



Department
for Education

0-25 SPECIAL EDUCATIONAL NEEDS AND DISABILITIES, ALTERNATIVE PROVISION AND ATTENDANCE UNIT

March 2018 Newsletter

Welcome to the March 2018 edition of the 0-25 SEND, Alternative Provision and Attendance Unit Newsletter.

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Annex A: Advice and clarification for families for specific situations around transfers from Statements to Education, Health and Care Plans

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Transfer deadline of 31 March 2018

As you know, all local authorities are under a statutory duty to complete transfer reviews of statements of SEN by 31 March 2018. We have been gathering information, every month, from local authorities to assess their progress. We understand the pressures on local authorities and recognise that this is a challenging task, and are grateful for the hard work and commitment that everyone is putting into it.

It is important that all local authorities meet this deadline, and achieve it in a way that ensures good quality assessments are undertaken and high quality plans are in place. In the event that any local authority is unable to meet the 31 March 2018 deadline for all its statement transfers, the Department will contact each LA in this situation and consider what actions are needed to ensure all remaining transfers are completed in a timely and accurate way.

It is also important to note that for any statement of SEN for which a transfer review has not been completed by 31 March 2018, the special educational provision and the placement described in the statement will continue to remain in force until a transfer review has been completed and a decision is made about future provision.

Local authorities must communicate, as soon as possible, with the families of children and young people whose transfer review will not be completed by the deadline, in order to provide reassurance about their provision and placement.

We have prepared the attached (Annex A) advice and clarification for families whose child or young person's transfer review has not been completed by the deadline.

SEND funding updates

Additional funding for supported internships and implementation of the SEND reforms

On 25 January, Parliamentary Under Secretary of State, Nadhim Zahawi announced individual local authority funding allocations for supported internships and implementation of the SEND reforms beyond the end of the transition period. Copies of the Grant Determination Letters and funding breakdowns are available at <https://www.gov.uk/government/publications/send-reform-funding-for-local-authorities>.

Local supported internship forums will create work placements for young people with SEND and help bridge the gap between education and employment. The funding can also be used to train job coaches, who are vital to the success of supporting disabled people into work.

Please follow this link to [Find out more](#) about setting up a local supported internship forum, information on job coach training, and useful contacts. Young people and their families can download a new [factsheet](#) on the Preparation for Adulthood website, providing information about different routes to employment for young people with SEND.

Bidding open for the third round of the Strategic School Improvement Fund

The £140 million Strategic School Improvement Fund is a grant to support schools, post-16 academies, alternative provision and pupil referral units. It is intended to build a school-led system, and aims to target schools most in need to improve school performance and pupil attainment; to help them use their resources most effectively, and to deliver more good school places. The third round of applications for the fund is now open and will close at midday on Friday 20 April 2018. For more information please visit: <https://www.gov.uk/guidance/strategic-school-improvement-fund>.

Reminder – money to build and equip new SEN places in local settings

The deadline is approaching for local authorities to publish the results of their consultations and their plans for spending the SEN capital funding that has been allocated for 2018-2019. The template needs to be published on Local Offer webpages by 14 March 2018 and local authorities must have consulted parents and carers, and are likely to have consulted many others, including schools.

If plans are not yet completely finalised, local authorities must still publish everything they can by the deadline. Published plans can be updated in due course.

Details of allocations and the template that needs to be published can be found here: <https://www.gov.uk/government/publications/send-provision-capital-funding-for-pupils-with-ehc-plans>.

Headline results from recent local authority and parent carer forum surveys

In November 2017, local authorities and parent carer forums were invited to complete their respective autumn 2017 SEND implementation surveys. The surveys are co-produced by Contact, the National Network of Parent Carer Forums, NHS England and the DfE. They help assess progress with the SEND reforms, and allow Government and other organisations to identify good practice and areas of challenge in order to prioritise available resources and identify areas for policy development.

Through this newsletter, we are publishing a comparison of key findings from the two surveys - available at **Annex B**. The Parent Carer Forum survey results are also

published in full at <https://contact.org.uk/advice-and-support/resource-library/parent-carer-participation-10th-send-reforms-implementation-survey-report/>.

Update on Dame Christine Lenehan and Mark Geraghty's review of residential special schools and colleges

In November 2017, the Department published "Good intentions, good enough?" <https://www.gov.uk/government/publications/residential-special-schools-and-colleges-support-for-children>, an independent report into the experiences and outcomes of children and young people in residential special schools and colleges. In her letter of response to the review, (available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/657419/SoS_letter.pdf), Justine Greening welcomed the report and committed to publishing a full response in spring 2018. In the interim, she announced that, as recommended by the review, the Department would establish a national leadership board for children and young people with high needs and publish updated visiting guidance for local areas (now available at <https://www.gov.uk/government/publications/visiting-children-in-residential-special-schools-and-colleges>).

The Department also announced the publication of a new interactive 'what works' resource for those working with these children and young people. The resource – 'SEN support: research evidence on effective approaches and examples of current practice in good and outstanding schools and colleges' – provides school and colleges with information and evidence-based practice that can be effective for SEN support. Both the development of the resource and the underpinning research were undertaken by ASK Research and Coventry University. The resource is hosted on [nasen's SEND Gateway](#) and the [Education & Training Foundation Excellence Gateway](#)

SEND single route of redress national trial - regulations

A two-year national trial to expand the powers of the First-tier Tribunal (SEND) will start on 3 April 2018. The trial will allow the Tribunal to make non-binding recommendations on the health and social care aspects of EHC plans as part of a special educational appeal. This will give a more holistic view of the child or young person's needs, encourage joint working, and bring about positive benefits to families.

The Special Educational Needs and Disability (First-tier Tribunal Recommendations Power) Regulations 2017 were laid on 20 December and will come into force on 3 April 2018: <http://www.legislation.gov.uk/ukxi/2017/1306/made/data.pdf>.

If you would like further information about the national trial, including details of regional training events, guidance documents, webinars, toolkits and other support, please contact senddeliverysupport@mottmac.com.

Review of teaching of relationships and sex education

In November 2017, Ian Bauckham CBE was appointed to support the Department in a review of how relationships education, including relationships and sex education for older children, should be taught in schools. He will do this by leading a process of wider engagement with stakeholders and listening to a broad range of views and evidence. He will also help draw together evidence to assist Ministers in their decision on whether to make PSHE compulsory in all schools.

As part of his new role, Ian will be speaking to parents, teachers, children and other interested groups about the topics that young people today need to understand to stay safe and happy, including age-appropriate content on mental wellbeing, keeping safe online and LGBT issues. To find out more, visit the Gov.uk website at: <https://www.gov.uk/government/news/relationships-and-sex-education-for-the-21st-century>

Social Mobility Action Plan

On 14 December 2017, the Education Secretary unveiled the social mobility action plan, Unlocking Talent, Fulfilling Potential, which will deliver targeted action and focus £800 million of government investment where it is needed most.

One overarching ambition will focus on places and communities across the country that feel they have been ‘left behind’, because they have not yet seen the improvements which have been achieved in other parts of the country. A further four ambitions will cover the key life stages of people’s education:

Ambition 1: Closing the word gap. Boosting access to high quality early language and literacy, both in the classroom and at home, ensuring more disadvantaged children leave school having mastered the basic of literacy that many take for granted.

Ambition 2: Closing the attainment gap. Raising standards for every pupil, supporting teachers early in their career as well as getting more great teachers in areas where there remain significant challenges.

Ambition 3: Real choice at post-16. Creating world-class technical education, backed by a half a billion pounds in investment, and increasing the options for all young people regardless of their background.

Ambition 4: Rewarding careers for all. Boosting skills and confidence to make the leap from education into work, raising their career aspirations. Building a new type of partnership with businesses to improve advice, information and experiences for young people.

Transforming Care for Children and Young People

NHS England, the Department for Education and Department of Health continue to work closely to support the implementation of Transforming Care for Children and Young People. A benchmarking review of Transforming Care Partnerships shows that there has been progress in many areas - including on alignment between Transforming Care, SEND implementation plans and CAMHS mental health transformation plans.

Challenges remain in some areas in ensuring that robust “processes exist to identify those children and young people with learning disabilities, autism, behaviours that challenge and / or a mental health condition who may be at risk of admission to a specialist hospital. There is also more to be done to ensure that, where necessary, Care, Education and Treatment Reviews take place to support planning of children and young people; and very few areas were able to confirm that they include information about Transforming Care in their local offers.

For more information about Transforming Care, including examples of good practice and access to webinars and resources, go to: <https://www.england.nhs.uk/learning-disabilities/care/children-young-people/>

Development opportunities and new resources

New Content on the EHCP journeys website

On Monday 5 March, new content will be launched on <http://ehcpjourneys.com/> to help Local Authority services develop their EHC planning process. This new section of the website contains examples, advice and resources to support local delivery. New topics include:

- **Developing the EHC process:** sharing information with families, person centred planning and quality assuring plans
- **Multi-agency planning:** securing quality input to EHC plans, joint commissioning and supporting workforce development
- **Involving families and young people:** gathering feedback, involving young people and running parent events
- **Looking to the future:** setting outcomes and mapping destinations

The EHCP Journeys website is already used by LA services across the country to reflect on and develop their local support for children, young people and families going through the EHC process. The site is packed full of ideas of how to develop local services, including feedback from parents and young people on what works best for them. Please do take a look and join the site's mailing list for future updates.

The Children and Families Act 2014: SEN and Disability – SEND Decision Making and the Law

In November and December 2017, workshops were held in all regions to assist local areas in interpreting and applying the legal requirements of the Children and Families Act 2014. The workshops were led by the DfE SEND Adviser team and IPSEA, and facilitated by Mott MacDonald. A National Network of Parent Carer Forums (NNPCF) regional representative was also present.

All resources used or referenced in the workshops are now available online at: <http://www.sendpathfinder.co.uk/send-decision-making-and-the-law-workshops>. A webinar has also been created providing an overview of the learning and sessions provided at the workshops, this resource can be found online at: <http://www.sendpathfinder.co.uk/send-decision-making-and-the-law-webinar>.

For any queries or further information regarding the above please contact Mott MacDonald at SENDdeliverysupport@mottmac.com.

Disability Roadmap “Improving Lives: The Future of Work, Health and Disability”

On 30 November, the Department for Work and Pensions launched its Disability Roadmap, “Improving Lives: The Future of Work, Health and Disability” (drawn up in partnership with the Department of Health). The document includes information about apprenticeships for disabled people and can be accessed via the Gov.UK website at <https://www.gov.uk/government/publications/improving-lives-the-future-of-work-health-and-disability>.

Updated guidance on transport for people aged 16-18

[The statutory guidance](#) for transport to education and training for people aged 16 to 18 has been updated and published. The aim of the post-16 transport guidance is to provide all the relevant information needed to help local councils fulfil their duty when considering the need for transport support for young people, including those with SEND, to access further education and training. There are no changes to the policy but clarifications have been made to help local councils fulfil their statutory duty.

Whole School SEND

The Whole School SEND consortium has published a review [guide](#) on preparing for

Adulthood from the earliest years. This free guide has been developed as part of a package of tools developed by the Whole School SEND Consortium to embed good SEND provision in schools. It is designed to support schools in preparing children and young people with SEN and disabilities for the next stage of their learning and development and into adulthood. The guide can be adapted to the local context and a white label version is available for those wishing to adapt it for specific settings. A range of other online resources is also available from [Whole School SEND](#) to support the use of the review.

See Dyslexia Differently

The British Dyslexia Association (BDA) has released the animation, See Dyslexia Differently, which aims to de-mystify some of the misconceptions around dyslexia. It sheds light on the real challenges dyslexic children face whilst also highlighting their strengths and potential.

[This animation](#) was created as part of a BDA-led, DfE-funded project alongside dyslex.io - a mobile first website which provides easily accessible information for people with dyslexia and those who support them. The animation is created by Studio Tinto and scripted by Liz Horobin and Tania Bruun of the BDA, with advisors, Tilly Mortimore and Bernadette McLean.

It can be seen on Facebook and Twitter @BDADyslexia #SeeDyslexiaDifferently and on the British Dyslexia Association YouTube channel and website. A special edition of the animation for schools is also available, with supporting resources to guide teachers on how to use it in primary schools.

The Communication Trust – resources and events

What Works for Education Settings

Hosted by The Communication Trust, *What Works* brings together evaluated speech, language and communication training programmes to enable users to find out more about their evidence.

Designed for early years practitioners, SENCOs, teachers and school leaders, it provides a free and easily accessible overview of the evidence base and evaluation for each intervention and training programme. To find out more, visit the [What Works for Education Settings web page](#).

Professional Development Video - Talking to parents about their child's speech, language and communication

This video has been developed in partnership with Afasic to support practitioners raising initial concerns about a child or young person's speech, language and communication development with their parents. It includes reflection and discussion

points throughout and is suitable for anyone working with children and young people across all different phases. It can be accessed free of charge at:

<https://www.thecommunicationtrust.org.uk/projects/professional-development/a-professional-development-video-talking-to-parents/>

Brief Guide to Involving Children and Young People with SLCN

The Communication Trust's [*Involving Children and Young People with SLCN: a Brief Guide*](#) is a free, accessible, resource for practitioners in education settings. The resource covers strategies to gain the views, wishes and feelings of children and young people, ideas and advice to enable them to participate as fully as possible in decision making, and information about how to help them achieve the best possible outcomes. As you work through this guide you'll find reference to a number of printable resources you can download and keep in your setting. For more information please contact mbrookes@thecommunicationtrust.org.uk

Webinar on 'Supporting children and young people's speech language and communication, the role of a Local Authority'

The Communication Trust delivered a **webinar** for local authorities on **21 February** to provide the information and tools needed to:

- enhance support at a strategic level for children and young people with speech, language and communication needs,
- enable them to reach their full potential, and
- fulfil statutory duties in relation to the SEND Code of Practice (2014).

This webinar is now available to download [here](#).

Guide to commissioning Speech and Language Therapy services

The Communication Trust has launched a free 'one stop' guide to commissioning speech and language therapy services within the post 16 sector. The guide includes top tips on decision making, practical steps to integrate the service and ways to review and improve. The Trust's series of commissioning guidance now covers early years, schools and FE. To download the guides, please visit

<http://www.thecommunicationtrust.org.uk/projects/identifyingslcn/>

New Initial Teacher Education materials

The Communication Trust, in collaboration with the Institute of Education at University College London, has launched a series of resources to help providers and trainee teachers embed speech, language and communication into their education. Alongside a series of information sheets are case studies, stretching across different stages and subjects, with audio files, lesson plans and tasks to help practitioners apply learning to settings. The materials are [downloadable for free](#) on The Communication Trust's website. For more information please contact mbrookes@thecommunicationtrust.org.uk.

The Communication Trust's new and improved FREE CPD online short course

The [free online short course - *An introduction to speech, language and communication*](#) has been re-developed so it is tailored for the needs of practitioners working across all the different education phases. Users have the option to access four different pathways – early years, primary, secondary or further education. Each course has a number of activities and resources to support learning.

Annex A: Advice and clarification for families for specific situations around transfers from Statements to Education, Health and Care Plans

1) (a) My child has a Statement and is transferring from school to FE in September 2018 but his/her EHC needs assessment hasn't been concluded. Will his/her Statement lapse when he/she leaves school?

Transition provisions set out in the transition regulations (SI 2014/2270) enable existing statements to continue in place under the Education Act 1996 until an EHC needs assessment is concluded. This applies regardless of whether the Statement would have lapsed under the previous system.

This ensures no child or young person with a Statement will lose support because their review has not been completed by the deadline. For any child or young person in that position, local authorities will remain responsible for ensuring that the provision and placement in their statement continues to be made.

1 (b) I have a Statement and will have turned 19 years of age by the end of August. My transfer review is under way but it hasn't concluded. Will I still be able to access provision and an educational placement in September?

As in 1a above, local authorities are under a duty to complete the transfer review as quickly as possible. In this scenario, the local authority is expected to plan for the following academic year, in line with expectations set out in the 2015 Code of Practice, and to ensure that appropriate arrangements are made for September, pending completion of the transfer review.

2) I'm moving to another area in April and my child's, transfer review has not been completed, which means that he/she still has a Statement. What will happen and how can I guarantee a new special school place near my new home?

If your child has a Statement of SEN and moves to a new local authority, the transfer will be governed by the SEN Code of Practice 2001, which states, in paragraph 8:115, that the receiving local authority *may* bring forward the annual review of the Statement or conduct a new assessment, but they are not obliged to do so – they may decide to accept and implement the Statement in its current form. The authority must inform parents of their decision within six weeks of the date of transfer of responsibility between LAs. If the receiving authority decides that a new assessment is necessary, it would be open to them to carry out an EHC needs assessment with a view to issuing an EHC plan.

3) What will happen to local authorities that have Statements outstanding on 1 April 2018?

Where LAs have Statements of SEN remaining beyond the end of March, they will be in breach of a statutory duty. There will be follow-up, by DfE, with every LA in that position.

Our focus is on getting high quality provision in place for children and young people, underpinned by high quality EHC plans. We want everyone to benefit from the new system as soon as possible but that cannot come at the cost of quality. Our actions will be proportionate to, and dependent upon, the position each LA is in.

Annex B: Comparison of key results from recent local authority and parent carer forum surveys

In the autumn of 2017, local authorities were asked to complete a survey on the implementation of the SEN reforms introduced in 2014. Parent Carer Forums (PCFs) were asked to answer the same questions to gain understanding on how they thought local authorities were doing. The below tables compare the answers from both the PCF and LAs.

Note: Some of the questions asked to the local authorities are not comparable to the PCF survey, due to the way in which the question was asked.

82% of Local authorities answered the autumn implementation survey, compared to 100% answering the PCF Implementation Survey.

SEND Reforms

Q3. Have you discussed responses to this survey with your Parent Carer Forum/ Local Authority?

	Local Authority	Parent Carer Forum
Yes	84%	79%
No	16%	21%

Effective co-production and user engagement

Q4. How well engaged are children, young people and parents in strategic planning and co-production of SEND services (e.g. developing the local offer):

Children

	Local Authority	Parent Carer Forum
Fully	1%	2%
Largely	19%	7%
Moderately	60%	36%
Poorly	17%	46%
Non-existent	3%	9%

Young People

	Local Authority	Parent Carer Forum
Fully	2%	2%
Largely	37%	16%
Moderately	53%	56%

Poorly	8%	22%
Non-existent	1%	4%

Parents

	Local Authority	Parent Carer Forum
Fully	23%	11%
Largely	65%	59%
Moderately	11%	23%
Poorly	1%	7%
Non-existent	0%	0%

Q5. How well engaged are children, young people and parents in making decisions about their own SEND provision (e.g. developing their own EHC plan)?

Children

	Local Authority	Parent Carer Forum
Fully	9%	5%
Largely	37%	15%
Moderately	51%	51%
Poorly	3%	27%
Non-existent	0%	2%

Young People

	Local Authority	Parent Carer Forum
Fully	12%	1%
Largely	49%	27%
Moderately	39%	45%
Poorly	0%	21%
Non-existent	0%	0%

Parents

	Local Authority	Parent Carer Forum
Fully	23%	10%
Largely	60%	47%
Moderately	17%	32%

Poorly	0%	11%
Non-existent	0%	0%

Q7. Have you published on-line a summary of comments received about your Local Offer?

	Local Authority	Parent Carer Forum
Yes	86%	66%
No	14%	34%

Q8. Overall, how confident are you that Early Years settings provide good SEN support and that they enable children to receive good outcomes? (tick one)

	Local Authority	Parent Carer Forum
Very Confident	34%	16%
Moderately Confident	64%	61%
Not Confident	2%	17%
Don't Know	0%	7%

Q8b. Specifically, which of the following are in place to develop and maintain effective SEN Support systems in the Early Years sector:

	Local Authority	Parent Carer Forum
a) Training and workforce development opportunities are offered to all Early Years providers.	99%	93%
b) The Local Offer has clear information about what you expect Early Years providers to make available through SEN Support.	84%	71%
c) We provide Area SENCOs to support Early Years settings.	81%	83%
d) We provide other specialist services to support Early Years settings (please provide details of other specialist services in the comments box below).	100%	96%
e) We make it clear how Early Years providers can access high needs funding where appropriate.	98%	86%
f) We have published guidelines about the threshold for an Early Years EHC	88%	82%

needs assessment and the evidence we normally expect.		
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Q9. Overall, how confident are you that schools, including academies provide good SEN support and that they enable children to achieve good outcomes? (tick one)

	Local Authority	Parent Carer Forum
Very confident	1%	2%
Moderately confident	80%	36%
Not confident	10%	57%
Don't Know	9%	6%

Q9b. Specifically, which of the following are in place to develop and maintain effective SEN Support systems in schools, including academies:

Q10b. Specifically, which of the following are in place to develop and maintain effective SEN Support systems in mainstream colleges:

	Local Authority	Parent Carer Forum
a) Training and workforce development opportunities are offered to all colleges.	79%	63%
b) We lead/facilitate regular SENCO/ALSM (additional learning support managers) Network/Forum meetings.	76%	64%
c) The Local Offer has information about what we expect colleges to make available through SEN Support.	69%	62%
d) We provide a range of specialist services that support college settings with pupils who are at SEN Support (please list the key services you provide in the comments box below).	73%	60%
e) We have published guidelines about the threshold for an EHC needs assessment and the evidence we normally expect.	87%	76%

Specific reforms

11. How effectively is your local authority working in partnership with post-16 providers to deliver the SEND reforms?

	Local Authority	Parent Carer Forum
Effectively	32%	12%
To some extent	63%	48%
To a limited extent	4%	35%
Not at all	1%	5%

Q14. The SEND Code of Practice says, 'Joint Commissioning is an ongoing improvement cycle...Partners should agree how they will work together to monitor how outcomes in education, health and care are being improved as a result of the provision they make.'

To what extent are you as the LA authority/is the LA meeting this expectation with education, health and care partners in relation to monitoring outcomes?

Education

	Local Authority	Parent Carer Forum
Fully	14%	6%
To some extent	70%	60%
To a limited extent	15%	21%
Not at all	1%	5%
Don't know	0%	9%

Health

	Local Authority	Parent Carer Forum
Fully	7%	3%
To some extent	66%	30%
To a limited extent	26%	49%
Not at all	2%	10%
Don't know	0%	10%

Social Care

	Local Authority	Parent Carer Forum
Fully	7%	4%
To some extent	71%	38%
To a limited extent	21%	37%
Not at all	2%	10%
Don't know	0%	11%

Q15. In general, how well developed do you think your joint commissioning arrangements between Education, Health and Social Care are?

Education

	Local Authority	Parent Carer Forum
Fully	15%	9%
To some extent	67%	44%
To a limited extent	19%	35%
Not at all	0%	3%
Don't know	0%	10%

Health

	Local Authority	Parent Carer Forum
Fully	10%	7%
To some extent	60%	31%
To a limited extent	30%	45%
Not at all	0%	9%
Don't know	0%	9%

Social Care

	Local Authority	Parent Carer Forum
Fully	9%	8%
To some extent	68%	36%
To a limited extent	23%	37%
Not at all	0%	10%
Don't know	0%	10%

Q18. Is the Parent Carer Forum in your local area working in partnership with their local CCGs/Children's joint commissioner?

	Local Authority	Parent Carer Forum
Yes	89%	77%
No	11%	23%

Q19. Thinking about planning and policy with health in your area, is the following in place?

	Local Authority	Parent Carer Forum
a) The Sustainability and Transformation Plan (STP) actively considers how it will address the needs of children and young people.	71%	37%
b) The Local Transformation Plans (LTP) for Children and Young People's Mental Health and Wellbeing considers how it will address the needs of children and young people with special educational needs and disability (SEND).	78%	50%
c) There is an identified lead for children and young people on the Transforming Care Partnership Board (TCPB) and a standing agenda item on the needs of children and young people in each (TCPB) meeting.	69%	40%
d) There are clear plans for identifying the group of children and young people who would be part of the Transforming Care cohort (including those who should be on the at risk of admission register).	57%	25%
e) The STP, LTP and TCPB leaders have been working in a co-production with Children and Young People (CYP) and their families.	51%	15%
f) There is a link to STP, LTP and TCPB plans on our Local Offer (If no please state which ones are not within the comments box below).	28%	17%

Q20. Thinking about the joint self-assessment tool published by CDC
(<https://councilfordisabledchildren.org.uk/help-resources/resources/local-authority-audit-tool>):

	Local Authority	Parent Carer Forum
Have you completed and used this with health partners to inform your joint working?	50%	33%

Q22. We are currently managing to issue most (at least 90%) of new EHC plans within 20 weeks (unless statutory exceptions apply)

Local Authority	Parent Carer Forum
38%	49%