developing a new service delivery model
Substance Misuse	Public Health	
Transformation Fund – c&yp mental health & well being	Funding from DoH, supporting projects which will inform wholesale reforms of CAMHS by 2020.	
Various (Adults)	Bromley Well : Section 75	18+
Vision Screening	Initial screening (Public Health) Orthoptist & optometrist : (health)	
Wheelchair Service	Adult Community Contract	All age
Youth Offending Service	Health support from Community Contract, Tier 2 & Tier 3 CAMHS	

Complaints	LBB & CCG	Joint policy : complaints cross both areas, joint response prepared
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Appendix Five

JOINT COMMISSIONING ACTION PLAN 2019

Both Bromley Council and Bromley CCG recognise that there is more to do to ensure that the ambitions of their joint vision are completely fulfilled.

An action plan for the period 2019 is in development and will be closely monitored and continually developed by the SEND Governance Board. This planning will have the SEND Engagement Strategy as its core which will embed the good practice outlined therein.

The top priorities for further development in 2019, taken from the 2018/19 Vision Statement, are:-

Action	Timeline
Define how CAHMS trailblazer funding will incorporate SEND. Implement plan	One year pilot. Planning has commenced. MHST to be in place from March 2019 onwards.
Re-shape SALT service delivery to provide better offer for school aged children in mainstream schools	Report to ICB at each meeting. Implementation of new service Sept 19
Develop a joint commissioning strategy which draws on effective engagement with children, young people and parents, drawing upon SEND Engagement framework in commissioning arrangements	Position Statement produced Jan 19. Strategy development to be complete end 2019
Develop contract monitoring which focuses on improving outcomes for children, as well as delivering value for money	Review KPIs and outcomes of all existing contracts during 2019 BHC contract outcome monitoring to commence Mar 19. Learning to be applied to other providers throughout 2019
Develop an ASD Strategy for CYP which identifies gaps in current provision and ways to address them	Partnership agreement on how to progress Dec 18. Further planning spring term 2019, with outworking of planning summer term 2019

Additional priorities for 2019 will focus on:-

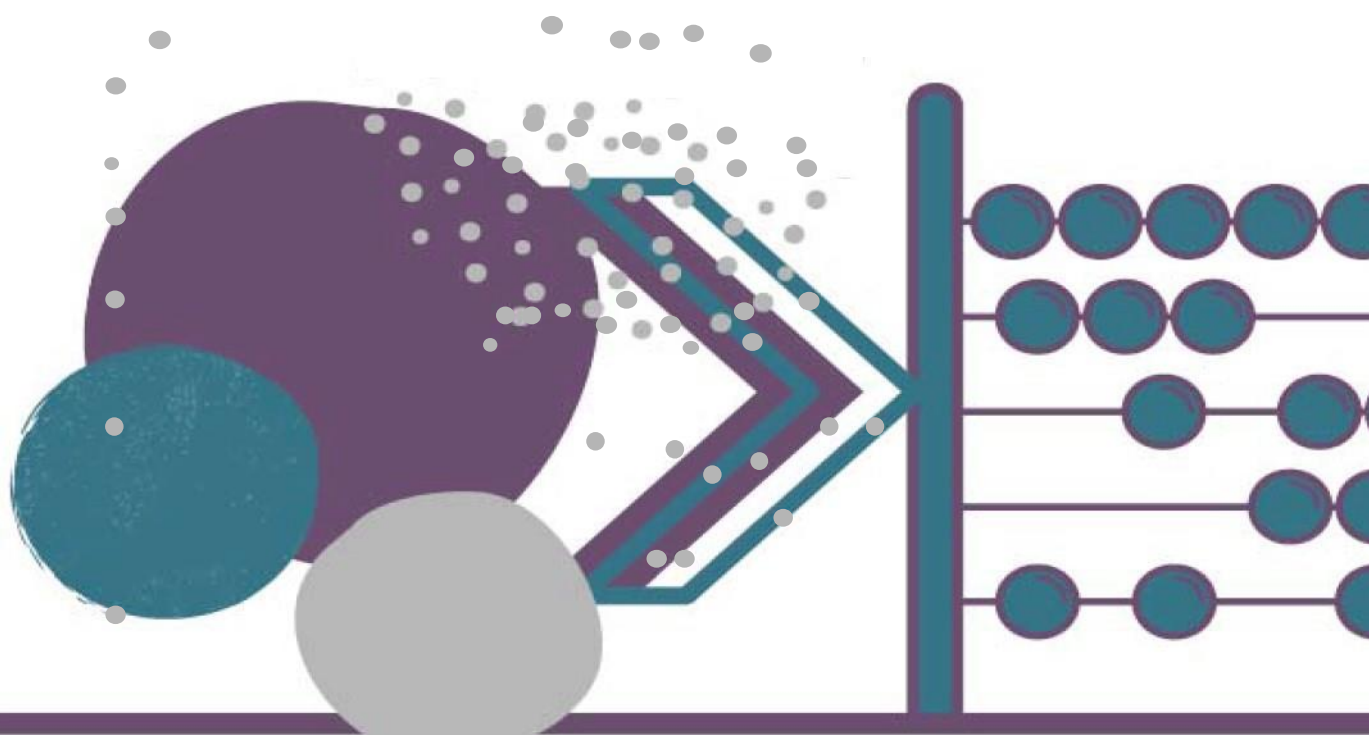
Action	Outcomes/benefits
A sufficiency strategy and place planning for school places is underway	This will not only ensure the right provision to meet the needs in the right areas of the borough but which will also ensure the right level of support within those school places to ensure needs can be met
CAMHS Transformation.	CAMHS Transformation Plan which will improve outcomes for children and young people with SEND who experience mental health difficulties. New CAHMS services to be embedded by 2020.

Joint decision making at individual service user level will be fully developed and articulated to all stakeholders	Clear and transparent processes will helpfully guide partners, providers and stakeholders to the right support, in the right place at the right
Data collection (1) : the reporting of numbers and needs of those on 'SEN Support' to be better enhanced	Commissioning of services which provide early intervention and prevention will better meet need and prevent escalation
Data collection (2) : data 'dashboard' to be further developed. There is a need to ensure that all relevant intelligence and data that sits across organisations is harnessed to ensure that commissioning intentions reflect need, including for medium and long term planning.	By capturing intelligence, including intelligence from 'live' cases, Bromley Council and Bromley CCG can demonstrate that they have a good understanding of the numbers and needs of the children and young people with SEND population, and
Ensure robust data sharing protocols across LBB and BCCG and with provider organisations. To use comparative data to assess efficacy and progress against outcomes. Need data sets that evidence the basis for change and which enables benchmarking and performance management	Bromley Council and Bromley CCG can hold providers to account to ensure performance standards meet the needs of service users
There is a need to develop a better understanding and analysis of the outcomes that are identified in EHCPs.	Services provided are supporting the achievement of those outcomes.
There must be clear threshold criteria for young people reaching the age of 18 as to which adult 'pathways' can be appropriately accessed. This requires a detailed gap analysis to better inform commissioning intentions.	No young person is left without appropriate support into adulthood
Bromley's 'respite' offer will be reviewed for children and young people with SEND	This will ensure sufficient provision to support parents/carer to continue with their caring roles and responsibilities.
Nearly 11% of young people not in education, employment or training (NEET) have a learning disability. There is a need to ensure an increased focus on support into employment	Commissioned services that are focused on supporting young people with SEND into employment have clear outcomes identified and are being held accountable to them
There are a high number of children with complex health needs but no EHCP who need to support to attend school, inc. those who require some nursing support to access school (most common health needs are epilepsy, asthma and allergies)	Bromley will ensure that there is sufficient specialist health support to schools as the number of children and young people with complex health needs increase.
Establish working group of support professionals, e.g. IT, Finance, Legal, Data and Performance across Bromley Council and Bromley CCG.	Maximise use of resource and knowledge and to avoid duplication of efforts from these services which support joint commissioning
Development of an all age Learning Disability Strategy	To be produced end 2019

Monitoring the delivery of this action plan will be through ICB, with update reports to SEND Governance Board as requested.

Appendix Six

STATISTICAL PROFILE OF CHILDREN AND YOUNG PEOPLE WITH SEND IN BROMLEY



**Special Educational Needs and Disabilities:
Performance Dataset**

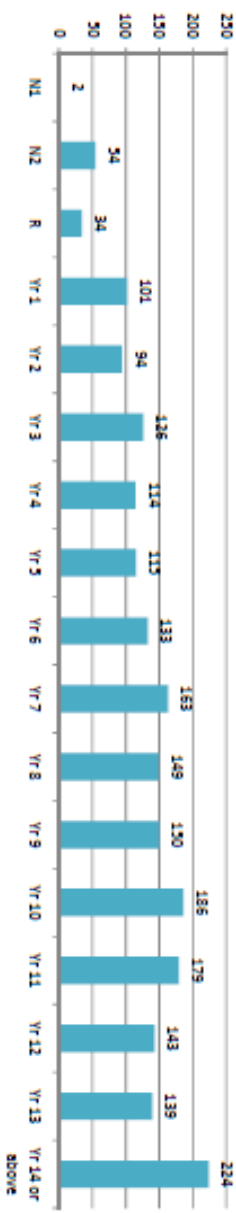
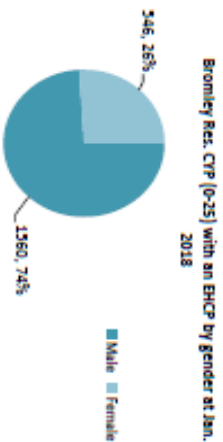


Bromley Resident Children and Young People (0-25) with an Education, Health and Care Plan - January 2018

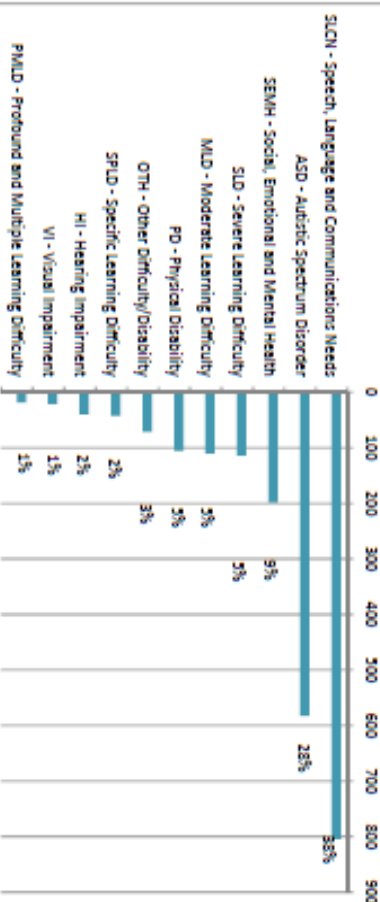
Overall Number of Bromley Resident CYP (0-25) with an EHCP at Jan. 2018

2,106

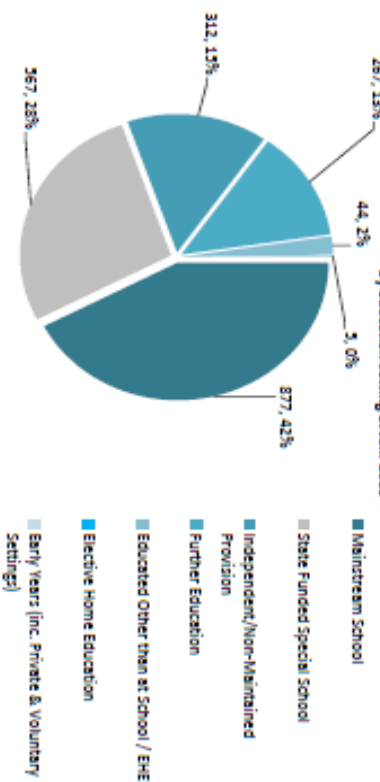
Bromley Res. CYP (0-25) with an EHCP by Academic Year group at Jan. 2018



Bromley Res. CYP (0-25) with an EHCP by Primary Need at Jan. 2018



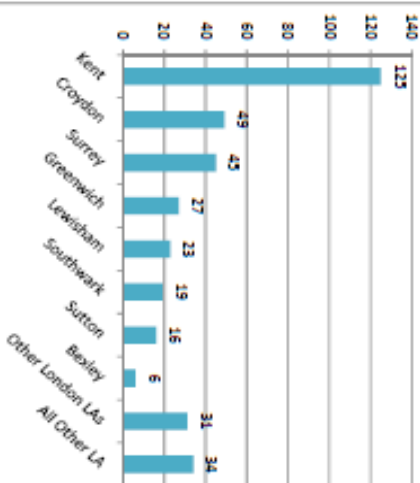
Bromley Res. CYP (0-25) with an EHCP by education setting at Jan. 2018



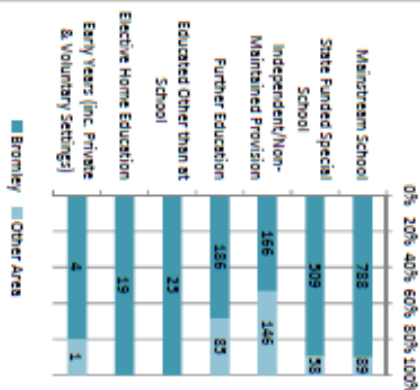
Bromley Res. CYP (0-25) with an EHCP by education setting location at Jan. 2018



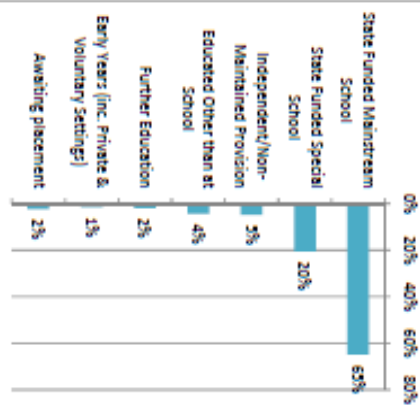
Bromley Res. CYP (0-25) with an EHCP by other area education setting at Jan. 2018



Bromley Res. CYP (0-25) with an EHCP placed in Bromley or Other Area settings at Jan. 2018



Education Setting for Bromley Res. CYP (0-25) with a new EHCP issued during 2018



Bromley Children and Young People (Resident and School Population) with SEN Support or Education, Health and Care Plans

Number and % of Pupils in Bromley State Funded Schools with EHCP - Jan 2018

1,608

3%

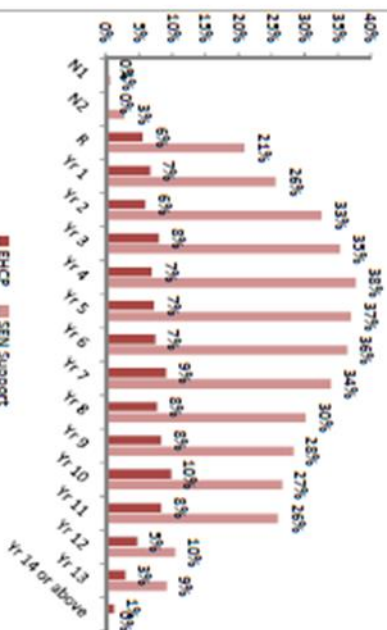
Number and % of Pupils in Bromley State Funded Schools with SEN Support - Jan 2018

5,940

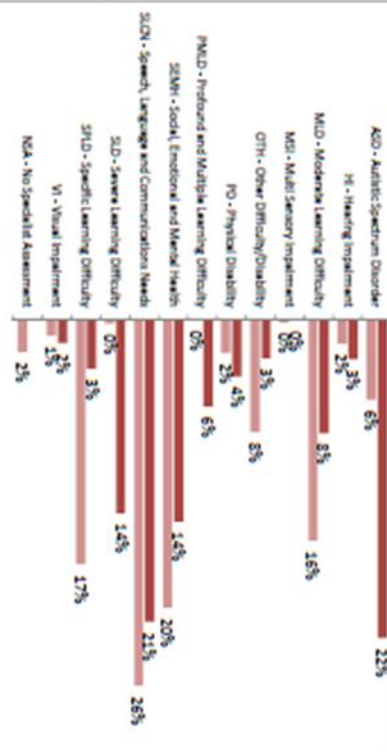
11%

Commissioned Services

Bromley State funded School Population with SEND by Academic Year Group: Jan 2018



Bromley State funded School Population with SEND by Primary Need - Jan. 2018



Data to follow

Vulnerable Groups with SEND

Children Looked After with an EHCP (31st March 2018)

40%

Children in Need with a disability (31st March 2018)

23%

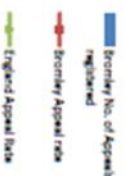
CYP known to Youth Offending Service with SEND

Data to be provided

Children and Young People known to IASS with SEND (open cases 6 months to January 2019)

93%

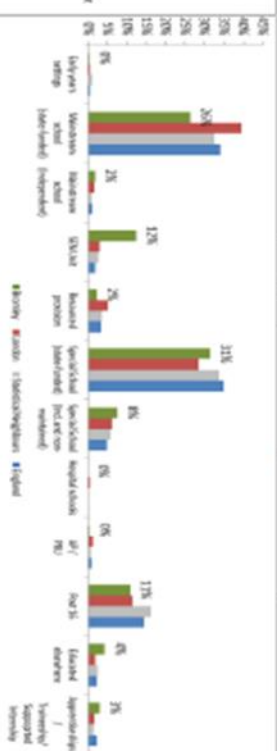
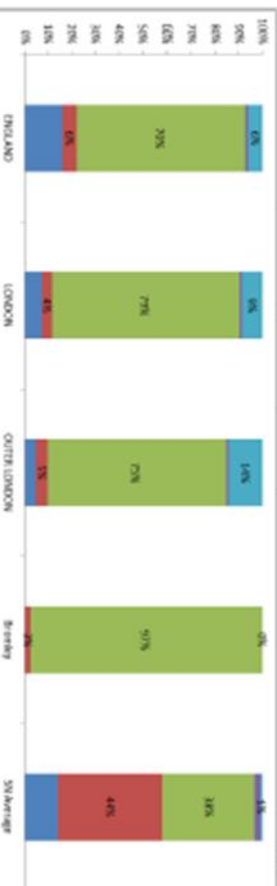
SEND Tribunals



Bromley No. of Appeals registered	30	32	48
Bromley Appeal rate	1.5%	1.6%	2.2%
England Appeal Rate	1.2%	1.3%	1.5%

Placements and Budgets

% of children and young people with EHCP by education setting - Jan 2018



SEND Governance Board - Performance Index

No.	Area	Performance Indicators	Benchmarking and trend				
			Bromley 2017/18	Bromley 2016/17	Bromley 2015/16	London	England
1	EHC Plans	% children and young people with assessments leading to an EHC Plan	Available May 2019	98.9%	99.0%	93.2%	93.3%
2	Health	Number of notifications from the NHS identifying a child or young person as having/suspected of having SEND	Data to follow	New data request	New data request	Local Data	Local Data
3	EHC Plans	% of requests for advice completed and returned within the 6 week timeframe (by service)	Data to follow	New data request	New data request	Local Data	Local Data
4	EHC Plans	% EHC Plans completed within the 20 week timeframe	75.7%	53.3%	67.2%	58.4%	64.9%
5	EHC Plans	% Annual reviews completed	New data request	New data request	New data request	Local Data	Local Data
6	Finance	Number of personal health budgets issued as part of an EHC plan	Available May 2019	76	68	n/a	n/a
7	Finance	Direct payments	Data to follow	New data request	New data request	Local Data	Local Data
8.1	SEN Appeals	Number of Registered SEN appeals and rate per 10,000	Available May 2019	5.3 (29)	6.8 (37)	5.8	5.5
8.2	SEN Appeals	Number and % Appeals Upheld	Data to follow			Local Data	Local Data
8.3	SEN Appeals	Number and % Appeals Withdrawn				Local Data	Local Data
8.4	SEN Appeals	Number and % Appeals Conceded				Local Data	Local Data
9.1	Attainment	EYFS: % SEND pupils achieving GLD - EHCP	2%	5%	4%	5%	5%
9.2	Attainment	EYFS: % SEND pupils achieving GLD - SEN Support	38%	35%	30%	32%	28%
10.1	Attainment	Key Stage 2: Progress in reading for pupils with SEND - EHCP	-2.5	-2.7	1.1	-2.8	-3.8
10.2	Attainment	Key Stage 2: Progress in reading for pupils with SEND - SEN Support	0.1	1.9	2.2	0.1	-1.0
10.3	Attainment	Key Stage 2: Progress in writing for pupils with SEND - EHCP	-2.4	-2.9	-2.3	-2.9	-4.1
10.4	Attainment	Key Stage 2: Progress in writing for pupils with SEND - SEN Support	-0.8	-1.1	-1.0	-0.7	-1.8
10.5	Attainment	Key Stage 2: Progress in maths for pupils with SEND - EHCP	-2.5	-2.5	-0.8	-2.4	-3.8
10.6	Attainment	Key Stage 2: Progress in maths for pupils with SEND - SEN Support	0	1.3	1.3	0.2	-1.0
11.1	Attainment	Key Stage 4: Progress 8 Score for pupils with SEND - EHCP	-1.03	-0.57	-0.5	-0.88 (2017)	-1.04 (2017)
11.2	Attainment	Key Stage 4: Progress 8 Score for pupils with SEND - SEN Support	-0.18	-0.03	0.08	-0.24 (2017)	-0.43 (2017)
12	Attainment	Higher Education outcomes for pupils with SEND - % Level 3 attainment by age 19	Available May 2019	36%	35%	39%	28%
13.1	Absence	% SEND pupils classed as persistently absent - EHCP	23.4%	21.6%	20.8%	n/a	23.8%
13.2	Absence	% SEND pupils classed as persistently absent - SEN Support	15.7%	16.9%	16.6%	n/a	17.8%
14.1	Exclusions	% SEND pupils with a permanent exclusion - EHCP	0.0%	0.2%	#	n/a	0.2%

14.2	Exclusions	% SEND pupils with a permanent exclusion - SEN Support	0.6%	0.3%	0.5%	n/a	0.4%
14.3	Exclusions	% SEND pupils with a fixed term exclusion - EHCP	16.6%	6.5%	8.3%	n/a	15.9%

SEND Governance Board - Performance Index

No.	Area	Performance Indicators	Benchmarking and trend				
			Bromley 2017/18	Bromley 2016/17	Bromley 2015/16	London	England
14.4	Exclusions	% SEND pupils with a fixed term exclusion - SEN Support	8.2%	7.4%	7.4%	n/a	14.8%
15	Destinations	% 16-18 year olds with SEND who are NEET	4.3%	4.5%	4.2%	6.8%	9.6%
16	Learning Disability	Patients by diagnosis of learning disability/autism	Data availability to be confirmed				
17	Learning Disability	Patients by inpatient setting, ward security level					
18	Learning Disability	Patients by planned transfer					
19	Learning Disability	% adults with a learning disability in paid employment compared to the % of all respondents to the Labour Force Survey classified as employed	3.3%	4.5%	3.7%	7.5%	6.0%
20	Learning Disability	% adults with a learning disability who are known to the council, who are recorded as living in their own home or with their family	39.6%	33.2%	41.9%	73.3%	77.2%
21	Learning Disability	% adults with a learning disability accessing Supported Living	Data to follow				
22	Mental Health	Young People aged 0-18 in contact with mental health services					
23	Mental Health	Young People in contact with children and young people's mental health services					
24	Mental Health	Average waiting time for children and young people between referral and second contact					
25	Mental Health	% children and young people under 18 with a diagnosable mental health disorder receiving treatment from NHS funded community services					
26	Mental Health	Under 16 bed days on adult wards					
27	Mental Health	Age 16-17 bed days on adult wards					
28	Mental Health	Open ward stays aged 0-18					

Bibliography

[Bromley Children and Young People's Plan](#)

https://www.bromley.gov.uk/downloads/file/3465/bromley_and_young_peoples_plan_2018_-_21

Bromley SEND Strategic Vision and Priorities 2018 - 2019

<https://bromley.mylifeportal.co.uk/media/24181/bromley-send-vision-and-priorities-2018-19-2.pdf>

SEND Code of Practice 2015

<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

[Equality Act 2010](#)

<https://www.gov.uk/definition-of-disability-under-equality-act-2010>

Joint Strategic Needs Analysis

<https://bromley.mylifeportal.co.uk/jsna-and-health-and-wellbeing-strategy-bromley.aspx>

Engagement on the Use of and Awareness of Health and Social Care Services in Bromley: Outcome Report

<https://www.bromleyccg.nhs.uk/CYP%20Survey%20report%20-%20Final.pdf>

[Inform, Involve, Influence: Engaging children and young people with SEND, and their parents](#)

[LBB ECHS You Said, We Did : User Voice Framework](#)