

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

OCTOBER 2016

**REPORT OF SENIOR
MANAGEMENT TEAM**

CABINET REPORT

Children and Young People – Lead Cabinet Member – Councillor Mrs McCoy

SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) UPDATE FOR STOCKTON

1. Summary

In order to improve outcomes for children with special needs, it is proposed to reshape services to schools and provision commissioned from schools.

Services would be reshaped to allow earlier support and intervention for children when they first present with special needs. This is in line with the successful early support work in social care and would be aimed at reducing demand for specialist placements and addressing needs earlier. The provision commissioned from schools, presently in Additionally Resourced Provisions (ARPs), would be remodelled into hubs in localities which could provide cross phase provision for special needs across the Borough and allow more children to attend a school near to where they live. This would also reduce the need for transport across the Borough. The proposal would not mean that children would be moved. Any changes would be phased in and transitional arrangements would be put in place to accommodate children in their placement until the end of the key stage. The report also presents an overview of the Ofsted framework for Local Area SEND inspections.

2. Recommendations

1. Members to note the report and approve the consultation with parents over the proposed remodelling of support for children with special educational needs. Responses will be brought back to Cabinet to inform the future re-commissioning of places for children with special needs in Stockton-on-Tees.
2. Members to note the information about the local SEND Area Inspection Framework and the implications for work going forward.
3. Members to note the potential opportunity to develop a new specialist school and delegate the decision to submit an expression of interest to the DFE to the Director of Children's Services in consultation with the Cabinet Member for Children and Young People.

3. Reasons for the Recommendations/Decision(s)

4. Members' Interests

Members (including co-opted Members) should consider whether they have a personal interest in any item, as defined in **paragraphs 9 and 11** of the Council's code of conduct and, if so, declare the existence and nature of that interest in accordance with and/or taking account of **paragraphs 12 - 17** of the code.

Where a Member regards him/herself as having a personal interest, as described in **paragraph 16** of the code, in any business of the Council he/she must then, **in accordance with paragraph 18** of the code, consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest and the business:-

- Affects the members financial position or the financial position of a person or body described in **paragraph 17** of the code, or
- Relates to the determining of any approval, consent, licence, permission or registration in relation to the member or any person or body described in **paragraph 17** of the code.

A Member with a personal interest, as described in **paragraph 18** of the code, may attend the meeting but must not take part in the consideration and voting upon the relevant item of business. However, a member with such an interest may make representations, answer questions or give evidence relating to that business before the business is considered or voted on, provided the public are also allowed to attend the meeting for the same purpose whether under a statutory right or otherwise (**paragraph 19** of the code)

Members may participate in any discussion and vote on a matter in which they have an interest, as described in **paragraph 18** of the code, where that interest relates to functions of the Council detailed in **paragraph 20** of the code.

Disclosable Pecuniary Interests

It is a criminal offence for a member to participate in any discussion or vote on a matter in which he/she has a disclosable pecuniary interest (and where an appropriate dispensation has not been granted) **paragraph 21** of the code.

Members are required to comply with any procedural rule adopted by the Council which requires a member to leave the meeting room whilst the meeting is discussing a matter in which that member has a disclosable pecuniary interest (**paragraph 22** of the code)

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**REPORT OF CORPORATE
MANAGEMENT TEAM**

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SUMMARY

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Services would be reshaped to allow earlier support and intervention for children when they first present with special needs. This is in line with the successful early support work in social care and would be aimed at reducing demand for specialist placements and addressing needs earlier. The provision commissioned from schools, presently in Additionally Resourced Provisions (ARPs), would be remodelled into hubs in localities which could provide cross phase provision for special needs across the Borough and allow more children to attend a school near to where they live. This would also reduce the need for transport across the Borough. The proposal would not mean that children would be moved. Any changes would be phased in and transitional arrangements would be put in place to accommodate children in their placement until the end of the key stage. The report also presents an overview of the Ofsted framework for Local Area SEND inspections.

RECOMMENDATIONS

1. Members to note the report and approve the consultation with parents over the proposed remodelling of support for children with special educational needs. Responses will be brought back to Cabinet to inform the future re-commissioning of places for children with special needs in Stockton-on-Tees.
2. Members to note the information about the local SEND Area Inspection Framework and the implications for work going forward.
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DETAIL

Background

1. The Children and Families Act 2014 introduced a new vision for provision for children and young people with special educational needs and/or disabilities. The spirit of this is in the centrality of the child's and family's voice and the joint commissioning arrangements for education, health and care provision.

2. Progress has been made in implementing the changes through an Educational Health and Care plan process. In autumn 2015 a new process was agreed for implementation in February 2016. This reduced the numbers of panels and streamlined the process.
3. To date, 100% of Education Health and Care Plans (EHCPs), including legal exceptions, are completed within statutory timescales.
4. The Special Educational Needs (SEN) Team allocates funding to schools to support children with SEN Support (top-up funding) as well as those with EHCPs. This funding has been overspent year on year. A School's Forum review has taken place this year to attempt to rationalise the budget.
5. Provision guidance has been developed which sets out for schools and Special Educational Needs Coordinators (SENCOs) the definition of need against the four areas identified in the code of practice. This guidance exemplifies what schools should be providing out of their own delegated SEN funding and resources and informs schools about when High Needs funding might be sought. It also provides a new audit banding for the funding which will be in place from September 2016. This intends to curb funding and ensure it is prioritised to where it is needed. The panels to allocate funding will be revised from September to facilitate more scrutiny of individual needs.
6. The SEND offer in Stockton-on-Tees is presently made up of:
 - specialist academies: Ash Trees Primary Academy; Abbey Hill, Greengates, Westlands (all part of Horizons Trust)
 - 19 commissioned Additionally Resourced Provisions (ARPs) across Stockton schools and the Pupil Referral Unit, Bishopston
 - an Early Support Nursery, based in High Flyers Children's Centre
 - an independent specialist school, King Edwin.
7. There is now an imperative to review the offer of SEND provision in Stockton-on-Tees for the following reasons:
 - The High Needs Funding currently relies on £1.7 million from the schools block. This is not sustainable and will be undeliverable with the new funding formula.
 - The ARPs are designated for needs which are not now in proportion with the cohort needs.
 - The ARPs are not configured to provide support within a child's locality so transport costs across Stockton-on-Tees are extremely high.
 - The ARPs are not planned to allow pupils to progress through the key stages so that pupils are being moved to different ARPs at the end of key stages. The present emphasis on transition has highlighted this.
 - The application levels for High Needs Funding for pupils in mainstream is extremely high.
 - Outcomes data for SEN pupils in Stockton-on-Tees mainstream schools need further improvement. Pupils with special needs at the end of KS4 demonstrate less progress than those pupils nationally (2015).
 - Earlier intervention and support to schools when a pupil first presents with special educational needs would enable more pupils to remain in their home schools.
 - The number of pupils with statements or Educational Health and Care Plans (EHCPs) is in line with national and regional averages but more of these pupils compared to national and regional averages are in special schools rather than mainstream schools. The difference is around 10% more in Stockton-on-Tees.
 - Many children are being sent out of the Borough to access specialist, independent placements which are very costly.
 - The area wide SEN inspection framework will challenge the contribution of the Local Authority and schools to SEN support.

8. It is proposed to move to a model with the following principles:

- Provision to match the four areas of need as defined in the SEN code of practice in proportion to the cohorts in Stockton - Communication and Interaction, Social, Emotional & Mental Health (SEMH), Physical and Medical, Cognition and Learning, Visual and Hearing Impairment.
- Provision to provide cross phase pathways so children do not need to make transition after the end of every key stage and could progress to secondary provision ARPs.
- Provision to be located in locality hubs in three areas of Stockton- central, south and north.
- Provision to provide support for earlier support and intervention by specialist services. Resources such as Occupational Therapy, Speech and Language, Educational Psychology advice, to be available in a hub to offer advice, support, guidance and challenge to schools on an outreach and in reach basis. Staff within council services to be possibly located within the hubs. Hubs to also be responsible for the allocation of High Needs Funding for the area.
- Where locality SEN hubs cannot meet need, specialist provision will better match the cohort needs. This will require exploring an additional, specialist School.

9. In summer 2016 schools were consulted on these proposals. The present distribution of ARPs is as below. This funds 317 places within schools. Each place is funded at £10,000.

Need	KS1	KS2	KS3	KS4	School	Total Number of Places per School	Total Number of Places per Need
Attachment and Mental Health		6			St Pauls RC Primary	6	6
ASD		8			Junction Farm	8	75
			✓	✓	Our Lady and Saint Bede RC Secondary	35	
	✓	✓			Rosebrook Primary	12	
			✓	✓	Thornaby Academy	10	
		10			Yarm Primary	10	
Cognition and Learning	10	20			Billingham South Primary School	30	90
		10			Harewood Primary School	10	
		10			Pentland Primary School	10	
		10			The Oak Tree Primary School	10	
		10			Tilery Primary School	10	
	10			Mandale Mill	10		
	10			St John the Baptist Primary School	10		
SEMH			10		Bishopton Centre	10	16
	✓	✓			St Mark's CE Primary School	6	
Physical and Medical			✓	✓	Bishopsgarth School Maths and Computing	43	98
	✓	✓			Whitehouse Primary School	55	
Speech and Language	✓	✓			Mill Lane Primary School	22	22
Visual Impairment			✓	✓	Northfield School and Sports college	10	10

10. The proposed model based on the principles outlined in paragraph 8 are as below. The total number of places is reduced. The number of places for some needs, such as communication and interaction remain the same but the places are distributed evenly across the three areas of the Borough and across the key stages. Some areas of need, such as physical and medical, see the places fall. This is because the number of children in this cohort have fallen (only 8% of pupils with special needs are within this area of need and yet the places previously funded account for 34% of the places) and, as many schools are now disability access compliant, children can be supported to attend their local school. It is proposed to also offer more places for visual and hearing impairment as presently the council commissions out these places to Middlesbrough with a contract worth £850,000.

Need	Nursery	KS1	KS2	KS3	KS4	Places in Stockton	Total Number of Places	Previously
Communication and Interaction	5	5	5	5	5	South	75	75
	5	5	5	5	5	Central		
	5	5	5	5	5	North		
SEMH		3	3	3	3	South	36	22
		3	3	3	3	Central		
		3	3	3	3	North		
Physical and Medical	5	15	15			Whitehouse	35	55
				15	15	Bishopsgarth	30	43
Cognition and Learning		5	5	5	5	South	60	90 (+22 S&L)
		5	5	5	5	Central		
		5	5	5	5	North		
Visual and Hearing Impairment						Northfield	20	10 (and contract with MBC)
						Primary	20	

11. Consultation has included:

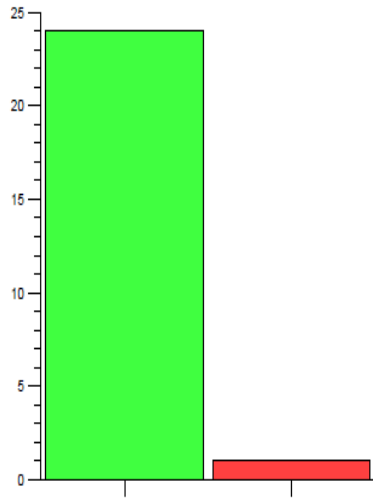
- ARPs Headteachers' presentation and attendance at subsequent meetings.
- Discussion through the High Needs Reform sub group of the Schools Forum, and subsequent discussions at Schools Forum.
- Presentation at Secondary Heads and Principals' Group.
- Presentation at Education Matters and Director's Briefing.
- Discussion at governor sessions on White Paper.
- Survey conducted corporately through Dr Johanne Parker to all schools and settings. 25 responses were received against 10 questions and some responses gave detailed feedback. 12 schools had existing ARPs. 16 were primary schools.

Some of the consultation responses are shown below:

Current specialist offer

Question responses: 25 (100.00%)

Do you feel the present specialist offer of SEN provision in Stockton would benefit from review?



	% Total	% Answer	Count
Yes	96.00%	96.00%	24
No	4.00%	4.00%	1
Total	100.00%	100.00%	25

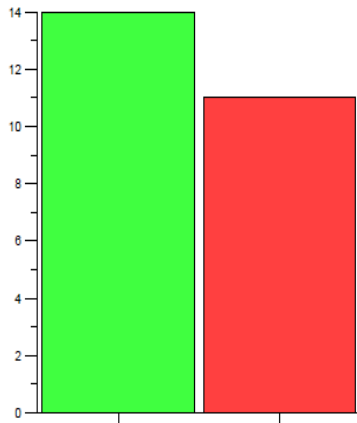
Table .2

Table .1

Redistribution of ARPs

Question responses: 25 (100.00%)

Do you feel that the redistribution of ARPs into localities would facilitate better outcomes for children with SEN?



	% Total	% Answer	Count
Yes	56.00%	56.00%	14
No	44.00%	44.00%	11
Total	100.00%	100.00%	25

Table .4

Table .3

12. This response provoked the widest difference of opinion with some respondents being warmly in favour: “ I think it makes sense for children and their families”; “relocating ARPs into localities could potentially enable better partner work for pupils who are on a shorter term placement so that better links can be maintained with home school”. Through to disapproval: “I don’t see what difference it would make since children change carers or move house frequently”, “the ARPs need to be based on children’s needs not locality”.

Hub Model

Question responses: 25 (100.00%)

Do you support the 'hub' model to allocate more support to children in their home school and through outreach from the ARP?

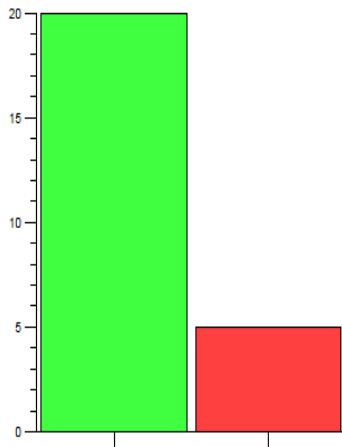


Table .5

	% Total	% Answer	Count
Yes	80.00%	80.00%	20
No	20.00%	20.00%	5
Total	100.00%	100.00%	25

Table .6

Specialist Advice

Question responses: 25 (100.00%)

Do you feel the additional resource for specialist advice and support is appropriate (i.e. more OT, Physio, Speech and Language, SLE etc?)

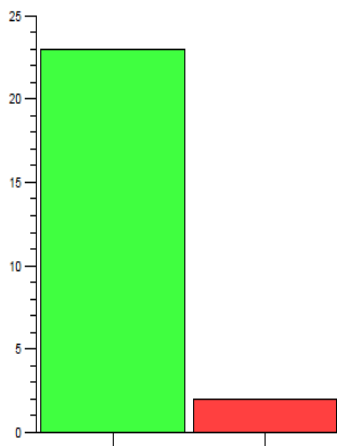


Table .7

	% Total	% Answer	Count
Yes	92.00%	92.00%	23
No	8.00%	8.00%	2
Total	100.00%	100.00%	25

Table .8

Special School Provision

Question responses: 25 (100.00%)

Do you agree there is a need for additional special school provision for SEN in the Borough?

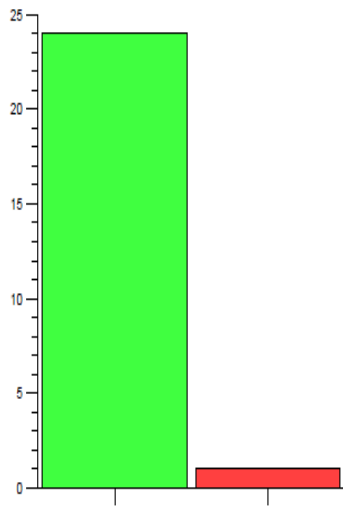


Table .9

	% Total	% Answer	Count
Yes	96.00%	96.00%	24
No	4.00%	4.00%	1
Total	100.00%	100.00%	25

Table .10

Advice and Support

Question responses: 25 (100.00%)

Do you think there is sufficient advice and/or support for children at 'SEN Support'?

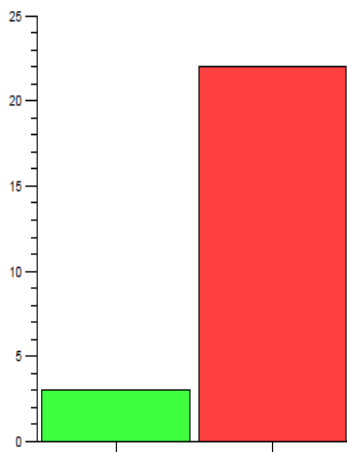


Table .11

	% Total	% Answer	Count
Yes	12.00%	12.00%	3
No	88.00%	88.00%	22
Total	100.00%	100.00%	25

Table .12

13. A service meeting was held in August which analysed the responses of all consultation. This concluded that further evidence gathering was needed to inform:

- Specific numbers for each base, specifically regarding the numbers for Physical and Medical bases – this will include an analysis of the present cohort and their needs, their usage of hydro –therapy facilities and the numbers with EHCPs.
- Whether a discrete Speech and Language base is required or whether there should be additional places within Communication and Interaction primary bases for this need –

potentially 5 additional places per Communication and Interaction primary base.

- The modelling of the hub – research to be carried out on existing models elsewhere in the country and best practice emerging from Local SEND Area inspections.
14. Any remodelling of provision would not impact on any child already in a placement. Every child would be able to remain in their present school until the natural end of the key stage. Any new provision that came on stream, or any changes to the designation of a provision, would begin with new children admitted from September 2017. Transitional arrangements would secure a phasing in of provision.
 15. Discussions have taken place with HR colleagues to plan the staffing implications for the model, both for school staff and central council staff. Meetings with finance have also been held to ensure there is planning in place for the implications for the allocation of High Needs Funding and ARP placements from 2017. The procurement and governance lead has given advice on the process for commissioning the new hubs and is offering on-going support and expertise.
 16. The exploration of a new specialist school includes working with colleagues across the Tees Valley to identify need and explore a new route for Local Authorities to develop new specialist schools which the Education Funding Agency (EFA) are due to brief on imminently.
 17. Consultation would now take place with parents and children. This would particularly help with clarity about any perceived advantages/disadvantages with a locality model. An early meeting with Stockton United for Change is convened to explore the best ways of consulting with parents. Pupil voice will be explored initially in a pilot with one school in the Borough which takes children from across Stockton, as well as within its own community.

Local Area SEND inspection

18. In May 2016 the Government introduced the inspection of local areas' effectiveness in identifying and meeting the needs of children and young people who have SEND. The inspection will cover education, health and social care.
19. The inspection will evaluate how effectively the **local area** meets its responsibilities for children and young people with SEND, not just the Local Authority. It will cover education, health and social care. The local area is the geographical area of the Local Authority, but the responsibility of the local area for children and young people with SEND extends to those who are residents of the local area but attend education provision or receive services outside the local area boundaries.
20. The inspection is primarily about how well the local area fulfils its responsibilities towards children and young people with SEND from 0-25 years. The inspection framework is designed to test the local area's response to individual needs by assessing how well it helps all children and young people who have SEND and how the impact of the work by the local area support better outcomes for them.
21. The starting point for the inspection is the expectation that the local area should have a good understanding of how effective it is. The inspection will look at three questions:
 - Question A – How effectively does the local area identify children and young people who have special educational needs and/or disabilities?
 - Question B – How effectively does the local area assess and meet the needs of children and young people who have special educational needs or disabilities?

- Question C – How effectively does the local area improve outcomes for children and young people who have special educational needs and disabilities?

22. An area of work which still requires considerable progress to be made is in the area of joint commissioning. A report has been presented to the Health and Wellbeing Commissioning Group who have recommended six areas for the scoping of joint commissioning. These areas are:

- Occupational therapy
- Speech and language Therapy
- Children's equipment
- Personal budgets
- ASD pathways
- Physiotherapy

The SEND Development Group is to take this work forward.

23. SEND has also been identified by the Health and Wellbeing Board as one of three areas to consider as part of a move towards more integrated working, in recognition of the potential opportunities to consider integrated commissioning models, and the need for a more preventative approach across the system.

COMMUNITY IMPACT IMPLICATIONS

24. The review will potentially reallocate provision across the Borough so provision is accessible to all families locally.

FINANCIAL IMPLICATIONS

25. The review of places will make savings to present High Needs Funding spend which can be reallocated to earlier intervention and support. The review will make savings to transport costs.

LEGAL IMPLICATIONS

26. The Children and Families Act 2014 is the legal basis for the changes to the SEN system which places legal duties on the Local Authority and partner agencies (across education, health and social care) in respect of children and young people with SEND and their families.

RISK ASSESSMENT

27. There is risk to the local area from the following:

- All agencies not meeting statutory duties under the Children and Families Act 2014.
- Lack of progress in joint commissioning for children and young people with SEND.
- Lack of understanding of the effectiveness of the local area and of evidence of self-evaluation.
- Lack of coherent planning for SEND

COUNCIL PLAN POLICY PRINCIPLES AND PRIORITIES

28. The SEND local area inspection links to the following council plan themes:

- Children and Young People
- Health and Wellbeing
- Adults

CORPORATE PARENTING IMPLICATIONS

29. The needs of looked after Children with SEN are a priority to the review and the service going forward.

CONSULTATION INCLUDING WARD/COUNCILLORS

30. The Children and Families Act requires consultation and engagement with parents/carers.

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Education related:

Yes.

Background Papers:

No.

Ward(s) and Ward Councillors:

All.

Property:

None.