

BARNESLEY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan

REPORT OF THE EXECUTIVE DIRECTOR (CHILDREN'S SERVICES) TO CABINET ON 29th APRIL 2020

REFRESH OF THE BOROUGH SCHOOL PLACEMENT AND SUFFICIENCY STRATEGY FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS (2020-2023)

1.0 PURPOSE OF REPORT

- 1.1 To seek Cabinet's approval for the adoption of the refreshed School Placement and Sufficiency Strategy for children and young people with special educational needs, including a disability (SEND).

2.0 RECOMMENDATIONS

- 2.1 **That Cabinet notes the outcomes of the recent review and approves, for adoption, the draft, refreshed Placement and Sufficiency Strategy for pupils with SEND (2020-23).**
- 2.2 **That Cabinet approves the refreshed Strategy for consultation with children and young people with SEND and their families alongside other stakeholders to increase the range and capacity of local school placement provision.**

3.0 INTRODUCTION

- 3.1 On 15th November 2017, Cabinet agreed to adopt the Borough's initial School Placement and Sufficiency Strategy (2017-2020) in order to meet the needs of pupils with SEND in compliance with the Local Authority's statutory responsibility under Part 3 of the Children and Families Act (2014).
- 3.2 The objective of the Strategy was to re-set the balance between Borough based, mainstream provision and costly independent provision outside of the Borough in order to provide quality education placements closer to home; improving parental choice and the quality of the child's experience whilst, at the same time, promoting inclusion through education, raising aspirations and enhancing outcomes.
- 3.3 The priorities of the Strategy were the following:
- Ensuring value for money and the effective use of available resources.
 - Developing the meaningful engagement of children, young people and families in the planning and commissioning of provision.
 - The development of sufficient, specialist placements in order to meet needs, including through school places planning; establishment of a discretionary fund to

enhance local provision and working with partners to develop collaborative commissioning for specialist provision.

- Formulating a 'graduated response' as part of developing the capacity and potential of local mainstream schools and academies to meet the needs of a greater number of pupils with SEND

4.0 PROPOSAL AND JUSTIFICATION

4.1 A review was recently conducted leading to a refresh of the Strategy in order to ensure it remains fit for the purpose of creating a more sustainable system for meeting the education needs of this vulnerable group of children.

4.2 The review has shown that, overall, the demand for statutory Education, Health and Care Plans (EHCP) continues to increase. However, the availability of funding from Council and Clinical Commissioning Group joint commissioning budgets and Schools' (High Needs Block) funding has not been able to keep pace with the increased numbers. Coupled with proposed changes to the conditions of the Dedicated Support Grant for schools, Barnsley together with many other areas across the country faces considerable financial pressure in continuing to meet increasing demand for school places which meet the needs of children and young people with SEND in accordance with our statutory responsibility.

4.3 The refreshed draft Strategy (Appendix 1) sets out, firstly, the measures which have been taken by the Authority so far, to instigate system-wide improvements in SEND including the provision of school places via a SEND Improvement Programme. These have been recently reported to Cabinet, most notably in the SEND Performance and Finance Quarter 3 report. The Borough's draft SEND Strategy (2020-23) together with the Children and Young People's SEND Plan and Borough Accessibility Strategy, all of which form a crucial part of the Borough's broader 'Local Offer' has, recently, been the subject of separate consideration by Cabinet.

4.4 Among the measures inherent in the SEND Improvement Programme has been the implementation of specific governance arrangements for overseeing the effectiveness of placement provision, particularly through the SEND Oversight Board and SEND Sufficiency Group. This includes cost-modelling and placement forecasting.

4.5 The enclosed draft Strategy also details how we will address these prevailing challenges going forward, based upon a partnership-led approach and with the following objectives:

- To ensure children and young people with SEND have access to the right type of school placement which best meets their needs, within their community and closer to home. This includes pupils who have been diagnosed with special educational needs relating to Social, Emotional and Mental Health; Autistic Spectrum Disorder or Speech, Language and Communication needs.
- Embedding a partnership-based approach, to ensure the appropriate range and capacity of provision is available in local mainstream schools, academies and specialist settings to enable the needs of a greater number of such children to be met, as part of promoting inclusion through education.

- To ensure value for money and the most effective use of available resources continues to underpin the refreshed Strategy.
- Children, young people and families are at the heart of planning and provision.
- Statutory partners continue to work closely and ensure, where possible, to ensure pupils with SEND do not have to travel out of the Borough to have their education needs met, based upon early identification and support, together with improvements to the quality and efficiency of Education, Health and Care Plan processes.
- To enable children and young people requiring ongoing specialist support are placed in the best possible provision and have their needs met through a stable and enriching school life.
- Improving personalisation as part of provision, including personal budgets.
- A system which promotes independence, confidence and aspirations and enables children to make a successful transition to adulthood.

5.0 CONSIDERATION OF ALTERNATIVE APPROACHES

- 5.1 In order to comply with its statutory responsibility of providing a sufficient number of placements for a growing percentage of children and young people with SEND whilst achieving value for money and the more effective use of available resources within an increasingly challenging financial climate, the Council has no alternative but to develop a system which is more sustainable yet, at the same time, is able to yield improvements in outcomes for children, particularly through improving provision which is closer to home.
- 5.2 Statutory partners believe that the draft, refreshed Strategy represents the best approach moving forward.

6.0 IMPLICATIONS FOR LOCAL PEOPLE AND SERVICE USERS

- 6.1 The refreshed, draft Strategy aims to improve the potential of children and young people with SEND, enrich the experience of families accessing services and to build the resilience, independence and potential of children, young people and families in all areas of the Borough.

7.0 FINANCIAL IMPLICATIONS

- 7.1 Consultations have taken place with representatives of the Service Director – Finance (S151 Officer).
- 7.2 The refresh of the draft SEND sufficiency strategy has been undertaken in the context of increasing demand and financial pressures in the high needs budget. It should be noted that a £5.9m deficit is currently forecast against the High Needs DSG budget in 2019/20 as well as an overspend of £0.3m on the home to school transport budget.

7.3 Given the above context, work was undertaken in 2019 to model and forecast SEND numbers and costs over the medium term, the result of which informed the refresh of the attached SEND sufficiency strategy. The outcome of the modelling (updated to reflect the outcome of the disapplication request) showed projected deficits of £5.1m in 2020/21, rising to £6.4m in 2021/22.

7.4 Following the confirmation of the Council's Dedicated Schools Grant funding for 2020/21, further work has been carried out to specifically firm the position for 2020/21. To this end, some of the assumptions and underlying data built into the forecast have been updated. The table below summarises the proposed high needs budget for 2020/21:

RESOURCES	2020/21 £'000
Projected High Needs costs	25,386
HN DSG funding allocation	-19,377
Funding transfer from schools (1%)	-800
Budgeted deficit	5,209

7.5 An estimated deficit of £5.2m is planned for the 2020/21 financial year. The following are some of the key financial issues / risks to consider for 2020/21:

1. The above position does not include the forecast carry forward high needs deficit of £5.9m from 2019/20. The continued demand / cost pressures in the SEND system mean that there is no scope for addressing the £5.9m deficit in 2020/21 or over the short term. Therefore the potential risk to the system by the end of the 2020/21 financial year is estimated at £11.1m.
2. Whilst the top up funding requirement for mainstream schools / academies reflects the reducing rate of EHCP plans coming through, there is the risk that such gains might be negated by increased level of top up provided to schools in order to meet need, through the provision mapping process of determining funding.
3. The budget forecast includes the commissioning of new specialist places in lieu of external independent placements. To the extent that these places are not in place by the specified timelines, there is a risk of increased placements in more expensive out of authority independent settings.

7.6 A SEND Improvement Plan is currently being implemented, which together with the attached Strategy will set the basis for managing the demand pressures and financial challenges within the SEND system.

7.7 Work is planned to commence in developing a Dedicated Schools Grant action or recovery plan that clearly sets out how we intend to manage or reduce the financial pressures over a specified time period. This would inform the Council's reporting to DfE about its plans for managing its Dedicated Schools Grant account in the 2020/21 financial year and subsequently.

Home to School Transport

- 7.8 The numbers of children currently placed out of borough is unacceptably high and rising. In addition to being educated away from their peers and local communities, children placed at a distance from home experience longer journeys and more costly transport arrangements. A specific challenge faced by Home to School transport is that children often struggle with journeys of an hour or more.

Dependencies – Therapy Services

- 7.9 A high level of need is currently reflected in the numbers of children with Autistic Spectrum Disorders (ASD) and those with Social, Emotional and Mental health (SEMH) needs. Together, these two categories of need currently represent approximately two thirds of children with an EHCP. The SEND Oversight Board is coordinating the system-wide response to SEND in Barnsley and ensuring where possible that children and young people have access to appropriate, timely interventions and support from key services such as Child and Adolescent Mental Health (CAMHS) , Speech and Language Therapy (SALT) and Occupational Therapy (OT) and this is identified as a major priority in our improvement plan. National and local evidence indicates that long waits for access to some services such as CAMHS can have a knock-on effect in schools and on the SEND system as a whole. This can lead to escalation of issues by inhibiting early identification and therefore preventing appropriate, early intervention. The Oversight Board will therefore continue to drive improvement in this area through robust joint planning and assessment of need and identifying where provision needs to be enhanced or reconfigured to meet the growing needs of children and families.

8.0 EMPLOYEE IMPLICATIONS

- 8.1 There are no employee implications for the Authority directly arising through consideration of the report.

9.0 LEGAL IMPLICATIONS

- 9.1 There are no legal implications emerging through consideration of the report and draft, refreshed Strategy.

10.0 CUSTOMER AND DIGITAL IMPLICATIONS

- 10.1 There are no implications for the current range of access channels to Council services or for the onus towards digital transactions, arising through the report.

11.0 COMMUNICATIONS IMPLICATIONS

- 11.1 Subject to Cabinet's approval and adoption, the draft, refreshed Strategy will be published as part of the SEND portal within the Council's Web site and will be widely publicised among partners and in the media.

12.0 CONSULTATIONS

- 12.1 The draft, refreshed Strategy reflects the ambition of children and young people with SEND and their parents / carers to increase the availability of high-quality provision

locally. It has been formulated in consultation with the Council's Senior Management Team, statutory partners and representatives of both the Borough's Children and Young People's Trust Executive Group and Barnsley Alliance for Schools Board. In addition, the views of stakeholders will be invited through further consultation on specific proposals and schemes to enhance school placement provision locally.

13.0 THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK

13.1 The draft, refreshed Strategy together with the broader SEND Improvement Programme, will support Outcomes 6 and 7 within the corporate objective of 'People Achieving Their Potential'. The aim will be to ensure '*Every child attends a good school and is successful in learning at work*' and is able to thrive through early identification of needs and access to early help.

13.2 Progress against objectives and priorities of the refreshed Strategy will continue to be submitted to Cabinet on a quarterly basis as part of the SEN(D) Performance and Finance reporting framework. In addition, the Strategy will also be subject to an annual review.

14.0 PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION

14.1 The draft, refreshed Strategy will exclusively help promote opportunities to improve the potential of a group of children and young people with a protected characteristic, as defined by the Equality Act and Public Sector Equality Duty.

15.0 TACKLING THE IMPACT OF POVERTY

15.1 The draft, refreshed Strategy will help in ensuring the impact of SEND including a disability or other complex need, does not prevent or constrain a child from achieving their potential. Promoting inclusion and social mobility through the Strategy, will enable children and young people with SEND to go on to become more active citizens and benefit from the economic prosperity and increased social capital arising through investment in the Borough's economy and improvements in the health and wellbeing of local communities.

16.0 TACKLING HEALTH INEQUALITIES

16.1 Please see Paragraph 15.1.

17.0 REDUCTION OF CRIME AND DISORDER

17.1 Please see Paragraph 15.1.

18.0 RISK MANAGEMENT ISSUES

18.1 The draft, refreshed Strategy intends to place the Council in a better position to comply with its statutory responsibility concerning the sufficiency of school places for children and young people with SEND.

18.2 The action plan will incorporate a risk log which should enable swift management action to be taken, where necessary, to maintain progress against priorities and objectives and to prevent any impact upon the attainment of pupils with SEND.

19.0 HEALTH, SAFETY AND EMERGENCY RESILIENCE ISSUES

19.1 There are no implications directly arising through consideration of this report.

20.0 COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS

20.1 The draft, refreshed Strategy supports our commitment to and is fully compatible with the rights of the child under the Convention.

21.0 CONSERVATION OF BIODIVERSITY

21.1 There are no implications for the local environment, climate change or the conservation of biodiversity arising through the report.

22.0 GLOSSARY

22.1 None applicable.

23.0 LIST OF APPENDICES

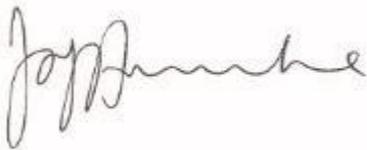
23.1 Appendix 1: Borough Special Educational Needs and Disability Placement Sufficiency Strategy (2020-23) (Draft)

24.0 BACKGROUND PAPERS

24.1 If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

Report author: Rachel Dickinson (Executive Director: People)

Financial Implications/Consultation



Joshua Amahwe (12/03/2020)

(To be signed by the senior Financial Services officer where no financial implications)