



Report to Children's and Education Select Committee

Date:	11 November 2021
Title:	SEND Education Sufficiency
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Ward(s) affected:	all wards

1. Executive summary

- 1.1 This report provides an overview of the issues relating to the sufficiency of educational placements for pupils with Special Educational Needs and Disabilities. It outlines the issues and headline data that informed the development of the draft SEND Education Sufficiency Strategy, and details the steps taken to publicly consult on 6 proposals to meet the expected demand over the coming 5 years. The report summarises the outcome of the consultation and next steps. These next steps include working with Buckinghamshire's parent/carer forum and existing schools and colleges to develop new or different provision, as well as exploring the feasibility of new building projects to meet growing demand.

2. Content of report

Context

- 2.1 A key priority within Buckinghamshire's Special Educational Needs and Disabilities (SEND) and Inclusion Strategy 2021-23 is to ensure there are enough educational placements for pupils with SEND.
- 2.2 Pupils with SEND either have an Education, Health and Care Plan (EHCP) or receive SEN Support, captured in a SEN Support Plan. Both types of plan set out the support that the pupil needs to achieve their goals, taking an holistic view of their learning needs and future ambitions.
- 2.3 Pupils with a SEN Support Plan attend mainstream school settings. Those with an EHCP may attend a Special School, or they may attend a mainstream setting,

depending on their needs and the support required. Some mainstream settings have Additionally Resourced Provisions (ARPs) which enable the pupil to spend a proportion of their day in the mainstream classroom, as well as accessing some targeted intervention from the ARP.

- 2.4 The majority of pupils with an EHCP attend educational settings within Buckinghamshire. Approximately 3% attend educational settings outside of Buckinghamshire. This can be because there are insufficient places available within the county that are able to meet the needs of these children, the type of provision required to meet their needs is not available in Buckinghamshire, or the parent may have a preference for an out of county setting that both meets the needs of their child and is cost effective for the Council.

Analysis of current needs

- 2.5 The analysis of current needs and placements identified a number of challenges that need to be addressed. These include:

- Fewer pupils in Buckinghamshire schools (10.1% or 8559 children) are registered to receive SEN Support than the national average (12.2%) (Jan 2021 school census). This means there is more to do to identify and support children and young people with SEND without an EHCP in mainstream settings.
- More pupils in Buckinghamshire schools have an EHCP (3.8%) compared to the national average (3.7%) (Jan 2021 school census).
- There were 4910 EHCPs maintained by Buckinghamshire in January 2021, an increase of 315 (6.9%) from the previous year (SEN2 Return Jan 2021). The rate of increase is slowing in comparison to other local authority areas; since 2014 the number of statements/EHCPs in Buckinghamshire has increased by 55.4% compared to 81.6% across England and 92.2% within our statistical neighbour group. Currently, there are 5265 children with EHCPs maintained by Buckinghamshire (11 October 2021).
- The number of pupils with EHCPs with a primary need of Autism has increased significantly (+116%) in Buckinghamshire since 2015. Those with Social, Emotional and Mental Health (SEMH) needs have also increased considerably (+57%). There is also significant growth in areas of complex need (profound and multiple learning disabilities 105% and multi-sensory impairment 180%). Although these latter groups make up a smaller population overall, they are a cohort that require a high level of specialist provision. In Jan 2021, 31% of all those with an EHCP had a primary need of Autism, 21% with Speech, Language or Communication Needs (SLCN), 15% with Moderate Learning Difficulties (MLD) and 14% with SEMH.

- 35.1% of the children and young people with an EHCP issued by Buckinghamshire attend maintained or academy special schools, which is broadly in line with the national average of 35.8% (Jan 2021).
- 42.0% of children in Buckinghamshire with EHCPs are supported in a mainstream school compared with 39.9% nationally, which is above the national average. However, Buckinghamshire (14.3%) is below the national average (16.7%) for those attending mainstream Further Education settings. (Jan 2021).
- 4.6% of children in Buckinghamshire with EHCPs are supported in a mainstream school with an Additionally Resources Provision compared with 4.8% nationally (Jan 2021).
- 69% of children attending independent or non-maintained special schools have Autism (40%), SEMH (18%) or SLCN (11%) recorded as their primary areas of need (Jan 2021).

Development of the SEND Education Sufficiency Strategy

2.6 A draft 5 year SEND Education Sufficiency Strategy has been developed to address these areas of growth in Buckinghamshire's SEND cohort. This followed a series of engagement activities including:

- Dialogue with FACT Bucks, the parent/carer forum, to understand the experience of children and families in Buckinghamshire. This was informed by the ongoing dialogue with parents through meetings and support group social media conversations, feedback from SENDIAS service users, as well as specific surveys conducted by FACT Bucks in partnership with SENDIAS.
- Pre-engagement activity with schools. This included an analysis of all Buckinghamshire Special Schools which identified the types of special educational needs catered for, where there were gaps and where adjustments could be made to existing provision in order to target those gaps. The range of specialist provision has now been published on the Local Offer [Education options and admissions for children with SEND | Family Information Service \(buckinghamshire.gov.uk\)](#) A further outcome of this work is that capacity has been increased in our existing special school estates by approx. 90 places over the last two years, with minimal building investment.
- Discussions with school networks (Primary Executive Board [PEB], Buckinghamshire Association of Secondary Heads [BASH] and Special School Heads). These centred on the needs of children and young people currently placed in our settings, and what this told us for now and the future.

- Discussion at the SEND Integrated Services Board (January 2021), the body that provides multi-agency governance of SEND and includes representatives from across Health, Education and Social Care as well as the Voluntary and Community Sector and parent /carers. This identified some critical considerations including the broader context beyond educational placements, for example health services and housing.
- Discussion in the Sufficiency Impact Group of the SEND Improvement Programme, which informed the discussion with senior leaders.

2.7 In June 2021 a public consultation was held to seek the views of key stakeholders (families, schools and other educational settings) across Buckinghamshire on 6 proposals. During the consultation period, online events were held for schools and parents/carers to share information and listen to feedback. Parent/carers events were jointly planned and chaired with Families and Carers Together (FACT) Bucks who continue to work with us to review consultation feedback and finalise the strategy. The 6 proposals were:

1. Develop nurture or other appropriate break-out spaces in all secondary settings to ensure consistency across the county. This may mean reconfiguring buildings in some cases where space is not available.
2. Reconfigure/expand ARP and SEN unit provision to meet future demand.
 - Establish a new Communication and Interaction (Autism) 8 place ARP in a mainstream primary school in the Aylesbury Vale area.
 - Develop a new Communication and Interaction (Autism) 10 place ARP in a mainstream secondary school in the Aylesbury Vale area.
 - Close 1 Primary Physical Disability ARP due to reduced demand.
 - Reduce ARP capacity where demand is reduced.
 - Develop a new SEN unit for primary pupils with Social Emotional and Mental Health needs.
3. Reconfigure/expand specialist provision for children with Communication and Interaction needs (Autism) and significant learning difficulties:
 - Develop the capacity of Chiltern Wood and Vale Federation schools to accommodate the rise in young people with complex Autism with Severe Learning Difficulties expected in the secondary specialist sector from September 2022.
 - Consider, alongside social care and health partners in the local area, the need for residential schooling provision linked to a current special school for Autism and complex learning difficulties.

- Develop satellite classrooms in the north of the county (primary and secondary) for children with Autism enabling pupils to gradually integrate into the mainstream setting over a 2-year period in line with their needs being met. This will also broaden the GCSE offer to these pupils. Approx. 25 places across primary and secondary, linked to Furze Down School.
 - Increase capacity at Stony Dean and Pebble Brook Schools (subject to building works) to enable the school to support children with Moderate Learning Difficulties and Speech, Language and Communication Needs for whom it is evidenced will need long term support and preparation for independent adult living. This will increase placements by 16 places.
 - Close the residential provision at Alfriston School (following a needs analysis) and examine the possibility of converting to day places which are currently oversubscribed.
4. Review and expand the capacity of existing special schools to deliver a mainstream curriculum in a low arousal environment to cater for children with Communication and Interaction needs (Autism) for whom a mainstream curriculum offers the best possible foundation for their future. Approx. 80 places over the next four years.
 5. Reconfigure/expand specialist provision for children with SEMH needs.
 - Enable Special Schools that do not ordinarily cater for Social, Emotional and Mental Health needs to provide support for children who present challenging behaviours as a result of their underpinning SEN. Designated Social, Emotional and Mental Health schools to provide for children who have severe Social, Emotional and Mental Health needs as their primary area of need.
 - Develop Secondary Social, Emotional and Mental Health specialist provision to offer a wider/vocational curriculum options.
 - Develop a new Special School which can provide therapeutically for children with identified attachment disorders and Social, Emotional and Mental Health needs.
 6. Develop the offer at Buckinghamshire College Group to meet the demand. This may include developing the skills and knowledge of staff in the areas of SEMH and Autism, conducting a space analysis to ensure the site is fit for purpose (building on previous works and investment) and working in partnership to develop initiatives to meet the needs of particular groups.

2.8 The draft strategy that includes the detailed analysis of current and future demand that informed the proposals can be found in appendix 1.

Consultation outcome

- 2.9 310 online survey responses were submitted and a further 5 printed questionnaires were returned and included for consideration. 5 additional email responses were received and their content was considered as part of the free text consultation feedback.
- 2.10 214 of the 315 survey responses were from parents and carers of which 190 (89%) have one or more children with an EHCP or on SEN Support. 17 parents (8%) were Electively Home Educating their child(ren). Responses were received from families with children and young people aged 0-25, with the majority of responses coming from those with primary (36%) and secondary (33%) age children.
- 2.11 The 101 other respondents represented 56 different schools and other educational settings in Buckinghamshire (i.e. special and mainstream schools, pupil referral units, early years settings). Respondents also represented social care and parent/carer representative groups.
- 2.12 In addition to consultation feedback 14 schools/settings expressed their interest in being involved in taking forward 1 or more of the proposals.
- 2.13 41% of consultation respondents felt the proposals were right with a further 43% feeling they were “partly right.” Some of the “yes” and “partly right” respondents made suggestions for additional measures and some of the “no” respondents actually supported some proposals.

In your view, are the proposals the right proposals?				
	Parents/Carers	Schools/Settings	Total	
	Number	Number	Number	%
Yes	90	38	128	41%
Partly right	92	45	137	43%
No	32	18	50	16%
Total	214	101	315	100%

- 2.14 The full consultation feedback can be found in the Consultation Outcome Report in Appendix 2.

3. Next steps and review

- 3.1 The consultation feedback is currently being considered. Discussions will continue during the Autumn term with all relevant parties including FACT Bucks, the parent/carer forum and those settings who have expressed an interest in taking forward some of the proposals or alternative suggestions identified. Once decisions

have been taken, a revised SEND Education Sufficiency Strategy for 2022 – 2027 will be published.

- 3.2 A delivery plan will be developed to ensure the ambitions of the Strategy are realised. This plan will be monitored by the multi-agency SEND Integrated Services Board that oversees Buckinghamshire’s overarching SEND and Inclusion Strategy and the Special School Property Board.
- 3.3 Key decisions that need to be taken about specific aspects of the Strategy will be taken in line with the Council’s constitution, for example, the closure of provision, or the building of a new school.
- 3.4 It is anticipated that the final Strategy and Sufficiency Plan will be shared with key stakeholders and published on the Local Offer in January 2022.

4. Legal implications

- 4.1 Section 27 of the Children and Families Act 2014 requires the Local Authority to keep under review:
 - (a) the educational provision, training provision and social care provision made in its area for children and young people who have special educational needs or a disability, and
 - (b) the educational provision, training provision and social care provision made outside its area for—
 - (i) children and young people for whom it is responsible who have special educational needs, and
 - (ii) children and young people in its area who have a disability.
- 4.2 The Local Authority is obliged to consider the extent to which the provision is sufficient to meet the educational needs, training needs and social care needs of the children and young people concerned. The Local Authority discharges this responsibility by publishing its sufficiency strategy.
- 4.3 The Local Authority is legally required to consult with a range of people and organisations including children and young people in its area with special educational needs, and the parents of those children in reviewing the educational, training and social care provision in the area.
- 4.4 In addition to the specific statutory duties under the Children and Families Act 2014 set out above, there are a number of overarching duties that are relevant to the SEND Sufficiency Strategy including duties under:
 - The Education and Skills Act 2008 to encourage, enable and assist participation of young people with SEND up to the age of 25.

- The Equality Act 2010 in relation to having due regard to the need to eliminate discrimination, harassment, victimisation and other prohibited conduct, advance equality of opportunity and foster good relations between persons who share a protected characteristic and those who do not.

5. Financial implications

- 5.1 The revenue costs of provision for pupils with SEND in schools are met from the high needs block within the Dedicated Schools Grant (DSG). The high needs allocation for 2021-22 is £99.1 million. Increases in demand for support mean that the high needs budget is under pressure and the council currently has a deficit against its DSG of £1.795m. Financial modelling of the increases in demand highlighted in this report indicate that the high needs deficit will increase significantly if needs cannot be met from more local provision.
- 5.2 Any local authority with an overall DSG deficit must co-operate with the Department for Education (DfE) in handling that situation. In particular, the local authority must produce a deficit management plan which supports evidence-based and strategic future plans for the provision of children and young people with SEND whilst ensuring that the financial implications of all decision are understood and monitored. The proposals in the draft SEND Education Sufficiency Strategy will support the management of the DSG deficit through developing sufficient local places and reducing the need for high cost external placements.
- 5.3 The council has established a DSG Spending Review Group as a sub-committee of Schools Forum to ensure the deficit can be managed. The Spending Review Group has discussed the recommendations in the draft strategy and detailed financial modelling will take place to confirm the costs and potential savings from each of the proposals. Costs will be both revenue and capital and savings will be a combination of cashable savings and cost avoidance in future years.
- 5.4 Capital implications of the proposals are to be included in the current and future capital MTFP proposals. Proposals have been included in the 2021 MTFP bidding round, to cover a number of potential projects that have been identified through the recent feasibility studies undertaken on the existing SEN school estate. As well as potential expansions of existing schools, the proposals include an initial business case for a new SEMH Special School. Funding will be from a combination of SEND capital grant, basic need and developer contributions.

6. Background papers

- 6.1 Appendix 1: Draft SEND Education Sufficiency Strategy [draft-send-education-sufficiency-strategy--7-june-2021.pdf \(citizenspace.com\)](#)

Appendix 2: SEND Education Sufficiency Strategy Consultation Outcome Report

