

Report of Director of Children and Families

Report to Executive Board

Date: 7 February 2018



Subject: Outcome of the consultation on the Strategic Review of provision for children and young people with Special Education Needs and Disabilities (SEND)

Are specific electoral wards affected? If yes, name(s) of ward(s): All wards as the scope for the SEND Strategic review is citywide	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary of main issues

1. This report details the main findings and recommendations from the Strategic Review of Special Education Needs and Disability (SEND) provision available to young people (0-25) in Leeds.
2. The Strategic Review included the completion of a detailed analysis of SEND provision in Leeds and a strategic review being produced for consultation. The review provided detail of the current picture of SEND provision in Leeds, predicted growth areas and the four main priorities for future planning. From 6 November 2017 to 4 December 2017 a public consultation took place on the strategic review with parents, children and young people, staff and governors of special schools, childcare providers, ward members, neighbouring local authorities, MPs, and other relevant stakeholders.
3. Leeds local authority has been allocated, by the Department for Education, a capital grant of approximately £3,237,000 for the period of 2018-2020 (annual spend per year over three years of £1,079,000) to support the implementation of the outcomes of the review. This report also sets out the proposed expenditure of this grant.

Recommendations

Executive Board is asked to:

- Note the details of the consultation and the final version of the Strategic Review for provision for children and young people with Special Education Needs and Disabilities (Appendix A).
- Note that the DfE capital grant of £3,237,000 will be utilised over the next three years, following the five priorities detailed in this report.
- Approve the proposed allocation of the DfE capital grant of £1,079,000 (Section 4.4) for the financial year 2018/19.
- Note the overall responsible officer for the implementation of the Strategic Review and the publishing of the plan is the Head of Complex Needs.

1. Purpose of this report

- 1.1 This report provides the Executive Board with an overview of the main findings from the public consultation on the Strategic Review of Special Education Needs and Disability (SEND) provision available to young people (0-25) in Leeds. It seeks support for the recommendations and approval to allocate the DfE capital grant as detailed in this report.

2. Background information

- 2.1 The Children and Families Act 2014 places the duty on local authorities to ensure there are sufficient school places for all children, including those with special educational needs and disabilities up to the age of 25. In addition, The Childcare Act 2004 enforces that local authorities must provide sufficient childcare places, up to the age of 18 for children with SEND, where reasonably practicable, to enable parents and carers to access work or training opportunities.
- 2.2 The government informed all local authorities that they must undertake a strategic review of their SEND provision, consult with families and publish their plan on their Local Offer page by 14 March 2018. The Leeds Local Offer provides information about local services for families, children and young people who experience SEND and can be accessed via the dedicated search engine on www.leedslocaloffer.org or through the Leeds City Council website.
- 2.3 The DfE states the published plan should provide an overview of the picture in Leeds including information about:
- Where children and young people are currently placed and the types of specialist provision in place.
 - A summary of key information about demand, anticipated future trends and the demand for specialist education places.
 - A summary of the review process and identification of gaps in provision and potential solutions.
- 2.4 The government has allocated the local authority a capital grant to support the development of additional places. The plan sets out how we plan to spend the government's capital allocation over the next three years, 2018 to 2020. Leeds has been allocated approximately £3,237,000 (annual spend per year over 3 years of £1,079,000). We are required, by March 2018, to have informed the DfE how the first year of grant money is to be spent. The details of how we propose to spend the allocation, taking into account the views of stakeholders gathered throughout the consultation, is set out below.
- 2.4.1 **Priority one:** Increase the number of pupils with Education, Health & Care Plans (EHCPs) attending mainstream placements. The work involved in making mainstream schools inclusive, encompasses a wide range of services and is largely sector led. Therefore, a further review of what makes a difference to the quality of SEND provision

in mainstream is needed, in partnership with the local authority and good or outstanding inclusive mainstream schools.

- 2.4.2 **Priority two:** Establish three primary and three secondary Resourced Provisions or Specialist Inclusive Learning Centre (SILC) partnerships for children and young people with Complex Communication and Learning and Autistic Spectrum Condition (ASC). Within the new Resourced Provisions include an ASC specific provision, as this was recognised as a gap in provision. Ensure that we involve families of children who have ASC and Complex Learning and Communication needs on any future proposals, enabling them to help shape what good quality support looks like.
- 2.4.3 **Priority three:** Consideration of a central post-16 SILC provision. This gained a great deal of support through the consultation. We would look to establish a working group, involving the SILCs/Lighthouse and Leeds City College/other post-16 providers, to take this priority forward. (Note: an additional capital allocation, outside of the capital grant provided by the DfE for this review, would be required for the allocation of building a central post-16 SILC). This will need to be agreed through Good Learning Places Board and follow due governance. This will need to include a further review of provision and progression routes available for young people with SEND aged 16-25, and how this aligns to the agenda around preparation for adulthood.
- 2.4.4 **Priority four:** Continue to work with Early Years and Childcare providers to ensure accessible and inclusive provision. This will be overseen by the Early Years Steering Group, including a detailed review of wraparound provision in SILCs, linking to the annual Childcare Sufficiency Assessment and associated development plan.
- 2.4.5 As a result of the consultation responses and in line with the perceived demand needed across the city in addition to developing priority two and three over the next five years, an additional priority has been added. **Priority five:** Review the current SILC estates and the potential for expansion, where possible, to increase the number of places. This will require capital funding which will need to be agreed through the normal governance process.

3. Main issues

- 3.1 The Strategic Review of SEND provision in Leeds builds on our existing knowledge of our local area, including information about our current provision, as well as projected future demand. The consultation gathered views of children, young people and families in the city, along with seeking views via strong relationships with our schools and settings. Also, where possible, we worked collaboratively with our neighbouring authorities, particularly looking at our low incidence SEND pupils where they may require specialist out of area provision.
- 3.2 The Strategic Review has been a joint project between the Complex Needs Service and the Sufficiency and Participation Team (Learning Systems). Governance of the review, consultation and draft recommendations was overseen by the Good Learning Places Board. This approach will continue throughout the implementation of any approved recommendations and as we continue to evaluate the sufficiency of SEND provision on an annual basis.

- 3.3 As detailed in the November 2017 Executive Board report, we used a three phased approach; Identify, Assess and Improve.
- 3.3.1 **Identify:** We mapped current SEND provision against future demand, highlighting gaps and pressures on the existing system in September 2017 and this informed the SEND Strategic Review consultation document.
- 3.3.2 **Assess:** We consulted with our children and young people with SEND, their parents and carers, and with our education providers, enabling us to gain their opinions on the Review. Consultation took place between 6 November and 4 December 2017. The main findings from the consultation are detailed below from paragraph 3.6.
- 3.3.3 **Improve:** Details are set out below of the plans for the government’s capital grant, which will go some way to enable the local authority to deliver the required SEND provision for the children of Leeds.
- 3.4 We will publish the final review as a Strategic Plan, taking into consideration the views of our stakeholders during consultation. This will be made available on our Leeds Local Offer webpage. If the proposals in this report are approved, by March 2018 we will also publish details of the investment of the first year’s instalment of the government’s capital grant. On an annual basis we will review and publish how we plan to spend the subsequent years’ capital grant by March each year.
- 3.5 Consultation on the Strategic Review of SEND provision in Leeds took place from 6 November to 4 December 2017. This included use of the Council’s electronic survey system (Snap). In addition, we held a series of drop-in sessions for children and young people with SEND and their parents or carers, along with other interested stakeholders, offering an opportunity to discuss the review with Leeds City Council representatives and to complete a consultation response form. Information regarding the consultation (see appendix B) was distributed directly to parents and carers of children and young people with Education Health and Care Plans (EHCPs). Other stakeholders were sent information by email including SILCs, SENCOs, third sector partners, Health Care partners, and Early Years providers. Information was also made available on the Leeds City Council website, Leeds Education Hub, and regularly through social media promotion.
- 3.6 During the consultation period there were a total 401 responses received; 124 via the electronic (SNAP) survey, 265 in writing, and a further 12 via email. Stakeholders were asked to comment on the four priorities explained within the consultation document and the guiding principles we are proposing to use to plan future SEND provision. It was also extremely important to capture the views of young people, so each consultation letter included a child friendly version of the consultation form, designed to be more accessible for children and young people (see appendix C). Not all respondents answered all of the questions, but may have just given their comments. These comments have been included in the final analysis. Responses were as follows:

Priority 1: Increase the percentage of pupils with EHCPs attending mainstream placements.				
Agree	Somewhat agree	Don't know	Somewhat disagree	Disagree

119 (41%)	73 (25%)	25 (8%)	43 (15%)	32 (11%)
Children and young people's responses				
Increase the number of children & young people with Education Health & Care Plans in mainstream schools.				
Like it		Don't know		Don't like it
64 (71%)		14 (16%)		12 (13%)

Priority 2: Establish three primary and three secondary Resourced or Partnership Provisions, (25 primary places and 75 secondary places in total) for Children & Young People with Autism Spectrum Condition and Complex Communication and Learning needs.				
Agree	Somewhat agree	Don't know	Somewhat disagree	Disagree
116 (40%)	73 (25%)	25 (9%)	43 (15%)	32 (11%)
Children and young people's responses				
Create more primary and secondary school places for children & young people with Autism Spectrum Condition and Complex Communication and Learning needs.				
Like it		Don't know		Don't like it
64 (72%)		13 (15%)		12 (13%)

Priority 3: Develop the Post 16 offer including mainstream settings and SILCs (Specialist Inclusive Learning Centres) to support preparing young people for adulthood and to offer a range of local SEND provision, including the idea of a central Post 16 provision in collaboration with our SILCs				
Agree	Somewhat agree	Don't know	Somewhat disagree	Disagree
114 (40%)	73 (25%)	25 (9%)	43 (15%)	32 (11%)
Children and young people's responses				
Would you like to see a separate post 16 school for young people with SEND aged 16-19?				
Like it		Don't know		Don't like it
62 (71%)		13 (15%)		12 (14%)

Priority 4: Continue to work with our Early Years and Childcare providers to ensure mainstream provision is accessible and inclusive.				
Agree	Somewhat agree	Don't know	Somewhat disagree	Disagree
117 (40%)	73 (25%)	25 (9%)	42 (15%)	32 (11%)
Children and young people's responses				
Create more and improve early years and childcare settings for children with SEND aged 0-18.				
Like it		Don't know		Don't like it
63 (71%)		14 (16%)		12 (13%)

- 3.7 On average 71% of young people 'liked' the four priorities, with 65% of other respondents agreeing or strongly agreeing. 13% of young people did not like the proposed priorities and just over a quarter of other respondents (26%) somewhat disagreed or disagreed. This trend of support was experienced across all of the priorities, with none receiving more or less support than another.
- 3.8 Analysis of the comments gathered through the consultation showed that overall the priorities were aligned to the wishes of families and stakeholders. The following emerged as clear themes:
- 3.8.1 Mainstream school is important and should be inclusive, however, children should not be forced to remain in placements and there should be a range of specialist provision available if mainstream is no longer what families want. Within mainstream schools, there needs to be more consistency with more expertise,

resources and funding to make it a viable option for children and to instil confidence in families that schools and colleges can meet the needs of pupils with SEND.

- 3.8.2 Families responded positively that they were included in the review and consultation and that there should be an ongoing review and consultation on the sufficiency of SEND learning provision across Leeds and that they should be involved in developing new provision.
- 3.8.3 Concern that increasing overall places by 150 by 2021 did not seem to be enough. A strong theme was the need to expand the existing SILC estates to provide more SILC placements as families wanted more of these available. This is in addition to increasing SILC Partnerships and Resourced Provisions.
- 3.8.4 Need an increased focus on post-16 including 19-25 provision, include consideration of progression routes for young people as families are anxious about the availability and feasibility of next steps as their young people move into adulthood. Any further review work should have a focus on this and post-16 provision.
- 3.8.5 There is a gap around Autistic Spectrum Condition (ASC) provision in the city, ranging from the desire for more support and expertise in mainstream schools, to providing specific ASC provision in new provision. There needs to be a flexible approach to delivering ASC provision.

4. Corporate considerations

4.1 Consultation and engagement

- 4.1.1 The process in respect of establishing the proposed priorities and the outlining principles for future planning was managed in accordance with the relevant legislation and established local governance procedures.
- 4.1.2 The consultation regarding the review was carried out over a four week period between 6 November to 4 December and included use of an online SNAP survey. A series of drop-in sessions were held at various locations and times including Broomfield South SILC, Parklands Primary School, and West Oaks SEN Specialist School and College (Woodhouse Learning). These sessions were supported by officers from Children and Families Service, led by Complex Needs, to discuss the review and to establish what people thought about our planning principles and future priorities for SEND provision in Leeds. The sessions were attended by parents, carers, children and young people and school staff. Information was distributed widely, including directly to all families with a child or young person with an Education Health and Care Plan (EHCP). All Leeds schools, Early Years providers, third sector and NHS partners were approached for their views and information was shared on Leeds City Council's website, the Family Information Service website, Twitter and Facebook.

4.1.3 Ward member feedback – Councillors were all informed of the consultation. There were specific briefings for Executive Board Member for Children and Families, Leader of the Liberal Democrat Group, and Leader of the Green Group. The feedback from the November 2017 Executive Board meeting to ensure a good consultation process was in place, has been followed, with a positive response rate.

4.2 Equality and diversity / cohesion and integration

4.2.1 A Special Education Needs (SEN) Improvement Test (Appendix D) has been completed for the projects named in section 4.4. The proposals were deemed to potentially enhance and/or add to the range of SEND provision in the city. With the exception of the proposal at Brigshaw High School, each of the projects where it is proposed the DfE capital grant is to be allocated, an Equality and Diversity and Cohesion and Integration (EDCI) screening form has already been completed as part of those individual consultations (Appendix E). As we keep SEND provision under review and take forward any future recommendations and confirm the future expenditure of the DfE capital grant, future EDCI screening forms will be completed as required.

4.3 Council policies and best council plan

4.3.1 Implementing the outcomes of the SEND Strategic Review will support the local authority's ambition of becoming the best city for children and young people to grow up in and to give them the best chance to do well at every level of learning, gaining the skills they need to achieve their full potential.

4.3.2 The review was conducted to enable the local authority to meet its statutory duty to ensure there are sufficient school places for all the children in Leeds with SEND up to the age of 25.

4.3.3 The review contributes to the city's aspiration to be a child friendly city. By creating good quality local school places we can support the priority aim of improving educational achievement therefore closing achievement gaps. In turn, by providing young people with the skills they need for life, this review will provide underlying support for the council's ambition to produce a strong economy by compassionate means and for the Preparing for Adulthood strategy. A good quality school place also contributes towards delivery of targets within the Children and Young People's Plan such as our obsessions to improve attainment, attendance and achievement and to improve the participation of young people in education, training or employment.

4.4 Resources and value for money

4.4.1 To assist with the review and possible improvement options, the government has allocated both a revenue grant, to help undertake the review, and a capital allocation to spend on actual expansions and enhancing existing provisions. The

revenue grant was used to fund additional hours to an existing officer supporting the project and printing and postage costs in relation to the consultation.

- 4.4.2 SEND provision is always kept under careful review and will be considered as part of any future planning with the oversight of the Good Learning Places Board. The Good Learning Places Board receives a bi-annual report on relevant trends within the SEND population to support the city's understanding of where the future gaps may be in Leeds SEND provision so that it can be responsive to need. We used this knowledge and experience of demand and supply, and existing strong relationships with providers and stakeholders to complete the review.
- 4.4.3 We also explored how schools (mainstream and SILC) could be enhanced or altered to make best use of the capital grant of £3,237,000 from the DfE, which is spread out over three years. It is also recognised that future planning must be sustainable for the High Needs Block (HNB) and that supporting Resourced Provision in mainstream school is the starting point for this sustainability, building capacity in the mainstream sector. This helps reduce the need for out of area placements with more pupils having their needs met locally.
- 4.4.4 The Sufficiency and Participation Team and the Special Educational Needs Team work in partnership to ensure that SEND provision is always considered as part of any new mainstream school expansion or development. This is in line with our drive to support children with SEND in mainstream settings. Therefore there are already a number projects already planned in key areas of the city, where additional places are needed. The GLPB has agreed the progression of these individual projects where it is in the right area of the city and is the appropriate type of provision.
- 4.4.5 Therefore, we are proposing that the DfE capital grant of £1,079,000 required for April 2018/19 financial year is allocated as follows:
- Allocate £540,000 to support the proposal to deliver Resourced Provision for pupils with Complex Communication Difficulties including children who may have a diagnosis of ASC (Autistic Spectrum Condition) for approximately 12 pupils (6 primary, 6 secondary) at **Carr Manor Community School**.
 - Allocate £400,000 to support the proposal to deliver Resourced Provision for pupils with Complex Communication Difficulties including children who may have a diagnosis of ASC (Autistic Spectrum Condition) for approximately 8 pupils at **Beeston Hill St Luke's Church of England Primary School**.
 - Agree to utilise £109,000 to support the existing commitment to outstanding provision for pupils with SEMH for April 2018/19 to the development of **SEMH** provision at **Springwell Academy**.
- 4.4.6 All of the above projects have been subject to individual consultations and have already been approved via the Executive Board.
- 4.4.7 The remaining £30,000 is to be allocated to improve access and make reasonable adjustments to be able to accommodate approximately 25 places for children with SEND with the development of a new partnership between **Brigshaw High School** and the **East SILC** from April 2018. Consultation has been carried out with parents through the East SILC and has been well received by parents. Further consultation

will be held in the spring term. Further updates on this proposal will be provided to the Good Learning Places Board in due course.

4.5 Legal implications, access to information, and call-in

4.5.1 Conducting this review supports the council in meeting its duties under the Children and Families Act 2014, to ensure there are sufficient school places for all children, including those with special educational needs and disabilities up to the age of 25; the Childcare Act 2004 to provide sufficient childcare places, up to the age of 18 for children with SEND, where reasonably practicable, to enable parents and carers to access work or training opportunities.

4.5.2 We have followed the steps set out by the DfE to enable the local authority to access their funding:

- Consult with parents and carers of children and young people with SEND.
- Work with education providers to agree how the capital can best be targeted.
- Fill in the short plan template, confirming that the requirement to consult with parents, carers and young people has been met, including information about the other groups who have been consulted.
- Publish a plan on their local offer page.

4.5.3 This report is subject to call in.

4.6 Risk management

4.6.1 There is a corporate risk associated with failing to provide sufficient school places and childcare for children and young people with SEND.

4.6.2 There is a risk to the High Needs Block of the Designated Schools Grant if the local authority has to continue to increase special school places as well as to make provision for out of area placements. Therefore, having a strategic plan for SEND provision that starts by building more capacity in mainstream schools in Leeds helps to manage this risk.

4.6.3 To enable the local authority to access the capital funding allocated by the DfE it must carry out a consultation with children and young people and their parents/carers and publish a strategic review of provision. If these tasks are not completed, there is a risk funding will not be awarded by the DfE.

5. Conclusions

5.1 Our ambition to be the best city and the best council in the country, and ensuring we have sufficient school places and childcare offer for children with SEND is one of our top priorities. The SEND Strategic Review is based on meeting this aim through conducting detailed consultation with the public, partners, stakeholders and children and young people across the city.

6. Recommendations

Executive Board is asked to:

- Note the details of the consultation and the final version of the Strategic Review for provision for children and young people with Special Education Needs and Disabilities (Appendix A).
- Note that the DfE capital grant of £3,237,000 will be utilised over the next three years, following the five priorities detailed in this report.
- Approve the proposed allocation of the DfE capital grant of £1,079,000 (Section 4.4) for the financial year 2018/19.
- Note the overall responsible officer for the implementation of the Strategic Review and the publishing of the plan is the Head of Complex Needs.

7. Background documents¹

7.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.