

Appendix A

Schools Forum

17th October

SEND: High Needs Task & Finish Group Report

Recommendations

1. To note the content of the report, in particular the national drivers and local factors contributing to the High Needs' deficit.
2. To endorse the actions in section 3, that is
 - a. To encourage schools to pilot the Inclusion Quality Mark, building on the success of the early years Warwickshire Inclusion Kite mark Scheme model;
 - b. To support the revision of the SEND Provision Matrix as an authority wide statement of expectations of inclusive practice through which parents and partners can hold schools and settings to account;
 - c. To recommend that all Warwickshire schools publish annually on their website how they have spent their SEN Notional Funding, in the same way as they are required to account for pupil premium.
 - d. To continue to develop further "mainstream plus" options e.g. specialist resource provisions and partnerships with special schools;
 - e. To ensure the whole SEND system has sufficient SEND Specialist Leaders in Education to support strategic audits and promote best practice;
 - f. To reduce spend on independent and non-maintained specialist provision through improving the capacity within our own local provision;
 - g. To continue to invest in the workforce to ensure Warwickshire has confident and skilled practitioners in schools and settings to meet the needs of learners with Autism and Social Emotional and Mental Health Needs. Depending on the High Needs' financial settlement, detail as yet unknown, the LA may come to the next Schools Forum to request a top slice of the schools block to fund workforce capacity building.

1. Background: why are we in this position?

1.1 In common with many local authorities, Warwickshire's High Needs Block is facing significant funding pressures in both the immediate and medium term. A number of national reports have sought to analyse the causes. Research by ISOS in December 2018, "[Have we reached a 'tipping point'? Trends in spending for children and young people with SEND in England](#)", cites the following:

- Growing complexity of need and a changing profile of SEND;
- Improved life expectancy for children with complex health conditions and improving survival of extremely premature babies many with significant disabilities;

- Population growth;
 - Extension of LA responsibilities to include post 19;
 - Increased parental expectations as a result of the Children & Families' Act 2014;
 - Higher rates of exclusions and use of Alternative Provision;
 - Growing demand for specialist provision for learners with Autism and Social, Emotional & Mental Health Needs (SEMH);
 - Pressure on school budgets and an accountability framework which militates against mainstream school inclusion;
 - Tribunal decisions;
 - Pressure on local special school capacity;
 - Increasing use of Independent and Non-Maintained Special Schools and out of area provision.
- 1.2 The Warwickshire child population is set to increase by 30,000 over the next 20 years and the subsequent demand for additional specialist provision will increase in line with this growth. Based on current trends the Warwickshire High Needs Block is facing a shortfall of up to £4.3m in 2019-20; in addition SEND Transport is forecast to overspend by £1.5m and Children with Disabilities by £1.4m. If current demand for SEND provision continues to increase and the local offer remains 'as - is' this overspend is forecast to increase year on year (see annex 1).
- 1.3 All the factors listed above from the ISOS research are at play in Warwickshire.
- 1.4 More recently the County Council Network (CCN) has published findings commissioned from Pricewaterhouse Coopers showing that local authorities in England face a combined £6.4bn spending need across Special Educational Needs and Disabilities (SEND), home to school transport and wider children's social care by 2024/5 if they are to maintain the levels of service they provided in 2015/6. The report shows that the spending need, especially that which is predominantly directed to services for children with very complex needs, is expected to increase by as much as 34% over the decade.¹
- 1.5 The CCN cites the most recent Office of National Statistics figures for 2018/19 showing a significant increase nationally in the number of children in receipt of Education Health and Care Plans (EHCP) – a 47% increase since 2015; this compares to a 4% increase in Statements of SEN between 2010 and 2014. The CCN points out that many of the sharpest increases of EHCPs were in Counties and were well above this rate. Warwickshire came 27th out of 36 County Councils in terms of one of the lower percentage rises at 38.17% between 2015 and 2019²; school age EHCP numbers in Warwickshire are relatively stable, the significant growth has been in post-16 numbers. Whilst comparatively Warwickshire is performing well, the increase is still significant and leading to demand outstripping capacity on essential SEND services such as

¹ <https://www.countycouncilsnetwork.org.uk/new-report-reveals-councils-face-50bn-black-hole-over-next-six-years-local-authorities-warn-that-they-will-resort-to-the-bare-minimum/>

² <https://www.countycouncilsnetwork.org.uk/costs-of-special-educational-needs-services-could-break-council-budgets/>

Educational Psychology.

- 1.6 The ISOS research [“Have we reached a Tipping Point?”](#) reports that LAs can be doing all the right things but still be in a deficit position and have limited capacity to contain high needs’ expenditure for the reasons in the diagram below:



- 1.7 As this model suggests the issues are complex and multi-faceted and no single action or solution will address the deficit.
- 1.8 On the 30th August 2019 the DfE announced an additional £700 million for children with Special Educational Needs and Disabilities (SEND) in 2020/21. As yet there is no detail as to what Warwickshire can expect. Whilst this news is welcome, it is likely to be “one off” funding and, therefore, will only help clear some of the deficit rather than help with growing demand and complexity.

2. The High Needs Task & Finish Group

- 2.1 A High Needs Task and Finish Group drawn from the membership of Schools Forum, head teachers and governors of local schools and educational settings from across the 0-25 age range, along with local authority representatives from SEND and finance, has met four times.
- 2.2 During the first two meetings in March and April the group considered the causes contributing to the deficit and looked at the possibility of strengthening accountability through devolving High Needs funding to local consortia, led by school leaders with support from LA officers and partners. Historically this model has proven highly successful in Nottinghamshire, Hertfordshire and other LA areas in ensuring schools had

resources to intervene early without the need to request an EHC Plan. LA SEND Officers, however, were advised against taking this further by Warwickshire's DfE Regional Adviser, on the basis that the model is not "fit for purpose" in the context of the current legislative framework. Since then the CCN has published comparative data on increases in EHC Plan numbers since 2014 and both Nottinghamshire and Hertfordshire are cited as having the third highest increases at 72%.

- 2.3 Warwickshire's DfE Adviser recommended instead that we look to West Berkshire who had one of the lowest deficits at £0.5 million in 2018-19. There is not one single action which has led to better control over W Berkshire's High Needs spending. Instead they have invested in a number of activities over the last 5 years:
- Creating more specialist within authority provision, including a registered school providing Alternative Provision for secondary learners with EHCPs for ASC and SEMH;
 - Capacity building for schools around SEMH e.g. circle of adults and trauma informed practice;
 - Quicker access to mental health professionals for those just below thresholds and those on waiting lists;
 - Post 16: greater emphasis on internships and routes to employment.
- 2.4 Reassuringly a number of these activities have already started in Warwickshire, including
- Plans develop new provision for learners with ASC and SEMH needs;
 - Opening an Alternative Provision Free School;
 - Developing more Resourced Provision attached to mainstream schools;
 - Establishing more partnership arrangements between special schools and mainstream;
 - Availability of training for schools in Attachment Aware, Autism Education Trust;
 - Families and schools having access to Dimensions, a web-based app, to help find advice, support and local interventions for those with mental health needs;
 - Increasing numbers of supported internships.

3. What else do we need to do?

- 1.3 ISOS' research ["Have we reached a Tipping Point"](#) summarises what local areas need to do in the table below:

Seven key areas for local attention

Shared ownership of funding issues	Creating a partnership with schools and parents which ensures partners understand it is not an 'LA problem' and results in collective problem solving.
Supporting inclusion & holding to account	Clarity about what every school should be able to offer children and young people with SEND, based on principles of entitlement and equality, and with reference to what schools are obliged to do by law.
Building confidence of parents	Ensuring the quality of provision and promoting local provision. Maintaining sufficient capacity to manage casework efficiently.
Maximising capacity of local special sector	Developing additional capacity through units or free schools; using capital allocations to refurbish; engaging special schools in a strategic dialogue about meeting need.
Sparing and judicious use of INMSS	Tight and fair panel process; commissioning discussions with sector; establish placement outcomes and end dates; bring young people back at transitions.
Post-16 pathways	Pathways between GFE and specialist; routes to independence with employers including use of apprenticeships; challenging some post-16 EHCPs.
Working with partners	Strategic joint commissioning with health and CSC; section 19 agreements to share costs of complex placements; early help; joint communications.

Shared Responsibility - "Not an LA problem": All our children.

- 3.2 Helping Warwickshire Heads Teachers to see SEND and Inclusion as everyone's business and underpinning the Education Strategy is the Ethical Leadership framework launched at the summer Head Teachers' Conference. The framework provides leaders with an opportunity to reflect on their own practice, think about the principles that help them to 'do the right thing' in the interests of the young people they serve and assist in "calling out" unethical behaviour. Taking this a step further would involve all heads in an area pooling responsibility, sharing resources and expertise. This is an early goal in building a partnership to underpin the Nuneaton Education Strategy.

Clearer expectations for mainstream schools

- 3.3 Whilst creating more specialist provision Warwickshire will help to bring down the deficit, the foundation of an effective local SEND system results from mainstream providers who are effective in identifying need and putting in place appropriate and timely support.
- 3.4 Getting this wrong creates unsustainable pressure on more specialist provision and services, and more importantly leads to loss of parental confidence and increasing expenditure. One of the questions posed in ["Have we reached the Tipping Point"](#) is - *How can mainstream schools be supported, incentivised and rewarded for maintaining an active and effective approach to inclusion?* In Warwickshire we are addressing this through the [SEND and Inclusion Strategy](#), which includes key activities and performance measures. For example, the Warwickshire Inclusion Kitemarking Scheme (WInCKS) is now in its third year; 54 settings and childminders have now achieved the award which recognises best practice in SEND provision in early years' settings. In April a school age version, the Inclusion Quality Mark, was

introduced and is being piloted in schools from September. The pilot will inform how the Inclusion Quality Mark will assist a county wide self-improving system.

- 3.5 To ensure all schools and settings are clear about what should be “ordinarily available”, the LA has three Provision Matrices, setting out what should be provided to deliver a graduated response in Early Years’ Settings, Schools and Post-16.
- 3.6 The school age [SEND Provision Matrix](#) is a key document in communicating expectations of inclusive practice and then holding schools to account. A review of the matrix began in 2018/19. Following feedback from head teachers and SENCOs, it has been agreed to expand the scope of the SEND Provision Matrix to become a web-based interactive tool, providing links through to resources, and including health and social care content. The Educational Psychology Service has been commissioned to lead on this, with piloting of the new matrix set for April 2020. Although this is a lengthy process, if the matrix is to have **ownership** of all stakeholders and there is to be agreement on what all schools should be providing, it needs to be co-produced.
- 3.7 In addition to holding schools to account through the [SEND Provision Matrix](#), the High Needs’ Task and Finish Group discussed the importance of financial transparency and proposed that Schools Forum should recommend that all Warwickshire schools publish annually on their website how they have spent their SEN Notional Funding, in the same way as they are required to account for pupil premium.

Mainstream Plus

- 3.8 In [Developing and sustaining an effective local SEND System](#), published by ISOS in November 2018, a key message is that LAs need to work with local specialist providers to consider local needs and shape provision to meet them, including developing a range of “mainstream plus” options. Since 2015 in Warwickshire, working with the Specialist Provision Board and key stakeholders, 92 new places have been created enabling learners to receive specialist provision within mainstream settings, either in a Specialist Resourced Provision (SRP) for Communication and Interaction needs or a Partnership placement, where the child is on roll of a generic special school but attends a mainstream school supported by staff from the special school. Capital works to support these developments have approved by Cabinet and are recorded in the Special Provision Fund plan.
- 3.9 Further places are planned for 2019-20:
- Eight places for children with social emotional mental health (SEMH) needs in a SRP attached to a primary school in Rugby;
 - Eight places for children with communication and interaction needs in a SRP attached to a primary school in the south of the County.
- 3.10 Discussions are in progress around:
- Ten partnership places in the north of the county;
 - A secondary SEMH resourced provision in Nuneaton;
 - A primary SEMH resourced provision in Warwick;
 - A MAT in Nuneaton, expressing an interest in developing two specialist resourced provisions.

- 3.11 The High Needs Task and Finish Group endorsed the partnership and resourced provision approach and supported the development of more, but acknowledged this is “not an immediate money saving strategy” but one likely to take four years in line with the Education Strategy. Priorities moving forward would be to
- Identify primary school / MAT partners to establish SEMH provisions in Nuneaton & Bedworth and the south of the County;
 - Establish partnership arrangements between special schools and mainstream in the remaining three areas of the County: central, south and Nuneaton & Bedworth.
 - Ensure that the proposed Alternative Provision Free School supports mainstream schools to prevent permanent exclusions and improve outcomes for disengaged learners.

Ensuring the quality of local provision and parental confidence

- 3.12 Currently Warwickshire spends more on provision in Independent and Non-Maintained Special Schools than similar authorities. Preventing tribunal appeals, ensuring parents have confidence in our local provision, is key to reducing this spend. Parental responses from those who took part in the [SEND and Inclusion Strategy](#) suggest a lack of confidence in local provision.
- 3.13 Two special schools have emerged with significant issues and parental concerns about quality. Officers are taking robust action in both cases. To help prevent and address these “schools causing concern” issues in a more timely way, it has been agreed from September that special schools will be risk assessed and categorised A-D, against a range of hard and soft indicators, similar to mainstream schools. This process will enable concerns to be identified and addressed at an earlier stage.
- 3.14 Strategic SEND Audits have proved a valuable part of the intervention process for schools in financial difficulties and where a leader is expressing concerns about SEND provision in their school. Although schools can use the Whole School SEND Audit or the LA’s own audit as a self-evaluation tool, the activity may have greater impact when done with a partner who brings a “fresh pair of eyes” to the process. From September the LA will be actively encouraging more SENCOs to apply to become SEND Specialist Leaders of Education (SLE) to work with schools on SEND auditing and promoting best practice.

Maximising the capacity of the local special school sector and reducing reliance on ISPs

- 3.15 Since 2014 Warwickshire has been expanding the number of places available in state funded schools:
- 210 new special school places for learners with Autism and Social, Emotional & Mental Health (SEMH);
 - An additional 140 places in our existing generic special schools;
 - An extra classroom will also be ready at Oak Wood School from January 2020
- 3.16 However, over the next five years we are anticipating further demand as a result of housing development, resulting in the need for two further special schools.
- 3.17 Important work is currently being done, to ensure that before any learner is

considered for specialist provision all options have been fully explored, including what additional provision, interventions and support would enable all parties to have confidence in the learner remaining in their local mainstream school. This is in line with the “presumption in law of mainstream education in relation to decisions about where children and young people with SEN should be educated”³,

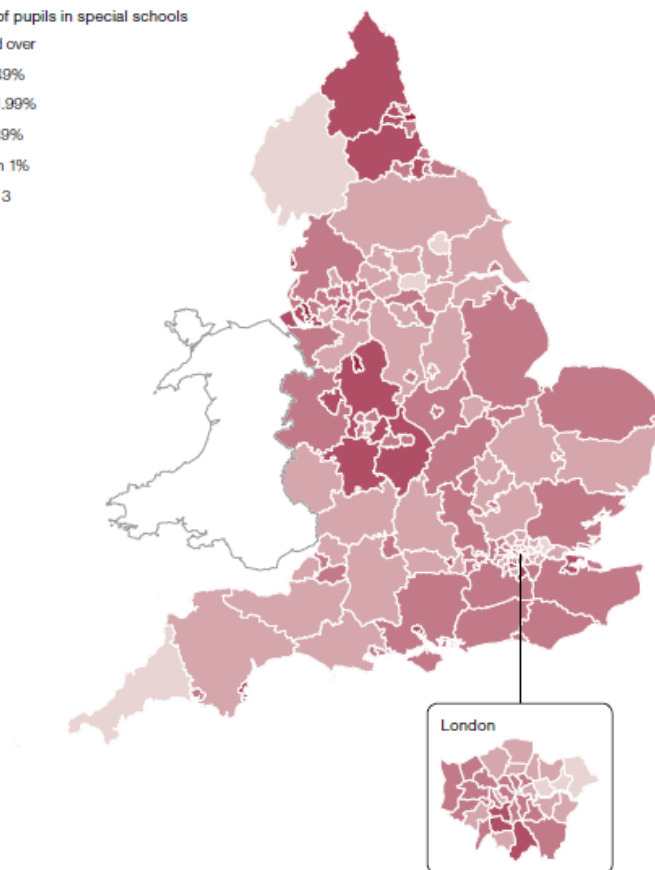
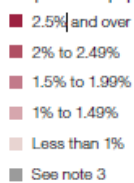
- 3.18 At 39% Warwickshire has far fewer learners with EHCPs in mainstream secondary schools, compared with 51% in primary schools and 56% nationally. This is also highlighted in a recent National Audit Office report [Support for pupils with special educational needs and disabilities in England](#) - see figure 11.

Figure 11

Proportion of pupils in special schools by local authority, January 2018

The proportion of pupils in special schools varies considerably by local authority

Proportion of pupils in special schools



- 3.19 From September staff from SEND Assessment & Review (SENDAR), along with specialist staff, will target attending the reviews of Year 5 learners to identify those who are likely to need far greater support at transition or where concerns are being expressed about mainstream options at secondary. These earlier discussions will enable consideration of all the options, for example, “mainstream plus” via a partnership arrangement or enhanced transition support with additional specialist input.

³ Special educational needs and disability code of practice: 0-25, DfE, 2015

- 3.20 A few secondary schools offer a differentiated Year 7 offer for identified pupils. This offer varies but usually involves a more gradual transition to the secondary curriculum with fewer teachers to get to know initially, fewer room changes, often with teachers moving instead of the students; some employ a primary practitioner specifically for this group of learners. Greater emphasis is placed on pastoral support and getting to know what a learner needs moving forwards. This approach will be promoted to other school leaders through “Heads Up” and Head Teacher events.
- 3.21 Although Warwickshire is reducing the number of children in Independent and Non-Maintained Special Schools (INMSS), expenditure remains above the national average and represents a significant area of spend at over £11 million per year. Plans for new specialist provision are being developed to ensure children with Autism and SEMH are educated locally, reducing both placement and transport costs.
- 3.22 Requests for placements in INMSS are considered by the High Needs’ Panel which is made up of a range of representatives from Head Teachers, SEN Co-ordinators, Commissioning, Specialist Services and Social Care. The panel was independently reviewed in December 2018 and judged to be highly effective.
- 3.23 The County Councils Network analysis [Special Educational Needs and Disabilities: The Challenge Facing County Authorities](#), points out that LAs are currently in a very weak position as demand for INMSS places is outstripping supply.
- “...unlike maintained special schools INMSSs do not have incentives to keep their costs low – indeed offering a broader range of add-on services is more likely to attract parents holding an EHCP plan for their child to choose INMSS provision above equivalent maintained schools. INMSSs do this in the knowledge that, even if the council believes the costs to be more excessive compared to what could be delivered to meet the child’s needs in a maintained setting...” CCN, July 2019.
- 3.24 The recent National Audit Office report [Support for pupils with special educational needs and disabilities in England](#) also highlighted this issue and recommended that the DfE:
- “... should set out publicly the circumstances under which it considers public money should be used to pay for independent provision for pupils with SEND. The aim should be for the amount that local authorities pay for independent provision to be comparable with the amount paid for state provision for children with similar needs, unless there is a good reason for paying more”.
- 3.25 Warwickshire County Council has a multi provider framework for the provision of SEND Educational Day Placements based on three phases: Children aged 5 -11, Children aged 11 – 16 and Young People aged 16 – 19. This framework operates from August 2018 to July 2022 with the flexibility to undertake a refresh. There have been two refreshes and there are now 31 schools and colleges on the framework, with three others awaiting signed contracts. WCC prioritises procuring from the framework prior to considering spot purchase placements. It is not possible to place exclusively with providers on the framework due to matching needs, parental preference and geographical locations. Some providers may have periods of being dormant due to quality assurance and/or Ofsted registration issues.

- 3.26 The framework has not influenced a direct decrease in pricing but does support greater working together and a robust price uplift process. Following extensive discussion with finance and SEND colleagues it was felt a guide price, capped price or banding system of pricing would not be appropriate for the framework. There is a wide range of pricing within the INMSS market. Each placement is specific to the child and no two placements are the same; it is therefore difficult to provide an average or guide price for providers to price against. The requirements may include one to-one or two-to-one tuition/support, for example. The providers have tended to give a base price and then where additional needs are identified they will request this additional funding such as 2:1 support.
- 3.27 When being consulted providers on the framework cannot submit a price higher than their tender price and there is an expectation that WCC will challenge and negotiate the placement price where there are requests for additional funding such as 2:1 support. Early reviews are always negotiated to ensure any additional levels of support are still indicated and evidenced.
- 3.28 Following consultation the contract is awarded to the provider who is deemed to best meet the requirements and outcomes set out in a pupil's education, health and care plan (EHCP) and as per individual placement agreement; other factors such as parental choice, child's voice, price and distance travelled, for example, are also part of the consideration. The High Needs Panels endorses these placements. In the last academic year since the framework started, 75% of placements have been with framework providers.
- 3.29 For all placements made by WCC, both on the framework and by spot purchase, each child has an individual placement agreement which outlines expected outcomes at each key stage. These outcomes are signed off by budget holders for the High Needs' budget and should be SMART. Schools and colleges have the responsibility for holding reviews. WCC representation is not always present at these Annual Reviews but there is a process in place to ensure these are reviewed by EHC Plan Coordinators. Historically the LA has invested more in sending Educational Psychologists to every review to monitor progress, to observe in class, talk to staff, parent / carers and the child. However, this monitoring has reduced over time owing to expense. Nonetheless when resources were invested in sending staff to reviews, it was still extremely difficult to transition learners back to local provision. Greater investment in reviews does enable the LA to intervene more quickly to prevent placement breakdown or be more proactive to avoid requests for increases in staffing with escalating costs.
- 3.30 The quality framework for INMSS proactively supports the process and manages concerns as they arise. This includes capturing termly data from schools with some live reporting where quality issues emerge or a placement is at risk. Educational Psychology supports the quality assurance visits in schools and the Virtual School also links with commissioners where concerns are identified. This added intelligence aims to support quality assurance, stability of placement or where appropriate, initiate managed moves. The social worker based within SENDAR also supports a partnership approach to support stability across both care and education with links to health where appropriate.
- 3.31 In 2018/19, 69 new placements were made into independent specialist provision, making a total of 238 placed, between Years Reception to Year 11, as at July 2019. Eleven of the new placements were into Year 7. Nine of the placements were between two independent specialist provisions, and five placements were children who were not on a school roll.

- 3.32 There is a fee review built into the framework at a maximum of 1% per annum where providers can evidence meeting the outcomes within a child's EHC Plan.

Children with Disabilities

- 3.33 At the beginning of the financial year 2019- 20 the Children with Disabilities team (previously known as SEND Social Care) had a total overspend of £2.4 million; at the time of writing this report the overspend has reduced to £1.4 million. The figures are encouraging, but in order to move closer to a balanced budget spend by the end of 2020 there is a need to look at the amounts allocated to the two funding streams on the basis that whilst placement costs are coming down, the amount of Direct Payments being set up is increasing and the relevant budgets need to align with this shift in culture and practice.

Building staff capacity

- 3.34 Both nationally and locally staff in schools and settings express concerns about their ability to meet the range of needs they are meeting; building the capacity of staff was seen as a key priority by those responding to the SEND and Inclusion Strategy Consultation in late 2018.
- 3.35 Since May 2017 Warwickshire has invested in Autism Education Trust training; all schools and settings have been able to access free Level 1 training through the Specialist Teaching Service. Up to July 2019 3,787 staff across 137 schools and settings have accessed the level 1, Making Sense of Autism, basic awareness raising for staff. Take up of levels 2 and 3, which is costed, has been disappointing. There is a need two years on to evaluate the effectiveness of this investment.
- 3.36 The High Needs' Task & Finish Group considered what capacity building would be required to ensure staff feel more confident to meet the needs of more complex learners with Autism and Social, Emotional & Mental Health. Models recommended include SCERTS (social communication, emotional regulation, and transactional support), Attachment Aware, Trauma Informed, Nurture based 'Inclusion embedding' training. This training will support schools and settings to meet the needs of a range of more complex conditions, including "extended school non-attendance". WCC services including Educational Psychology can be commissioned to deliver these with monitoring against performance and strategic standards, for example, attendance, exclusions, requests for EHC needs' assessment, use of specialist provision. Recommendations to Schools Forum from the High Needs Task and Finish group will include proposals to invest in the workforce and the ability to release funding outside the EHC Plan framework to fund this capacity building. The aim here is to prevent greater expenditure in the long term.
- 3.37 Peer to peer support is recommended to fund earlier intervention support either through outreach / inreach support from mainstream and specialist provisions, or via specialist support services. All providers to view success when a learner is able to be successfully included and make progress in their local provision, and where transitioning from special to mainstream is anticipated, aimed for and applauded. This requires extensive multi-agency workforce upskilling to ensure all have the same anticipated outcomes to remove barriers and find solutions together that enable all learners to be successful in their local setting.

Building confidence through local leaders

- 3.38 Through our communications and events with headteachers, as well as our SEND programme workstreams and networks, we need to continue to promote messages of inclusion and provide the tools to deliver inclusion (eg. the SEND Provision Matrix). By building confidence in our local leaders, we can also build the confidence of learners, parents and staff.

Preventing the high cost of exclusions

- 3.39 From September 2019 the LA is implementing an alternative model for preventing the exclusions of those children without an EHCP or under statutory assessment, through the Education Entitlement Team. With the assistance of different accountability measures through the new Ofsted Framework, which rewards schools making good progress with learners with SEND or at risk of exclusion, we should see a further decrease in the high number of permanent exclusions, which have remained particularly high in the primary phase.

Preparation for Adulthood (PfA)

- 3.40 It is widely acknowledged that LAs have not been funded to manage the increase in Post-16 demand as a result of the Children and Families Act 2014. Currently in Warwickshire 32% of learners with EHCPs are Post-16.
- 3.41 Effective schools and services prepare children for adulthood from the earliest years. As the ISOS [Developing and sustaining an effective local SEND System](#) research observes “Too often... what goes under the banner of “transition planning” is simply preparing the young person for their next placement, rather than something focused on the young person’s long-term goals”.
- 3.42 Warwickshire now has a dedicated team of Post-16 specialists in SENDAR supporting PfA pathways and working with schools, Further Education and Training providers to build capacity locally.
- 3.43 In May 2019 Warwickshire launched “Supportive Employers Inc”; at the first event, three current employers hosting supported internships shared their story with 40 employers from the Warwickshire area. Moving forward the forum will provide a key route for linking schools and employers together to host supported internships. Currently, Warwickshire is supporting 65 young people on supported internships (September 2019). The ambition is to offer 100 by 2020/21.
- 3.44 Warwickshire is in the process of co-producing a PfA strategy which will outline the intended outcomes, key priorities and indicators that will provide a framework for all services working with children, young people and their families who are Preparing for Adulthood.

4. Other additional pressures and risks impacting on spend

Section 106 Developer Contributions

- 4.1 In keeping pace with the requirement for more specialist provision to match new housing development, the risk is that Section 106 Developer Contributions will be insufficient to cover the additional specialist provision costs.

Section F of Education, Health & Care Plans

- 4.2 Under the 2014 Children & Families Act, the local authority is ultimately responsible for provision that 'educates or trains' which is recorded in section F of a learner's EHC Plan. As a result, some provision which may previously have been considered health or social care responsibility is now considered education responsibility and to be met from the High Needs Block (eg. speech and language therapy). Partnership working continues with social care and local NHS partners, who continue to make significant contributions to the local offer of SEND provision. The increasing demand for services, exacerbated by financial pressures upon schools, increases the need for joint commissioning and adds further financial pressure to the High Needs Block.

Pressures of Educational Psychology

- 4.3 There is a shortfall in the budget for Educational Psychology to meet the increasing volume of statutory Education Health & Care assessments and reviews required under the Code of Practice 2015. Although the service is currently keeping pace with initial statutory assessment work through the use of Associate EP colleagues, the service is not able to contribute to reviews as required. The Principal EP is currently writing a report on the increasing volume of requests for advice - a 69% increase since 2014 - and recommendations for managing the shortage of EPs.

SEND Implementation Grant and Capacity Building

- 4.4 Whilst investing in staff capacity building to meet the needs of learners with more complex ASC and SEMH is essential, the national SEND Implementation Grant which has subsidised much of this training so far is to be removed from March 2020.
- 4.5 Given the removal of this grant of £296k and the recommendations in this report to increase capacity building to enable more mainstream settings to meet the needs of learners with ASD and SEMH, it is vital that funding is identified to deliver this.
- 4.6 Since 2018-19 LAs have been able to top slice up to 0.5% of their schools block and transfer this to another block, such as the high needs block. LAs cannot however make this top slice unilaterally and have to gain the approval of Schools Forum in consultation with mainstream schools. Schools Forum can only give approval for a one year only transfer of funding out of the schools block, however, this would enable the LA with schools and key stakeholders to strategically plan, commission and start to deliver a programme of capacity building in relation to ASD and SEMH.

5. Making it Happen

- 5.1 The operating model and assurance need to be underpinned by good commissioning and contract management practices. We will review all through SEND commissioning (including transition to adulthood) with People Services. We will review contract management capacity, to ensure that there is a cyclical review of contracts and provision starting with the highest cost placements. We are refreshing our approaches to communications and engagement with Children and Young People and Parents and Carers in relation to a substantial change programme ahead.

6. Recommendations and Actions

- 6.1 Recommendations and Actions with timeframe can be found in the attached action plan.

7. National Issue/ Evidence based Lobbying

- 7.1 The recent funding announcement has a close correlation to historic deficits. It does not have a close correlation with projections on future growth in demand. we will need to analyse the funding announcement in detail for its implications. We will continue to contribute to evidence based lobbying with the LGA, CEN, FAO, Local and national politicians.

8. Conclusions

- 8.1 Solving the deficit issue in Warwickshire and nationally is complex; there is no single solution. At the heart of the ISOS [“Have we reached the Tipping Point”](#) research is a simple challenge: “Local authorities have all the responsibility for maintaining high needs expenditure within budget, and yet have almost no hard levers with which to effect this. The continued viability of the system relies too much on the ability of local government to cajole partners to enter into a collaborative, inclusive approach to developing and delivering local provision for SEND, without the powers to sustain such an approach in face of misaligned incentives”.

Annex 1: Pipeline Data - 5 Year Forecast on the High Needs Pressures

Forecast 5-Year High Needs Pressures	2018/19 £000	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000
Place & Top-up funding for direct provision	56,100	61,200	66,700	71,600	70,400
WCC DSG funded services	8,300	7,600	6,600	6,600	6,600
Total Forecast HNB Expenditure	64,400	68,800	73,300	78,200	77,000
Dedicated School Grant (HNB only)	(60,100)	(61,200)	(63,500)	(64,800)	(65,200)
Additional DfE funding	(1,200)	(1,200)			
Shortfall in DfE funding/budget pressure	3,100	6,400	9,800	13,400	11,800
WCC Contribution to budget deficit	(3,100)	(2,100)	(1,600)		
Remaining overspend/pressure	0	4,300	8,200	13,400	11,800

Annex 2: SEND & Inclusion Strategy: contribution to High Needs Savings Table

Service	2018/19 Budget £000	2019/20 Budget £000	2019/20 Savings £000
SEND Commissions	207	67	140
IDS (Teaching & Learning) - Management	250	269	-19
IDS (Teaching & Learning) Communication & Interaction	265	123	142
IDS (Teaching & Learning) Sensory Complex Needs & Physical Disability	1,074	1,024	50
Warwickshire Flexible Learning Team	520	457	63
STS Links & Exclusions	1,825	1,371	454
Area Behaviour Partnership (All Areas)	2,657	2,062	595

2019/20 Savings	1,425
Total DSG Savings Target	2,500
2020/21 Savings Target	1,075

Strategic SEND Needs' Assessment 2017-22

Extract, p.14

Local plans have set out proposals to build circa **63,000** additional homes across the five areas over a 15-year period (2016–31), with this new housing estimated to lead to over **35,000** additional children across all age ranges.

Although delay in the adoption of local plans is adding to the uncertainty about when and where development will take place, significant numbers of housing developments are receiving planning permission outside the local plan process, which are already beginning to impact on growth outside what has been planned for.

If we apply the current Warwickshire statistics in relation to the proportion of learners in mainstream or special school provision this will represent **1,085 more children with EHC plans by 2031**, of whom we can estimate that:

- **445** will be in mainstream
- **543** children will require special schools
- **65** will be in resourced provision
- **32** will be out of county or elsewhere

If we apply these forecasts and triangulate this with knowledge of local housing developments, we can forecast the following increases in demand for special school places over the next five years:

Table 6) Special school pupil population forecasts

EDUCATION PLANNING AREA	YEAR	SPECIAL SCHOOL TOTAL PLACES	TOTAL INCREASE	% INCREASE
North Warwickshire	Baseline 2017	135		
	2022/23	143	8	5.9%
Nuneaton & Bedworth	Baseline 2017	426		
	2022/23	499	73	17.0%
East Warwickshire	Baseline 2017	223		
	2022/23	292	69	30.8%
Central Warwickshire	Baseline 2017	288		
	2022/23	366	78	27.1%
South Warwickshire	Baseline 2017	199		
	2022/23	230	31	15.8%
Warwickshire total	Baseline 2017	1,271		
	2022/23	1,530	259	20.4%

Source: School pupil census, January 2017 (local data) and local area plans

If the developments set out in local area plans are accurate then we can expect a similar level of growth for the years to follow up to 2031.

Appendix B: SEND & Inclusion Strategy Delivery Plan: Efficient use of resources

Activity	Measure	Expected change	Rationale	Savings	Benefits realisation	Lead (including capacity/resource)
Promoting Inclusion						
To ensure we are identifying need and promoting inclusion from an early age, by working with our early years settings to achieve best practice	Number of early years settings awarded kitemark (WInCKS)	To increase	The more early settings meet best practice standards the better we will be at identifying support before school	Low Avoiding placements in specialist nurseries; most savings already achieved	Now	IDS 0-5 Manager IDS 0-5 team in place- no additional capacity required
To review and update the SEND Provision Matrix making it clear to schools and parent and carers what is expected as a graduated response to individual needs	SEND Provision Matrix reviewed and re-published	To complete	The SEND Provision Matrix provides clear guidance on how needs should be met locally	Medium Better use of school funding to deliver a graduated response and avoiding requests for EHC top-ups	3-5 years	Principal Educational Psychologist & SENDAR Lead Commissioned from EPS – additional resource for web capability required
To encourage schools to participate in the Inclusion Quality Mark (launched April 2019)	Number of schools/groups of schools achieving the award	To increase	To recognise and share best practice across groups of mainstream schools	Medium Reduce demand on specialist provision	3-5 years	Specialist Teaching Service Launched in April 2019
To establish more resourced provisions and/or specialist partnerships in mainstream settings, providing a bridge between mainstream and specialist provision	Number of places at Resourced Provisions or Partnerships	To increase	A broader spectrum of educational provision is required to meet local needs	High An RP place costs approx. £18k, creating space in special schools, which cost up to £27k, who can then accommodate learners going out of County, average of £54k	Each provision takes 2 years to set up and should be full by end of Year 1 (3 years in total)	SEND & Inclusion Commissioner plus time of Strategy & Commissioning Manager – additional capacity would increase number of projects that could be worked on
As part of the Nuneaton Strategy to embed best practice in SEND	SEND & Inclusion practice included in Nuneaton Strategy plan	To deliver	To ensure that in a drive to improve standards, learners with SEND are included	Low Avoid impact of schools referring for specialist placements	Now	Strategy & Commissioning Manager: Education and Early Years Part of Nuneaton Strategy project

Activity	Measure	Expected change	Rationale	Savings	Benefits realisation	Lead (including capacity/resource)
Getting it Right for Learners with High Needs (School Age)						
To expand state-funded specialist provision where possible (including specialist partnerships)	Number and % of learners with EHC plans in mainstream, specialist and independent specialist settings	To increase the number in mainstream and state-funded specialist settings, reducing the number of learners in independent specialist settings	If the local offer is meeting demand, the percentage of learners in mainstream and settings should increase. Whilst the number of state-funded specialist places will increase, the overall proportion of learners in specialist education should decrease, as a result of fewer learners in independent settings	High Special schools places cost up to £27k, who can then accommodate learners going out of County, average of £54k	Business case for new special school shows expected savings from avoiding ISP	SEND Board Development Manager & SEND & Inclusion Commissioner – additional capacity in discussion
To ensure robust management of ISP contracts	Data from contract monitoring and QA visit reports	Compliance with contract monitoring and quality assurance visits	Ensure value for money from placements	Low Previous exercises have delivered savings; improved contract framework; major savings delivered by avoiding ISP placement	Now	Senior Integrated Commissioner: people with Disabilities Limited capacity for QA visits; contract monitoring with People Group

Activity	Measure	Expected change	Rationale	Savings	Benefits realisation	Lead (including capacity/resource)
Improving health and social care for learners with SEND						
To agree a Warwickshire joint commissioning plan for learners with SEND, setting out how local needs are to be met through the local offer of education, health and social care services	Joint commissioning plan published	To complete	Joint working can only take place if the local offer of education, health and social care services meet local needs. A joint plan is needed to address current gaps in provision.	Risk Gaps in provision are currently leading to private reports, often paid for by LA. Better joint commissioning would consolidate in SLA, but could lead to increased costs under Section F.	Now-2 years	Assistant Director Education & Assistant Director People Requires escalation and decision rather than additional capacity
To develop further the joint processes for the delivery of support, particularly for those requiring support at Early Help	Early Help Strategy delivery plan published and monitored	To complete	Better support and joint working through early help should prevent children and their families escalating to crisis support	Medium Better use of early help should avoid requests for EHC top-up funding and CIN plans	1-3 years	Service Manager Initial Response and Early Support With Early Help teams
To deliver improved support for social, emotional and mental health through in-school support and the delivery of commissioned mental health services (eg. Rise)	% of referrals to Rise with a first appointment within 18 weeks	To increase	This is one of a collection of measures for the Rise service	Medium Better use of Rise should avoid requests for EHC top-up funding	1-3 years	Strategy & Commissioning Manager: All Age Targeted Support Within Rise contract

Activity	Measure	Expected change	Rationale	Savings	Benefits realisation	Lead (including capacity/resource)
Preparing for Adulthood						
Maximising the use of local specialist provision at post-16 and differentiating that provision	Number and % of post-16 learners with EHC plans in local and independent specialist settings	To increase the percentage in local settings, reducing the percentage of learners in independent specialist settings	If the local offer is meeting demand, the percentage of learners in local post-16 provision should increase with a reduction of learners in independent specialist settings	Low Low numbers in ISP post 19, but further development of FE college provision will deliver further savings	Partnerships can be set up within a year	Principal Educational Psychologist & SENDAR Lead & Post 16 Senior Plan Coordinator Additional capacity welcomed
To improve transition planning from year 9 onwards for learners with an EHCP	Number of EHC plans amended following the Year 9 review	To increase	The more EHC plans are reviewed in Year 9 and amended, the more likely it is that planning has taken place for life after school.	Medium Better planning from Year 9 allows outcomes to be achieved and plans to be ceased	Now	Principal Educational Psychologist & SENDAR Lead & Post 16 Senior Plan Coordinator Post 16 team in place, no additional capacity required
To work with employers, schools and colleges to increase the offer of supported internships	Number of supported internships offered	To increase	The more supported internships offered in the County, the better the opportunities for paid employment post-education for our learners with high needs	Medium More learners going into employment results in positive outcome for young person, ceasing of EHC plan and savings to adult social care	Now	SEND Board Development Manager Covered from combination of 3 roles; may require more resource from April 2020 when grant runs out

Activity	Measure	Expected change	Rationale	Savings	Benefits realisation	Lead (including capacity/resource)
SEND Transport						
To improve the quality of specialist transport by undertaking risk assessments for learners with high need and for learners with newly issued EHC plans (as per the Home to School Transport Policy) and ensuring timeliness of decision-making	Number of transport risk assessments taken for learners with EHC plans	To increase	The use of risk assessment will improve the quality of transport for our learners with high needs and ensure the implementation of the local home to school transport policy	Medium Risk assessment leads to more moves from single occupancy taxis to multi-occupancy vehicles. Can also lead to additional costs for equipment. So far has delivered savings.	Now – further risk assessors recruited in Summer 2019 so savings should accrue	Transport Operations Manager Risk assessor team in place – no additional capacity required
Review of existing policy with focus on clarifying eligibility and arrangements for SEND	Consultation and subsequent policy proposals	To publish	Ensure clear and effective policy on direct travel payments, passenger assistants, post 19 transport	Medium Savings could be delivered (but risk of challenge)	Likely to be phased implementation from September 2021	Covered by SEND Board Development Manager – project officer capacity would speed up process
To review delivery of Independent Travel Training	Number of learners successfully trained	To increase	Discussions regionally suggest bringing this in-house could reduce costs whilst improving outputs and PFA outcomes	Medium Possible savings on post 19 travel through ITT	5 years	SEND Board Development Manager Potentially savings from external contract could be recycled to afford

Activity	Measure	Expected change	Rationale	Savings	Benefits realisation	Lead (including capacity/resource)
Workforce development						
To work with school leaders to embed ethical leadership practice	Number of permanent exclusion and learners with Elective Home Education	Reduction of exclusions, EHE and off rolling of SEND learners and increased parental confidence.	More ethical leadership will lead to better equipped to deliver a graduated response to needs	Medium Better use of school funding to deliver a graduated response and avoiding requests for EHC top-ups	3-5 years	Assistant Director Education supported by Educational Entitlement Team
To work with schools to develop a 'whole school' approach to supporting learners with SEND, so that the workforce is suitably trained and confident	Approach to workforce development agreed with schools.	To complete	A more confident workforce will be better equipped to deliver a graduated response to needs	Medium Better use of DSG funding to deliver a graduated response and avoiding requests for EHC top-ups	3-5 years	Strategy & Commissioning Manager: SEND Await outcome of proposals
To work with WCC staff to develop a 'whole school' approach to supporting learners with SEND	Approach to workforce development agreed with schools.	To complete	A more confident workforce will be better equipped to deliver a graduated response to needs	Medium Better use of DSG funding to deliver a graduated response and avoiding requests for EHC top-ups	3-5 years	Strategy & Commissioning Manager: SEND Await outcome of proposals
To propose recommendations to Schools Forum regarding capacity building	Agreed DSG allocation for capacity building	To be agreed	A more confident workforce will be better equipped to deliver a graduated response to needs	Medium Better use of DSG funding to deliver a graduated response and avoiding requests for EHC top-ups	3-5 years	Strategy & Commissioning Manager: SEND Await outcome of proposals

Activity	Measure	Expected change	Rationale	Savings	Benefits realisation	Lead (including capacity/resource)
Making it Happen						
Renewed commissioning and contract management practice model. We will review all through SEND commissioning (including transition to adulthood) with People Services.	New model and reviewed contract management capacity, to ensure that there is a cyclical review of contracts and provision starting with the highest cost placements.	To complete	A well proven approach in similar projects across the country.	Medium Contract management model Medium Renewal and streamlining of commissioning model across education, social care and health.	Now 1-3 years	Await outcome of proposals.
Communications & engagement: We are refreshing our approaches to communications and engagement with Children and Young People and Parents and Carers. in relation to a substantial change programme ahead. <i>(Specific recommendation: That all Warwickshire schools publish annually on their website how they have spent their SEN Notional Funding, in the same way as they are required to account for pupil premium).</i>	New formats for communications and engagement with Children and Young People and Parents in relation to a substantial change programme ahead.	To complete/ embed	More understanding and less risk in the change programme through early engagement and coproduction with stakeholders. Less anxiety and concern for stakeholders themselves through early knowledge and support through change processes.	Risk mitigation and model improvement	1-3 years	No additional capacity anticipated. Change of approach from a range of people including senior officers on social media and open fora etc.