

A New Approach to High Needs in Gloucestershire
Briefing and Engagement paper for parents, schools and other stakeholders
January 2018

1 Introduction

The education system in Gloucestershire works well for most children. But there will always be challenges for those with additional needs. Those challenges are going to grow – our funding for Special Educational Needs and Disabilities (SEND) will reduce in real terms over the next few years but the need is not diminishing. There is a real risk that some children will miss out – their needs will not be understood and they will struggle in the education world. So we need to re-think how we work.

We already have some significant concerns, for example about the level of permanent exclusions from school.

We have taken initial soundings from schools and professionals working with children with additional needs. This paper sets out some preliminary thinking about how we might do things differently. We are now asking for your thoughts on these ideas and to put forward your own.

2 What do we mean by ‘High Needs’ and where does the funding come from?

Local authorities receive funding for schools and early years through the Dedicated Schools Grant (DSG). Within the DSG there is a block for funding for High Needs which covers a range of support for children with additional needs in both mainstream and specialist provision. These include:

- SEND in the early years
- Top-up funding in mainstream schools to meet additional needs costing over £6,000 p.a.
- Special schools
- Specialist placements in independent schools
- Post 16 education
- Alternative provision for children and young people whose needs cannot be met in mainstream or who have been excluded from school
- Specialist services e.g. the Virtual School for Children in Care and the Hospital Education Service

The High Needs block for the 2017/18 financial year totals £57.2m. The Department for Education (DfE) has issued indicative figures for the following two financial years. These show a total increase of 1.38%; costs are likely to rise much more sharply than this.

The financial challenge is a major one but we have time to make measured and informed choices. We have some DSG reserves to cover a further projected overspend in the current financial year and to make some targeted investments to help reverse the spending trends. Many local authorities are already in serious difficulty and are taking decisions that may help limit overspends in the short term but where the impact, both in terms of outcomes for children and managing the budget are very uncertain.

3 The problem - spending pressures and concerns about outcomes

We have spending pressures across the High Needs budget. Some of the headlines are:

- The number of Education Health and Care plans is accelerating rapidly in the primary phase and post 16
- The SEND/non-SEND gap in achieving a good level of development in the early years is the highest in our comparator group of similar local authority areas
- Our special school place numbers at 1100 are around the national average but there is very high demand for places
- Our post 16 costs are the highest in our comparator group
- Costs of specialist placements are rising rapidly
- Permanent exclusions from school are the highest in our comparator group and one of the highest in the country

So our challenge is to deal with rising demands and to meet needs more effectively with less money in real terms.

This as an opportunity to re-think how we identify and respond to additional needs and to better understand the root causes. It is very clear that we will not address the problems and balance the budget by tinkering with how we work at the moment; fundamental changes are needed. It is also clear that the solutions do not rest just with the local authority or just with schools, governors and parents but with all of us collectively.

This briefing paper and accompanying survey is key to our engagement process. We are keen to hear ideas from anyone who has experience of how things work (or don't work) at the moment and ideas on how to make things better.

Our aim is to publish a strategic plan for high needs in May 2018 together with a medium term financial plan and to start making changes from September.

4 High Needs – our starting point

There are strengths in the way we work at the moment. The Graduated Pathway is well-established and good practice was recognised in the OFSTED inspection of SEND in Gloucestershire in 2016. However evidence suggests that it is not being consistently applied.

There are plenty of examples of good practice. Here are just two:

- the Restorative Practice pilot in educational settings. Initial findings are very positive.
- the Supported Internship programme, which is helping post 16 learners with additional needs to gain work experience and paid employment.

Parents and carers know and understand their children best. We have talented and committed colleagues in all parts of the education system. If we can put this energy, understanding and expertise together for all children we can make good choices about how we invest our limited resources and improve outcomes.

5 Strategic Aims

We have a Joint Strategy for Children and Young People with Additional Needs which sets out a vision for meeting needs as agreed through a Joint Additional Needs Development Group; this group includes representatives of parents' groups, schools, colleges, health, education and social care. The vision is aspirational; a plan for High Needs will set out how we might achieve it in practice.

There is no escaping the necessity of containing spending within budget, ensuring value for money. At the same time we want to use this opportunity to improve outcomes for children with additional needs. So these are the twin aims.

At the risk of stating the obvious, we can achieve those aims only if:

- Early intervention is effective
- Specialist services connect well

That becomes possible if:

- Needs are understood and plans are good
- Schools and other providers are confident and able to meet additional needs
- The countywide system effectively supports children with the most complex needs in their local communities rather than in out-of-county provision

The following sections set out some initial ideas to generate debate. We are keen to capture your ideas in order to inform our strategy – please do respond to ensure that your views are heard. You do not have to respond to all sections if you don't feel able to.

A New Approach to High Needs in Gloucestershire
Briefing and Engagement paper for parents, schools and other stakeholders
January 2018

Engagement Survey

*Please read through the following sections and add comments where you want or feel able to. Responses should be emailed to highneedsprogramme@gloucestershire.gov.uk by **28th February 2018**.*

A SEND provision in mainstream schools

Where a child has additional needs, we (parents, school and anyone working with the child) need to understand what is happening for that child and put in place good support quickly. We have a well-established Graduated Pathway which sets out processes for that to happen. It doesn't work perfectly but it does provide a framework that is cited as an example of good practice. One particular problem is that we at the local authority are receiving many requests for statutory assessment without evidence of needs being understood or appropriate support having been identified.

The current trend in the number of EHCPs is unsustainable. It is not affordable and if it continues, the thresholds for support, or the level of support, will need to be adjusted. We could not then be confident that resources are being well targeted and more energy and resource will be deflected to the statutory process. It currently costs around £5,000 to produce an EHCP. That money would be better spent on early intervention to meet the needs of the child.

The SEND Code of Practice gives schools, local authorities and others responsibilities to identify and meet needs. And it can give important protections to parents. But we don't believe we are using the Code in practice in a way that is always working to the benefit of the child. That view has been supported in the initial soundings we have taken. We are keen to explore options that reduce the reliance on EHCPs and get funding down to school level for schools to intervene flexibly. We appreciate that schools and parents in particular will need to have confidence that a new approach does give their school or their child the support they need.

Some ideas:

- Some children with complex needs will need extensive additional support throughout their schooling. For these children an EHCP is likely to be the appropriate route.
- Children develop very quickly in the early years. Some local authorities prefer the greater flexibility of the MyPlan/MyPlan+ approach and don't introduce EHCPs until the primary phase when needs become more evident in a school setting.

- Primary schools express concern that an increasing number of children are not 'school-ready'. However skilful school staff are, and however effective the transition from home or early years setting, some children are likely to have difficulties settling in school. Short term transition funding could be made available to support children in the first weeks or months as the needs become clearer.
- Teaching assistants are often critical in providing the support that a child needs. Some children will of course need 1:1 support at times or even all of the time but interventions need to be flexible and to support needs in the longer term e.g. maximising independence. From September 2017 we have been using the Resource Allocation System (RAS) to establish the level of support a child with higher levels of need requires. We no longer use the number of 1:1 teaching assistant hours as a reference point. We hope this will encourage parents, schools and others working with the child to look creatively at how the objectives for that child can be met
- We want to look at means of devolving additional funding for SEND support to schools. That would mean that 'top up' funding would only be available for children with very high levels of need. So a request for an EHCP might result in a plan being issued (and there may be advantages in doing so for some children) but it would not normally generate additional funding
- We would expect that reducing reliance on EHCPs, shifting resource from process to working directly with children will have a similar benefit in school, enabling SENDCOs to have more time in the classroom
- We are interested in ideas on moving towards more local decision-making, taking advantage of expertise in schools in challenging and supporting each other. Involvement of headteachers and SENDCOs may help us make better decisions about allocating our limited funding, directing it to where it is most needed
- We are also interested in exploring ideas for schools managing resources collectively e.g. in primary school clusters
- SENDCO and other staff time in schools and the time of education and health specialists is inevitably limited. That resource needs to be targeted effectively, for example in prioritising key transition reviews in Y1/Y5/Y9 and Y11
- Resources once allocated for an EHCP are rarely reduced. Since we know that children's needs can vary over time this suggests that the annual review process could be more responsive. Major reviews would start with a 'clean sheet' in terms of resourcing with intervening Annual Reviews being lighter touch.
- SEND funding is insufficiently transparent. It is not easy for schools or parents to see where the money is going or to have confidence that resources are being allocated fairly or appropriately. Data at LA level on SEND funding, SEND allocations to schools through the main formula and from the High Needs block should be clear to all, and especially to SENDCOs and SEND governors
- We have important protections in our current funding model for small schools or those that have a disproportionate number of children with high needs. These protections will need to continue in some form

An alternative approach:

- We could leave the current EHCP system as it is and increase the level of 'challenge' in the system. The option to allocate discretionary SEN funding to schools would not

be available in this scenario where the focus would be on trying to meet needs once they had reached agreed thresholds rather than early intervention

- We could increase the number of Special School places but the government's funding mechanisms under the National Funding Formula arrangements mean we would lose funding overall. So this option is only viable if we significantly reduce resources for mainstream provision, limiting options mainstream as an option for some parents

Engagement Questions

Question 1: What works well for children with additional needs in mainstream at the moment? What features of the current system would you be keen to retain?

Question 2: What should we do to improve SEND provision in mainstream schools? What needs to change?

B Complex Needs requiring specialist support

We are seeing a rise in the number of children and young people placed in out of county or independent schools, particularly for those whose needs are complex and need input from education, health and care. Over the past two years the size of this group has increased by over 70% and the cost of their provision has more than doubled.

For some children and young people, this type of provision will always be needed to meet their specific needs. However, for others this is because we don't have the right settings available in Gloucestershire to provide the support they need at the right time. This includes health and care services (i.e. therapies and residential placements) as well as education packages.

Many schools, parents and services respond well to the increasing needs of children and young people but without effective provision to support those intentions things can escalate quickly to a point where there are very few options. Outcomes in the independent sector are not better than in our own schools and we know that young people in residential placements out of county have difficulty transitioning back home at the end of their education. This can create a number of barriers to helping them prepare for an adult life.

Some ideas:

- We could expand the number of places available in our special schools but would need to redirect discretionary resource away from mainstream schools in order to do so
- We could retain the same number of special school places. Those places would be prioritised for children that need them so we should redefine the commissioning briefs to make sure that they are appropriate. This may mean that mainstream schools need to meet a wider range of pupil needs
- We have relatively little in the way of special centre provision within mainstream schools. Should we have more? For what needs? What would mainstream schools need to feel able to offer such provision?
- We want to reduce the number of specialist placements in the independent sector because costs are high, outcomes are not always better and we have skills and expertise within schools and the LA. Can we do this by expanding existing provision or by commissioning new places in partnership with other providers?
- Where possible we want to focus our resources on identifying needs early on and meeting them in a creative way within local communities. For this to happen education, health and care must all have the same approach to early intervention and that it is flexible enough to respond to changes in a child's or young person's life.

An alternative approach:

- We could continue to use independent or out of county providers to fill the gap in Gloucestershire and focus on what we know we do well. However there is increasing demand for this type of provision and we have no control over costs. This would lead

to a significant drain on high needs funding which would divert money away from earlier intervention across the system.

Question 3: What can we do to reshape specialist provision for so that we can support children with complex needs as close as possible to their local community?

C Early Years – Initial thoughts

Early identification of need and robust holistic assessment and planning for children with additional needs is critical to meeting needs in the longer term. In Gloucestershire early identification has improved significantly over the past few years. We now have a clear system in place to enable our health colleagues to notify us (the LA) of any child under statutory school age who they believe has or may have SEND. This, together with a clear system that facilitates support to the whole range of EY provision in the county has enabled us to offer and provide Inclusion support to more EY settings, children and families than ever. A robust plan of inclusion support, including additional resources, training and Inclusion funding has resulted in a significant reduction (over 65%) in requests for Special school nursery places and more children being successfully included in mainstream settings.

Generally, Gloucestershire’s early years settings are of a good quality, however we need to further explore why some settings continue to find it more difficult than others to support children with additional needs and SEND to make progress or require on going significant additional resources to do so. This seems to be a particular issue with regard to children who have needs relating to communication and interaction difficulties. This cohort of children are the most likely to access a special school early years placement or to need significant additional resources in their mainstream setting. We need to consider what additional support EY settings needs to help them to support this group of children and/or

whether we need to commission specific provision for EY children with C and I needs as an alternative, but successful, option to our existing Special schools.

The other groups of children we need to consider carefully are those who are at risk of or who have been subject of several fixed term exclusions in reception, years 1 and 2 and the growing number of requests for Education and Health Care (EHC) assessments for primary age children citing Social, Emotional and Mental Health (SEMH) as the primary need. Exploration of data related to these groups of children indicates that very few were known to or supported by GCC's early years service. This means that either these children's needs are not being identified and effectively addressed in their early years or that the needs/challenges do not arise until the child enters school.

The increase in requests for EHCPs for early years is at least in part attributed to us identifying children with additional needs earlier and therefore the increase in requests for EHCPs may be an appropriate outcome. However, our aim is to explore how these children and their needs can be addressed more effectively at an earlier, non statutory level with the intended outcome being fewer requests for EHCPs and fewer exclusions.

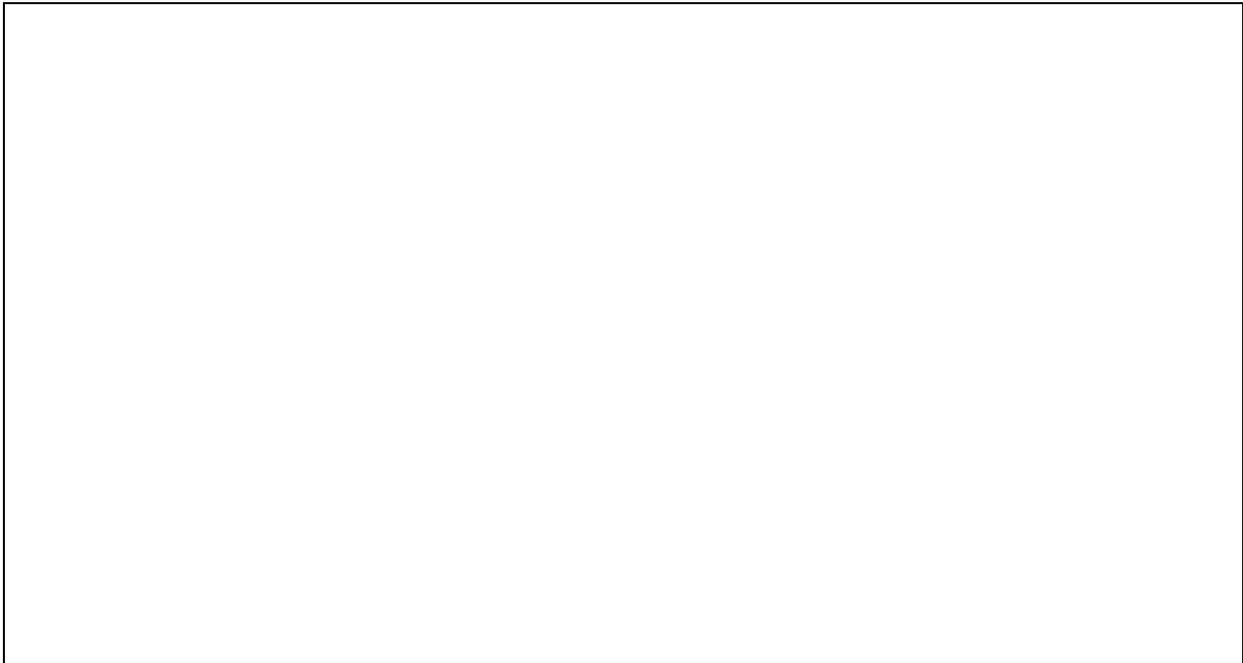
Effective Transition support is a key factor here and we are in the process of reviewing and developing Transition support.

Some ideas:

We are not yet at the stage of seeking comments on specific proposals but we are very interested to hear view on all aspects of early years but particularly on:

- The impact of having a particularly high proportion of private, voluntary and independent early years provision in Gloucestershire and whether that requires a different approach to outreach from specialist provision, support services and training
- Why many of the Year R, 1 and 2 children requesting EHCPs for Social Emotional and Mental Health (SEMH) needs have not been identified as needing additional support in their early years setting
- The transition to primary school and how we respond to schools' concerns about 'school-readiness'
- Whether, as suggested in section A we should be thinking about having no EHCPs in Early Years unless there is a complex need.
- If we are serious about prioritising early intervention and support in early years whether we should be looking to redirect resource away from other phases of education
- What additional short term specialist support we can provide to enable more children to remain and achieve in universal settings.

Question 4 What changes do we need to make to our support for children with additional needs in Early Years?



D Post 16 for students with additional needs

Post 16 is the critical, transition stage for young people entering adulthood, the opportunity to build on what has been achieved in developing skills, shaping realistic expectations and realising aspirations. For those that can and want to find employment we should explore and expand these opportunities whether through Supported Internships, Inclusive Apprenticeships or other routes yet to be developed. We need more effective ways of engaging employers, developing their commitment to provide jobs for young people with high needs and supporting these young people gain and sustain employment. Some will continue to be best placed in education settings, but there is the potential to benefit these young people more by developing more options within mainstream provision and achieving best value and outcomes for our investment. For others, particularly post 18, should the focus be more on engaging them in community settings - and informal learning - where their futures lie?

Some ideas:

- Our post 16 costs are high in comparison with similar shire counties. We cannot be confident that current provision is providing value for money in terms of outcomes and preparing young people for their future
- The outcomes we define for young people must be robust and realistic and geared towards future employment and adult living
- Post-16 options must take adequate account of the progression that each young person has already made and avoid unnecessarily duplicating prior learning and experiences

- Young people and parents must be fully involved in making decisions about their future. Independent advice and guidance needs to be strengthened
- The Year 9 Annual Review is the key starting point for post-16 planning for pupils with EHCPs; the Review needs to be prioritised by providers and the local authority and other specialist advisers
- The transition at the EHCPs at the end of Year 11 is also critical, often involving a significant change of educational setting. A fresh assessment of need should be made
- A greater emphasis needs to be placed on preparing post -16 High Needs learners for employment where possible and ensure that provision includes elements of work experience and placement utilising the Supported Internship and Inclusive Apprenticeship approach.

Question 5: How do we improve post-16 provision?

E Exclusions and Alternative Provision

Gloucestershire is the highest permanently excluding authority in the South West (2016/17) and also has a high level of fixed term exclusions compared to comparator areas. There are complex reasons for this which includes the current school accountability measures, zero tolerance behaviour policies, budgetary constraints and a shortage of high quality alternative provision providers.

The Institute of Public Policy Research ‘Making the Difference report’ (October 2017) found that excluded children are twice as likely to be in care, four times more likely to have grown up in poverty, seven times more likely to have a special educational need and ten times more likely to suffer recognised mental health needs than their peers. The long term cost to society of exclusion are staggering – it is estimated that every cohort of permanently

excluded pupils will go on to cost the state an extra £2.1 billion in education, health, benefits and criminal justice costs.

Our Alternative Provision schools have been running over capacity, they have been asked to meet the diverse needs of a range of children including those awaiting special school placements and they have sometimes been receiving children whose needs are not well understood or documented.

This High Needs review is an opportunity for us to rethink the way in which we meet the needs of these vulnerable children. The key issues are:

- What preventative/early intervention measures are effective in what types of school/setting?
- What provision do we need for children and young people for whom mainstream education is not the answer?

Some ideas:

- We could empower groups of schools to manage their own exclusions and reward successful reintegration back into schools through “parachute payments” and other financial incentives
- We could commission and regulate more places with independent Alternative Providers to widen the available offer with the LA acting as a broker for APS and Schools
- We could continue to support the roll-out of initiatives such as restorative practice that have an impact on reducing levels of exclusion
- We should seek to overcome barriers such as transport costs which prevent schools taking a more flexible approach to managed moves and respite placements
- We need schools to participate actively in the governance of AP schools so that provision is responsive to local needs and there is local accountability

An alternative approach:

- We could expand the number of available APS places by diverting funding from elsewhere in the High Needs budget
- We could make the FAP process more rigorous, looking to place pupils back into mainstream schools more quickly, but this approach risks returning pupils when they are not ready and perpetuates the ‘placement instability’ that is a feature of the way we work at the moment
- Some local authorities do not have Alternative Provision schools in the maintained or academy sector. Instead the funding is devolved to schools who agree to take financial responsibility for any pupil or roll or who they exclude. This was the approach envisaged in the White Paper *Educational Excellence Everywhere* in March 2016 but which has not been enacted

Question 6 How can we reduce exclusions and ensure better outcomes for excluded pupils?

What happens next?

We are inviting views from any and all interested parties through January and February 2018. We will then consult on a strategic plan from May 2018 with changes phased in from September 2018.

*Responses should be emailed to highneedsprogramme@gloucestershire.gov.uk by **28th February 2018***

Alternatively, please contact John Reilly, Special Advisor, High Needs Programme:
john.reilly@gloucestershire.gov.uk