

## **AGENDA ITEM**

### **REPORT TO SCHOOLS FORUM**

**3<sup>rd</sup> November 2025.**

## **INDEPENDENT SPECIAL SCHOOL PLACEMENTS**

### **SUMMARY**

1. This briefing paper has been prepared in response to a request from Schools Forum to provide an overview of the current position regarding children and young people placed in independent school placements. The report outlines:
  - a. The average cost per pupil is associated with these placements.
  - b. A breakdown of the reasons why placements have been made outside the local area.
  - c. Emerging themes around sufficiency, Tribunal influence, and mainstream provision limitations.

### **RECOMMENDATION**

2. Note the current position regarding independent school placements, including the average cost per pupil and the breakdown of reasons for placement.
3. Consider the implications of sufficiency gaps, Tribunal outcomes, and mainstream limitations on SEND strategy and resource planning.
4. Forum members are invited to provide feedback, raise queries, or suggest areas for further analysis or action.

### **CONTEXT**

5. There are currently 198 children and young people who are educated in independent special schools that Stockton on Tees are financial responsible for. This is inclusive of independent schools in the borough.
6. It is important to note that a significant proportion of the work related to out-of-area placements is centred around independent special schools. While many of these are located outside the borough, Stockton on Tees does have three independent special schools within its boundaries: Hartwell School, NEAS Kiora Hall, and King Edwin School.
7. Whilst we aim to commission placements based on need and then effective use of local authority resource in line with the SEND Code of Practice 2015 and Children and Families Act 2014, it is important to acknowledge that some decisions are driven by availability rather than preference of the LA or parent. In cases where local academy special schools are at capacity or unable to meet a child's needs, we may need to agree placements in independent schools within the borough—

namely Hartwell School, NEAS Kiora Hall, and King Edwin School. These settings offer vital provision, but the associated costs are significantly higher than maintained or academy special schools. As such, while they are geographically in-borough, they do not always represent the preferred commissioning model from a financial perspective.

8. Under Section 38 and 39 of the Children and Families Act 2014, the Local Authority must name a parent's preferred school in Section I of the EHC Plan unless it can demonstrate that one of the following legal tests applies:
  - The school is unsuitable for the child's age, ability, aptitude, or special educational needs;
  - Attendance would be incompatible with the efficient education of others; or
  - Attendance would not represent the efficient use of public resources.

This means that unless the LA can evidence one or more of these tests, it is legally required to agree to parental preference, even where the preferred school is higher cost or out of area. When there are no other suitable options available to the Local Authority, we are legally bound to name the placement the parent asks for and we are unable to take into consideration costs and cannot refuse placement based on costs.

## **FINANCIAL CONSIDERATION**

9. The average annual cost per pupil placed in independent school is £64,534.80. The average cost per pupil placed in an out-of-area independent school was calculated using the annual placement and the total cost of all placements was summed and then divided by the number of pupils with recorded costs, providing a representative average across the cohort. This figure reflects a range of placement types and durations.
10. The highest annual cost for an independent school place is currently £117,251 per year. This cost is met solely by SEND for a child attending a 38 week residential placement owing to suitable provision not being available in the local area. This child is currently in Year 10 and will return to the area at the end of Year 11.
11. The lowest annual cost is £35,515 and this is for a placement at Hopefield's Independent School
12. Placement costs in the independent sector continue to rise year-on-year, with brokerage negotiations becoming increasingly complex. While the Local Authority aims to agree a maximum annual uplift of 3%, recent requests from providers have ranged between 7–8%, placing additional pressure on the High Needs Block. These increases are often linked to inflationary costs, staffing pressures, or specialist service enhancements.

## **KEY THEMES**

13. The most common reason for placement is that there is no suitable provision locally to meet the child's needs, this includes mainstream and specialist provision and there is evidence on all children's files of extensive ongoing, repeated

searches for suitable school placements, prior to agreeing an out of area school place, indicating a gap in local specialist provision.

14. Around 10% of placements in independent school's result from decisions arising from SEND Tribunal appeals and decisions, reflecting legal pressures. This includes where orders have been made to the local authority directly from the tribunal judge to admit the child into the school placement and, where legal advice has been given to the SEND Service to concede the appeal for factors including but not limited to:
  - a. No support or evidence from current school to defend the LA position, meaning that the case is flawed legally.
  - b. The Tribunal process limiting the opportunity for the LA to respond comprehensively to new information from parents or the parental representative, particularly where independent assessments are submitted late in proceedings.
  - c. Section F of the EHCP could not be met in mainstream settings.
15. A small number of placements are driven by social care needs. Some placements are driven by social care needs, where children are placed out of area due to emergency safeguarding concerns, placement breakdowns, or the need for therapeutic environments not available locally. These decisions are often made urgently and do not always follow the planning processes that would usually be undertaken.

## OVERVIEW

16. A breakdown for the reasons of placements are as follows:
  - a. No offer in a local school / no places in local special schools – 38.89%
  - b. Only suitable local school (with reference to children placed at the three independent schools within Stockton) – 39.40%
  - c. Tribunal - 10.59%
  - d. Section F cannot be met in mainstream schools – 6.06%
  - e. Social Care placement – 2.02%
  - f. Parental Preference – 1.52%
  - g. Mover in already in independent school placement – 1.52%

**Contact Officer:** Elisha Dyball, Strategic Lead SEND Practice

**Tel No:** 01642 527164