

Children's Services Committee

Report title:	Special Educational Needs & Disability (SEND) Sufficiency Strategy
Date of meeting:	16 January 2018
Responsible Chief Officer:	Sara Tough Executive Director Children's Services
Strategic impact	
<p>Government have made additional capital funding available for all local authorities over a three year period starting April 2018. Norfolk's forecast allocation over that period is £2.7million. The purpose of this funding is to assist local authorities with our duties to ensure that there is sufficient specialist provision available for children and young people with Special Educational Needs & Disabilities (SEND). To access this funding local authorities must publish, by March 2018, a plan that demonstrates how the funding will be used and how we have engaged with stakeholders and partners to determine our priorities. This report sets out our work to date to develop the needs analysis and our current draft recommendations for this and other future capital developments for SEND.</p>	

Executive summary

There is a requirement for all local authorities to keep under review all specialist provision for Special Educational Needs & Disabilities (SEND); in the same way that there is a duty to ensure there are sufficient mainstream school places for all pupils.

Over the past decade this has led to additional places being funded within Norfolk's state funded special schools (maintained and academies), new purpose built special schools developed and, most recently, the commissioning of specialist Free Schools and the development of specialist resource bases within mainstream schools.

There is a need to publish a plan, by March 2018, to secure government capital funding of £2.7million. However, our current sufficiency analysis suggests that a more ambitious plan is required to meet current and forecast pupil needs and also to contribute to addressing the previously reported and ongoing associated budget pressure within the High Needs Block and SEN Transport budgets.

Therefore, this reports provides Members with information about the current government capital funding being made available for Norfolk and our ongoing engagement with partners and stakeholders to determine our priorities for this funding. In addition this report sets the context for future reporting, to both Children's Services Committee and Policy & Resources Committee, as part of a new over-arching SEND strategy and related 5 year invest to save plan.

Recommendations:

- 1. Members are asked to comment on draft recommendations for use of future government capital funding for SEND in Norfolk, prior to further co-production with partners and stakeholders in the spring term.**
- 2. Members are asked to agree to receive a further report to the March Children's Services Committee, to formally sign-off the plan prior to publication to secure £2.7million government capital SEND funding; in addition to receive subsequent reports in the summer, to take forward the longer term SEND Strategy and related sufficiency / invest to save plan.**

1. SEND Sufficiency Strategy: A plan to secure government capital funding and a longer term invest to save strategy

- 1.1 The government's special provision fund was announced earlier this year to support local authorities make capital investments in provision for pupils with special educational needs and disabilities. Guidance from the DfE states that local authorities can invest in new places and improvements to facilities for pupils with education, health and care (EHC) plans in mainstream and special schools, nurseries, colleges and other provision.
- 1.2 The Department for Education (DfE) is providing £215 million of special provision fund allocations, nationally, for the financial years 2018-19 to 2020-21. Norfolk's allocation will be a total of £2,726,497 delivered in 3 financial year cycles of £908,832 across FY18/19, 19/20 and 20/21.
- 1.3 These allocations will support local authorities to create new places and improve facilities at existing schools. This funding is primarily intended to develop provision for pupils with more complex special educational needs (i.e. an EHC plan or a statement of special educational needs) in mainstream and/or special schools. However, local authorities are free to spend the fund on other education-based provision for children and young people aged from 0 to 25 where this meets local needs, such as early year's settings or further education colleges.
- 1.4 Local authorities have a statutory duty to ensure that there is a school place available for every child. The Children and Families Act 2014 requires local authorities to keep the provision for children and young people with SEN and disabilities under review (including its sufficiency), working with parents, young people, and providers. It is within this context that we must consider how best to use the capital allocation for Norfolk to support plans to meet local need.
- 1.5 The DfE expects local authorities to plan and make decisions in consultation with local stakeholders; it is their expectation that *'...Engagement with parents and young people is crucial and local authorities should consult with parent carer forums, to ensure that the range and quality of provision reflects the needs and aspirations of children and young people in the area. Local authorities are required to complete and publish a concise plan to show how they intend to invest their share of the fund.'*
- 1.6 In Norfolk we have a good track record of *co-production* for our strategic and operational developments for SEND and we do this through ongoing engagement with parent/carer forums (principally Norfolk Family Voice), health (primarily with colleagues within Norfolk's five Clinical Commissioning Groups) and education providers (through Headteacher Associations and the Schools' Forum). Our initial sufficiency planning for SEND capital has been informed through this ongoing work with stakeholders and partners, however, we also plan to host a series of stakeholder engagement events in the New Year to share our current planning more widely.
- 1.7 We have a good track record in Norfolk of continually reviewing our existing specialist provision and have an ongoing programme of commissioning additional specialist places and the development of new specialist provision. The costs involved in the capital development of specialist provision are significant, as too are the ongoing revenue costs, and it is clear that the government grant of £2.7million will not be sufficient to address our current and forecast need.

- 1.8 In addition to our development of plans for using the government capital grant we are also developing a significant SEN sufficiency plan, within an over-arching SEND strategy, and we plan further reporting on this via CS Committee in the spring/summer terms. This plan will be an invest to save strategy where we will balance the requirement to meet individual pupil need whilst ensuring the best possible value for money for all capital and revenue investment.

2. Our current needs analysis for SEND provision

- 2.1 Norfolk currently identifies more children with SEN than the national average. Individual schools are responsible for the initial identification of children with SEN, this is known as 'SEN Support', and the local authority is responsible for identifying children with the most complex special educational needs who are described as having Education Health & Care Plans (EHCP):

Area	Total pupils	Pupils with statements or EHCP	%	Pupils with SEN support	%	Total pupils with SEN	%
National	8,669,080	242,184	2.79	1,005,613	11.6	1,244,012	14.35%
Norfolk	119,959	3,719*	3.09	14,874	12.4	18,593	15.50%

[Local Authority Data Tables, DfE, Jan 2017]

*Note: The table above is based on a national data set that compares statutory school age population only. The total number of children and young people with an EHCP in Norfolk at January 2017 was 4806.

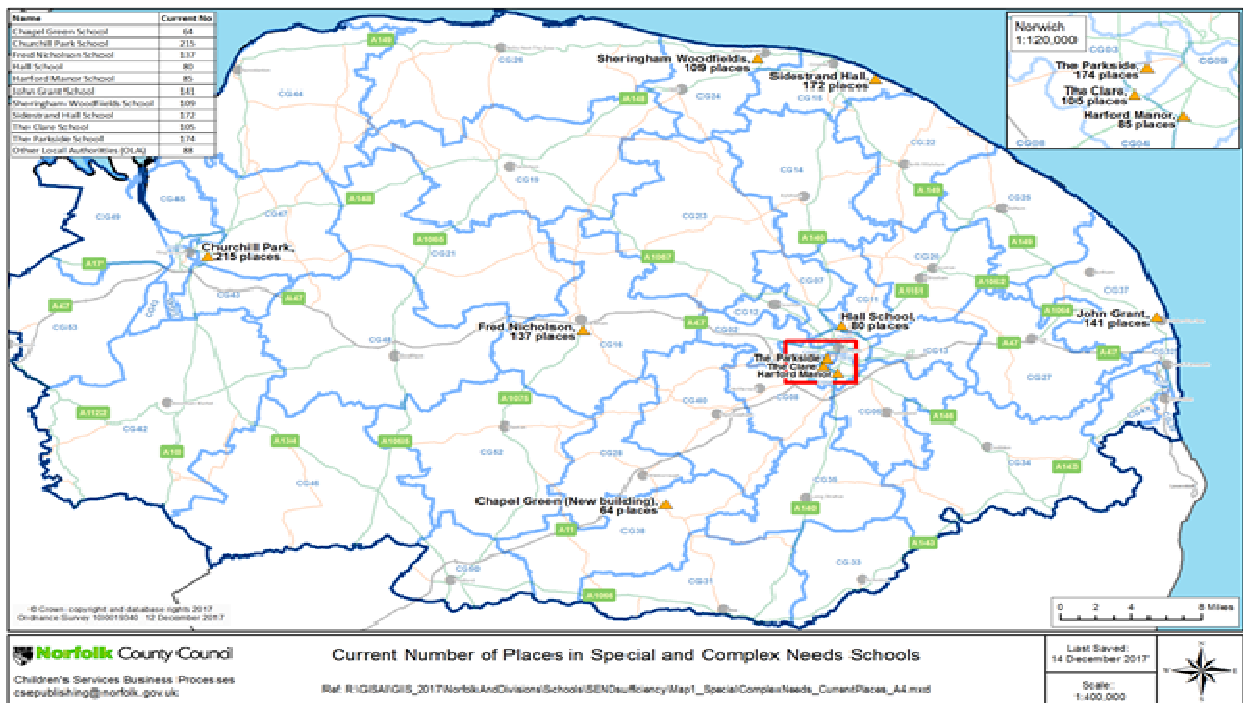
- 2.1.1 In addition, Norfolk is experiencing significant population growth and this is expected to continue; as reported within the Schools Local Growth Investment Plan & Childcare Sufficiency Assessment report, earlier on the agenda for this committee, there are associated plans regarding mainstream school planning assumptions. It is reasonable to assume that the number of children requiring specialist education will also rise proportionately. Therefore, alignment of overall demographic growth and sufficiency for SEN placements is needed to ensure sufficiency of provision is accurately forecast.

- 2.2 For pupils with Education Health & Care Plans in Norfolk more children attend mainstream schools than the national average and, of those pupils in specialist provision, more pupils attend non-maintained/independent special schools than the national average:

	Norfolk %	National %
Maintained special	28	32.1
Special academy	1.2	7.4
Alternative provision academies	1.8	0.2
Non maintained/independent schools	8.9	7.0
TOTAL	39.9	46.7
	Norfolk %	National %
Maintained mainstream	24.8	24
Academies	21.9	17.5
Special units in mainstream schools	2.3	2
TOTAL	49	45.3

Note: the remaining placement types for 11% of the Norfolk cohort and 8% of the national cohort are within a combination of early years, post 16 and home education

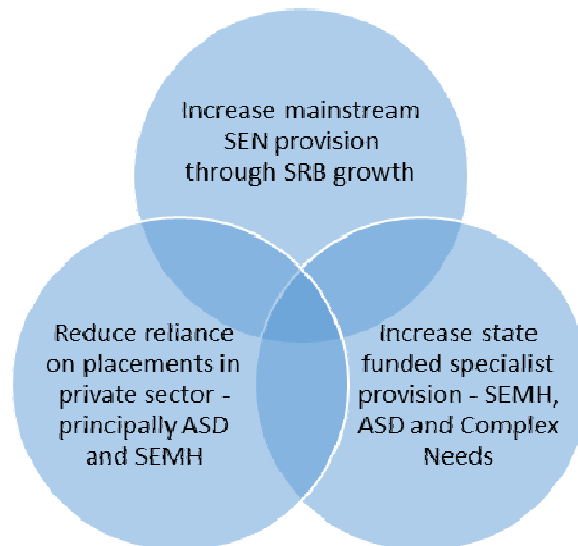
- 2.3 There is a need for all local authorities to keep under review all specialist provision for Special Educational Needs & Disabilities (SEND). Over the past decade this has led to additional places being funded within Norfolk's state funded special schools (maintained and academies), new purpose built special schools being developed and most recently the commissioning of specialist Free Schools as well as the development of specialist resources bases within mainstream schools.
- 2.4 The average capital cost to build a new special school is in excess of £12million, assuming a school of between 100 – 150 pupils. Clearly, the government capital grant of £2.7million is not sufficient for any new school developments and previous new special schools have been built using a combination of government 'targeted capital bid' funding and NCC capital funding. Work is underway within two of the new Education Services (Education Participation, Infrastructure & Partnerships Service and Education High Needs SEND Service) to further develop a full SEND sufficiency strategy that can then be incorporated into the planning for the overall capital programme. There will be further reporting on this development throughout the spring and summer terms to both Capital Priorities Group and CS Committee.
- 2.5 Norfolk currently has ten maintained/academy special schools, nine of which are designated as complex needs school and one designated for social emotional & mental health (SEMH). Three of the schools offer residential provision (Eaton Hall in Norwich, Fred Nicholson in Dereham and Sidestrand Hall on the North Norfolk Coast). There are approximately 1300 funded places across these schools and all pupils benefit from all of these schools being judged either Good or Outstanding by Ofsted. The map below identifies the state funded special schools across the county; a larger version is provided at Appendix 1.



- 2.6 Most recently a new special Free School has opened in Norwich, The Wherry School, for children with autism. There are also Norfolk children placed in state funded special schools in other local authority areas, as well as in the independent/non-maintained sector.
- 2.7 A key reason for the, higher than national average, use of the non-maintained / independent special school sector within Norfolk is the lack of appropriate

capacity within state funded specialist provision to meet all need. On average the cost per place within independent special schools is £48,000 and by comparison the average costs per place within state funded special schools is £25,000. Therefore, with their consistently high Ofsted ratings and lower average placement costs there is clear evidence of greater value for money within Norfolk's maintained and academy special school provision compared to other sectors.

- 2.8 A key element of our sufficiency strategy, therefore, is to invest further in Norfolk state funded special schools, where possible, so that we can provide the best possible provision for pupils with special educational needs who require special schools. In doing so we will also be able to reduce the ongoing pressure and related forecast overspends within both the High Needs Block and SEN Transport budgets; currently forecast at £11million and £0.900m respectively. We need to develop additional capacity and to actively promote placement of children within specialist provision closest to home; reducing travel time, travel costs and placement fees (reporting on these forecast overspends is included within the Finance Monitoring Report earlier on the agenda for this committee meeting).
- 2.9 Whilst there is a need to increase the number of funded places across the current state funded special school estate, together with feasibility planning for future special school developments, there is an ongoing need to increase capacity within mainstream schools. This element of capacity building will take the form of awareness, skills and training to increase inclusion opportunities overall; however, with regard to direct local authority sufficiency duties this will relate to the commissioning of SEN 'units' within mainstream schools . Therefore, our planning assumption at this stage is that our strategy will contain three key elements:



*note: SRB's are Specialist Resource Bases hosted by mainstream schools, ASD is Autistic Spectrum Disorder and SEMH is Social, Emotional & Mental Health difficulties

- 2.10 In recent years there has been a relatively consistent level of pupils with Statements / Education Health & Care Plans in Norfolk but this is now rising and we expect there to be in excess of 5500 children and young people identified with higher levels SEN during 2018. We have also seen a consistent movement of these pupils out of the mainstream sector and into specialist provision, either through identification of their complex needs or linked to exclusions / requirement for specialist Social, Emotional & Mental Health placements. The table below illustrates the movement of the Statement/EHCP cohort from mainstream to special over the past six years:

Year	Statement / EHCP	Mainstream		Special	
			%		%
2012	4783	3520	73.6	1263	26.4
2013	4754	3440	72.4	1314	27.6
2014	4452	3142	70.6	1307	29.4
2015	4369	2826	64.7	1553	35.5
2016	4385	2826	64.4	1559	35.6
2017	4806	3070	63.9	1736	36.1

2.11 Over this period there has been the need to increase the funded places within the current special schools as well as commission new special schools. *In 2013, 1100 children attended these special schools in Norfolk, in September 2017 this had increased to 1330 children highlighting a 21% increase (230 places) over a 4 year period; equivalent pupil number growth of two new special schools. This increase is also being reported nationally and, in part, is linked to the increased complex needs from birth and also the emphasis on parental preference within the Children & Families Act 2014 SEND reforms.*

2.12 These additional 230 places have been created through use of the existing accommodation of the special schools. Our close working relationship with the special school headteachers has resulted in their creative review of their accommodation, reconfiguring space to maximise the current building footprint to make room for teaching and ancillary spaces as well as increasing the school infrastructure (i.e. staff, dining facilities etc.) to provide places for as many children as possible. In a number of cases, the schools have now reached maximum capacity for physically accommodating children and increasing numbers in the existing footprint places significant risk to the quality of teaching and learning. This issue has been identified within Ofsted inspection reports, for example Harford Manor (Norwich) achieved an Outstanding inspection outcome despite concerns about the building:

The school's buildings are a potential barrier to the outstanding achievement of pupils. Space is limited and there is little room for specialist provision to be made. For example, the space available for physical education and sensory circuits is too small. Although leaders make good, creative use of external facilities and this, in some ways, is beneficial for pupils in developing their independence, the quality of the school's work is at risk of being undermined by the learning environment.

2.13 Our initial analysis of the level of pupil need within Norfolk and the requirement to reduce our reliance on the independent/non-maintained sector will require a comprehensive plan to be developed and implemented over the coming medium/long term (a five year plan cycle would be appropriate for this development). The evidence base, needs analysis and range of options for future specialist provision across the county are being developed across the new Education Services, led by the Education High Needs SEND Service and with significant contribution from other services:

- Education Participation, Infrastructure & Partnerships Service
- Education Vulnerable Groups Achievement & Access Service
- Education Early Years & Achievement Service
- Education Quality Assurance & Compliance Service

2.14 As with all operational, strategic and policy development work for SEND in Norfolk these plans are being co-produced with our statutory partners within Norfolk's CCGs, parent / carer groups and with support from the Headteacher Associations and Schools Forum. It is clear that the full sufficiency plan for SEND, when completed and reported to Members later in the spring / summer terms, will have capital implication beyond the £2.7million capital funding from government from this April.

2.15 Therefore, due to the relatively low level of the government SEND capital grant our initial plans are to consider further growth of Norfolk's state funded special schools in the first instance. The following table outlines where school sites could allow for some further class base developments:

School	Location	Key Stage	Number of additional places
Fred Nicholson	Dereham	Key Stage 1: provision for KS1 pupils with a growth plan of 3 classes of 8-10 pupils	24-30
Fred Nicholson	Dereham	ASD specialist centre: expand current specialist provision.	3-6
Fred Nicholson	Dereham	Post 16: development of a post 16 offer	40
Sidestrand Hall	North Norfolk Coast	Key Stage 2,3,4: TBC	20-25
Woodfields Sheringham	North Norfolk Coast	Key Stage 2,3,4: TBC	Up to 20
John Grant	Caister	6th form: expansion of the current post 16 offer	Up to 24
Hall	Norwich	Key Stage 2,3,4: TBC	6

Note: this table illustrates the potential for further development, however, all would be subject to full feasibility study and cost benefit analysis for capital and revenue commitments. The purpose of this table is to provide guidance to the potential use of some of the £2.7million SEND capital grant; it would not be possible to implement all of these solely via the grant

2.16 Alternatively, or in addition to longer term planning, our capacity building could be focused on the Specialist Resources Bases hosted by mainstream schools. Within Appendix 1 there is a full list of the current SRB's across the county. Our current needs analysis suggests that a further expansion of this provision could meet pupil need and ensure that reliance on special school places is reduced.

2.17 Specialist Resource Bases are specialist units attached to individual mainstream schools. Children either attend on a permanent basis (ASD and Hearing Impairment) where they are on roll of the school where the SRB is located. All other SRBs operate on a "turnaround" basis where children remain on the roll of their home school and attend the SRB part time over a duration of 3-4 terms; benefiting from targeted specialist teaching, facilities and resources. Some SRBs also operate an outreach service for schools; the Dyslexia Outreach Service is a standalone county wide service available to support schools in meeting the needs of children with specific learning difficulties.

The table below shows the possible locations, across the county, for more SRBs:

Area	New or expansion	Type of provision	Phase	Number of places
West	New	ASD SRB	Secondary	20
East	New	ASD SRB	Secondary	20
Norwich	New	ASD SRB	Primary	10
North	Expansion	ASD SRB	Secondary	10
West	Expansion	ASD SRB	Primary	6
Norwich	New	SEMH SRB	Primary	20
East	New	SEMH SRB	Primary	20
North	Expansion	SEMH SRB	Primary	10
South	Expansion	SEMH SRB	Primary	10
West	Expansion	SEMH SRB	Primary	10
Breckland	New	SEMH SRB	Primary	20

Note: this table illustrates the potential for further development, however, all would be subject to full feasibility study and cost benefit analysis for capital and revenue commitments. The purpose of this table is to provide guidance to the potential use of some of the £2.7million SEND capital grant; it would not be possible to implement all of these solely via the grant

ASD = Autistic Spectrum Disorder
SEMh = Social, Emotional & Mental Health

2.18 We have developed these proposals through an in-depth analysis of current SEN pupil forecasting and our ongoing joint working with parent/carer groups, health and schools. In particular we have shared our draft plans with all of Norfolk's maintained and academy special school headteachers and partners via the Norfolk SEND Multi-Agency Steering Group (co-chaired by the LA, Health & Family Voice Norfolk).

2.19 Throughout the first half of the spring term we will carry out further engagement with stakeholders to ensure we receive further views on our planning, both in terms of the initial plans for use of the governments £2.7million capital funding but also in relation to our longer term over-arching SEND sufficiency strategy.

3. Financial Implications

3.1 There will be no immediate financial impact to NCC capital or revenue budgets in relation to our current, draft, proposals for expansion of SEN provision within Norfolk; initial development / improvements to SEN provision in Norfolk will be via the government SEND capital grant of £2.7million. Future reporting to the Children's Services and Policy & Resources committee will outline any future requirement for capital and revenue funding.

3.2 Conversely, the potential to expand current state funded special school provision within Norfolk provides the opportunity to reduce commitments to High Needs Block and SEN Transport budgets through an invest to save strategy.

- 3.3 Further reporting to Children's Services Committee in March 2018 and again during the summer term 2018 will outline options for a further expansion of SEN provision, in the longer term, to meet increased / forecast pupil need and also to ensure the High Needs Block can return to a balanced budget and SEN Transport budget savings can be secured also. We anticipate, therefore, that this further reporting will be in the context of an over-arching SEND Strategy and will outline in detail a five year plan to secure improvements across our SEN services and investment in specialist provision and support within both mainstream and special school provision.

4. Issues, risks and innovation

- 4.1 The financial risks, linked to the ongoing pressure within the High Needs Block and SEN Transport budgets, have been outlined within the Finance Monitoring Report earlier on the agenda for this committee.
- 4.2 There are well documented pressures on all specialist SEN provision across the county, within both the state funded and non-maintained/independent sectors. There is a need to increase the availability of high quality SEN specialist provision whilst returning to a balanced budget (High Needs Block) and ensuring that all mainstream schools offer inclusion opportunities for those families who state this preference.
- 4.3 Further reporting to the Children's Services Committee, planned across the spring and summer terms, will outline a detailed SEND Strategy to ensure that Norfolk can improve SEN provision further, meet pupil need and ensure that we are able to demonstrate our achievements and challenges equally within the anticipated Ofsted / CQC inspection of SEND.

5. Background

- 5.1 This is the link to the DfE guidance on the SEND capital grant
www.gov.uk/government/publications/send-provision-capital-funding-for-pupils-with-ehc-plans
- 5.2 This is the link to Norfolk's Local Offer, which provides information for families, young people and professional regarding SEND support, services and provision across the county www.norfolk.gov.uk/children-and-families/send-local-offer

Appendix 1 – Norfolk state funded special school provision map & specialist resource base location / provision type tables

Officer Contact

If you have any questions about matters contained or want to see copies of any assessments, eg equality impact assessment, please get in touch with:

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