

Cabinet

9 May 2024

SEND Delivering Better Value Programme

Recommendations

That Cabinet:

- 1) Endorses the four projects proposed in the SEND Delivering Better Value Programme;
- 2) Agrees that the projects and approaches arising from the Delivering Better Value Programme work and set out within this report, should supersede proposals put forward in December 2022 on the local SEND Offer.

1. Executive Summary

- 1.1 The Delivering Better Value (DBV) Programme was commissioned by the Department for Education (DfE). Warwickshire is one of 55 local authorities that have taken part in the DBV Programme which aims to *'identify the highest impact changes that can be made to improve outcomes for children and young people with SEND, and to optimise the use of finances.'* This programme, which exists for local authorities with an overspend on their High Needs Block, has involved detailed scrutiny of current spend by the DfE's independent delivery partners to inform the most effective way forward.
- 1.2 Alongside this analysis, a forecast of future demand has been made. This forecast suggests that the number of children and young people with Education, Health and Care (EHC) Plans will increase from 5,898 (Jan 2024) to 7,741 by 2028 on current trends. Due to an expectation of continued demand for specialist provision and the limited number of state special school places, the percentage placed in Independent Specialist Provision is expected to rise to 11.3% (currently 6.1%).
- 1.3 Based on this combined analysis. Financial forecasts estimate that there will be a cumulative deficit of £267m by 2028 without significant mitigation.
- 1.4 The diagnostic review of the DBV Programme identified opportunities to both improve provision for children with SEND and mitigate the financial forecast. Four specific projects (outlined below) were identified through the DBV Programme and are recommended within this Report. Warwickshire received confirmation from the DfE of £1m of transformation funding for one year to implement the four projects identified. Funding covers all project costs for one year (although it excludes capital costs).
- 1.5 The four projects are:

- 1.5.1 *Establishment of more SEND Resourced Provisions* –. SEND Resourced Provisions are established within mainstream settings and provide a bridge between mainstream and specialist provision, with places commissioned in advance. Within Warwickshire we have gone from zero resourced provisions in 2015 to 19 resourced provisions in 2024. Those 19 resourced provisions support 176 pupils, with each provision supporting between 8 and 20 places. The DBV exercise identified that more children could have been placed in resourced provision rather than specialist provision had it been available with a consequent saving in cost and improved outcomes for those children. Therefore the recommendation is to establish further resourced provisions across the county, increasing capacity from the current 185 places to 529 places by 2028. Priority for high needs capital funding will therefore be given to resourced provision over the next two years when schemes are prioritised. There is a particular shortage of secondary resource provision places and conversations are taking place with a number of secondary schools to address this.
- 1.5.2 *Further roll-out of the Inclusion Framework trial*. This project was initially trialled in Rugby as part of the SEND & Inclusion Change Programme. It aims to provide more effective support at SEND Support level (the level prior to issuing an EHC plan). The project resulted in increased confidence among Special Educational Needs Coordinators (SENCOs) in the delivery of SEND provision, increased the confidence of parents in the school provision, and supports a graduated response to a child's needs. The trial was considered successful and it is recommended that it be extended within Rugby (16 schools), and introduced into Bedworth (15 schools) and the south of the county (the precise schools and locations to be confirmed).
- 1.5.3 *A workforce development programme*. This is being designed with school leaders to maintain support and confidence for supporting children with EHC plans in mainstream schools. The programme will not just be about training but will also focus on understanding needs and decision-making, for example by visiting specialist settings and observing decision-making panels.
- 1.5.4 *Digital infrastructure*. This focusses on investment and development of the system supporting children with EHC plans to improve communication and confidence. The current digital infrastructure requires multiple systems and extensive use of email for communication. In line with national expectations, the Council is seeking to improve this way of working which will improve productivity.
- 1.6 If these projects are implemented successfully and achieve the anticipated benefits, it is estimated that this will reduce the cumulative deficit to a best-case figure of £152m deficit by 2028. As these forecasts show, the financial

cost of SEND provision and overspend on the High Needs Block is one of the highest financial risks to the Council.

- 1.7 The total number of children and young people with Special Educational Needs and Disabilities (SEND) in Warwickshire's state-funded schools is 15,575 (11,943 at SEN Support, 3,632 with an Education, Health and Care Plan (EHCP)). This is 17.4% of the school population. The total number of children and young people within Warwickshire with an EHCP from birth to 25 is 5,898 (as at Jan 2024). This represents an increase of 37% over the last five years.
- 1.8 Whilst the DBV programme seeks to address some of the financial issues in the local SEND system, continued improvement is required to the quality of provision to keep pace with emerging needs and demand. Therefore officers are working with stakeholders to draft a new SEND & Inclusion Strategy for consultation.

SEND Offer Consultation

- 1.9 Warwickshire currently provide a range of services through a number of teams including the Educational Psychological Service, Specialist Teaching Service, Flexible Learning Team, Educational Entitlement Team, Integrated Disability Service and SENDAR.
- 1.10 As part of the SEND & Inclusion Change Programme, the Council carried out a series of external service reviews across SEND & Inclusion which were completed in December 2021. Following those reviews, a proposed service offer was developed, consisting of a statutory offer, core (non-statutory) offer and traded offer. The core offer, which included 18 activities, 11 of which existed and 7 of which were new proposals, was put out to public consultation.
- 1.11 A public consultation exercise took place between December 2022 and March 2023 with a particular focus on the 'core' offer. There were 310 responses to the public consultation, which have all been analysed.
- 1.12 Whilst the feedback from the public consultation was generally positive, there were comments regarding financial affordability such as:
 - *"How will it be funded?"*
 - *"I think the proposed offer looks great on paper, but I am concerned with the lack of funding that schools get for SEND children. It's all well and good proposing these changes and they have the potential to make such a positive impact on children but it must be funded correctly to enable schools to deliver it."*
 - *"Everything needs to be funded properly. Schools need to be able to access these services without budget considerations. All too often currently, they will side-line or cut short interventions because it costs*

them money.”

- 1.13 It was not proposed within that consultation to reduce or change any of the services which were then (and continue to be currently) offered. That remains the case. However, while the 7 new non-statutory activities proposed in the consultation were broadly supported, the financial landscape is markedly different in May 2024 to that existing when the consultation was launched in December 2022. Committing to the non-statutory activities proposed within the 2022 consultation is no longer within the financial envelope available.
- 1.14 In addition, work done as part of the DBV programme has considered and refined how to most effectively direct funding to those who require support. The 7 previously proposed non statutory activities do not directly align with the results of that review, and it is, therefore, proposed that those activities (referred to in the 2022 consultation as the core offer activity) are superseded by the four priorities in the DBV programme set out in paragraph 1.5 above.

2. Financial Implications

- 2.1 The Council continues to make representations for sustainable funding for the High Needs Block. The Council maintains an offset reserve for the cumulative overspend in the High Needs Block. However, in December 2023, Cabinet agreed that based on affordability grounds, no further contributions should be made from Council Tax funding to offset overspends on the High Needs Block after the 2024/25 financial year. Therefore, it is imperative that work continues to mitigate the cost of delivering support for SEND and to improve efficiencies.
- 2.2 The DBV programme will be monitored by the SEND & Inclusion Partnership Board, the Education Transformation Board as well as the regional DfE team. Monitoring of the local High Needs Block is a function of the Schools Forum which meets five times per year.

3. Environmental Implications

- 3.1 There are no environmental implications arising directly from this report. Environmental implications will occur where the Council seeks to build new schools or extensions to existing schools as part of the Capital Programme. These will be explored and assessed within the decision making and approval processes for each capital project.
- 3.2 In addition to this, when children are unable to attend their local school and must travel across the county or into other local authorities for specialist provision, then there are both environmental and financial implications.

4. Timescales associated with the decision and next steps.

- 4.1 The Delivering Better Value programme will run April 2024 to March 2025.

Appendices

None

Background Papers

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The report was circulated to the following members prior to publication:

Local Member(s): n/a county wide report

Other members: Chair and Party Spokes of Children and Young People Overview and Scrutiny Committee.