

Development of Specialist Special Educational Needs and Disability Resource Provision within Schools.

Responsible Officer

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1. Summary

- 1.1 This report sets out current and future proposals for the development of Special Educational Needs and Disability (SEND) resource provision within Shropshire mainstream schools. This will be funded from the special provision grant allocation which is intended to support local authorities to invest in new places for children with an education, health and care plan (EHCP).
- 1.2 A commissioned review of Shropshire's Specialist Provision was undertaken in 2017. Amongst the findings was the recommendation that action should be taken to reduce the number of pupils with SEND whose needs are met in independent schools and to increase the proportion of pupils whose additional needs are met in a mainstream school as part of a broad continuum of provision. Where appropriate and reasonable to do so, the Council would make within mainstream schools adaptations and alterations, provide equipment and other such support as pupils need, to enable them to flourish alongside their peers.
- 1.3 The Department for Education (DfE), recognising the pressures on Local Authorities to increase the number of school places available for those with SEND, has made available a capital fund of £215 million nationally to support local authorities to invest in provision for such children and young people aged 0-25. As part of this fund Shropshire Council has been allocated £616,279. The funding must be spent in accordance with the conditions of grant and generate additional places in the next 3 years.
- 1.4 Options to meet need from the DfE grant are limited. Conditions of the grant do not effectively support the development of any new build provision purely because the allocation is so small and the requirements to deliver new places in

relatively short timescales would be hindered by complex design and planning phases.

2. Recommendations

It is recommended that Cabinet:

- Acknowledges and approves the recommendations outlined in the Specialist Provision Strategic Review and Development Plan 2018-22 as attached at Appendix 2.
- Notes the ongoing consultation at Whittington CE Primary School ends on the 29th July 2018 and delegates authority to the Director of Children's Services in consultation with the Portfolio Holder for Children and Young People to determine, subject to the results of the consultation, the proposed prescribed alterations.
- Approves the consultation on the remaining projects set out in paragraph 4.1 from September 2018 and delegates authority to the Director of Children's Services in consultation with the Portfolio Holder for Children and Young People to determine, subject to the statutory consultations, the proposed prescribed alterations.
- Notes that a further report will be brought back to Cabinet as appropriate, to update on the progress of this work.

3. REPORT

3.1. Introduction

The Children and Families Act 2014 set out a statutory duty for local authorities to keep provision for children and young people with special educational needs and disabilities (SEND) under review, in order to ensure that the provision reflected and addressed local needs.

On 4 March 2017 the Department for Education (DfE) announced the 'Special Provision Fund' to support all local authorities in England to develop their provision for pupils with special educational needs and disabilities (SEND). This fund provides capital investment in recognition of the growing demand for specialist provision across the country. Local authorities can invest in developing additional high needs places and/or improve existing facilities for pupils with education, health and care (EHC) plans in mainstream and special schools, nurseries, colleges and other provision.

Shropshire has been awarded a capital allocation of £616,279 'Special Provision Fund' between 2018-21 (£205,426 p.a.); this is provided in addition to the basic need capital funding that local authorities receive to provide new pupil places.

3.2. Background

The number of learners who are also able to access the mainstream curriculum, but who struggle to cope in mainstream classrooms due to sensory overload, social difficulties and high levels of anxiety, is increasing. In order to achieve positive outcomes and prepare effectively for adulthood, these learners require smaller group sizes, the right sensory environment and staff who are able to provide identified specialist support. When appropriately supported these learners can significantly benefit from being integrated on a mainstream school site, which provides access to specialist teaching facilities, a broad curriculum and subject-specialist teaching staff as well as maximising opportunities for children and young people to interact with mainstream peers for some aspects of their learning and/or social interaction.

In October 2017 Shropshire Council commissioned a comprehensive review of its high needs provision and this Specialist Provision Strategic Review and Development Plan (Appendix 1) set out the findings and recommendations for how capital investment should be prioritised. Amongst a number of recommendations to address current and future needs were the proposals to develop;

1. Specialist Resourced Provision for primary aged learners with communication & interaction difficulties (including Autism Spectrum Conditions)

and

2. Additional 'Hub' Provision for secondary-aged learners with communication & interaction difficulties (including Autism Spectrum Conditions)

Resourced Provision for primary aged learners with communication & interaction difficulties (including Autism Spectrum Conditions)

There are established and effective models of provision located in mainstream primary schools with dedicated staffing and resources for between 8-12 learners in other areas of the country. Shropshire has a number of schools with falling rolls and spare physical capacity to accommodate such provision without huge capital expenditure. Estimates confirm that such provision could be developed with capital expenditure of around £50,000 (subject to context) on each site. Such low-cost development could be established at a number of locations across the county, in order to ensure more localised provision across the county.

There are two options:

- a) Mainstream school-led provision where the learners are on the roll of the host mainstream school and the provision is managed and staffed by the host school**

The benefit of this is that it encourages an inclusive ethos and directly engages mainstream schools as key partners in delivery of specialist provision. The challenge can be that such provision may (particularly in the crucial early stages) be very fragile if it becomes isolated and without access to specialist support.

- b) A partnership model where the base is operated as a satellite of a special school but is located on a mainstream ‘host’ school site, where the pupils are on the roll of the special school and the base is managed and staffed by the special school.**

The benefit of this is that it ensures access to specialist support. The challenge is that it may not promote an inclusive ethos that directly engages mainstream schools as key partners in delivery of specialist provision

Overall the benefits of mainstream school-led provision (option a) and the resulting inclusion of pupils is the strongest of the 2 options and therefore the preferred model.

Provision for additional hubs for secondary-aged learners with communication & interaction difficulties (including Autism Spectrum Conditions)

In recent years Shropshire Council has invested in the development of the Kettlemere Centre, a specialist provision for secondary age children with special educational needs (SEN) in the area of Communication and Interaction (C&I) located in North West Shropshire.

3.3 Consultation

During the development of these proposals a significant amount of consultation has already taken place and included the following activities:

DATE	STAKEHOLDER	EVENT OR METHOD OF COMMUNICATION
10/11/2017	Parents and Carers	Shropshire Parent Carer Council AGM - Shrewsbury
10/11/2017 to 8/1/2018	Various Schools – Special, Mainstream and independent	Face to face meetings with a number of schools across Shropshire
29/11/2017 to 22/12/2017	All stakeholders	Strategic Review Discussion Document (Appendix 3) and Online questionnaire hosted on Shropshire Council’s Website (results attached as Appendix 4)

11/1/2018	Headteachers and Local Authority Officers	Central Policy Group meeting
1/2/2018	Secondary Headteacher's	Presentation at Secondary Headteacher's Briefing session

Following the development of the recommendations an opportunity was provided for Shropshire schools to confirm how they could meet identified need. The following schools submitted an expression of interest in this development of specialist provision:

AREA	PRIMARY PHASE	SECONDARY PHASE
North West Shropshire	<p>Whittington CofE (Aided) Primary School</p> <p>To be developed through light refurbishment of existing accommodation to offer 10 places.</p> <p>Model would be mainstream school-led as school has demonstrated strength in its existing SEN provision.</p> <p>This location would feed into Kettlemere Hub thereby creating an all-through pathway.</p>	<p>Kettlemere Hub operational for secondary age learners.</p> <p>Operated by Lakelands Academy - Mainstream-led</p>
Central Shropshire (Shrewsbury)	<p>St Andrew's CofE Primary School, Nesscliffe,</p> <p>To be developed through light refurbishment of existing accommodation to offer 10 places.</p> <p>The school is part of the Westcliffe Federation.</p> <p>The model would be mainstream school-led as school has demonstrated strength in its existing SEN provision. Could link with potential Central Shropshire</p>	<p>Potential secondary site identified but at an early stage and remains subject to confirmation.</p>

AREA	PRIMARY PHASE	SECONDARY PHASE
	<p>secondary provision – tbc.</p> <p>Potential site also identified at Kinnerley Primary (also part of Westcliffe Federation) for potential future development.</p>	
<p>South West Shropshire</p>	<p>Acorns Hub at The Community College Bishop’s Castle is already operational offering 12 places for primary learners operated by Woodlands School</p>	<p>Recommending a reduced version of existing plans for provision at the Community College Bishops Castle through refurbishment of existing accommodation to develop a provision for 16-20 learners.</p> <p>Recommendation that the secondary base is operated as a satellite base of Woodlands School, given that they are already managing the primary provision on the same site.</p>
<p>South East Shropshire (Bridgnorth)</p>	<p>Two potential primary school sites have been identified for investigation and options analysis.</p> <p>The provision could be either a specialist satellite, or a mainstream-led model.</p>	<p>Oldbury Wells School (part of Bridgnorth Area Schools’ Trust) has identified options on their sites that would require refurbishment of existing accommodation to develop a provision for 16-20 learners.</p> <p>The school is considering the option of either a specialist satellite, or a mainstream-led model.</p>
<p>North East Shropshire (Whitchurch / Market Drayton)</p>	<p>No clear options have been identified so far.</p> <p>There have been no expressions of interest from mainstream schools but further options under investigation.</p>	<p>No clear options have been identified so far.</p> <p>There have been no expressions of interest from mainstream schools but further options under investigation.</p>

4. Statutory Process for Prescribed Alternations

4.1 The Department for Education (DfE) has provided an outline statutory process for consultation which will need to be undertaken in order to implement the recommended proposals. The schools identified so far are:

- Whittington CofE (Aided) Primary School, Oswestry – 10 place provision for primary aged learners with communication and interaction difficulties
- St Andrew's CofE Primary School, Nesscliffe – 10 place provision for primary aged learners with communication and interaction difficulties
- Community College, Bishop's Castle – 20 place provision for secondary aged learners with communication and interaction difficulties
- Oldbury Wells School, Bridgnorth – 20 place provision for secondary aged learners with communication and interaction difficulties

The statutory process for making prescribed alterations to schools has four stages:

- Publication of statutory proposal / notice
- Representation (formal consultation). This must last for at least 4 weeks as prescribed in the 'Prescribed Alteration' regulations.
- Decision: the LA should make a decision on a proposal within 2 months otherwise it will fall to the Schools Adjudicator. Any appeal to the adjudicator must be made within 4 weeks of the decision.
- Implementation. There is no prescribed timescale. However, it must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker.

The formal consultation for Whittington CE Primary began on the 2nd July 2018 and will run until the 29th July 2018. The notice of proposed changes, in line with DfE guidance, was posted in the Local Media (Shropshire Star), on the Shropshire Council Website and on the School's Websites via the following links:

Council: www.shropshire.gov.uk/get-involved/send-resource-provision-at-whittington-primary-school

School: <https://whittington-cofe-primary.secure-primariesite.net/resource-provision-consultation/>

The consultation will include an opportunity for stakeholders to attend a meeting at the school where the proposal will be outlined and opportunity for questions will be provided. Paper copies of the consultation will also be available on request at the school.

Following the completion of this consultation, a post consultation report will be written to record the views of those who participated in the consultation. The DCS in consultation with the Portfolio Holder will be asked to determine whether to implement the proposed prescribed alterations.

Further statutory consultation will take place, commencing September 2019, in order to formally consult on the proposals for the following schools as set out below.

The consultation process will follow the same process as set out above.

The consultation will include an opportunity for stakeholders to attend a meeting at each of the schools where the proposals will be outlined and opportunity for questions will be provided. Paper copies of the consultation will also be available on request at the school.

- St Andrew's CofE Primary School, Nesscliffe – 10 place provision for primary aged learners with communication and interaction difficulties
- Community College, Bishop's Castle – 20 place provision for secondary aged learners with communication and interaction difficulties
- Oldbury Wells School, Bridgnorth – 20 place provision for secondary aged learners with communication and interaction difficulties

Following the completion of this consultation, a post consultation report will be written to record the views of those who participated in the consultation. The DCS will be asked to determine whether to implement the proposed prescribed alterations.

5. Risk Assessment and Opportunities Appraisal

- 5.1 The conditions of the DfE grant allow the following 2 options to be considered. Local authorities can invest their share of the special provision capital fund by either creating new (additional) places at good or outstanding provision, or improving facilities or developing new facilities

This can be through:

- Expansion(s) to existing provision including at the same site or at a different site.
- Reconfiguring provision to make available the space for the additional places or facilities.
- Re-purposing areas so that they meet the needs of pupils with special educational needs and disabilities.
- Other capital transactions that result in new (additional) places or facilities' improvements
- Investing in provision that is located in another local authority where this supports providing good outcomes for children in their area.

- 5.2 The risks associated with not increasing locally based education provision for children and young people with SEND include:
- Increased challenge of the inclusion of pupils with sensory overload, social difficulties and high levels of anxiety, for mainstream schools
 - Increased disaffection and resulting underachievement of these pupils
 - Increased fixed term and permanent exclusions
 - Increased cost of transporting pupils to existing provision located in central Shropshire or to provision that is outside of the county
- 5.3 There is growing demand for specialist support, arising from both improvements in maternity care for mothers and babies and better early identification and assessment of needs through Multi-Disciplinary Assessments (MDA). Analysis by Shropshire's Public Health Intelligence Team in 2014 identified significant growth both in Speech Language & Communication Needs (SLCN) and Autistic Spectrum Disorders (ASC). This is accompanied by a widespread trend of increasing complexity of need with increasing numbers of learners where intensive support is likely to be required. This is reflected in national trends most recently highlighted in a 2017 report by the Council for Disabled Children and the True Colours Trust that explored data around disabled children with complex needs and life-limiting conditions. Comparing 2016 pupil census data with 2004 figures, the research found that nationally there were now **+48%** more children overall with complex needs and a staggering **+219%** more with Autistic Spectrum Condition (ASC) being educated in special schools.
- 5.4 Shropshire has 5.3% of learners with Education Health and Care Plans (EHCPs) attending independent specialist provision. This is in line with national and statistical neighbour averages. The number of pupil placements in the independent sector has increased over recent years and although this is not an urgent cause for concern this continuing trend will need to be addressed to ensure that placement costs can be contained within budget, particularly when there is pressure on budgets through continued reductions in government funding.
- 5.5 There are a large number of learners with ASC or Social Emotional and Mental Health (SEMH) needs attending Access School in Shropshire and Bettws Lifehouse in Powys. Both of these provisions are small, local, independent specialist schools with good reputations. Currently these settings are providing a valuable service to Shropshire Council but given the growth in ASC and SEMH needs, there is an acute risk of over-reliance on independent provision that could, if unchecked, prove to be unsustainable.
- 5.6 There are large concentrations of learners with SEND around the main populations in Shrewsbury. Oswestry, Ludlow, Market Drayton, Whitchurch, Cleobury Mortimer and Bridgnorth. Shropshire's two special schools - Severndale and Woodlands both

have large catchment areas which result in many learners travelling significant distances to attend these schools. Not only does this result in very long journey times for learners but it also generates significant travel costs which are met from the council's core budget.

- 5.7 Consultation with parents confirms their preference for a wider range of choice and a recognition of the limited options regarding specialist provision currently available locally. A number of parents specifically highlighted the lack of choice for learners with Significant Learning Difficulties, with access to only one in-county special school. There was more widespread recognition of larger gaps were in relation to the lack of provision for learners with social, communication difficulties / ASC.
- 5.8 The opportunities associated with increasing locally based education provision for children and young people with SEND include:
- improved inclusion of pupils with sensory overload, social difficulties and high levels of anxiety, for mainstream schools
 - Increased engagement and resulting achievement of these pupils
 - Reduced fixed term and permanent exclusions
 - Reduced cost of transporting pupils to existing provision located in central Shropshire
 - Increased choice of provision for pupils, parents and carers

6 Financial Implications

- 6.1 The recommended proposal represents a cost effective way of addressing these concerns by investing Shropshire's capital allocation of £500,00 'Special Provision Fund in locally based provision. This investment will secure major improvements in provision and increased locally-based choice for learners with SEND. It will also create investment to save opportunities from both reduced SEND placement costs and associated travel costs.
- 6.2 There are no immediate additional financial implications as a result of the recommendations set out in this report. The future development of any Specialist provision will be funded from a ring-fenced DfE Special Provision Capital Fund secured by the council of £500,000. Revenue Costs will be funded by existing base budgets from High Needs Block of the funding and pupil funding from the Dedicated School's Grant (DSG).
- 6.3 Provision will be developed in phases with each individual development working towards a per place (learner) capital investment in the region of £5,000. On that basis the creation of a 10 place provision is anticipated to have a capital budget of around £50,000. At this point the figures are indicative and may vary based on each school identified and the work required to deliver an appropriate learning

environment. Property Service group will provide more detailed costings per location as the scheme progresses although the capital outlay will not exceed £500,000 over the three years unless additional funds are identified.

- 6.4 The development of resourced provision will allow Shropshire to meet the educational needs of children and young people with SEND more locally reducing the numbers that need to attend independent special schools within Shropshire or out of county. These changes should realise significant financial savings in the medium to long term.
- 6.5 The development of resourced provision will also secure more effective use of the High Needs Block of the Dedicated Schools Grant (DSG) which is under substantial pressure resulting from increased need for specialist placements and increased costs of specialist provision.

7 Conclusions

The recommendations to develop resourced provision have been based on the following:

- The developments are cost effective making use of the space available in many of Shropshire's schools with spare capacity. They are therefore relatively quick to implement and fit with the time limitations of the DfE grant.
- The proposed range of provision will address access and inclusion issues – both in relation to geographical reach but also in relation to enabling learners with SEND to access education closer to home in their own communities.
- These proposals will harness the respective strengths of mainstream and specialist providers for the benefit of pupils.
- The proposals will build capacity and expertise of education professionals and have a substantial positive impact on a wider range of learners beyond those attending the new provisions. Locating the resourced provisions in mainstream schools will enable the transfer of skills between the specialist staff and those working in mainstream benefitting a wide range of vulnerable learners.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Cabinet Member (Portfolio Holder)

Councillor Nicholas Bardsley

Local Member

All

Appendices

- 1) Shropshire Special Educational Needs & Disabilities Needs Assessment 2018.
- 2) Specialist Provision strategic review and Development Plan 2018-19
- 3) Strategic Review Discussion Document.
- 4) Strategic Review Questionnaire Results.