

NOTTINGHAMSHIRE COUNTY COUNCIL

2015/16 SEND REVIEW

KEY FINDINGS AND RECOMMENDATIONS

Version 2.4

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Foreword

Local Authorities are required, by law, to review elements of their Special Educational Needs and/or Disabilities (SEND) arrangements every three years.

This review of SEND has explored the need, role and function of specialist places of education for children and young people with SEND presently and into the future. It has also considered the processes surrounding the assessment, commissioning and monitoring of specialist places of education, and the SEND support services provided to mainstream schools and academies.

This important review has come at a crucial time for Nottinghamshire. The recent creation of an integrated children's disability service is just beginning its journey to continue to improve outcomes for children and young people with SEND.

Nottinghamshire's arrangements for children and young people with SEND have very recently been inspected by Ofsted and the Care Quality Commission. The evaluative inspection outcomes will also help to inform the strategic direction of developments.

Nottinghamshire County Council, and partners, including the NHS and schools/academies, have a proud and clear history of an inclusive, joined-up approach to provision for children and young people with SEND. Nottinghamshire special schools are key partners in enabling the County Council to provide for children and young people with the most complex needs.

The evidence underpinning this review includes the views and experiences of parents, direct accounts from children and young people, and from professionals across a broad range of disciplines within health, social care and education.

Working together as partners, we all recognise the need to continually improve the services we provide in order to meet the changing needs of the most vulnerable children and young people.

This document shares the key findings and most importantly the recommendations from the review, to ensure we continue to improve and develop services in order to meet the needs of all children and young people now and into the future.

Contextual Information

Nottinghamshire is a large rural local area, comprising 7 Districts, covering over 800 square miles. Nottingham City is a unitary authority adjoining 4 of the Nottinghamshire Districts.

There are 236,227 children and young people aged 0 – 25 living in Nottinghamshire, and in January 2016 there were 110,598 of statutory school age (4 – 19) on roll in Nottinghamshire schools and academies. This number will increase as a result of the significant increase in the birth rate, cross-border migration and new housing developments.

1.3% of school aged children and young people have an Education, Health and Care Plan (EHCP) or Statement of Special Educational Needs. This is very low in comparison to Nottinghamshire's statistical neighbours at an average of 2.5% and lower still when compared with the national average at 2.7%. Of that 1.3%, 42% attend a mainstream school/academy, which is significantly higher than the national average; 58% attend a special school or academy, meaning that 0.75% of all children and young people in Nottinghamshire currently attend a special school/academy. Over the next 5 years this is likely to increase to at least 0.87% (up to an additional 240 pupils), meaning that the number of places required in special schools will increase and the support required to meet the needs of children and young people in mainstream settings is likely to increase, as is the demand on assessment services.

Nottinghamshire County Council works in partnership with families of schools to target resources to schools and pupils whose needs are the most complex. These arrangements saw a total of £16 million devolved to mainstream schools in 2015-16 to enable them to continue meeting the needs of children and young people with SEND. Data suggests that the attainment of children and young people with an identified SEND in schools/academies in Nottinghamshire is significantly lower than the national average in reading, writing and maths. However the nature of the children and young people's SEND in Nottinghamshire mainstream schools/academies is more complex than is the case nationally, due to the low proportion of children and young people with SEND, in Nottinghamshire who are educated in special schools.

There are 9 special schools and 2 special academies in Nottinghamshire and all, bar one, are judged to be good or better by Ofsted. The combined budgets for these schools/academies totals £20 million. This has increased in line with the increase in pupil numbers over the last five years.

Currently, the educational landscape is one where the Government is promoting academies. Schools judged good or outstanding by Ofsted can join a multi-academy trust and convert to an academy, whilst failing schools will be converted under the direction of the Regional Schools' Commissioner. The only way to open a new school is to establish a Free School, which would be an academy.

The way in which funding is allocated to local authorities from central government is being reviewed and it is expected that a national funding formula will determine how much money will be devolved to Nottinghamshire to support children and young

people with SEND in schools. This is likely to change the amount of High Needs Funding that we receive, but we do not yet know how.

Health commissioners and providers are currently reshaping a range of specialist services that provide support and interventions to children and young people with SEND to ensure a more equitable and localised service, irrespective of school type.

Assessment – Key Findings

Most professionals and parents reported that EHCPs were more holistic and child/young person focussed than the former Statement of Special Educational Needs, but that sometimes outcomes did not reflect what had been contributed at the assessment stage and were not always not focussed or aspirational enough.

Parents, schools and some professionals felt there was a lack of transparency around the process used to make the decision whether or not to carry out an assessment for an EHCP. They didn't know the criteria by which a 'yes' or 'no' decision on a plan was made. Some professionals also reported concern around the same child being reconsidered and a different outcome being recommended.

The overarching EHCP pathway was felt to be unclear to parents and as expected, some reported being reliant on and guided by schools and 'Ask Us Nottinghamshire' in particular.

The EHCP process and assessment map, pathways and recommendations are not yet aligned to the "Concerning Behaviours Pathway", "Pathway to Provision" or the Nottinghamshire Safeguarding Children's Board's service thresholds document.

Historically, SEND assessment practitioners appear to have had significant autonomy to make placement and transport decisions that were not always within agreed guidelines. This has contributed to a legacy effect on placements and to the displacement of children and young people with complex needs to out of area (district) schools.

There is still confusion by some professionals as to what information should be provided for EHCPs and some paediatricians and therapists felt that their advice had been misinterpreted or excluded from reports because they had not seen a copy of the final draft early enough before the plans were finalised.

A range of professionals and parents felt that they didn't understand the 'Concerning Behaviours Pathway' and how this linked with other pathways, services and the EHCP process.

An initial needs assessment for children with SEND was completed in 2012. This now needs updating and developing into a joint strategic needs assessment. The availability of such information would greatly improve the ability of all stakeholders to jointly plan, commission and deliver services in the future.

Assessment – Key Recommendations

1. A Joint Strategic Needs Assessment (JSNA), specifically for children and young people with SEND, should be commissioned and completed.
2. A sample of individual EHCPs must undergo quarterly quality assurance (QA). This will be achieved by service level arrangements and through inclusion in the local authority's Quality Management Framework (QMF) by January 2017.
3. Service level QA arrangements for EHCPs should include; the quality of assessment, quality of plan, quality of review and quality of outcomes for the children and young people. This must include schools and academies.
4. Professional contribution proformas required for EHCP assessment will be re-written in partnership with health, social care and education colleagues. Examples of good practice will also be shared to improve quality.
5. Parents and young people must be involved in the further development of the Integrated Children's Disability Services (ICDS) to ensure co-produced service processes and systems.
6. The ICDS will develop a co-produced SEND assessment process which is child and family focussed, and has high expectations for improved outcomes for the child or young person.
7. The Local Authority is to reaffirm its transport policy and will ensure that the transport hub and ICDS have a developed protocol for agreeing 'special circumstances' for SEND home to school transport.
8. The concerning behaviours pathway will continue to be reviewed and its implementation evaluated in light of the formation of the ICDS.

Information and Sharing of Information – Key Findings

The effective sharing of information about children and young people and the services provided in Nottinghamshire is important to everyone. This needs to be done safely, and in a way that is accessible to children, young people and their families and the professionals who are important to them.

Professionals from health, social care (children and adults), education, schools and colleges described their frustrations around the ineffectiveness and inconsistency of information sharing. The most common issues were around children and young people moving schools, the EHCP process between health and education services and at transition to adulthood. A revised multi-agency transition pathway, which has recently commenced implementation, is anticipated to improve a young person's journey to adulthood.

Paediatricians, the designated clinical officers and Schools and Families Specialist Services (SFSS) reported that there was a duty for health services to notify the local

authority when a child is identified with SEND. There was sometimes confusion as to whether professionals are reporting information or making a referral for a service. Due consideration must also be given to issues of parental consent.

Parents told us that they often became frustrated by the apparent lack of information sharing about their child and the 'massive duplication' of information they are still being asked to provide to professionals.

Many parents didn't know about the Local Offer and said that they would usually ask a school or their child's paediatrician for advice or to broker support in the first instance. Those parents who were signposted to the SEND Information, Advice and Support Service (SENDIASS) 'Ask Us Nottinghamshire', formerly 'the Parent Partnership Service', were positive about the support they received. However, a large number of parents did not know about SENDIASS.

There are examples of extremely good practice in Nottinghamshire and schools felt more should be done to create a standard approach and tools to enable this to happen effectively for all children and young people. Schools and colleges told us that transfer arrangements for pupils with SEND could be better, more consistent and timely.

Colleges, schools and parents felt that having a minimum standard and a clear process with explicit timescales would further improve the transfer of information when a child or young person moves schools or college. Colleges and schools also felt that they should create opportunities to meet with each other and the County Council in order to further improve their joint approaches to SEND.

In the period September 2014 to the establishment of the ICDS in April 2016 professionals reported some strategic drift in respect of the implementation of the SEND reforms.

Information and Sharing of Information – Key Recommendations

9. A SEND pupil information transfer protocol and check list will be designed and rolled out to all settings to enable a positive transition when a child or young person with SEND moves to a different setting.
10. A permanent multi-agency strategic SEND monitoring and accountability group will be established to ensure development and continued improvement of SEND services. It should be accountable to the Health and Wellbeing Board and will report to the Children's Trust Board and Children and Young People's Committee. It will also link to the Nottinghamshire Safeguarding Children's Board as appropriate. Membership should include representatives from Health Commissioning/Clinical Commissioning Groups, Community Paediatrics, Parents, Schools/Academies, FE colleges and Children's Services.
11. The Local Offer will be reviewed and developed, in a co-productive manner, with an easily accessible portal that clearly and effectively signposts families to services that can support them to meet the needs of their children and young people.

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| 12. | The County Council and NHS Partners will establish a clear pathway and process for health services to inform the local authority when they identify that a child or young person has SEND. |
| 13. | Ask Us Nottinghamshire must be promoted more consistently by schools and local services to ensure that all parents are able to access high quality information, advice and support. |
| 14. | An ICT solution should be developed in line with 'Connected Nottinghamshire' to improve the sharing of information between NHS, the County Council, schools/academies and children and families, especially in relation to the EHCP process. |

Provision – Key Findings

As at January 2016 there were 945 children and young people on roll at one of eleven special schools/academies in Nottinghamshire, 51 of whom were from other Local Authority areas. This number has increased by almost 12% over the last 5 years.

All Nottinghamshire special schools/academies bar one were graded at least 'good' at their most recent Ofsted inspections. All schools and academies play a vital role in shaping the lives of children and young people in Nottinghamshire.

Special schools/academies in Nottinghamshire cannot collectively meet the needs/demands of all local children and young people with SEND at the current time, as there are virtually no spare places in most schools. As a result, an increasing number of children and young people are placed with independent providers.

Parents and professionals, including special school/academy headteachers felt that additional health services, such as speech, occupational and physio therapy and nursing, enhanced the offer to and improved outcomes for children and young people with complex needs.

Projecting forwards, if the increase in demand continues at a similar rate to recent years, at least 100 additional special school places will be required over the next 5 years. There is not the capacity within the existing provision to meet this need.

Paediatricians, specialist nurses and a range of therapists told us that advances in medical practice have led to increases in both survival rates and life expectancy of children and young people with the most complex needs. These children and young people are likely to require higher levels of support and a range of new and existing interventions whilst at school.

Headteachers and Special Educational Needs Co-ordinators (SENCOs) told us that there are increasing numbers of pupils with SEND, particularly Autism Spectrum Disorder (ASD), who they feel will require a specialist placement in the future. They also told us that securing special school places was harder, especially for those children and young people who display behaviours related to their anxiety.

Primary headteachers and SENCOs told us that they felt they often tried to maintain a pupil's placement to support and comply with parents' wishes and that this sometimes has a negative effect on the child and young person

High quality SENCOs are critical to the success of a child or young person's achievements in school. Family SENCOs are key supporters of school SENCOs, but sometimes perform different tasks within what is meant to be a similar role throughout the county. There has been some confusion in the use of the descriptors and national codes used for defining the various levels of SEND at school level.

Most special schools are aligned to localities within a district council model and meet the needs of a broad range of pupils. Some special schools have identified specialisms and some wish to expand their numbers.

Special schools currently have a high degree of influence over the pupils they admit. The impact of this influence is significantly compounded by the lack of space available. The County Council's approach to placing children and young people in their most local special school has not been clear, which has led to some children and young people attending schools further away from where they live than necessary. The County Council can direct schools and academies to admit children and young people with SEND, where it is believed to be in the best interest of the pupil. This is not currently used to the best effect.

Parental preference has also meant that some pupils cannot be placed at their most local and appropriate special school as that place is filled by a pupil from another locality whose needs could be met at a school more local to their home. This presents a significant challenge for the local authority.

Mainstream schools are unclear of the role and remit of special schools and often make assumptions around the services provided by education and health professionals. For example mainstream schools picture staffing ratios of at least 1:2 pupils, they believe that all pupils require significant input from health therapists (speech and language, occupational and physio therapies), when in reality this is only the case for some children.

Families and mainstream schools value support services (including training), especially the educational psychology service and those within the School and Families Specialist Services' (SFSS) Early Years' Team. They would simply like more of them and for a longer period of time, especially in support post-diagnosis. However, they also told us that they felt there were overlaps and unnecessary transfers between teams within the same service, which caused confusion and uncertainty for parents and their children.

60% of children and young people attend a special school within 5 miles of where they live, 30% between 5 and 10 miles and 10% live 10 – 25 miles away (as the crow flies). The transport policy for children and young people with SEND needs to be applied consistently, especially where parental preference is followed.

Parents speak incredibly positively about their experiences of special schools. Some parents feel they would like their child or young person to 'stay at school forever' even

though they recognise their child/young person needs to move along their journey to adulthood, because parents are anxious about what happens next.

Based on recent and current births, paediatricians believe that over the coming years the number of children and young people with complex medical needs will increase. They also note a continued increase in diagnosis of ASD, specifically in older girls.

There are also other factors that are having, or that we anticipate will have, an impact on the type and number of special school places required:

- raising the participation age to 18 has increased the number of children and young people attending schools;
- special schools are increasingly mindful of their potential role in offering 'free childcare and education for 2 to 4-year-olds';
- general increase in the number of school-age children and additional residential building schemes.

These will all increase the demand for special school places and significantly impact on the cost of special school transport in the future.

The emotional health and wellbeing of children and young people with SEND is also an increasing priority for schools and other services. For example there is now a better recognition and understanding that anxiety significantly drives behaviour presentation of children and young people with SEND. This sometimes means that children and young people with SEND are not attending school as much as they are legally required to.

Provision – Key Recommendations

15. A special school admissions protocol will be developed and implemented in partnership with headteachers and the Integrated Children's Disability Service. This protocol must be underpinned by the principle that children should be educated as close to their home and local community as possible. Nottinghamshire children and young people should be a higher priority for places in Nottinghamshire special schools than those from out of area.
16. The County Council will explore the potential to re-designate special schools as 'all age'. This means that provision will be offered across a strong network of special schools for those with an EHCP or Statement of SEN, from the academic year in which they turn 5, through to the academic year in which they are 18. In addition, special schools/academies and the County Council will also explore provision for children who are eligible for education in the early years. The County Council will work in partnership with the special schools and consult with parents to develop this further.
17. The County Council will work with the Carlton Digby School and planners, with a view to having the maximum pupil number revised upwards or removed from the planning conditions, to allow expansion within the current building.

18. Special schools will need to be increasingly equipped and suitable to meet the needs of children with complex conditions in to the future. The County Council and the NHS will continue to work in partnership to inform spending priorities.
19. Internal audit should review arrangements for monitoring compliance to the SEND element of the transport policy.
20. SFSS should ensure that teams within the service are best organised to meet the needs of children and young people without creating unnecessary points of transfer (i.e. initial support from Early Years autism Team transferring to the Communication and Interaction Team).
21. The role and function of the family SENCo will be explored to ensure consistency throughout Nottinghamshire, with a view to increasing attainment and participation of children and young people with SEND.
22. The local area will ensure that services supporting children and young people with SEND have a consistent plan and approach to emotional health and well-being.
23. Special school headteachers, the County Council and partners must develop consistent approaches to ensure parents and professionals know and understand that there is a core offer across the strong network of special schools.
24. A multi-agency planning group will develop a core SEND training offer that is available to all professionals. A SEND Kitemark could also be developed to encourage and celebrate good practice in this area.

Property – Key Findings

Some of the Nottinghamshire special school buildings are less suitable for the needs of some of the pupils who attend them now compared to 10 years ago because the needs of pupils are changing. Without investment they will become even less suited into the future.

The findings of the review support the opinion of the County Council and partners that the special school in Newark is in urgent need of a rebuild.

The majority of Nottinghamshire special schools do not have the capacity to grow enough to provide sufficient places for children and young people from within their locality.

Many special schools cannot admit more pupils because they do not have capacity within their current building. Special schools have not been included in basic need developments to grow the number of classrooms to meet the needs of the local population in line with their mainstream counterparts. The reason for this is one of

national policy, which means that currently the County Council needs to fund any expansion required by need.

Some special schools do not have suitable spaces to store large, highly specialised pieces of equipment that are vital for the health, wellbeing and education of some pupils. Special school headteachers report that this continues to become more challenging over time as the needs of some pupils are becoming more complex.

According to current data, there are currently over 120 children and young people with SEND living in postcode areas NG15 (Hucknall) and NG16 (Eastwood), and 140 in NG20 (Warsop), NG21 (Blidworth, Rainworth, Clipstone, Edwinstowe) and NG22 (Farnsfield, Bilsthorpe, Ollerton) who travel to a variety of schools. These two areas would be worthy of further exploration for potential new schools in the future.

The review found there was no need for the County Council to retain the Bassetlaw Learning Centre site for the purpose of creating an additional special school site in that area.

Property – Key Recommendations

25. The County Council should approve the exploration of creating new special schools, or expanding existing special schools on to additional sites, to meet the demands highlighted in this report.
26. The County Council and partners will seek to secure investment to upgrade and expand special schools to ensure that they are fit for purpose moving forwards.
27. The County Council will make better use of existing premises for the co-location for educational services. For example, short-breaks units could be used by schools to deliver education in the school day.
28. Property Services can remove the Bassetlaw Learning Centre site from the retained site list, as it will not be required by the County Council as an additional special school site.

Commissioning – Key Findings

The number of places commissioned at independent non-maintained (INM) schools is increasing - by 28% over the last five years. This is partly due to the complexity of need in relation to some pupils who present with challenging behaviours as a result of their SEND, partly to the lack of availability of maintained provision and partly to parental preference.

Some mainstream secondary and primary schools feel that the local commissioning arrangements they make could be masking the extent to which mainstream provision might not be appropriate for some children and young people. For example, when a child or young person with SEND accesses provision with an alternative provider, whilst remaining on the school roll.

The recent integration of core commissioning functions within the ICDS is already improving the consistency and monitoring of commissioned provision.

Headteachers in special, mainstream and independent schools are commissioning a range of services, often from the same providers, to enhance provision in areas such as occupational and speech and language therapies. This ad hoc commissioning alone equates to over £200,000.

Special school headteachers felt that sometimes they would be able to meet the needs of some children and young people if additional places were commissioned mid-year by the County Council.

Commissioning – Key Recommendations

29. ICDS commissioners will develop a commissioning model to enable the funding of additional places within Nottinghamshire special schools before a child or young person is placed with an INM provider.
30. Those responsible for the commissioning of SEND services from all agencies will review their approach to strategic commissioning of services, based upon the output of a JSNA for children and young people with SEND. This must include the integrated commissioning strategy for SEND and the Children's Trust Board Plan to ensure a joined up strategic approach to commissioning.