

From: **Roger Gough, Cabinet Member for Education and Health Reform**

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To: **Education Cabinet Committee – 4 December 2013**

Subject: **Increasing capacity: creating SEN Provision**

Classification: **Unrestricted**

Future Pathway of Paper: **Cabinet**

Electoral Division: **County Wide**

Summary: This report provides Education Cabinet Committee with a summary of how we will deliver the additional Special Educational Needs (SEN) provision in Kent's maintained schools set out in the SEN & Disability (SEND) Strategy 2013 and the Commissioning Plan for Education 2013-2018.

Proposals in this report set out plans for 373 additional SEN places; 209 in special schools and 164 in mainstream by 2016, in addition to the 309 additional places that were added in Special Schools in 2013.

Recommendation(s): Cabinet Committee is asked to endorse the actions to implement key proposals set out in the SEND Strategy and support the Cabinet Member's recommendation to Cabinet to proceed with these plans.

1. Introduction

1.1. More than 6,500 Kent pupils, 2.8% of Kent's school population, are subject of a Statement of SEN and the Local Authority is responsible for commissioning their school place. Currently over 3,000 with Statements of SEN (60%) attend local maintained special schools, but 500 Kent pupils attend non-maintained special schools with the largest numbers of these in schools for autism (ASD) or behavioural, emotional and social needs (BESN) reflecting that Kent's maintained special school provision is at capacity. The current SEN capacity has not kept pace with changing needs and too much is being spent on transporting children to schools away from their local communities. Also too many children are having to be educated in out of county and independent specialist provision at increased cost to the schools budget. Our commissioning intentions for SEN also include the development of skills in mainstream schools particularly to teach pupils with autism (ASD), behavioural, emotional and social needs (BESN) and speech and language (S&L) needs. Kent Special schools will play a leading role in supporting all schools to develop staff and resources.

1.2 The SEND Strategy forms the County Council's policy and strategy for special educational needs, and was approved by Cabinet in July 2013. It

identifies key priorities to improve and expand our provision and close the attainment gap for disabled children and those with special educational needs. We want to decrease the demand for out-county provision which is causing a significant financial burden because of the long term impact this will have on our schools formula funding in future.

- 1.3 The SEND Strategy builds on previous work in Kent to invest in Special schools and keep in step with the demand for specialist school places, but recognises that, as a result of changing needs, more now needs to be done to provide additional capacity in Special Schools and mainstream schools with SEN resourced units. A programme is in place to improve the quality of Special school accommodation through rebuilding, refurbishment and remodelling of the ten remaining schools to benefit from the Special School Review that has taken place over the past few years. £41.25m is currently committed to investing in the Special school building programme. The programme is not only providing accommodation which is fit for purpose but also an increased number of Special school places, enabling more SEND pupils to have their needs met in Kent schools. Project timelines have been developed for each school in the building programme to ensure delivery of new accommodation and additional places by 2015.
- 1.4 In 2012 the designated number of places in Kent Special Schools totalled 3,038 (commissioning capacity is designation +10%). With capital improvements, the proposed designated number is 3,476 and proposals will increase this further to 3,598 (+10% = 3,947). The SEND strategy sets out an intention to commission 3700 special school places. This would equate to proposed designation of 3,598 +2.7%.
- 1.5 As part of the work to develop the strategy, mainstream schools were invited to express interest in hosting specialist resourced provision. 40 positive responses from Kent schools were received reflecting the breadth of expertise and range of SEN. Discussions have taken place with individual schools that are well placed to contribute to the delivery of the strategy and are able to demonstrate effective practice.
- 1.6 The Education Commissioning Plan sets out our proposals for the number of places and resourcing needed in mainstream provision. This is expected to provide at least 130 additional specialist places in mainstream schools. Where we have matched expressions of interest to our Commissioning intentions, the next steps will be formal consultation with relevant governing bodies and public consultation which addresses the SEN Improvement Test (a DFE requirement on LAs making changes to their SEN provision).

2. Financial Implications

- 2.1 Nearly 20% (£187m) of the Dedicated School's Grant (DSG) is invested in schools to meet the additional and special educational needs of pupils in Kent. The proposals in the Strategy will ensure resources, including those delegated to schools, are spent in a more effective way to secure better outcomes. Historically, resources for SEN support have not always been allocated and managed to secure optimum benefit.

2.2 The mean average per place annual cost of out county and independent school provision is £41,000. Comparison with the average cost of Kent provision highlights the favourable cost of maintained provision, with special school places at a mean average of £20,095 and resource provision in mainstream at £17,059 annually. Proposals in this report are aimed at reducing the number of pupils whose needs cannot be met in a local school and reducing the cost of out of county placements. Over the next 3 years these proposals will increase the number of pupils who can access local specialist provision and reduce the overall cost.

No. of places in:	Mainstream	Special	Out county	Total no. of places
Sep-13	821	3,491	472	4,784
Sep-14	833	3,491	460	4,784
Sep-15	871	3,578	395	4,844
Sep-16	951	3,700	272	4,923
Additional places	+130	+209	-200	+139

From 2013	£ 14,858,389	£ 71,899,910	£ 16,195,000	£ 102,953,299
to 2016	£ 16,223,109	£ 74,351,500	£ 11,152,000	£ 101,726,609

2.3 We will minimise resource implications arising from new provision by using existing resources differently to ensure that we are commissioning places in provision where it is needed. This will mean reviewing the number of places in mainstream schools to reflect actual pupils and in some cases making adjustments on an annual basis to funded places, while increasing the places for ASD and behaviour. There will be 164 new places in mainstream specialist resourced provision, 34 will be offset by reductions in some areas of need that are no longer required, and the net increase will be 130.

2.4 Places in new provision will be filled incrementally from September 2014. Where provision is proposed in new schools, it will co-incide with the opening of the school. Host schools will require, for a 12 place provision, additional specialist staffing, which is likely to include a full time specialist teacher and 2 full time equivalent teaching assistants to support in the specialist base and mainstream inclusion.

2.5 £41.25m is currently committed to investing in the Special school building programme. One school is in the Priority Schools Building Programme and five schools require a complete rebuild, which has a disproportionate impact on the available funding. Further capital allocation was sought from the DfE through Targeted Basic Need Capital Funding bids and was successful in securing the additional funding.

3. Bold Steps for Kent and Policy Framework

- 3.1 The over-arching aim of the SEND Strategy is to improve educational, health and emotional wellbeing outcomes for all of Kent's children and young people with SEN and who are disabled. They do significantly less well in comparison to other children and young people.
- 3.2 A key aim is to address the gaps in provision, and improve the quality of provision, for children and young people with special educational needs and who are disabled. This will mean developing the range of provision across the maintained Special schools and mainstream schools in Kent, as well as other providers

4. Commissioning SEN Provision

- 4.1 The SEND Strategy and the Education Commissioning Plan set out our intention to:
- Expand provision in mainstream; by *at least 100 additional places*
 - Commission more special school places; *from 3491 to 3700*
 - Create additional places for ASD and Behaviour *at least 275*.

This report sets out proposals for 164 mainstream places (122 in primary, 42 in secondary) and net of adjustments for surplus places in some locations will increase commissioned mainstream places from 821 in 2013 to 951 in 2016, an increase of 130 places. This report also sets out proposals to increase commissioned special school places by 209 from 3491 to 3700.

- 4.2 Proposals for mainstream (164) and special (209) create 373 places in total, being 121 BESN, 228 for ASD (subtotal 349, exceeds 275 target) and 12 Speech, Language and Communication Needs (SLCN) places with 12 for severe and complex learning difficulties.

4.3 Special School Provision for ASD and BESN

We want to address gaps and target early intervention by establishing Primary resources and satellite provision (located in mainstream schools but attached to a Special school).

The current distribution of Special school places combined for BESN means some pupils with challenging behaviour make some of the longest journeys. For example, the autumn 2013 data indicates 16 pupils travel to North Kent Schools (Furness and Rowhill) from South of Maidstone whilst 30 pupils travel from Sheppey and Sittingbourne to Maidstone (Bower Grove). 17 pupils attending coastal schools (Harbour and Portal House) travel from Ashford or Swale, and 9 travel from Folkestone to Ashford (Goldwyn). The rebuild of Portal House will increase secondary specialist capacity in Dover.

We plan to expand the number of places at Goldwyn Special school by establishing a second site in Folkestone and extend its designation to a small number of residential places. We plan to increase the secondary age

capacity of St Anthony's Special school and establish satellites in Thanet for primary aged pupils with BESN.

Our proposals for Special schools are as follows:

- i. Re-designate Furness School to create 96 special places for high functioning pupils who have ASD/SLCN, some of whom will require teachers with specific literacy (dyslexia) expertise. This will include 12 residential places and 24 for Post 16+ provision. It will establish equivalent provision to Laleham Gap for pupils living furthest away, reducing travel from North and West Kent, Maidstone and Swale (currently 19 travelling to Laleham Gap). Although Furness is currently designated for 60 pupils with BESN, there were only 34 pupils on roll in September 2013. Over 90% of the current pupils have ASD difficulties and could remain on roll under these proposals.
- ii. Expand Goldwyn School to create an additional 35 secondary special school places for BESN. This will require an increase in the designated number of places and re-designation from a day school to one which offers 12 residential places. The additional school places will be located in Folkestone utilising specialist staff and accommodation which was previously known as The Brook Pupil Referral Unit. Proposals include arrangements for staff from the Brook to transfer to Goldwyn School. This proposal does not have capital budget implications. It is proposed to use surplus residential accommodation on the site of Furness School to establish the residential provision although in the longer term, it is anticipated that nearer accommodation will be available and capital costs will be neutral. The additional places will be available at Goldwyn, subject to consultation and consent, from September 2014.
- iii. Expand Portal House Special School to create an additional 12 places through capital improvements from September 2015. This will require an increase in the number of designated places.
- iv. Establish 36 places for primary aged pupils with ASD and learning difficulties through 3 satellites attached to existing Special schools serving Maidstone, Tonbridge and Tunbridge Wells. It is anticipated that new provision will be filled incrementally; 4 places in each resource unit from September 2014 and 4 further places in 2015 and 2016. The process of identifying host schools is ongoing although an expression of interest has been received from a Primary School in Maidstone which would have no capital implications. Detailed discussion with the relevant Governing Bodies will clarify responsibility for contractual employment, day to day management and the recruitment and selection of staff.
- v. Establish 15 places for primary aged pupils with behaviour and learning difficulties in 2 satellites attached to St Anthony's Special School serving Broadstairs and Ramsgate (7 places) and Margate

and Cliftonville (8 places). The process of identifying host schools is at an early stage. This proposal will require detailed discussion with the relevant Governing Bodies. It would allow St Anthony's Special school for Behaviour and Learning to develop its existing site and accommodation for secondary aged pupils. Capital improvements planned for St Anthony's will significantly enhance the current facilities.

Special School Provision for Profound, Severe and Complex Needs

- 4.4 Referrals for district Special schools catering for profound, severe and complex needs (PSCN) indicate significant placement pressure which is amplified by parental preference. National data suggests that at least 10% of the current intake of PSCN schools fall within the range that should be in mainstream school. We are addressing the place pressure through planned capital projects and satellite provision for ASD/learning difficulties. We also plan to amend the admission criteria for PSCN schools to reduce the number of pupils with mild to moderate learning difficulties who are admitted currently, and who can be educated in mainstream schools.
- 4.5 We plan to tackle growing pressure for PSCN places in Dover by developing 12 additional places to mirror provision which is successfully delivered at Aspen 1 and 2 as a satellite to existing specialist PSCN provision. We recognise that it is unlikely that a mainstream hosted satellite would be able to offer the full range of PSCN school resources without capital investment and we are therefore proposing that the satellite provision caters for moderate (complex) to severe learning difficulties. We aim to establish 12 primary places for pupils with Profound, Severe and Complex needs serving Dover in a mainstream school.

4.6 Mainstream provision for ASD and BESN

Where we are proposing to establish mainstream provision, it will be linked through the requirements of a Service Level Agreement to one of Kent's maintained Special schools in order to strengthen outreach support and ensure the mainstream school is able to quality assure its specialism. The SEND Strategy has recognised the importance of early intervention and this is reflected in the proposals to establish provision in mainstream schools for primary aged children. We recognise that the SEN trend in Reception aged children is upward and will continue for the next few years, and our plans include provision in the five new Primary schools that have been commissioned for 2015.

We plan to:

- i. Commission 18 places (12 new, and 6 re-commissioned) for primary aged pupils with ASD in Dartford. We are proposing to re-commission existing provision at York Road Primary School to extend current provision for Speech and Language needs to ASD from April 2014. We are also proposing new provision at Oakfield Primary School from September 2014. Places will be filled incrementally, initially with 4

places from 2014 and further places from September 2015. These proposals do not have capital resource implications.

- ii. Establish 12 primary places for ASD in Swale from September 2014 with 6 serving Sheppey and 6 serving Sittingbourne. Places will be filled incrementally, initially with 4 places from 2014 and further places from September 2015. Host schools have not yet been identified. It is not anticipated that this proposal will have capital resource implications.
- iii. Establish 12 primary places for ASD in Shepway at a new Primary school which will be opened in Folkestone with effect from September 2016.
- iv. Establish 12 primary places for ASD in Tonbridge and Malling at a new school which will be opened in Kings Hill with effect from September 2015
- v. Commission 15 secondary places for ASD at The Malling School extending the current provision for Speech & Language needs to ASD from April 2014. Places will be filled incrementally, initially with 6 places and further admission in September 2015.
- vi. Establish 12 secondary places for ASD in Maidstone. Expressions of interest received from schools with existing expertise will not require capital investment. Places will be filled incrementally, initially with 4 places in 2014 and further admission in September 2015
- vii. Commission 15 secondary places for ASD at a secondary school in Thanet. Places will be filled incrementally from April 2014, initially with 6 places and further admission in September 2015.
- viii. Commission 12 primary places for SLCN places in Dover building on existing expertise at River Primary School. Places will be filled incrementally from September 2014, initially with 4 places and further admission in September 2015. It is not anticipated that this proposal will have capital resource implications.
- ix. Establish 8 primary places for BESD at Nonnington School in Dover. Places will be filled incrementally from April 2014, initially with 3

places and further admission in 2015. It is not anticipated that this proposal will have capital resource implications.

- x. Establish 8 primary places for BESD in Swale at St Mary's in Faversham. Places will be filled incrementally from April 2014, initially with 3 places and further admission in 2015. The school has identified existing accommodation and this proposal will not have capital resource implications.
- xi. Establish 28 primary places for BESD in 3 new schools: Sheppey (14 places), Leybourne (7 places), Snodland (7 places). Places will be filled from September 2016.

4.7 Proposals contained in this report, once endorsed by the Cabinet, will be subject to legal consents. Where statutory planning notices and community consultation is necessary, the authority will work with the relevant Governing Bodies to secure the necessary formal agreements to proceed.

4.8 Plans are in place to ensure a formal Service Level Agreement between the authority and the Governing Body of a host school, setting out commissioning arrangements for the specialist resourced provision, building in mechanisms to support good schools to continue to be good and ensure the 'specialist' nature of provision is safeguarded. The draft SLA for discussion with schools is being developed in light of high needs formula funding for 2014. On behalf of the County Council, the Head of Special Educational Needs will sign the Service Level Agreements.

4.9 The key purpose of the Strategy is to support children who have been identified because they are vulnerable. Almost all of them will fall within the Equality Act definition of disability. It is anticipated that the proposals to increase the range of provision set out in the SEND Strategy will have a positive impact on these children's educational outcomes and their families. During the consultation and development of the SEND strategy responses received on behalf of parents and carers indicated strong support for local solutions, particularly for increasing the number of specialist places in mainstream schools and they agreed that the proposals are focussing on the right outcomes for their children.

5. Conclusions

Kent's SEN maintained provision has not kept pace with changing needs and 500 of the authority's 6,500 pupils who are the subject of a Statement of SEN are not supported in a KCC school. The SEND Strategy, which received strong support from parents, aims to address the gaps in provision and reduce the cost of out of county placements over the next 3 years. This report sets out a plan for 373 additional SEN places; 209 in Special schools and 164 in mainstream. Proposals, once endorsed by the Cabinet, will be subject to legal and planning consents.

6. Recommendation(s)

Recommendation(s):

The Education Cabinet Committee is asked to endorse the actions to implement key proposals set out in the SEND Strategy and support the Cabinet Member's recommendation to Cabinet to proceed with these plans.

7. Glossary

ASD	Autistic Spectrum Disorder
BESD	Behavioural, Emotional and Social Needs
DSG	Dedicated School's Grant
KCC	Kent County Council
LA	Local Authority
PSCN	Profound, Severe and Complex Needs
S&L	Speech and Language
SEN	Special Educational Needs
SEND	Special Educational Needs and Disability
SLA	Service Level Agreement
SLCN	Speech, Language and Communication Needs

8. Background Documents

Strategy for Special Education Needs and Disabilities

Education Cabinet Committee report – 21 June 2013

<https://democracy.kent.gov.uk/documents/s40880/Item%20B2b%20Decision%20number%201300033%20-%20Consultation%20Report%20on%20the%20draft%20Strategy%20for%20Special%20Education.pdf>

Commissioning Plan for Education Provision

In KENT 2013 –2018

<https://democracy.kent.gov.uk/documents/s42576/Item%20D3%20-%20Kent%20Education%20Commissioning%20Plan%202013-2018%20final.pdf>

KCC Bold Steps for Kent-Medium term Plan to 2014-2015

http://www.kent.gov.uk/your_council/priorities,_policies_and_plans/priorities_and_plans/bold_steps_for_kent.aspx

KCC Scoping Review and the Development of a Strategy for Special Education Needs and Disabilities, 9 May 2012

<https://democracy.kent.gov.uk/documents/s31726/Item%20D5%20SEND%20Review%20Cover%20report.pdf>

8. Contact details

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