

**14 October 2021**

**Specialist Provision Review Update**

**Ward(s): All**

**Portfolios: Councillor Chris Towe – Education & Skills**

**1. Aim**

To update the Education Overview and Scrutiny Committee on the Specialist Provision Review. This is a review of current provision for pupils with Special Educational Needs and Disabilities (SEND) across the Borough, and a needs analysis to identify gaps in provision we may need to provide now and in the coming years.

**2. Recommendations**

For the Committee to consider the content in this report and to identify any further reports or information they may require during the duration of this review.

**3. Report detail – know**

The Council has a duty to ensure that there are sufficient school places for resident children who require a school place in mainstream, special schools and early year's provision.

The SEND Strategic Provision Review outlines the steps necessary to plan, review and implement measures to ensure that there is sufficient provision for children and young people who require specialist provision in a specialist setting.

This program encompasses a comprehensive strategic review of provision for Walsall children and young people (aged 0 to 25 years) with SEND to ensure that future needs and demands can be met and in a financially sustainable way. It includes consideration of the continuum of provision to meet the range of identified need, as well as the sufficiency of provision going forward.

The review will analyse current, and future need, and provision and identify a number of options to be considered and consulted upon to meet future priorities and objectives. The review is due to identify options and recommendations by Spring 2022. The ambition is to meet the needs of a child or young persons within their local community and within Walsall.

To drive this program forward, and to ensure it is co-developed with our schools we have formed a Specialist Provision Review group. The group consists of representatives from all phase of our school estate and was established in the Summer Term 2021.

The Specialist Provision Review group are considering carefully:

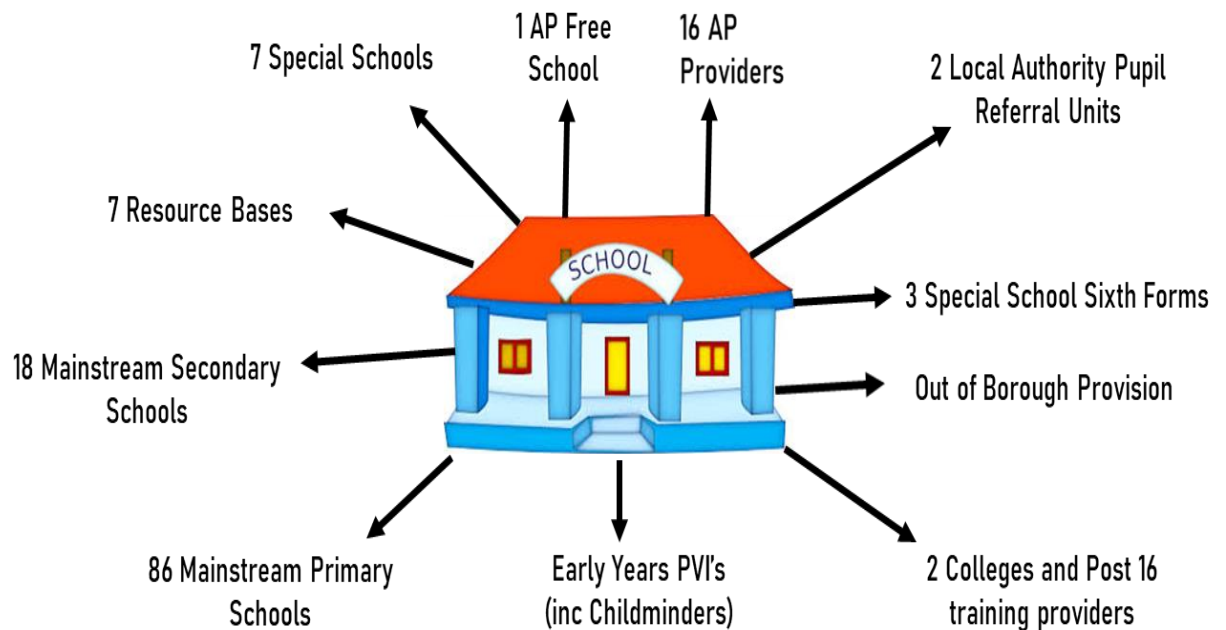
- The locality data in regards to SEND, exclusions, adolescents and factors which contribute to poor outcomes for learners with SEN or additional needs
- Capacity of special schools and how to use their expertise to support the mainstream settings
- The provision of SEND in mainstream setting and in Special Schools
- Inclusion – ethos, learning behaviours and creating inclusive cultures driven by strong leadership, governance and management
- Reasons for exclusions, disengagement and children missing full time education
- Comparator models of operation in other Local Authorities
- The mainstream presumption: The SEND code of practice states there is a General presumption in Law for mainstream education for children with SEND
- How specific literacy difficulties/dyslexia needs are met within schools and settings
- Increasing numbers of pupils with a diagnosis of autism and those with SEMH
- Numbers of children in specialist provision with EHCPs
- Out of borough Placements
- Additional Resource Provisions (ARPs)
- Service level agreements (SLAs)
- Stronger partnership working with LA SEND services
- Stronger partnership working between schools, ARPs and special schools

The above list is not exhaustive but is a real attempt to promote a shared vision and dialogue for improvement that will make a step change into the partnership approach and in ensuring that all schools, settings, services, stakeholders are aware and committed to the believe and understanding that specialist provision and SEND is a collective responsibility.

The Specialist Provision Review group will look at models of delivery in terms of structures based. Evidence gathered of what works well in different Local Authorities has been collated and based on these models, the group will create a model of operation for consideration for Walsall.

### **Current Provision in Walsall**

Below is a representation of the provision currently available in Walsall.



Understanding current need, and provision, and predicting the need for future provision is reliant on having up to date and reliable information about children and young people with SEND.

The SEND Code of Practice 2015 identifies four broad areas of special educational need and support. These areas allow schools to gain an overview of their pupils' range of needs and are used to identify needs in EHCPs:

- Communication and interaction
- Cognition and learning
- Social, emotional and mental health
- Sensory and/or physical needs

In addition, there are 13 specific categories of need which are often referred to as the child's SEN Type (primary need) and are reported to the DfE through the national School Census:

- Specific learning difficulties (SPLD);
- Moderate learning difficulty (MLD);
- Severe learning difficulty (SLD);
- Profound and multiple learning difficulty (PMLD);
- Speech, language and communication needs (SLCN);
- Social, emotional and mental health (SEMH);
- Autistic spectrum disorder (ASD);
- Visual impairment (VI);
- Hearing impairment (HI);
- Multisensory impairment (MSI);
- Physical disability (PD);
- Other
- 'SEN support' but no specialist assessment of type of need (NSA).

Determining the primary need may not always be straightforward, especially for children with complex needs who may present with a range of needs.

Without making assumptions about pupils' needs based on their difficulty or disability, this categorisation can be used to understand the prevalence of different types of need and the type of placement the pupils may require.

The number of pupils in different types of schools is reported to the Department for Education (DfE) in the School Census data, submitted by local authorities and academies in January, May and October. These figures include all pupils attending a Walsall school including pupils resident in other local authorities e.g. Wolverhampton and Sandwell who attend a Walsall school. It does not include Walsall resident children who attend a school outside of Walsall.

The SEN2 data return is also submitted to the DfE, and is taken on the same day in January as the School Census. The national picture about the prevalence of SEND, as reported by the Department of Education (DfE) and used in national datasets, is based on this data return. The SEN2 data return includes all children with an EHCP maintained by Walsall LA, wherever they are educated.

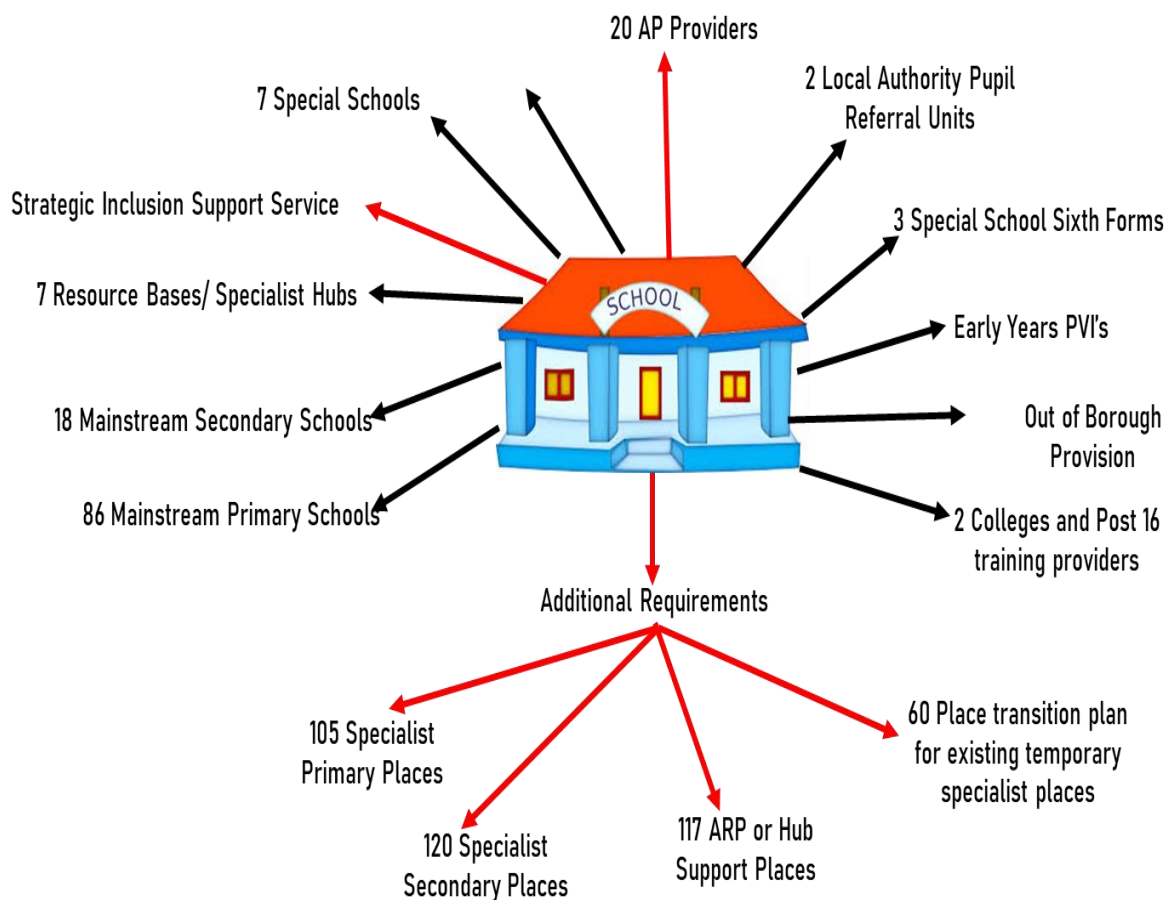
The Special Provision review covers all children with an EHCP maintained by Walsall LA wherever they are educated. On this basis, the pupil projections and forecasts are based on the School Census, the SEN2 return and Capita, which provides data on all children with EHCPs maintained by Walsall LA, regardless of placement location.

Attached as Appendix 1 is a paper demonstrating SEND needs

A comprehensive and detailed data analysis of projected specialist school places has been undertaken with projections also based on the local, regional and national trends. This has highlighted the potential growth required for specialist places and provision within 5 years.

<u>PRIMARY NEED</u>	<u>5 YEAR PROJECTED NEED</u>
Complex and Severe Primary	165
Complex and Severe Secondary	120
Complex and Severe Total	285
ASD	54
SEMH	33
SLCN	30
Sub Total	117
Grand Total	402

Below is a representation of what we may need to meet this demand



We are currently working with the Integrated Facilities Management Team, and have commissioned feasibility studies from our strategic partner, for project delivery of all of our special schools to review their existing internal accommodation and external spaces in line with the DfE guidance 'building bulletin 104 - area guidelines for SEND and alternative provision'.

The feasibility studies will also outline where additional capacity could be developed on the existing school sites together with opportunities for developing satellite annexes in other LA buildings that have been identified as potentially surplus to operational needs.

In addition, a review of existing mainstream primary and secondary schools accommodation is being undertaken to identify any schools who have surplus teaching areas that may be appropriate to accommodate specialist place 'hubs' for pupils with SEN needs who are able to be educated in mainstream schools for the majority of their time, but need additional facilities to support their specific need such as speech, language and communication needs (SLCN), hearing or visual impairment (HI/VI) or autism.

An update on the outcome of the feasibilities and the accommodation review of existing mainstream, leading to development of proposals for meeting the additional places required, will be provided to members as part of the next stage of this project.

#### **4. *Financial information***

##### **Revenue funding Implications**

High needs funding is provided to the Council through the high needs block of the Dedicated Schools Grant (DSG). The Council must spend the funding in line with the associated conditions of grant and the Schools and Early Years Finance (England) regulations, which are updated annually. The DfE also issues operational guidance which details how local authorities should fund, Special Schools, Alternative Provision, Post-16 Colleges and specialist independent settings.

The Council receives a provisional allocation of high needs block funding in December, and adjustments are made mid financial year in the following June for adjustments (up or down) to pupil numbers, which creates a level uncertainty regarding the funding available.

The high needs block allocation is calculated using a national funding formula, based on factors which are largely pupil led and based on lagged data sets. Thus high needs funding received will not always reflect the current/future needs and numbers of pupils within the borough. The number of pupils in special schools is only one part of the formula and the value funded per pupil is less than the actual cost of the pupil placement. The increases in cost due to volumes do not equate to an equivalent increase in funding.

The Council funds high needs settings on a place plus approach, in that the setting receives a fixed amount for a commissioned place, whether it is occupied by a pupil or not, plus an additional top-up which reflects the needs of the pupil and will follow that pupil between settings, should they move.

The amount of funding paid per place is set nationally at £6,000 or £10,000 per place dependent on the type of setting and cannot be adjusted.

The top-up element is agreed locally by the local authority and Schools Forum and reflects the different types of provision and level of need for individual children. The range of Top-up funding for the 2020 – 2021 financial year is between £1,880 and £31,014 per pupil per year. The High Needs Funding Review, currently subject to consultation proposes funding between the range of £1,880 and £36,192 for 2021/22.

The potential revenue cost of growth in this sector will have to be met from within the high needs block. Due to the nature of the lagged funding this will create budgetary pressures that will need to be managed within the funding envelope available.

##### **Funding For Capital Projects to Develop SEND Provision**

Funding for capital expansions / refurbishment and new provision will have to be met from within the Council's existing capital resources or any external funding bids.

## **5. Reducing Inequalities**

Our specialist provision review is designed to enable all learners, no matter what their needs are, have a high quality educational provision which enables them to access their community and provides an opportunity for them to contribute to and thrive in their community.

## **6. Decide**

Scrutiny to decide how often it would require future updates to the board.

Scrutiny to decide if there is further detail it wishes to review

## **7. Respond**

The Special Provision review group will produce an options paper and recommendations to meet demand. These will be considered and follow due process for consideration including Capital Board, Scrutiny and Cabinet.

## **8. Review**

The Specialist Provision Review Group meet regularly to review the data and the forward plan.

## **Background papers**

### **Authors**

Trudy Pyatt	and	Rob Thomas
Head of Inclusion		Head of Access