Joint Commissioning Statement:

Education, health and care provision for children and young people with Special Educational Needs / Disability (SEN/D)

Updated April 2017.
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A statement of joint commissioning arrangements between Salford City Council’s Children’s Services and Salford NHS Clinical Commissioning Group in accordance with Part 3 of the Children and Families Act (2014)
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Glossary of terms

CAMHS  Child and Adolescent Mental Health Service
CCG  Clinical Commissioning Group
CQUIN  Commissioning for Quality and Innovation
EHCP  Education Health and Care Plans
LA  Local Authority
NHS  National Health Service
SENCO  Special Educational Needs Co-ordinator
SEN/D  Special Educational Needs / Disability
Introduction and context


Part 3 of the Children and Families Act (2014) transforms the system for disabled children and young people and those with SEN, so that services consistently support the best outcomes for them. The reforms create a system from birth to 25 through the development of coordinated assessment and single Education, Health And Care (EHC) Plans; improving cooperation between all services responsible for providing education, health or social care; and giving parents and young people greater choice and control over their support.

The SEN/D reforms focus on the following themes:

- Working towards clearly defined outcomes
- Engagement and participation of parents and young people
- Joint Commissioning and developing a Local Offer of support
- Coordinated assessments and Education, Health and Care Plans
- Personalisation and personal budgets

Preparation for adulthood is a key element of the reforms that cuts across all of these themes.  

Section 26 – Joint Commissioning

Section 26 of the Act states that partner commissioning bodies must make joint commissioning arrangements for education, health and care provision for children and young people with SEN/D. The term ‘partners’ refers to the local authority and its partner commissioning bodies across education, health and social care provision for children and young people with SEN/D, including clinicians commissioning arrangements and NHS England for specialist health provision.

This document describes the joint commissioning arrangements that are in place in Salford, to meet the requirements of this legislation.

1 Taken from www.councilfordisabledchildren.org.uk
2 See Appendix 1 for extract from Section 26 of the Children and Families Act (Part 3)
Governance

Project Board

The development of policies to support the implementation of the requirements of Part 3 of the Children and Families Act (2014) is being overseen by a Project Board. The Project Board will approve and review draft policies, which will then be submitted to the decision making bodies (CCG Children and Young Peoples Commissioning Group) with ratification at the CCG Commissioning Committee.

Health and Wellbeing Board

Health and Wellbeing Boards are a key element of the Health and Social Care Act (2012) and they are a means to deliver improved strategic co-ordination across the NHS, social care, children’s services and public health. The Board must assess the needs and assets of the local population, producing a strategy that addresses those needs and builds on any assets, influences commissioning plans of organisations and promotes joint commissioning and integrated provision.

As such, the Health and Wellbeing Board will have ultimate responsibility for sign off / endorsement of policies and procedures in relation to the implementation of Part 3 of the Children and Families Act (2014).

3 See Appendix 2 for more detail on accountability structures
Data sources

Salford’s Joint Strategic Needs Assessment (JSNA) provides a strategic assessment of current and future needs of local communities and is used to help determine priorities and plan services.

Additional data that is used to assist the planning of Local Authority and Health Services for children with SEN/D includes:

- Annual School Census data
- GP registration data
- Child Health data
- Monitoring information from commissioned services
- Feedback from service users and their families
- From September 2014 – information from EHC Plans for individual needs and trends

This data is used by senior managers of Salford City Council and Salford NHS Clinical Commissioning Group (CCG), to plan and provide resources for services, including directly commissioned services for children with SEN/D.
Figure 1: Relationship between population needs, what is procured for children and young people with SEN and disabilities, and individual EHC plans

An EHC plan starts by focusing on outcomes that are important to the individual. Any education, health or care provision reasonably required to meet a child/young person’s needs related to a disability or SEN must be included in the plan. If necessary, CCGs/local authorities must commission provision specifically.

4 Taken from ‘the special educational needs and disability code of practice: 0 to 25 years. Statutory guidance for organisations who work with and support children and young people with special educational needs and disabilities’ (DfE & DoH; June 2014)
Education, health and social care services commissioned in Salford

The following table lists the services available to support children and young people with SEN/D in Salford. Many of these services are long standing, routinely commissioned, services as part of the education/social care/health offer. Some elements (for example Allied Health Professionals in schools) are recent commissions in response to identified need.

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<thead>
<tr>
<th>Universal Services</th>
<th>Targeted Services</th>
<th>Specialist Services</th>
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<td><strong>Education</strong></td>
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<td>Early Years education</td>
<td>Allied Health Professionals* in schools</td>
<td>Allied Health Professionals* in schools</td>
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<td>Schools</td>
<td>Teaching Assistants</td>
<td>Enhanced Resource Facilities</td>
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<td>Area Special Educational Needs Co-ordinators (SENCOs)</td>
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<td>Learning Support Service</td>
<td>Learning Support Service</td>
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<td>Teaching Assistants</td>
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<td>Education Psychology</td>
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<td><strong>Social Care</strong></td>
<td>Early Intervention &amp; Prevention (Early Help services)</td>
<td>Social work</td>
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<td>Short breaks for disabled children (provided through group based activities in the community but no assessment is required)</td>
<td>Children with disabilities team</td>
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<td>Short breaks for disabled children</td>
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<td>Foster Care</td>
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<td>Residential Care</td>
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<td>Transition Support Co-ordinator</td>
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<td>Adult social care assessment</td>
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<td>Independent Living support</td>
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* Allied Health Professionals are Speech and Language Therapists, Occupational Therapists and Audiologists
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<td><strong>Health</strong></td>
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<tr>
<td>General Practitioners</td>
<td>Allied Health Professionals*</td>
<td>Hospital in patient and outpatient services</td>
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<tr>
<td>Midwifery Services</td>
<td>Equipment</td>
<td>Allied Health Professionals*</td>
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<tr>
<td>Health Visitors</td>
<td>Hospital in patient and outpatient services</td>
<td>Children’s and adults’ Continuing Care</td>
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<td>School Health Advisors</td>
<td>Community nursing</td>
<td>Community nursing</td>
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<tr>
<td>Community Paediatricians</td>
<td>Targeted Child and Adolescent Mental Health Service (CAMHS) - jointly funded between CCG &amp; LA</td>
<td>Palliative Care Services</td>
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<td>Core Child and Adolescent Mental Health Service (CAMHS)</td>
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<td>Adult mental health services</td>
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</table>

* Allied Health Professionals are Speech and Language Therapists, Occupational Therapists, and Audiologists
Advice and information

Advice and information about education, health and care provision is available under Salford’s published Local Offer. This information is published on Salford’s Local Authority web page and is available for all parents, children and young people in Salford and provides valuable information to other professionals. It includes telephone contact details for families who require more detailed information and advice on services. Over the last 18 months the Local Offer has been regularly reviewed and updated based on feedback received.

Health advice is provided in the first instance through a family’s General Practitioner, or through other primary healthcare professionals such as a child’s health visitor. This is provided via consultation or appointments.

Education advice is provided through Local Authority officers including:

- Salford’s Early Support Team for pre-school children;
- Salford’s Special Educational Needs Team;
- School Special Educational Needs Co-ordinators and Head Teachers.
- Salford Information, Advice and Support Service

This information and advice is provided through individual appointments, telephone conversations, and joint meetings between education professionals and parents.

Social care services advice will be provided from:

- Officers based in Locality Teams, for information about support services;
- The Bridge, for referrals for social work intervention, and signposting to appropriate services.
- For adults, the Single Point of Contact Team.

This information is provided by telephone contact in the first instance.
Assessments

People with special needs may require support to access universal services in Salford. Support is negotiated through assessment and what people’s priorities are in looking at their own lives and should be developmentally led rather than service led.

All efforts have been made to see that transition from Children’s to Adults’ Services happens as smoothly as possible by using common person centred approaches, processes and procedures.

Salford City Council and Salford NHS CCG will provide resources and personnel to assess the education, health and care needs of children, young people, and adults. This will be undertaken through:

Health

- GP health checks
- Health visitor routine assessments
- Specialist paediatrician assessments
- Therapy services
- Continuing Care assessments

Education

- Foundation Stage assessments
- School SENCO assessments
- Education Psychology

Social Care

- Common Assessment Framework or Family Assessment
- Social Worker Assessment
- Child Protection Assessment and review
- Looked After Children – Care Plans
- Adult social care assessment

In the majority of cases a child’s, young person’s or adult’s needs will be met through agreed pathways to targeted or specialist services from each respective service area, in accordance with eligibility criteria.
**Decision making panels**

The following panels are the main forums for joint multi agency discussion for considering, agreeing and reviewing services for children and young people with SEN/D:

- **Child Development Forum** for pre-school aged children, where there are early indicators of significant additional need. These are attended by Community Paediatricians, and form a key part of the process of health professionals identifying and responding to need.

- **SEN Panels** for school aged children to agree provision and outcomes under an Education, Health and Care Plan.

- **Disability Resource Panel** for children with complex disabilities, and additional social care needs.

- **Families on Track Panel** for children at risk of entering the care system, where rapid support and intervention is required in the community to support the child and family and prevent an admission into care. (This may include children and young people with SEN/D).

- **Complex needs panel** for children with complex and severe learning, behaviour, medical and mental health needs, and usually who require specialist residential care provision.

- **Similar panels** operate in adult social care for larger support packages or forms of specialist residential care.

**Future developments....**

- A Multi Agency Panel (MAP) is being developed which should replace a number of other panels. This is due to be piloted in the South Locality from summer 2017 onwards.

- The Disability Resource Panel is currently under review to tighten application of criteria, streamline recording and monitoring systems and ensure rigorous review.
Funding agreements

Children aged 0-18 years

Salford City Council and Salford NHS Clinical Commissioning Group may agree to jointly fund services in the following circumstances:

- Where a child meets the Continuing Care threshold, and there is a requirement for short break care for the parent/carer;
- Where a child meets the threshold for discussion at the Complex Needs panel, and his/her needs cannot be met through routinely provided services from education, health or care.

Future developments....

➢ In the longer term, partners will be exploring mechanisms (such as Section 75\(^5\) agreements) to formalise existing joint funding/commissioning arrangements.

Adults aged 18-25 years

Salford currently has two specific ‘Section 75’ pooled arrangements for the commissioning and delivery of Mental Health Services and specialist Learning Disability services. These services are led by Greater Manchester West NHS Trust and Salford City Council respectively. For Adults the City Council and Salford Royal Foundation Trust have neighbourhood based Integrated Care Teams and in 2014 these two entered into an Alliance Agreement with Greater Manchester West and NHS Salford CCG to facilitate further integration of care and health budgets and services.

\(^5\) Section 75 of the NHS Act 2006 allows the pooling of funds where payments may be made towards expenditure incurred in the exercise of any NHS or ‘health-related’ local authority functions. Section 75 also allows for one partner to take the lead in commissioning services on behalf of the other and for partners to combine resources, staff and management structures to help integrate service provision.
Provision for 0-25 year olds

Children aged 18-25 will only be eligible for services if they still have an educational need.

The type of provision that could be provided includes:

- Commissioned group based activities
- Community based group activities
- Outreach support to enable C&YP to access activities
- Overnight or day time home based short break care from a trained carer
- Out of authority residential homes or residential schools
- Welfare placement in secure unit
- Specialist health provision
- A multidimensional Treatment Foster Care placement (scheme under review)
- An Intensive Foster Care placement
- Other external Specialist Foster Care placement
- A significant package of home support/respite care not currently available from existing services to enable child or young person to remain at home
- A significant package of additional support to enable child or young person to remain in existing provision
- Specialist health provision within an educational setting either within or outside Salford provision

Agreement to fund the education, care or health provision will be made by senior managers of Salford City Council, and the senior representative of Salford NHS Clinical Commissioning Group.

For 18 years and over, the following provision can be provided, subject to assessment and decision making processes:

- Overnight or day time home based respite care
- Overnight residential respite care
- Residential homes
- Shared Lives (Adult Placement) Scheme
- Specialist and generic AHP
- Domiciliary Care
- Outcome focussed Community Support Workers
- Supported Living Services
- Supported Tenancy services
- Specialist Day Services
Education Health and Care (EHC) plans

Education, health and social care services will ensure that information from needs assessments is provided to Salford’s SEN Team, when requested, to assist the process of agreeing and securing an EHC Plan.

Further information and guidance on EHC Plans is available.

Personal budgets and Direct payments

Carers Personal Budget

Personal budgets will be agreed through the following processes:

- On the basis of an assessment undertaken by an education, health, or social care professional
- Following agreement by managers from the respective agencies, that the criteria for a personal budget are met
- Following agreement with the parent or young person relating to delivery of the personal budget, through directly provided services, commissioned services, a direct payment, or a combination of these
- Direct payments will be awarded in line with Salford City Council’s policies and procedures.

The Disability Resource Panel will be the forum for agreeing personal budgets.

Further information relating to Salford’s policy on personal budgets is available under Salford’s Local Offer.

Carers Assessment

A carer can request a Carers Assessment and this may entitle them to a Carers Personal Budget.
Complaints and disputes

Information about the policy and processes relating to complaints made by parents/carers are available in the Local Offer website pages.

In the event of a dispute about the joint commissioning arrangements, Salford City Council’s Strategic Director of Children’s and Adults Services and Salford NHS Clinical Commissioning Group’s Accountable Officer are ultimately accountable for ensuring issues are resolved.\(^6\)

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\(^6\) Appendix 2 details further information on accountability
Closing statement

This Joint Commissioning Statement is intended to be a statement of current arrangements at this point in time (April 2017). It is envisaged that systems and processes around commissioning arrangements will change over time as needs and services develop.

The Local Authority and the Clinical Commissioning Group are committed to:

✓ improving data collection systems to inform future commissioning

✓ enabling services users and their families to have a voice in the commissioning and review of services

✓ reviewing joint commissioning arrangements as and when required

Future Joint Commissioning Statements and processes/procedures will be adapted to reflect any changes made.
Appendix 1: Relevant legislation & guidance

Extract from Section 26 of the Children and Families Act 2014 (Part3)

(1) A local authority in England and its partner commissioning bodies must make arrangements ‘(joint commissioning arrangements’), about the education, health and care provision to be secured for -

(a) Children and young people for whom the authority is responsible who have special educational needs, and

(b) Children and young people in the authority’s area who have a disability

(2) In the Part “education, health and care provision means -

(a) Special educational provision

(b) Health care provision

(c) Social care provision

(3) Joint commissioning arrangements must include arrangements for considering and agreeing

(a) The education, health and care provision reasonably required by

(i) The learning difficulties and disabilities which result in the children and young people within subsection (1) (a) having special educational needs and

(ii) The disabilities of the children and young people within sub section (1)(b)

(b) What education health and care provision is to be secured

(c) By whom education, health and social care is to be secured

(d) What advice and information is to be provided about education, health and care provision

(e) By whom, to whom and how such advice is to be provided

(f) How complaints about education, health and care provision may be made and are to be dealt with

(g) Procedures for ensuring that disputes between the parties to the joint commissioning arrangements are resolved as quickly as possible

(4) Joint Commissioning arrangements about securing education health and care provision must in particular include arrangements for -

(a) Securing EHC needs assessments

(b) Securing the education, health and care provision specified in the EHC plans

(c) Arranging personal budgets under section 49

Other relevant legislation
Care Act 2014

Children Act 1989 (Schedule 2, sections 17 and 47)

Children Act 2004

Children and Families Act 2014 (sections 24-28, 31)

Chronically Sick and Disabled Persons Act 1970

Equality Act 2010 (including disability equality duty under section 149)

Health and Social Care Act 2012

NHS Act 2006 (Part 3, section 75 and 14Z2)
### Appendix 2: Local accountability

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<th>Agency</th>
<th>Key responsibilities for SEN or Disability</th>
<th>Accountability</th>
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<tbody>
<tr>
<td>Local authority</td>
<td>Leading integration arrangements for Children and Young People with SEN or disabilities</td>
<td>Lead Member for Children and Young People’s Services and the Strategic Director for Children and Adult Services (DCS)</td>
</tr>
<tr>
<td>Children’s and Adult Social Care</td>
<td>Children and adult care services <strong>must</strong> cooperate with those leading the integration arrangements for children and young people with SEN or Disability to ensure the delivery of care and support is effectively integrated in the new SEN system.</td>
<td>Lead Member for Children’s Services and Lead Member for Adult social care, and the Strategic Director for Children and Adult Services</td>
</tr>
<tr>
<td>Health and Wellbeing Board</td>
<td>The Health and Wellbeing Board <strong>must</strong> ensure a joint strategic needs assessment (JSNA) of the current and future needs of the whole local population is developed. The JSNA will form the basis of NHS and local authorities’ own commissioning plans, across health, social care, public health and children’s services. This is likely to include specific needs of children and young people with SEN or disabilities.</td>
<td>Membership of the Health and Wellbeing Board <strong>must</strong> include at least one local elected councillor, as well as a representative of the local Healthwatch organisation. It <strong>must</strong> also include the local DCS, and senior CCG and Director of Public Health. In Salford, the Health and Wellbeing Board is chaired by the City Mayor.</td>
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7 Adapted from *special educational needs and disability code of practice: 0 to 25 year. Statutory guidance for organisations who work with and support children and young people with special educational needs and disabilities* (DfE & DoH; June 2014)
| Clinical Commissioning Group | To co-operate with the local authority in jointly commissioning services, ensuring there is sufficient capacity contracted to deliver necessary services, drawing the attention of the local authority to groups and individual children and young people with SEN or disabilities, supporting diagnosis and assessment, and delivering interventions and review. | CCGs will be monitored by NHS England. CCGs are also subject to local accountability, for example, to the Health and Wellbeing Board for how well they contribute to delivering the local Health and Wellbeing Strategy.

Each CCG has a governing body and an Accountable Officer who are responsible for ensuring that the CCG fulfils its duties to exercise its functions effectively, efficiently and economically to improve the quality of services and the health of the local population whilst maintaining value for money. |
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<tr>
<td>NHS England</td>
<td>NHS England commissions specialist services which need to be reflected in local joint commissioning arrangements (for example augmentative and alternative communication systems, or provision for children and young people in the secure estate or secure colleges).</td>
<td>Secretary of State for Health</td>
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<tr>
<td>Healthwatch</td>
<td>Local Healthwatch organisations are a key mechanism for enabling people to share their views and concerns – to ensure that commissioners have a clear picture of local communities’ needs and that this is represented in the planning and delivery of local services. This can include supporting children and young people with SEN and disabilities.</td>
<td>Local Healthwatch organisations represent the voice of people who use health and social care on the Health and Wellbeing Board. They are independent, but funded by local authorities.</td>
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| **Maintained nurseries, schools (including academies)** | Mainstream schools have duties to use best endeavours to make the provision required to meet the SEN of children and young people. All schools **must** publish details of what SEN provision is available through the information report and co-operate with the local authority in drawing up and reviewing the Local Offer.

Schools also have duties to make reasonable adjustments for disabled children and young people, to support medical conditions and to inform parents and young people if SEN provision is made for them. | Accountability is through Ofsted and the annual report that schools have to provide to parents on their children’s progress. |
| --- | --- | --- |
| **Colleges** | Mainstream colleges have duties to use best endeavours to make the provision required to meet the SEN of children and young people. Mainstream and special colleges **must** also co-operate with the local authority in drawing up and reviewing the Local Offer.

All colleges have duties to make reasonable adjustments for disabled children and young people. | Accountability is through Ofsted and the annual report to parents that schools have to provide on their child’s progress. |