

Mr Burrett, Cabinet Member for Education and Skills (and Deputy Leader)	Ref No:
October 2019	Key Decision: Yes
SEND & Inclusion Strategy for West Sussex 2019-2024.	Part I
Report by Director of Education and Skills	Electoral Divisions: All
<p>Summary</p> <p>The County Council has developed a new Education and Skills strategy to support the inclusion of all children and young people, particularly those with special educational needs and disabilities (SEND). This strategy builds on the SEND strategy for 2016-2019 and the outcomes of the 2018 Ofsted/CQC SEND local area inspection.</p> <p>The new SEND and inclusion strategy for West Sussex 2019-2024 has been co-produced during the spring term 2019, with a wide representation of stakeholders, indeed more than 150 people have participated in the development workshops and events. The stakeholders have included parent carers and young people as well as education providers and other professionals from across social care, health and education to ensure it relates to other County Council strategies.</p> <p>A public consultation to seek views on the content of the draft strategy has taken place.</p> <p>A public consultation to seek views on the content of the draft strategy has taken place and the outcome of this is set out in section 3.</p>	
<p>West Sussex Plan: Policy Impact and Context</p> <p>Best Start in Life: Approval and implementation of the SEND and Inclusion Strategy will support the inclusion of all children and young people, with a particular focus on those with Special Educational Needs and Disabilities (SEND)</p>	
<p>Financial Impact</p> <p>The Implementation of the strategy has three key aspects:</p> <ul style="list-style-type: none"> • The provision of additional places. • Inclusion support, training and cultural changes. • Project costs to deliver the SEND Strategy. <p>These costs are all detailed in section 4 together with the projected savings</p>	
<p>Recommendations</p> <p>The Cabinet Member for Education and Skills is requested to:-</p> <ol style="list-style-type: none"> (1) Approve the SEND and Inclusion Strategy 2019 - 2024 and accompanying implementation plan for publication. 	

- (2) Approve the proposal to develop a full business case, to be taken through the County Council's capital governance process for the increase in the number of classrooms in our maintained special schools, in order to educate children with SEND locally and reduce out of county placements.

Proposal

1. Background and Context

- 1.1 In 2016 the County Council published the SEND Strategy 2016-19 which set out the aims and objectives for strengthening education for children and young people with special educational needs and disabilities (SEND). In order to ensure the strategy reflects the future needs of children and young people a review of the existing strategy has been undertaken.
- 1.2 This review has resulted in the development of the SEND and inclusion strategy 2019-2024 (Appendix 1) which, along with the accompanying implementation plan (Appendix 2) sets out how the County Council will support the inclusion of all children and young people, with a particular focus on those with SEND.
- 1.3 The vision is that all children and young people in West Sussex will, irrespective of their learning needs or abilities, gain the skills and confidence to live well in their community. They will be supported and nurtured through an educational system that responds to their circumstances and prepares them for adulthood.
- 1.4 This strategy builds on the aims and objectives of the SEND strategy 2016-2019 and the outcomes of the 2018 Ofsted/ CQC SEND local area inspection.
- 1.5 The new strategy has been co-produced with parents, carers and young people, as well as education providers and professionals from social care, health and education, to ensure it complements other County Council strategies.
- 1.6 Within the Strategy three priorities have been identified:
- Knowing our children and families well (an inclusive, person centred approach).
 - Meeting the needs of our children and young people through our schools, educational settings and services.
 - Working together towards solutions (collective responsibility).
- 1.7 Each of the priorities has clear supporting objectives and, set out in the Implementation Plan, are the key activities that will be undertaken to achieve these during the period to 2024. A data dashboard to show how success will be measured has also been developed.
- 1.8 The draft strategy and implementation plan have been the subject of public consultation, as detailed in section 3. The responses identified that there is a

high level of support for the vision, priorities and key activities, but that this is tempered by a lack of belief that there will be the funding, resources and commitment for delivery.

- 1.9 As part of the new strategy, a review of existing specialist provision has been undertaken. In addition, the number of children with SEND that are educated in placements out of the county as their needs are not able to be met in maintained schools or Academies has also been reviewed.
- 1.10 The High Needs Block funding from the Department for Education is currently no longer sufficient to meet the increasing costs of providing for the number of children with Education Health and Care Plans (EHCPs). In March 2015 3,423 children and young people in West Sussex had EHCPs and by June 2019 this number had risen to 5,440.
- 1.11 The needs of children with SEND are also becoming more complex and this is driving increased financial pressures across the system. There is a shortage of local specialist educational provision to meet need, particularly in relation to Autism Spectrum Disorder (ASD) and Social, Emotional and Mental Health Needs (SEMH), and this is resulting in the County Council needing to increase the number of children educated in specialist placements with independent providers. There is also an increased demand for top-up funding across all settings.
- 1.12 There is a lack of capacity within mainstream schools to provide a graduated response to additional needs. Many schools are facing financial pressures and therefore do not have the capacity to provide additional support to pupils. As a result, this is driving up the demand for more specialist education services, as children with low level SEND who could potentially attend mainstream schools are being educated in more specialist provision. This is coupled with an increase in the number of pupils with SEND being excluded and the need to provide costly alternative provision for these pupils. Parental requests for specific high cost placements and tribunal decisions to support parental preference are also further driving demands on the Dedicated Schools Grant High Needs Block.
- 1.13 The new strategy will therefore look to increase provision for children and young people with SEND by increasing the number of classrooms in our maintained special schools and through the creation of additional Special Support Centres (SSCs) in maintained mainstream schools. Through doing this it will be possible to educate children locally and reduce the costs associated with educating children out of county in Independent Non-Maintained Special Schools (INMSS). There will also be a potential reduction in transport costs by placing children more locally.
- 1.14 The proposal to increase the number of special support centres (SSCs) in maintained schools also featured as part of the existing SEND Strategy, and as a result Cabinet Member [approval](#) to develop Phase 1 of this project, was provided in December 2018.

2 Proposals

2.1 Adoption of SEND and Inclusion Strategy

2.1.1 It is proposed that the new SEND and Inclusion Strategy for West Sussex 2019-2024 is adopted. The Cabinet Member for Education and Skills is therefore asked to confirm the approval of the SEND and Inclusion strategy 2019 to 2024 and accompanying implementation plan for publication.

2.1.2 The objectives for the implementation of the strategy are as follows:

- Local Authority maintained and academy provision meeting the needs of most pupils with SEND by 2023.
- The numbers of placements into the independent sector are measurably reduced and, where they remain, are reviewed annually and actions arising are successfully followed through.
- Maintained schools are inclusive and meet the needs of pupils with SEND with appropriate support.
- Early intervention opportunities are maximised.
- There are no permanent exclusions in primary schools for pupils with SEND and the proportion of permanent exclusions in secondary for pupils with SEND is no more than 20% of the annual figure of exclusions for 2017-18
- Specialist School provision provided by the Local Authority is financially sustainable
- Achievement and progress made by pupils with SEND is at least in line with national for similar pupils
- The costs of providing education for pupils with SEND are managed within the High Needs budget
- There is a measurable reduction in the overspend on SEND transport costs
- Quality assurance in place to ensure "what good looks like" is achieved
- The implementation tasks and plan which arises from the SEND Strategy is achievable within the timelines set (supported by the required resource).

2.1.3 The delivery of the implementation plan and achievement of the objectives will also require investment in the following additional resources:

- Three project workstream leads on a temporary fixed term basis to lead the culture for inclusion, SEND offer and settings workstreams, and
- Three additional SEND school advisors on a permanent basis to provide Quality Assurance to INMS, SSC, SS and Mainstream settings. They will also provide training and development and support for the local SENCO networks

2.1.4 Progress of the project against these objectives the implementation plan and the data dashboard (that references national and regional benchmarks), will be reported on a termly basis and made public.

2.2 Additional Classrooms in Special Schools

2.2.1 A further strand of the new strategy is to increase the number of classrooms in maintained special schools. The funding for this investment is to come from the Special Provision Capital Fund, which was created from monies provided by government to help local authorities create new school places and improve existing facilities for children and young people with SEND, in

consultation with parents and providers. The total allocation for West Sussex is £5.526m.

- 2.2.2 To date, £0.650m of this fund has already been approved on the capital works required to enable expansion of the Maidenbower Special Support Centre. The remaining £4.876m is planned to be spent on the following 5 schemes:

School	Need	Planned Places	Design Fee	Capital Cost	Revenue Saving per annum
Palatine, Worthing	Additional 4 classrooms	36	£0.200m	£1.900m	£0.900m
QE2, Horsham	Additional 2 classrooms	16	£0.050m	£0.750m	£0.400m
St Anthonys, Chichester	Additional 4 classrooms	36	£0.200m	£2.000m	£0.900m
Herons Dale, Shoreham	Additional small group spaces	12	£0.015m	£0.170m	£0.300m
Fordwater, Chichester	Increased provision for pupils with Profound & Multiple Learning Difficulties	4	£0.015m	£0.160m	£0.100m
Total		104	£0.480m	£4.980m	£2.600m

2.3 Additional Special Support Centres (SSCs) in our Mainstream Schools

- 2.3.1 As part of the new strategy it is also proposed to increase the number of special support centres (SSCs) in maintained schools. As described in paragraph 1.14 Cabinet Member approval to develop Phase 1 of this project was provided in December 2018.

- 2.3.2 Since the start of Phase 1 further work has been undertaken looking at both needs across the county and the willingness/suitability of maintained schools to have an SSC. It is proposed that the County Council now progresses with Phases 2 and 3 of the scheme to increase the number of SSCs across the county which would involve the creation of up to eight additional SSCs in mainstream schools, generating an extra 84 places for those children with high functioning autism and social, emotional and mental health difficulties. This proposal will be the subject of a separate key decision process.

2.4 Enabling Schemes

- 2.4.1 In order to help deliver the SEND and inclusion strategy objectives, investment in a couple of enabling schemes will also be required:

- Intensive Planning Team (IPT) – This team has been running as a pilot for the last two years, involving colleagues from Education, Health and Social Care working together to support children with a range of complex needs/high risks, and
- A new local area outreach scheme to schools.

- 2.4.2 The IPT service arose from individual cases where usual approaches to supporting a child and family did not seem to be stopping their trajectory

into INMSS or social care services. The initial team came together in a person centred model supporting a small number of children, but were soon receiving significant numbers of requests for support. In year one the service worked with 91 children and last year with a further 74.

2.4.3 The IPT model has been developed in a tiered way with intensive support for some young people and consultation/advice and guidance to professionals and others. The young people worked with to date have predominantly been at risk of:

- Placement in a residential INMSS setting. The County Council currently has a higher percentage than comparator authorities of children in INMSS.
- Chronic and protracted non-attendance in school and/or permanent exclusion. The latter leading to placement in an alternative setting and or INMSS, and the former reducing educational and life chances.
- Family pressure and family breakdown and risk of demand for children's social care up to and including being accommodated.
- Social exclusion and vulnerability

2.4.4 Alongside the new SEND and inclusion strategy it is proposed to continue with the IPT and look to extend the scale and scope of the service to increase the impact on children and families and increase savings and cost avoidance. This will allow:

- the team to work in a more intensive way with the most highly complex children including direct support at home, 5 at any given time
- An increase to 40 children in total at any one time on an intensive support plan
- An increase in the group based, alternative provision and short term support by 18 children
- The ability to ensure consultation, advice and guidance is timely and increasing the team around the special school model to include all special schools.
- Attendance at every SEND panel and regular support to complex case panel

2.4.5 In addition to the IPT it is also intended to establish and pilot a new local area outreach scheme to schools, which if successful will be rolled out on a fully chargeable basis county wide from year two. This scheme will provide local specialist resource (psychological and speech & language) to support the inclusion of children in their local school.

Factors taken into account

3. Consultation

- 3.1. In order to develop the new strategy representatives from a cross section of stakeholders were invited to participate in strategy development workshops and events. 150 people took part in these and stakeholders included parent carers and young people as well as education providers and other professionals from across social care, health and education.
- 3.2. The draft strategy was then the subject of a public consultation through an online survey on the council's 'Have your Say' Consultation Portal and 177

replies were received. A summary of the consultation responses is included in Appendix 4. A full [analysis](#) of the consultation responses has been shared with the Cabinet Member

- 3.3. A number of discussions were held with existing forums including Primary, Secondary and Special Head teacher Executives groups and the West Sussex Parent Carer Forum to ensure their views were incorporated into the Strategy.
- 3.4. A further public consultation was held to seek views on the final draft strategy document together with the high level implementation plan. A summary of the outcome is also included in Appendix 4.
- 3.5. The Cabinet Member for Children and Young People has been kept updated and consulted during the development of the strategy.

4. Financial (revenue and capital) and Resource Implications

4.1 Revenue Consequences of Proposal

- 4.1.1 A summary of the additional revenue funding required to implement and deliver the new SEND and Inclusion Strategy is set out below:

Revenue Costs	Current Yr 2019/20 £m	Year 2 2020/21 £m	Year 3 2021/22 £m	Year 4 2022/23 £m
Human Resources	n/a	0.805	0.210	0.210
Other	n/a	0.220	0	0
Total	n/a	1.025	0.210	0.210
Education - Dedicated Schools Grant	n/a	0.410	0	0
Education - Local Authority funded	n/a	0.420	0.210	0.210
Children's Services	n/a	0.205	0	0
Total	n/a	1.025	0.210	0.210

- 4.1.2 A more detailed breakdown of these costs is set out in sections 4.3, 4.4 and 4.5 below.
- 4.1.3 Currently the County Council has a balance of £3.338m in its General Dedicated Schools Grant (DSG) Reserve, although some of these monies will be required to fund any overspending on the 2019/20 High Needs budget, which as at the end of July 2019 was forecast to be £1.184m. Schools Forum will be asked at its meeting in October 2019 to agree to release £0.410m from these remaining reserves to help fund the SEND and Inclusion Strategy enabling schemes - the Intensive Planning Team (£0.270m) and the new Outreach Pilot to Schools (£0.140m) - in 2020/21.
- 4.1.4 The costs associated with the Intensive Planning Team have been assumed to be for one year only (ie 2020/21), on the basis that future year costs will be able to be funded through savings associated with the implementation of the SEND and inclusion strategy.

4.1.5 The average INMSS placement costs the DSG High Needs Block £0.042m per year, whereas the average Special School placement costs £0.017m per year. Therefore it has been assumed that the capital investment into new classrooms in Special Schools will save an average of £0.025m per placement.

Revenue Savings	Current Year 2019/20 £m	Year 2 2020/21 £m	Year 3 2021/22 £m	Year 4 2022/23 £m
Special Schools				
Gross Saving	0	0	4.368	0
Investment	0	0	-1.768	0
Net Saving	0	0	2.600	0

4.1.6 The timing of these savings is ambitious as the cost avoidance savings in reality will only be generated as and when future young people with an EHCP are to be placed in an educational setting, and not as soon the new facilities have been created. However, the work being carried out by the enhanced IPT service will help to facilitate these savings.

4.2 Capital Consequences

4.2.1 The Capital Programme for 19/20 – 23/24 includes a total budget of £6.2m for the SEND development programme, which includes £3.355m in relation to Special Provision Capital Fund grant monies for additional classrooms in Special Schools.

4.2.2 The current Capital Programme does not show the full £4.876m available relating to the Special Provision Capital Fund as it does not include £1.521m additional funding that the County Council received as part of the government's December 2018 announcement. This will therefore need to be built into the next capital programme when it is approved in February 2020. Monies scheduled to be spent in 21/22 and 22/23 will also need to be brought forward into 20/21 in order to complete all works by September 2020.

4.2.3 As a result of the proposed capital works set out in this paper, and in order to deliver the revenue savings set out above, the following changes will need to be made to the Capital Programme:

	Current Year 2019/20 £m	Year 2 2020/21 £m	Year 3 2021/22 £m	Year 4 2022/23 £m
Existing Capital budget	0.350	1.255	1.000	0.750
Change from Proposal	-0.350	3.621	-1.000	-0.750
Proposed Capital budget	0	4.876	0	0

4.2.4 In addition to the funding set out above, monies will also be required from the Feasibility Fund in order to pay for the feasibility works required for the SEND capital works.

4.3 Human Resources

4.3.1 A summary of the additional posts required to implement and support the new SEND and Inclusion Strategy, together with the annual cost, is set out below:

County Council Posts	FTE	Education DSG	Education LA	Children's Services
<u>SEND Project Resources</u> Specialist Workstream Leads (temp to 31 st March 2021)	3.0	n/a	£0.210m	n/a
<u>SEND and Inclusion Strategy</u> SEND School Advisors	3.0	n/a	£0.210m	n/a
<u>Intensive Planning Team</u> Deputy Manager	1.0	£0.025m	n/a	£0.025m
Person Centred Practitioners	5.0	£0.080m	n/a	£0.080m
Specialist Advisory Teacher	0.4	£0.035m	n/a	n/a
<u>Outreach Pilot to Schools</u> Locality Area Specialists (full cost recovery in 21/22)	2.0	£0.140m	n/a	n/a
Total	14.4	£0.280m	£0.420m	£0.105m

4.3.2 As part of the increased IPT service, the Health Service will also be approached to fund a Clinical Psychologist (0.6 fte), a Sensory Occupational Therapist (0.6 fte) and staff to cover two psychiatry sessions per week.

4.4 IT

4.4.1 Additional software will be required to supplement existing County Council IT packages to assist in supporting the planning of pupil places for children with SEND. This is expected to cost £0.020m as a one-off cost, plus an on-going annual licence fee. These costs can be found from within the existing Education IT budget.

4.5 Other Resources

4.5.1 A number of service development projects will also be required to be carried out as part of the implementation of the new SEND and Inclusion Strategy, and a summary of these, together with their estimated annual cost, is set out in the table below:

Service Development Budgets	Education DSG	Children's Services
<u>SEND Project</u> Socio Emotional Mental Health Training	£0.050m	n/a
Alternative Provision Plan Development	£0.002m	
Physical/Visual and Hearing Impairment Review	£0.003m	
Quality Kite Mark Development	£0.005m	
Area Inclusion Improvement Board 'Peer Review'	£0.040m	
Reprioritisation of Existing DSG High Needs Spend	-£0.100m	

<u>IPT Education Projects</u>		
Fair Access Team (children at risk of exclusion)	£0.010m	n/a
Lodge Hill – Key Stage 3 2 nd Pilot	£0.020m	n/a
Specialist Alternative Provision Packages	£0.100m	n/a
<u>IPT Education Projects</u>		
Aspens/Specialist Autism (1:1 Support Packages)	n/a	£0.030m
Beacon House/Therapeutic (Spot Purchases)	n/a	£0.010m
Creative Family Support Packages	n/a	£0.030m
Crisis Emergency Support	n/a	£0.020m
Total	£0.130m	£0.090m

4.5.2 It is estimated that the SEND Service Development projects included in the table above will cost approx. £0.1m on an annual basis. The funding for these developments will be found by re-prioritising existing funding from within the DSG High Needs block.

4. Legal Implications

None for the purpose of this report

5. Risk Implications and Mitigations

Risk of not approving the strategy and its implementation	Mitigating Action (in place or planned)
The County Council will not adequately cover off / close the actions from the January 2018 SEND Inspection outcome and this could result in a poor follow up OFSTED in 3 years	There is currently no mitigating action in place or planned
The County Council will not achieve the SEND strategy objectives stated in section 2.1	There is currently no mitigating action in place or planned

6. Other Options Considered (and reasons for not proposing)

6.1 Do nothing – let the existing strategy expire. Forecasts of increased SEND demand and analysis of current performance by benchmarking against other authorities shows that a 'do nothing' option is not appropriate.

7. Equality and Human Rights Assessment

7.1 Section 149 of the Equality Act 2010 requires that public bodies, in exercising their functions, have due regard to the need to (1) eliminate discrimination, harassment, victimisation and other unlawful conduct under the Act, (2) advance equality of opportunity and (3) foster good relations between persons who share a protected characteristic and persons who do not share it.

- 7.2 The SEND & inclusion strategy will help all children and young people (0-25) in West Sussex, irrespective of their learning needs to achieve the skills and confidence they require to make a positive contribution to the community in which they live. They will be supported and nurtured through a local educational system that responds to their diverse circumstances and prepares them for adulthood. An Equalities Impact Analysis has been undertaken for the proposed strategy. An overview of the key equalities issues is provided in Appendix 5. This analysis has not identified any potential for unlawful conduct or disproportionate impact and concludes that all opportunities to advance equality are being addressed within the strategy.
- 7.3 Engagement responses have highlighted some equalities issues (for example the need to home educate because of no suitable local provision to meet the need) which will be addressed as part of the development of the detailed Implementation Plan. The detailed Implementation plan will also be subject to an Equalities Impact Assessment to help ensure we are compliant with our Public Sector Equalities Duties.

8. Social Value and Sustainability Assessment

We will include sustainability considerations in the formulation of the tasks and actions that support the delivery of the implementation plan, which will underpin this strategy. We are currently liaising with the Sustainability Team and others to do this'

9. Crime and Disorder Reduction Assessment

None for the purpose of this report

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Appendices

- Appendix 1 - Draft strategy
- Appendix 2 - Implementation plan
- Appendix 3 - Data Context
- Appendix 4 - Consultation summary rounds 1 and 2
- Appendix 5 - Equalities impact assessment