

**Report to:** Children's Services Scrutiny Committee

**Date of meeting:** 2 March 2018

**By:** Director of Children's Services

**Title:** Update on the Demand on ISEND Services

**Purpose:** To provide an update on the demand across the services and the impact of the steps that have been taken to address these.

---

**RECOMMENDATION:**

The Committee is asked to:

**Comment on the work undertaken across the priority areas identified last year and the proposals for utilising the High Needs review as the vehicle for delivering further developments.**

---

**1 Background**

1.1 Since the implementation of the Children and Families Act (2014), the Children's Services Department (CSD) have seen an increase in demand across all of Inclusion Special Educational Needs and Disability (ISEND) services. A report to the Children's Services Scrutiny Committee in March last year outlined the range of sources for these pressures and articulated what the Local Authority was intending to do to address these.

1.2 To address the upward pressure on provision and resources, CSD identified five key strands of work:

- I. **Building capacity and inclusive ethos in mainstream schools** – targeted interventions with mainstream schools, and work through Education Improvement Partnerships, to improve Quality First Teaching and confidence in supporting more children with higher levels of need.
- II. **Improving parental confidence in local provision** – ensuring that parents receive consistent messages from schools and support services around the ability of local schools to support their children appropriately, within their local community.
- III. **Robustly implementing the East Sussex post-16 pathways and ceasing Education Health Care Plans (EHCPs) at age 16 where they are not required for the young person's chosen pathway.** Targeting as appropriate the young people age 12-15 to strengthen their targets for independence and academic progression to ensure that they are ready for transition at the age-appropriate date without the need for an ongoing EHCP.
- IV. **Increasing the number of local special school places** – increasing the number of places through the development of specialist facilities in mainstream schools, Free Schools or Capital Programme.
- V. **Working with partners, ESBT and Connecting 4 You (C4Y), to take a joined up approach to planning the use of resources available.**

1.3 To support these developments, ISEND has been allocated £500k of Transformation Grant. The intentions around this were:

- I. Appointment of a Post-16 lead to conduct an audit of current provision and make recommendations for future processes.

- II. Appointment of 3.0fte Educational Psychologists to support the Annual Review process with a focus on bringing high cost placements back into the mainstream or to cease EHCPs where these are no longer required.
- III. Appointment of 10.0fte fixed term additional Assessment and Planning Officers to support a more proactive approach to casework, targeting more high risk cases with a view to bringing costs down.

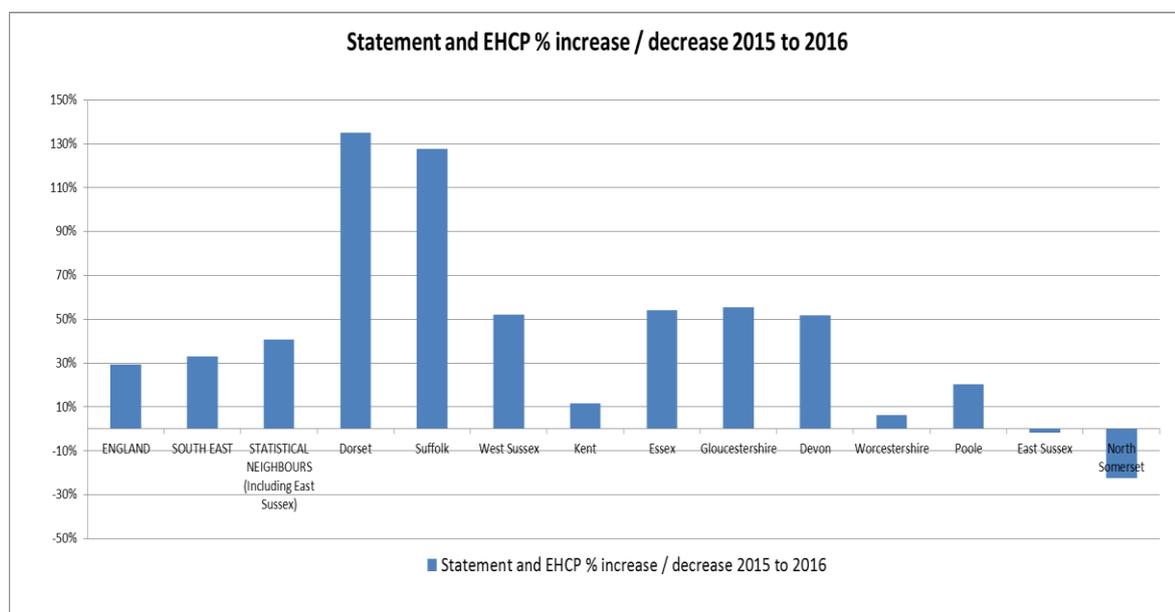
## 2 Supporting information

2.1 The significant rise in demand for statutory assessment and the issuing of EHCPs has been a national trend since 2014 and the increase and volume is unprecedented. Historically, the proportion of EHCPs across East Sussex has been high, and we have been proactive in leading a dialogue with schools about the challenge this creates over the past two years, which has placed us in a stronger position to improve the county's practice in relation to the demand for statutory assessments.

2.2 We improved our procedures for the assessment of children as to whether or not a statutory assessment and EHCP are appropriate, which were linked closely to the Special Educational Needs and Disability (SEND) Matrix (a guidance document for schools which outlines appropriate thresholds for different levels of support) that was published in late 2015.

2.3 East Sussex maintained and developed a 'core' offer to schools from a range of support services (e.g. Educational Psychology Service, the Communication, Learning and Autism Support Service) which mean that schools can access support without the need for statutory assessments. This is instrumental in delivering some of the key messages to schools around improving support for children with SEND.

2.4 The impact of this work can clearly be seen as East Sussex County Council is one of only two Local Authorities (LAs) within our statistical neighbour (SN) group who have seen a reduction in the number of EHCPs issued over the 2016 calendar year<sup>1</sup> (a reduction of 1.59%). Nationally, the number of EHCPs went up by 29.26%, LAs in the South East went up by 33.07% and the SN group increased by 40.79% collectively.



2.5 Although this is a promising start to managing the demand, it should be noted that East Sussex still has the highest proportion of the school age population with an EHCP within our SNs (3.6% set against a national figure of 2.8%). It is clear that the early work with schools has stemmed the demand; the drive, now, needs to be to make significant inroads into the overall

<sup>1</sup> Last available comparative data

proportion of CYP with statutory assessments through ongoing work within the 5 strands outlined below.

### ***Building Capacity and Ethos in Mainstream Schools***

2.6 The profile of children identified as having SEN (but without an EHCP) across East Sussex (ES) is low (9.2% compare to 11.6% nationally) and a concerted drive has been started over the last 12 months to increase the proportion of children in this category, as this is an indication of good identification. To bring about a substantial reduction in demand, there needs to be a significant shift in the threshold for statutory assessment. More children must be supported in their local mainstream school with an appropriate plan, which is instigated early enough for support to be in place, to address emergent concerns without the need to progress onto an EHCP.

2.7 One of the barriers that was presented from schools to early identification, was the old School-Based plan, introduced by the East Sussex SEND Pathfinder. The plan was overly complex and was not used consistently. In response to this, the LA has created an 'Additional Needs Plan' which facilitates not just the early identification of children, but tracks the impact of interventions so that they can be modified as the child progresses. Feedback on this has been very positive and it is already acting as a tool to evidence support and identify where schools need additional support to build capacity.

2.8 At the breakfast meetings in the spring, headteachers consistently identified a range of issues in relation to confidence of teaching staff to manage children with higher levels of need, especially those with Autistic Spectrum Disorder (ASD) and Social, Emotional and Mental Health (SEMH) needs. Early identification of these children is particularly important as, with appropriate adjustments to support and teaching, these children can succeed in mainstream environments.

2.9 As a follow-up to the breakfast meetings, the CSD commissioned the ISOS Partnership to facilitate a workshop with secondary school heads and SEN leads. At the workshops actions were identified that would address some of the barriers to inclusion and broaden capacity in schools. Out of this workshop, a number of pathways were identified:

- Re-focus the SENCo network to provide training and sharing of good practice;
- Develop school-based provision to support children within the mainstream environment, based on successful models already in place in some secondary schools;
- Training for schools in managing challenging conversations with parents, specifically to improve the management by schools of parental expectations and improve pupil outcomes.
- LA to lead on a bid for DfE School Improvement Funding. The bid was successful and brings £250k directly into local secondary schools to improve practice. Priory school will be leading on the offer to 15 secondary schools in the county.

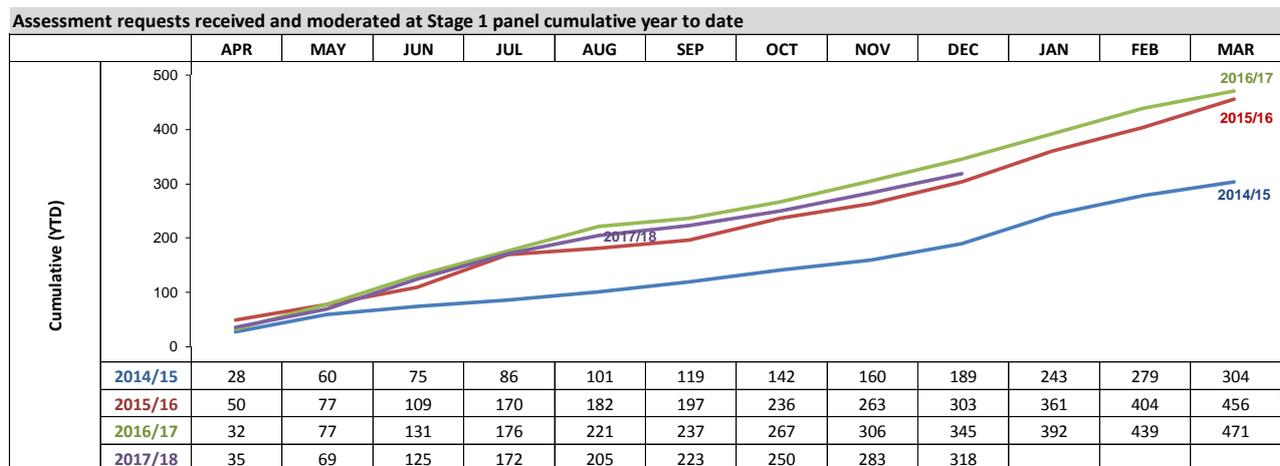
2.10 To manage support effectively for children with SEND, schools need to make good use of delegated SEND budgets (which form part of the DSG). In order to ascertain the efficacy of current practice, an audit on school use of delegated budgets was conducted by Orbis and follow-up guidance has been issued to schools on best practice around utilising funding already in schools' budgets to support all children with SEND. Recommendations in this guidance include:

- Greater transparency of SEND funding for SEN leaders in schools;
- Strengthening the role of SENCOs so that they become members of Senior Leadership Teams;
- Giving SENCOs the authority to spend against delegated budgets so that timely provision is made for individual children.

2.11 In response to the concerns around lack of capacity and confidence around ASD in local schools, we have revised our countywide ASD offer and have reorganised the Communication, Learning and Autism Support Service (CLASS). This managing change process involves bringing back existing outreach services into one central service and improving the reach of the offer to cover all schools across the county. The new service will focus on improving provision in local

mainstream schools and offering a high quality CPD programme to give classroom practitioners the confidence in supporting children with a wide range of ASD and Speech, Language and Communication needs.

2.12 As a result of this work, we are beginning to see a reduction in the number of requests for statutory assessment coming into the Local Authority.



### Improving Parental Confidence in Local Provision

2.13 Improving parental confidence in our systems and processes has been identified as one of the keystones to managing demand. Plans to improve confidence are focusing on three key areas:

- 1) the message that schools provide to parents about capacity to support their children;
- 2) the overall communication with parents across the county around the quality of local provision; and
- 3) the wider engagement with parents and carers in shaping provision.

2.14 An ongoing concern from parents is a feeling from some that their children with SEND will not thrive in local mainstream education provision. This was identified by Ofsted and is evident in the high number of EHCPs across the county and the number of requests for specialist provision (including schools in the independent sector). There are three main areas of concern that have been identified by parents:

- children's needs will not be met in mainstream schools without an EHCP;
- children with an EHCP in mainstream primary schools will require considerable additional support to transition well to a secondary mainstream setting;
- children are more likely to succeed in an independent school.

2.15 Communication between the Local Authority's Assessment and Planning Team and parents has not been satisfactory. This has led to parental frustration and general dissatisfaction with the system and the decision-making processes. This in turn has contributed to high numbers of complaints or challenge at tribunal.

2.16 A comprehensive audit of the work of the Assessment and Planning team has identified that caseloads were not manageable to deliver statutory requirements as well as to drive down pressures. A revised staffing plan was therefore drawn up to address these challenges. This has led to increased numbers of frontline staff and provided increased capacity to spend more time building positive relationships with parents, managing expectations and delivering a timely response. Nonetheless, staffing remains an area of challenge.

2.17 Following on from the initial meetings with schools, the Assessment and Planning Team has been following up and, where appropriate, challenging any concern that has been raised around the confidence that schools have in giving prospective parents a positive experience of local provision and, therefore, a sense that their child's needs will be appropriately met in that setting.

2.18 A challenge for East Sussex is the availability of Independent Schools and their high level promotion. To counter this message, we have worked with our local special schools to encourage the development of better promotional material. In addition, and in conjunction with the East Sussex Parent and Carer's Council (ESPaCC) we have a local SEN prospectus, which promotes the range and success of provision across the county, from mainstream nurseries through special schools and FE colleges. Alongside this, we have increased the county's social media profile with a focus on publishing messages around the success in local SEN provision. This will enable us to counter some of the perceptions that are promoted through some external groups that specialist independent provision is the best option for children with SEND.

2.19 To improve wider engagement with parents, the LA commissioned AMAZE (a local charity who already work with ES and have improved parental engagement successfully in Brighton and Hove) to review the current channels of parental engagement and to draw up a new model for East Sussex. The report identifies a range of options for the Local Authority and the parent and carer forum to take forward to improve engagement with parents across the county.

***Robustly implementing the East Sussex post-16 pathways and ceasing EHCPs at age 16 where they are not required for the young person's chosen pathway.***

2.20 As part of the transformation funding, we have appointed a Post-16 SEND specialist to develop strategies to manage the pressure from the FE sector. This work has included site visits to all FE providers, audits of provision across 4 main FE sites and scrutiny of learner files to identify target areas to reduce unnecessary demand.

2.21 We have identified both a significant disparity in the charging levied by FE colleges in relation to element of High Needs expenditure and significant variation in the delivery of support for children with SEND.

2.22 We have revised the process for agreeing High Needs funding for Post-16 placements which includes:

- A new timetable for early identification of children from Year 10 (as opposed to year 11 as was previously the case). This will allow more young people to transition onto non-statutory Preparation for Adulthood plans or to have their EHCPs ceased prior to applying to college and they, therefore, will not draw down high needs funding.
- Standardisation of costing's across all post-16 High Needs providers to, reduce unit costs.
- Standardisation of the information required from FE providers which link proposed costs to EHCP outcomes.
- New panel process to assess proposed costs from colleges and to challenge any provision that is considered high cost and not clearly linked to learner outcomes.
- Links with other LAs to manage the market and agree standard costs.

2.23 Strategic conversations have been held with all FE providers including, Sussex Downs and Sussex Coast to deliver more responsive provision from September 2018. This would provide funding for well-subscribed courses as opposed to individual learners and would give certainty of funding for the providers and reduce overall costs for cohorts of young people for the LA. Strategic conversations with Plumpton College have progressed more slowly, in recent years their costs have been high and there has been some resistance to work with the LA to reduce these in line with other providers.

2.24 The Educational Psychology Service has targeted a group of young people in Year 11, in high cost Independent Non-Maintained Special Schools (INMS) placements, which we consider could successfully move onto mainstream FE placements. We have successfully recruited additional EP time through the transformation grant to build on this work from September and to target more children in INMS to increase the numbers progressing into maintained FE provision. The aim is to ensure that more young people move onto courses which deliver good progression for them and enhance their skills for moving on to independence in adulthood.

***Increasing the number of local special school placements***

2.26 In autumn 2016, applications for 3 special schools and 1 Alternative Provision Free School were being prepared. In the early part of 2017, an opportunity arose for the Local Authority to submit an Expression of Interest for an LA sponsored Free School. The LA provided considerable support to all the Free School applicants and the county was successful in securing agreement from the DfE in April 2017 for the following 3 new schools:

- One Autistic Spectrum Disorder (ASD) special school in Eastbourne,
- one ASD special school in Hastings; and
- one countywide Alternative Provision Free School.

A total of 20 New Special Free Schools were agreed nationwide which shows that ES was particularly successful in that it gained 15% of the total agreed new builds.

2.27 So as to meet the high level of demand for children with the most complex needs, the Local Authority has secured capital funding for an extension of the agreed ASD free school in Eastbourne to include 51 places for children with Profound and Multiple Learning Difficulties (PMLD). Furthermore, we are currently tendering for a provider to run a new Free School (for children with Social Emotional and Mental Health needs) in the Hailsham area. These will increase the capacity of local provision and significantly improve the local offer for children with SEN in East Sussex from 2020 onwards.

***Working with partners, ESBT and C4Y, to take a joined up approach to planning the use of resources available***

2.28 As a large number of the cohort of children with PMLD also have accompanying health needs, there is a clear benefit in Clinical Commissioning Groups (CCGs) working with the LA to review the commissioning of provision for children with PMLD to achieve better outcomes and, therefore, value for money. The Chartered Institute of Public Finance and Accountancy (CIPFA) benchmarking shows that ES has the lowest percentage of financial contribution from health in the benchmarking group.

2.29 Through the ESBT workshops, opportunities have arisen for the LA to look at the options for joint placing with CCGs to look at how they can support the development of the PMLD provision in Eastbourne so that we can create a more centralised service for children with complex needs.

2.30 The DfE have identified a grant for all LAs to undertake a review of their High Needs Expenditure. CSD has undertaken a review of all SEND and provision which will provide a vehicle to reduce demand in a number of key areas, for example:

- Reducing the upward pressure in supporting children, from mainstream schools to special;
- Increasing opportunities for developing more in-school provision to support children with additional needs, working with schools to maximise resources and opportunities through partnership;
- Creating opportunities for schools to access additional support for children with SEN without the need to going through statutory assessment and increasing the use of Additional Needs Plans to drive improvements for individual children.

### **3. Conclusion and reasons for recommendations**

3.1 There continues to be an ongoing pressure on ISEND due to the increase in demand that stems from the reasons outlined in the previous report to Scrutiny Committee. There is evidence of clear impact in reducing demand through the range of strategies that we have outlined above and we envisage that these will continue.

3.2 The Local Authority will publish the High Needs Block review in April 2018 and we will use this as a vehicle for the strategic planning of provision with schools and parents. This will enable us to identify commissioning priorities based on the current demands across the county.

3.3 Furthermore, we are using the SE19 network to work with other LAs on this agenda to share experiences that come out of the review and areas where there have been successes in reducing demand from across the region. The final review will make recommendations toward the end of March 2018, with work being done to implement any changes by September 2018.

3.4 The Children's Service Scrutiny Committee is asked to comment on the work that has been undertaken over the last 12 months and the proposal to use the outcomes of the High Needs review as the vehicle for delivering sustained improvements.

**STUART GALLIMORE**  
**Director of Children's Services**

Contact Officer: Nathan Caine  
Tel. No.: 01237 482401  
Email: nathan.caine@eastsussex.gov.uk

**BACKGROUND DOCUMENTS**

Report to Scrutiny Committee on 20 March 2017: Inclusion Special Educational Needs and Disability (ISEND) Service Demand