

## Talking points

The NNPCF is a membership organisation and our mission states that “we aim to empower our members to ensure that their voice is heard at a local, regional and national level.”

Working with our membership we have identified a number of key “talking points” - these are topics and themes that are the most important to our membership and the ones that have been prioritised by the NNPCF.

Based on feedback from our membership and from other partners and stakeholders, the “talking point” summarise:

- The lived experience of our members about each topic,
- What is working and what is not working, and
- What we would like to see changed.

The talking points have been created using a range of feedback which includes:

- Surveys (including the SEND surveys)
- Feedback from our annual conferences
- The topics raised at regional meetings
- Themes and topics raised by our membership on social media
- Face to face conversations with our membership

## Joint Commissioning

**Joint Commissioning** is a strategic approach to planning and delivering services in a holistic, joined-up way. It is a means for the different partners **commissioning** education, health and care provision, to deliver positive outcomes for children and young people with **SEND**.

Although there is a general consensus that joint commissioning is needed, evidence suggests that it is not happening very well. SEND Local Area inspections have found that *'Joint commissioning is weak and arrangements for*

*jointly planning and providing services are ineffective.'*<sup>1</sup> This is a view supported by the National Audit Office<sup>2</sup> and the Council for Disabled Children.

Forums tell us that progress in joint commissioning is slow and difficult; there is widespread lack of understanding of personalisation and what it can achieve and individuals and leaders across the system are not yet committed to it as a new way of working.

A co-ordinated approach that puts the voice of families and young people at the heart of decision making is key in making sure that funding for SEND children and young people is spent effectively.

To achieve the Preparing for Adulthood outcomes of employment, independent living, community life and good health, approaches to joint commissioning need to engage not only the education, social care, health and public health sectors but also wider 'whole system' partners such as those concerned with employment and housing. Approaches to joint commissioning also need to take place across children's and adult services.

## The Legal Framework

Section 25 of the Children and Families Act 2014 places a duty on local authorities that should ensure integration between educational/training provision and health and social care provision, where this would promote wellbeing and improve the quality of support for disabled children and young people and those with SEN.

The Care Act 2014 requires local authorities to ensure co-operation between children's and adults' services to promote the integration of care and support with health services, so that young adults are not left without care and support as they make the transition from children's to adult social care.

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<sup>1</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/859422/Annual\\_Report\\_of\\_Her\\_Majesty\\_s\\_Chief\\_Inspector\\_of\\_Education\\_Children\\_s\\_Services\\_and\\_Skills\\_201819.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/859422/Annual_Report_of_Her_Majesty_s_Chief_Inspector_of_Education_Children_s_Services_and_Skills_201819.pdf)

<sup>2</sup> <https://www.nao.org.uk/wp-content/uploads/2019/09/Support-for-pupils-with-special-education-needs.pdf>

Local authorities and clinical commissioning groups (CCGs) must make joint commissioning arrangements for education, health and care provision for children and young people with SEN or disabilities (Section 26 of the Act). The local authority and its partner commissioning bodies include clinicians' commissioning arrangements and NHS England for specialist health provision.

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. This ensures that commissioning decisions on services for those with SEN and disabilities are shaped by users' experiences, ambitions and expectations. To do this, local authorities and CCGs should engage with local organisations including **Parent Carer Forums**<sup>3</sup>.

In addition local authorities must review their educational, training and social care provision, consulting a range of partners and taking into consideration the experiences of children, young people and families (including through representative groups such as **Parent Carer Forums**). Feedback from these reviews should inform the development and review of the Local Offer and the inform effectiveness of local joint working.

### Joint Planning

There are 3 clear stages that need to happen:

1. A joint understanding of the local population
2. Partners from across the local area should agree priorities and identify the **outcomes** that matter to children and young people with SEN or disabilities and their families.
3. Services are jointly commissioned at a strategic, service and individual level to deliver better outcomes and value for money.

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<sup>3</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/398815/SENND\\_Code\\_of\\_Practice\\_January\\_2015.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SENND_Code_of_Practice_January_2015.pdf)

The Council for Disabled Children Chums Project (Children Outcomes Measurement Study) looked at the outcomes that are important to children and young people with SEND and if they can be measured by Patient Reported Outcome Measures (PROMS). The study found that children, young people and their families have big outcomes that do not fit into a single professional area of expertise. Professionals have narrow outcomes informed by their expertise and knowledge. Joint commissioning needs to bring these together.

In the last few months, the NNPCF have seen an increase in concerns from Forums that their local areas cannot deliver the legal requirements of the Children and Families Act with constrained resources. The demand and scope of services for SEND is increasing at a time when local authority finances are under ever increasing pressure. In addition, the failure of many areas to make meaningful progress with joint commissioning has amplified this situation. What resources there are have not necessarily been deployed in the most effective ways.<sup>4</sup>

At the NNPCF conference on the 7th November 2019, we held a workshop to provide an opportunity for our delegates to input into the ongoing cross governmental review into the SEND system being led by the Department for Education.<sup>5</sup>

The key messages were grouped into seven themes, based on feedback that the NNPCF heard from member forums. These were:

- Listen to families and intervene early
- **Make sure there is enough money and spend it well**
- Align incentives for school and system leaders
- Increased accountability
- Right people, right knowledge, right skills
- Lifelong outcomes
- Coproduction

To make the best use of resources, partners should consider how an integrated approach can best support all of the above.

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<sup>4</sup> <http://www.nnpcf.org.uk/wp-content/uploads/2019/09/SEND-review-statement-20190906.pdf>

<sup>5</sup> <http://www.nnpcf.org.uk/wp-content/uploads/2019/12/SEND-Review-Conference-write-up-20191129.pdf>

Joint commissioning should be informed by a clear assessment of local needs. **Health and Wellbeing Boards** are required to develop **Joint Strategic Needs Assessments** and **Joint Health and Wellbeing Strategies**, to support prevention, identification, assessment and early intervention and a joined-up approach.

Joint commissioning arrangements should enable partners to make best use of all the resources available in an area to improve outcomes for children and young people in the most efficient, effective, equitable and sustainable way.<sup>6</sup>

## SEND Local Area Inspections

SEND Local Area Inspections to date have identified that there has not been enough progress in implementing a coordinated 0–25 service for children and young people who have SEND. In particular, joint commissioning of services for up to 25 is inconsistent. In some areas is a lack of coordinated planning as young people moved into adult services. Consequently, too many young people who have SEND do not get the support and resources they were entitled to once they reached the age of 19.<sup>7</sup>

During the 2018/19 academic year, Ofsted and CQC jointly completed 33 inspections. Twenty-one of these areas inspected required a Written Statement of Action (WSOA).<sup>8</sup> The main strengths and areas for development that Inspectors found include:

*“Co-production is operating well. Area leaders jointly plan, commission and provide services that are responsive to the needs of children and young people with SEND and their families.”*

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<sup>6</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/182307/good\\_commissioning\\_principles\\_and\\_practice.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/182307/good_commissioning_principles_and_practice.pdf)

<sup>7</sup> <https://www.gov.uk/government/publications/local-area-send-inspections-one-year-on>

<sup>8</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/859422/Annual\\_Report\\_of\\_Her\\_Majesty\\_s\\_Chief\\_Inspector\\_of\\_Education\\_\\_Children\\_s\\_Services\\_and\\_Skills\\_201819.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/859422/Annual_Report_of_Her_Majesty_s_Chief_Inspector_of_Education__Children_s_Services_and_Skills_201819.pdf)

*“Area leaders have a weak understanding of the needs and lived experience of children, young people with SEND and their families. Joint commissioning is weak and arrangements for jointly planning and providing services are ineffective.”*

### Themes from written statement of actions (WSOA) relating to Joint Commissioning includes:

- the lack of joint commissioning arrangements / strategy across education, health and social care
- fragmented approach to joint commissioning
- defective arrangements for joint commissioning
- the lack of joint commissioning of services to support young people's health needs post-19
- there are no coordinated priorities, strategies or accountabilities between the services to ensure that joint commissioning is undertaken effectively
- weak joint commissioning arrangements that are not well developed or evaluated

### Things for forums to consider in respect of Joint Commissioning include:

- **Co-production** with parents and Children and Young People underpins Joint Commissioning. PCFs have an important role to play in robust joint commissioning arrangements
- Are 'health' and 'social care' issues appropriately reflected in the local area SEND strategy and action plan?
- PCFs can assist with providing an evidence base for commissioning
- Does the Joint Strategic Needs Assessment (JNSA) reflect Children and Young People with SEND?
- 0-25 years or whole life pathways

## A greater focus on Joint Commissioning

On 11<sup>th</sup> September 2019 the National Audit Office published its report 'Support for pupils with special educational needs and disabilities in England'.<sup>9</sup>

The report states that:

*"The Department for Education is accountable to Parliament for the system of support and for securing value for money from the funding it provides for schools in England to support pupils with SEND. These pupils may have complex needs that can only be fully met by local authorities, schools, health and social care services working together."*

*"The system for supporting pupils with SEND is not, on current trends, financially sustainable. Many local authorities are failing to live within their high-needs budgets and meet the demand for support. Pressures – such as incentives for mainstream schools to be less inclusive, increased demand for special school places, growing use of independent schools and reductions in per-pupil funding – are making the system less, rather than more, sustainable. The Department needs to act urgently to secure the improvements in quality and sustainability that are needed to achieve value for money."*

Joint working is a key tenant of the Code of Practice and the NNPCF continue to urge Ministers to take a lead in ensuring their departments work together more effectively. The NNPCF have raised this in meetings with Government Ministers from across Departments of Education, Health and Social and Department for Work and Pensions. We have shared a number of examples of where coproduction and joint commissioning has made a big difference.

For example, the North East and North Cumbria Accelerator site project was a pilot focussing on how to improve mental health support to children and young people whilst reducing avoidable admissions to hospital and increasing staff and parent confidence. Parent Carer forums from the region were fully involved in designing the project along with Local Authorities and CCGs. The outcomes included a reduction in avoidable admissions to hospital, an uptake in annual Health checks for age 14 with Learning Disabilities and is expected to reduce school absences and exclusions.

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<sup>9</sup> <https://www.nao.org.uk/report/support-for-pupils-with-special-educational-needs-and-disabilities/>