



## **Children and Young People Overview and Scrutiny Committee**

2<sup>nd</sup> February 2012

### **Report from Director of Children and Families**

#### **Special educational needs: developments in specialist provision in response to rising demand.**

#### **1. Summary**

- 1.1 The majority of children and young people identified with Special Educational Needs (SEN) have their needs met in mainstream schools through arrangements put into place by schools making use of their delegated schools budget. For a small percentage of children and young people with the most severe and complex needs, a statement of SEN is drawn up. The statement determines the special provision required which may be additional help at a mainstream school or a specialist placement.
- 1.2 Brent has maintained an increasing number of statements of special educational needs over the past 5 years, rising from 2.01% of the 0-19 population in 2005 to 2.37% in 2010. This is at variance with the national trend over this period where the percentage has fallen from 2.07% in 2005 to 1.84% in 2010.
- 1.3 Alongside this increase in volume and partly because of it, there has been an increasing shortfall between the demand and supply of local placements for children with high level needs, particularly those on the autistic spectrum. An increasing number of young people are placed in the day out-Borough non-maintained school sector. Placement costs have risen very significantly resulting in an overspend in the Dedicated School Grant (DSG) of approximately £2.7 million in 2010/11 and a cumulative deficit of £5.7 million. This is clearly an area of acute cost pressure requiring urgent resolution.
- 1.4 This report provides an analysis of the cost drivers and of Brent's performance on a range of indicators in comparison with other authorities with similar characteristics. It sets out the robust actions which have been taken to manage demand and reduce costs whilst improving quality of provision and maintaining good outcomes for Brent children with SEN.
- 1.5 The SEN transformation programme is being driven through the One Council Programme Management Board. Key elements of the programme include
  - More rigorous demand management and decision-making processes

- Expansion of local specialist provision in Brent mainstream and special schools
- Improved commissioning arrangements and strong engagement in the West London Alliance SEN project

Each of these strands of work contributes directly to reducing costs.

- 1.6 The SEN transformation programme is an ambitious yet realistically achievable programme which will bring significant financial and educational benefits. There are good indications of early progress. 26 new additional specialist places for children with severe and complex learning needs including autism have been established in September/October 2011. The numbers of new statutory assessments leading to statements have reduced from 251 in the 2009/10 school year to 204 in the 2010/11 school year. An alternative to statutory assessments was introduced in September 2010 called Individual Pupil Support Agreement (IPSA). There were 31 IPSA allocations made in the 2010/11 school year, the first year of operation. Progress is being closely monitored both through the Children and Families Department SEN budget review group and through the Council's Programme Management Board.

## **2.0 Recommendations**

The Children and Young People Overview and Scrutiny committee is requested to:

- 2.1 Note the extent of the financial pressures on the Dedicated School Grant arising from increasing expenditure on SEN support and placements.
- 2.2 Note the key factors which are driving the SEN overspend
- 2.3 Note the range of actions which have been taken to manage demand, increase local provision and reduce costs whilst maintaining good outcomes for Brent children with SEN.

## **3.0 Detail**

### **3.1 Legislative Background.**

The assessment of SEN and determining the provision and services for children with SEN is governed by a statutory framework. Educational provision is made for children and young people identified with SEN in a variety of settings after assessment which begins as early in the child's life as possible. For the vast majority of children (19.1% of the school aged population nationally in 2010) their mainstream setting will assess and meet all their SEN using their budgeted resources. Some children will require additional help from SEN services or other agencies which the setting can access.

A very small minority of children and young people (1.7% of the school aged population nationally in 2010 rising to 1.84% with the addition of pre-school age children) will have SEN of a severity or complexity that requires the Local Authority to determine and arrange the special educational provision their learning difficulties call for. In these circumstances the Local Authority is required to carry out a statutory multi professional Assessment of the child's educational needs. It is these children that the Local Authority has a direct responsibility for in terms of co-ordinating the formal assessment process and making provision.

### 3.2 **Strategic overview of the delivery of SEN services**

The following principles underpin Brent's strategic approach to delivering SEN services:

- Securing the best possible educational outcomes for children and young people identified with SEN and promote their independence and autonomy to assist transition to adult life
- Wherever possible, meeting the needs of children and young people in a local, inclusive setting and promoting their full participation in wider community life
- Increasing the skills and capacity of all schools and other education providers to effectively meet a wide range of needs
- Providing information, advice and assistance to parents and carers of children with SEN so they are fully aware of the options available to them.

3.3 There is an ambitious programme for the transformation of SEN services according to these principles driven through the One Council Review. The aim of this programme is to maintain and improve on the current good outcomes for children and young people identified with SEN and the good quality of Brent's SEN provision, whilst at the same time significantly reducing expenditure. The main elements of the transformation programme are as follows:

- Managing demand and expectations by reviewing the threshold criteria and decision making processes to take account of the changed financial climate. This will be part of a broader culture change programme within SEN assessment and placement services.
- Developing a refreshed communication strategy with parents/carers, Brent's schools, other providers and partners to ensure consistent understanding of aims and strategy.
- Developing a renewed programme of support and training to sustain and increase the capacity of Brent's schools to meet a range of SEN within delegated budget.
- Continuing the expansion and adaptation of Brent's specialist school provision (including Additionally Resourced Provision in mainstream schools) to reduce reliance on the out borough non maintained special school sector. A major programme is being developed and implemented through the One Council review that will match

changing demand and future projected SEN more closely and will bring both educational and financial benefits.

- Working through the West London Alliance SEN Project to develop more cost effective commissioning of the out borough non-maintained special school placements that will still need to be purchased.

More detail about the progress of actions taken on these elements so far and those that are planned is included in Section 5 of this report.

#### **4.0 Analysis of key issues for Brent**

- 4.1 Comparison of Brent's performance on a range of indicators, in comparison with other local authorities, is set out in Appendix 1.
- 4.2 The educational outcomes for children and young people with SEN are good in Brent when compared with like authorities but also in a national context.
- 4.3 Brent's spend on SEN transport is also cost effective when compared with like authorities. However this is comparative in a national context of high spending and exceeding budget provision. Whilst this is a good base to be working from there will continue to be a strong focus on driving down costs on transport.
- 4.4 There has been a significant growth in demand for statements of SEN in Brent. This has been particularly marked for children on the autistic spectrum where the number of children with a statement of SEN has steadily risen from 304 in 2008 to 412 in 2011, a 36% increase over 3 years. This is partly due to a significant increase in the numbers of children under 5 with complex needs who have been notified by health as likely to require a statement. This has resulted in an 86% increase over the last 3 years in the number of young children undergoing a statutory assessment from 49 in 2008-09 to 91 in 2010-11. The increase in demand is partly related to demographic growth which has placed pressure on the provision of sufficient school places generally. However there will be other reasons which need to be explored with partners in the Health services.
- 4.5 The percentage of the 0-19 population with statements in Brent (2.37%) is currently around 0.5% higher than both national and WLA averages. This suggests that the management of the increased level of demand is a significant issue and that 'gate keeping' functions need to be strengthened. This involves the review and consistent application of threshold criteria to further strengthen the robustness of decision making processes. It also involves managing expectations through a planned communication strategy with schools and parents.
- 4.6 A key cost driver has been the increasing shortfall between the demand and supply of local specialist places for children with high level needs which has led to an increased reliance on expensive out-borough non-maintained special school placements. There were 169 children and young people in day out

borough placements at the end of March 2011 costing an average of £32k per place. 82 children and young people (51%) within this total were placed for autism costing an average £49k. The average cost of maintained places for autism is £22k. These out borough placements put pressure both on the Dedicated Schools Grant for the placement costs and the local authority General Fund for transport costs.

4.7 There has been expansion of Brent specialist provision in mainstream and special schools over the past five years (see paragraph 5.2) but this has not kept pace with the rise in numbers requiring specialist provision over that period. Major capital expenditure is not necessarily required to expand provision. Strengthening the skills of school based staff in meeting SEN through targeted training programmes and specialist support builds capacity in mainstream schools to effectively meet a wider range of SEN. Special schools are also adapting and developing skills to meet a changing profile of needs. The local authority are driving these developments as part of the demand management and cost reduction strategy.

4.8 In line with other London authorities, Brent will not be able to meet the full diverse range of SEN completely within local provision. The local authority will continue to need to commission specialist placements from out-Borough maintained schools and day and residential independent providers although at a much reduced level than is currently the case. Stronger commissioning arrangements are required in Brent and across the West London Alliance in the negotiation of placement costs with independent providers and in contract management. Brent is fully engaged in the WLA SEN project which is helping to drive improvements in these areas.

## **5.0 Range of actions taken**

5.1 A number of actions to address these issues have already been taken. These are summarised below.

5.2 Expansion of specialist provision in Brent has taken place over the past 5 years including:

- The development of a 50 place 16-19 provision at Hay Lane and Grove Park Schools in 2008
- The amalgamation and rebuilding of Hay Lane and Grove Park schools which will create an additional 25 places for children and young people with severe learning difficulties scheduled for completion in September 2013.
- Establishment of a mainstream secondary provision at Preston Manor High School which opened in September 2010 and has created an additional 12 places for children and young people with autism.

5.3 In September 2010, a process to provide support to children and young people outside of statutory procedures was introduced. Instead of a statement of SEN,

in certain circumstances, an 'Individual Pupil Support Agreement' (IPSA) is drawn up. This avoids the administrative costs of the statutory assessment process. The operation of the IPSA process is currently being reviewed following the first year of its implementation, but it has been effective in reducing the numbers of Statutory Assessments by 39% in the first year of operation. The resources allocated through this process are time limited which creates greater flexibility in resource allocation than currently exists through statutory assessment and statements.

- 5.4 A review of formula funding arrangements for schools has been carried out. New banding arrangements for special schools and for additionally resourced mainstream provision were introduced in April 2010. This provided
- greater fairness and transparency in comparison with previous historical arrangements
  - a system which avoided the need for individual funding in addition to formula allocation for children with the highest level of needs
  - allocation of resources related to specific numbers on roll rather than capacity
- 5.5 In April 2011, following extensive consultation with the Schools Forum, revised thresholds and criteria were set for initiating statutory assessment of SEN with increased expectations for the level of needs that schools would meet from their delegated resources.
- 5.6 Following the Council's Staffing and Structure review, new management arrangements for SEN Services have been put into place from June 2011. This has resulted in the beginnings of a culture change and more clearly drawn lines of accountability. Further changes to service structures are under consideration aimed at better aligning services to strengthen the robustness of decision making processes.
- 5.7 In December 2010 the One Council Programme Board commissioned a targeted specialist review of SEN to develop a business case for radical service improvement. The detailed SEN One Council Business Case set out a raft of short term and long term recommendations for improving SEN provision in Brent.

A dedicated specialist project manager was engaged for a limited period of time for strategic projects and programmes within Achievement and Inclusion to provide drive and dedicated focus. The first phase of development took place between April and July 2011. It resulted in the following:

- The creation of 26 additional places for pupils with severe and moderate learning difficulties for the immediate 2011-12 school year. These initiatives have developed a new co-located provision for Village school at Queens Park Community School for secondary aged students with severe learning difficulties. This has brought forward the planned expansion of provision at Village school (referred

to in 5.2) by 2 years. It will also promote improved outcomes for both schools.

- Expanded specialist nursery provision providing 11 new places for young children with autism at Granville Plus Children's Centre.
- Proposals agreed with Governors to co-consult on the re-designation and development of Vernon House special school to provide up to 30 additional places for pupils with autism. This is proposed for September 2012.
- Significant improvement in SEN data and management information systems in order to provide a stronger foundation and better capacity for strategic planning.
- The WLA SEN Project was officially launched on 13<sup>th</sup> October 2011. There has been a very active level of engagement with the project since July 2011 focusing on the development of smarter commissioning processes for out-borough independent provision. It is envisaged that this will significantly drive down the unit cost of these placements by anything between £2,000 and £12,000 in a number of schools
- Agreement in principle to a 20 place Additionally Resourced Provision to be established at Alperton Community School. This is being developed as a partnership between Alperton and Woodfield Special School. It will provide for the needs of year 10 and 11 pupils with identified Moderate Learning Difficulties (MLD) who will transfer from Woodfield in order to experience a mainstream school experience and access to a broader range of qualifications prior to leaving school. It is anticipated that the provision will be open for September 2012.

- 5.8 The Programme Board has agreed a second phase of development for September 2011 to August 2012. This includes a number of key initiatives centred on a review and refresh of Brent's overall strategy for SEN and Inclusion and further expansion of local provision. A summary of existing specialist SEN provision in Brent and planned new developments in provision is shown in Appendix 2.
- 5.9 New placement authorisation processes have been put into place from September 2011. Any out-borough special school placements in non-maintained and maintained provision now require the authorisation of the Head of Pupil and Parent Services. Any placements with an overall cost (including transport costs) over £40,000, requires the authorisation of the Assistant Director, Achievement and Inclusion.
- 5.10 A targeted review of high cost independent day placements will take place by September 2012 with the aim of bringing children back into local provision wherever possible, particularly at key times such as secondary transfer.
- 5.11 Common eligibility criteria for provision of SEN transport across West London Alliance authorities will be in place by September 2012, as part of the WLA transport project. In addition a system for annual application for travel

assistance will be put into place from April 2012. This will replace the automatic entitlement to home to school transport in cases where criteria are met.

5.12 The active engagement with the WLA SEN project is producing revised commissioning approaches to the annual fee review process and individual contract negotiations with high volume providers in the independent/non maintained school sector. As already pointed out these actions will achieve significant reductions in unit costs during the current financial year. The new appointment of a Children and Families procurement officer will support this work.

## **6.0 Impact of action taken**

6.1 These actions have so far resulted in:

- 26 additional specialist places for severe and moderate learning difficulties which is forecast to achieve £350k savings over 2 years.
- 12 additional specialist places for autism which is forecast to achieve £50k savings over 2 years.
- A reduction in the number of Statutory Assessments initiated from 251(2009-10 school year) to 204 (2010-11 school year). This represents a significant decrease in reliance on statutory assessments which will lead to a reduction in the number of statements being maintained in the longer term and associated reduction in costs. It will also reduce the administrative burden on the local authority.
- A flattening in the number of new statements of SEN produced from 244 in 2009-10 to 249 in 2010-11 after an increase of 30 from 214 in 2008-09.
- This is a positive indicator of the success in reducing reliance on statements for allocating additional resources. We are anticipating a reduction in the number of new statements issued in 2011/12.

6.2 The impact of the action on expenditure is being closely monitored. A deficit recovery plan has now been set and approved by the Schools Forum which is aimed at eliminating the Schools Budget cumulative deficit by the end of 2014/15.

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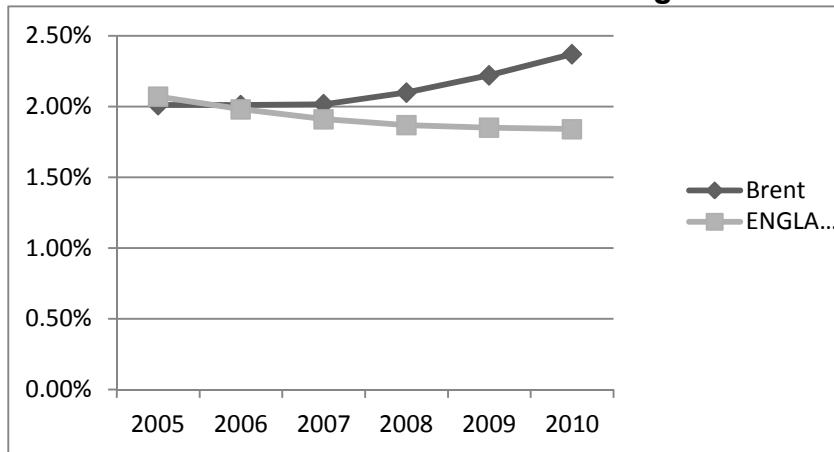
Chesterfield House, 9 Park Lane Wembley Middlesex HA9 7RH



1.0 Comparison of Brent’s performance with other Authorities

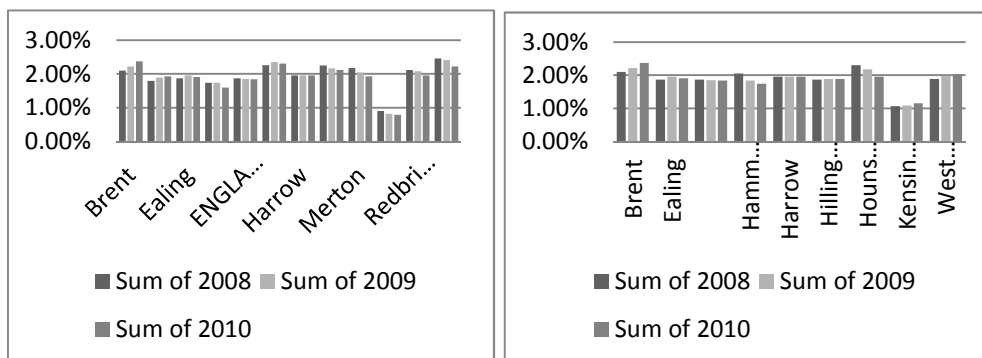
1.1 Statements of SEN

**Graph 1: % 0-19 population with a statement of SEN Brent compared to National Average**



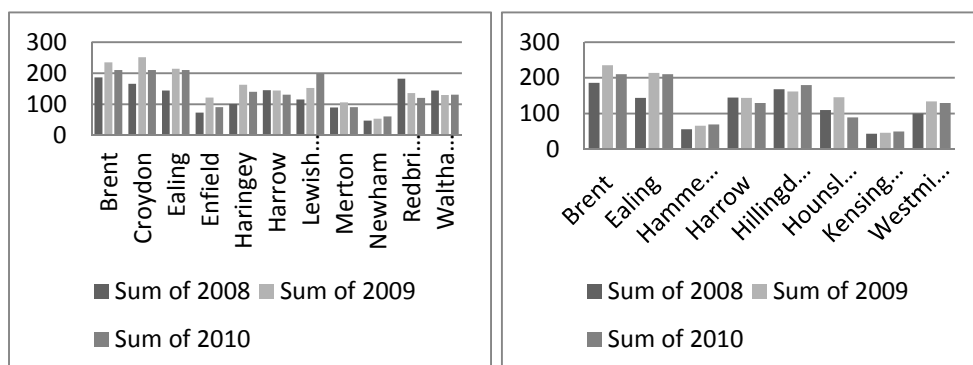
The percentage of children and young people with statements of SEN over the last 5 years has increased from 2.01% (below the national average of 2.07%) in 2005 to 2.37% (above the national average of 1.84%) in 2010. In 2010 Brent maintained 1491 statements of SEN and this has continued to rise to around 1600 in September 2011. This indicates a shift in the balance of the management of SEN towards greater reliance on the statutory framework.

**Graphs 2 & 3: % 0-19 population with a statement of SEN Brent (compared with SN and WLA Authorities)**



This increase is shown in comparison with trends in Brent’s Statistical Neighbour (SN) group of 10 Authorities and West London Alliance (WLA) group of 8 Authorities in Graphs 2 and 3. The increasing trend in Brent is in contrast to the general trend in both LA groups where it is static or on a downward trajectory. The only exceptions are Kensington and Chelsea in the WLA group and Croydon in the SN group.

**Graphs 4 & 5: Number of children for whom statements were newly made (compared with SN and WLA Authorities)**

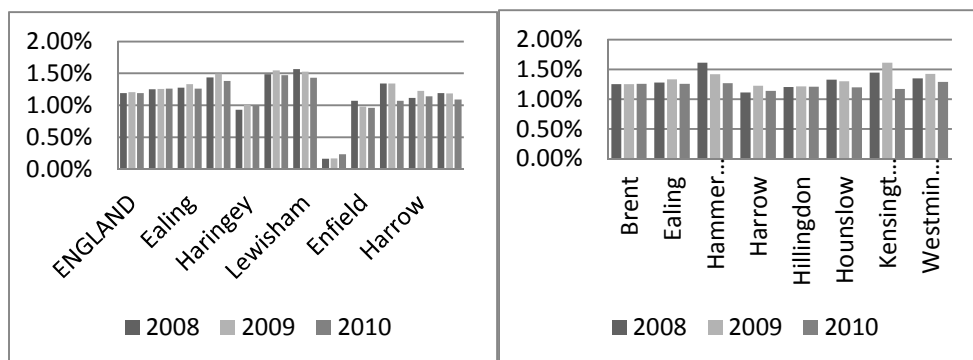


There are indications from the statistics relating to the number of new statements issued that this increasing trend in Brent will begin to change (Graphs 3 and 4). There was a decrease in the number of new statements issued in 2010 after 4 years of consecutive increase. This was the second biggest decrease in the WLA group where new statements tended to remain relatively static or actually increase (Hammersmith & Fulham and Kensington & Chelsea). A reduction in the number of new statements was more the norm in 2010 in the SN group.

**1.2 Placements**

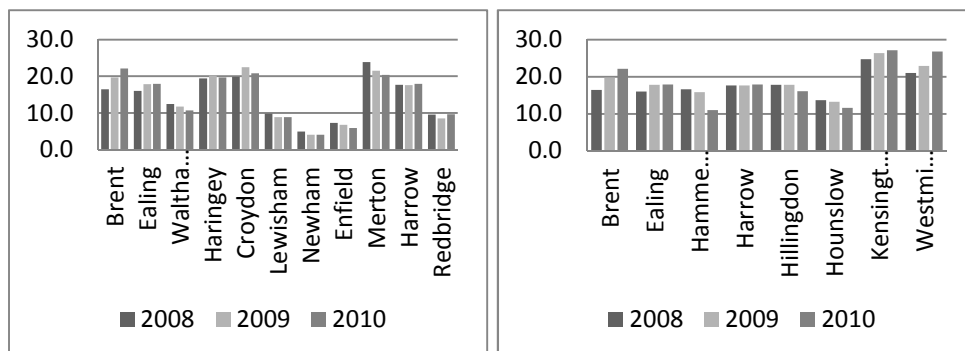
56% of children and young people with statements of SEN in Brent have their needs met in mainstream schools, the majority in Brent. 31% are placed in LA maintained special schools, again the majority within Brent but some in neighbouring Borough special schools. The remaining 13% are placed in independent/non maintained schools outside of Brent and in some cases at great distance from home.

**Graphs 6 & 7: % of resident school population placed in LA maintained special schools (compared with SN and WLA Authorities)**



Placements in maintained special schools (Graphs 6 and 7) remained stable in Brent between 2006-10 and are generally in line with placements made by both WLA and SN group Authorities at 1% -1.5% of the resident school population.

**Graphs 8 & 9: Placements made by LA in independent and non maintained special schools - Rate per 10,000 population (compared with SN and WLA Authorities)**



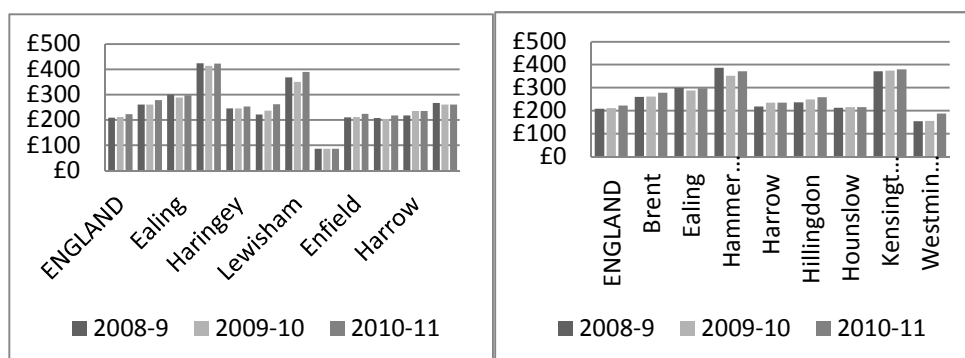
Placements by Brent in independent and non maintained schools (Graphs 8 and 9) increased from 14.3 to 22.1 per 10,000 population between 2007-10. Increase in placements occurred in some other SN and WLA group Authorities (Ealing, Westminster, Kensington & Chelsea and Haringey). Placements have remained generally stable or have decreased in other SN and WLA group Authorities over this period. In 2010 Brent had the third highest rate of placements in independent and non maintained schools in the WLA group.

1.3 Cost Indicators

Costs for LA maintained special schools

Brent's expenditure on in-borough maintained special school places has risen from £260 to £278 per 3-19 population over the last 3 years (Graphs 10 and 11). This is above the national average of £233, 4<sup>th</sup> highest in the WLA group and 3<sup>rd</sup> highest in the SN group. The trend in expenditure is generally upward in all Authorities in the WLA group.

**Graph 10 & 11: LA expenditure on in borough maintained special schools per 3-19 pop. (compared with SN and WLA Authorities)**

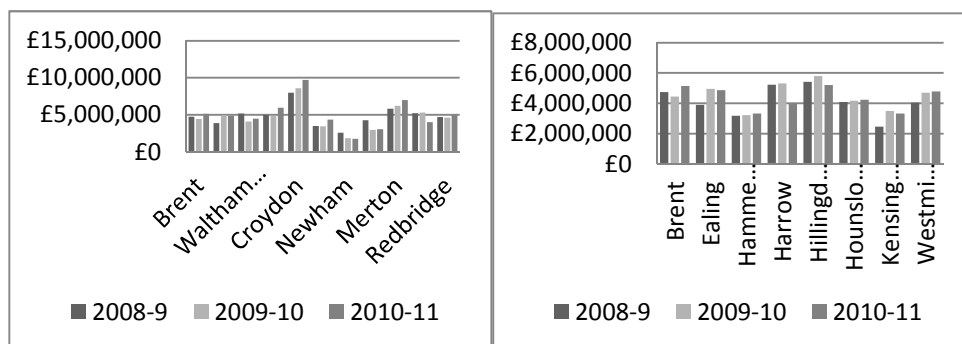


Costs for Independent/non-maintained special schools

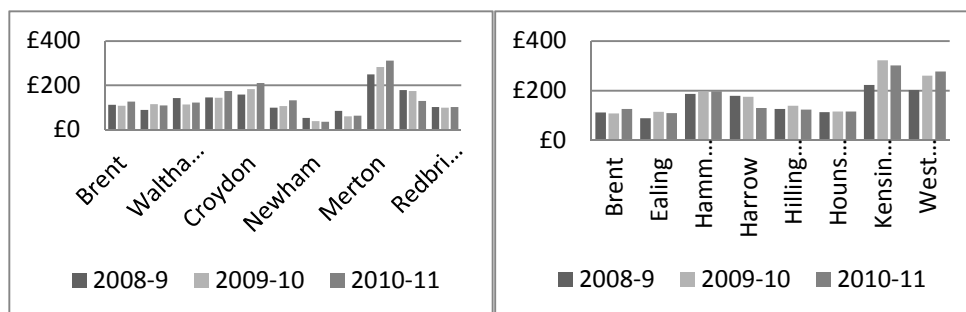
Expenditure by Brent on out-borough places in independent/non maintained schools (Graphs 12 and 13) fluctuated over the last 3 financial years increasing from £4.4m to £5.1m between 2009-10 and 2010-11. This was the 2<sup>nd</sup> highest expenditure in the WLA group. The range of expenditure in WLA group Authorities was £3.3m-£5.2m in 2010-11.

The range of expenditure was wider in the SN group in 2010-11 at £3.1m-£9.7m. Brent had the 4<sup>th</sup> highest expenditure in the group.

**Graphs 12 & 13: Expenditure on out-borough places in independent/non-maintained schools (compared with SN and WLA Authorities)**



**Graphs 14 & 15: Expenditure on out-borough independent/non-maintained schools - costs per 3-19 pop. (compared with SN and WLA Authorities)**



When proportional expenditure on out-borough independent/non-maintained schools (costs per 3-19 population-Graphs 14 and 15) is compared, Brent had the fifth highest expenditure in 2010-11 in the WLA group at £127 per 0-19 population. Expenditure ranged from £110-£302 per 0-19 population in this group and compared with a national average expenditure of £90 for 2010-11. Brent also had the fifth highest proportional expenditure in 2010-11 when compared with the SN group. The range of expenditure in 2010-11 in this group was £36-£311 in 2010-11.

## SEN Transport costs

**Graphs 16 & 17: SEN transport expenditure - £ per 3-19 pop (compared with SN and WLA Authorities)**



Expenditure in Brent on SEN transport (Graphs 16 and 17) fluctuated between 2008-09 and 2010-11 with £84 spent per 3-19 population in 2010-11. This was the lowest expenditure of the WLA group where the range in 2010-11 was £84-£144 per 3-19 population.

In the SN group of Authorities Brent had the 6<sup>th</sup> highest expenditure on SEN transport in 2010-11 where the range in 2010-11 was £46-£123 per 3-19 population.

## 1.4 Outcome Indicators

### Attainment of Pupils with SEN

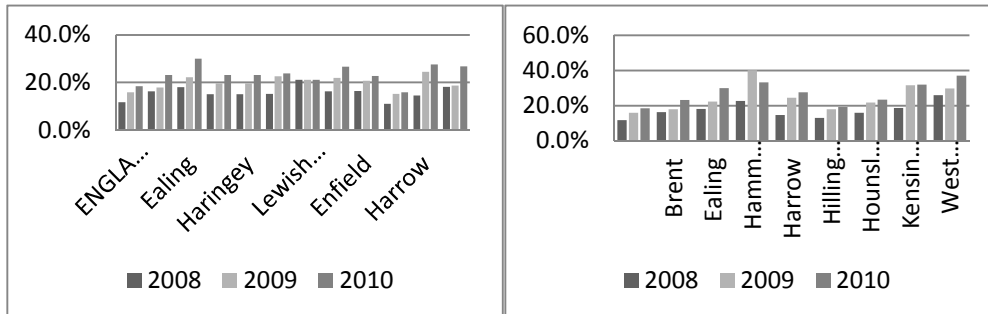
**Graphs 18 & 19: % pupils with identified SEN achieving L4 and above in Eng & Maths at the end of KS2 (compared with SN and WLA Authorities)**



Outcomes at the end of key stage 2 for pupils identified with SEN (Graphs 18 and 19) improved from a high base between 2008-2010 with 52.2% achieving the expected attainment standard of level 4 and above in English and Maths. This was the highest attainment in the WLA group. The level of attainment of these pupils in this group of Authorities ranged from 39.5%-52.2% in 2010. Outcomes in Brent were significantly above the national average of 35.7% in 2010.

The level of attainment of Brent pupils identified with SEN at the end of key stage 2 in 2010-11 was also the highest in the SN group. The attainment in 2010 ranged from 34.1%-52.2% in these Authorities.

**Graphs 20 & 21: % pupils with identified SEN achieving 5A\*-C GCSE including Eng & Maths at the end of KS4 (compared with SN and WLA Authorities)**



Outcomes at the end of key stage 4 for pupils identified with SEN (Graphs 24 and 25) improved from 16.3% to 23.1% achieving the attainment standard of 5A\*-C GCSE including English and Maths between 2008-10. This was the 7<sup>th</sup> highest level of attainment in the WLA group. The level of attainment of these pupils in this group of Authorities ranged from 19.1%-37% in 2010. The level of attainment of Brent pupils identified with SEN at the end of key stage 4 in 2010 was 8<sup>th</sup> highest in the SN group of 11 Authorities. The attainment in 2010 ranged from 15.9%-30% in these Authorities.

Although outcomes in Brent for this group of pupils at key stage 4 were not as good as outcomes at key stage 2 they were above the national average of 18.5% in 2010.

**Appendix 2a****Summary of existing special school and additionally resourced mainstream provision in Brent**

<b>Special Schools</b>	<b>Age Range</b>	<b>Type of Needs</b>	<b>Capacity</b>
<b>Manor</b>	<b>4-11</b>	<b>Moderate/severe learning difficulties. Autism and associated learning difficulties</b>	<b>130</b>
<b>Woodfield</b>	<b>11-19</b>	<b>Moderate learning difficulties with additional needs. Autism and associated learning difficulties</b>	<b>120</b>
<b>Village</b>	<b>3-19</b>	<b>Severe learning difficulties, profound and multiple learning difficulties. Autism and associated learning difficulties.</b>	<b>210</b>
<b>Vernon House</b>	<b>4-11</b>	<b>Behaviour social and emotional difficulties</b>	<b>30</b>

**Additionally resourced mainstream provision**

	<b>Age range</b>	<b>Type of need</b>	<b>Capacity</b>
<b>Preston Manor</b>	<b>11-19</b>	<b>Speech, language and communication.</b>	<b>12</b>
<b>Preston Manor</b>	<b>11-19</b>	<b>Autism</b>	<b>12</b>
<b>Kingsbury High</b>	<b>11-19</b>	<b>Deaf and hearing impaired.</b>	<b>8</b>
<b>Oakington Manor</b>	<b>4-11</b>	<b>Speech, language and communication.</b>	<b>25</b>
<b>Kensal Rise</b>	<b>4-11</b>	<b>Speech, language and communication.</b>	<b>20</b>
<b>Kingsbury Green</b>	<b>4-11</b>	<b>Deaf and hearing impaired.</b>	<b>16</b>
<b>Fawood</b>	<b>3-5</b>	<b>Autism</b>	<b>10</b>

**Summary of new developments in specialist provision in Brent**

	<b>Description of development</b>	<b>Age range</b>	<b>Type of needs</b>	<b>Number of additional places</b>	<b>Completion</b>
<b>Village School</b>	Satellite centre at Queens Park Community School	11-16	Severe learning difficulties	20	Completed October 2011
<b>Granville Plus</b>	New additionally resourced mainstream provision	3-5	Autism	15 (part-time at 15 hours/week)	Completed Sept 2011
<b>Vernon House</b>	Re-designation and remodelling of existing provision	4-11	Autism	10 for Sept 2012 20 for Sept 2013	Under consultation to commence for September 2012
<b>Alperton</b>	New additionally resourced mainstream provision in collaboration with Woodfield School	14-19	Moderate learning difficulties	8 for Sept 2012 12 for Sept 2013	Planned to commence for September 2012
<b>Woodfield expansion</b>	Expansion of the capacity of the current school	11-19	Autism/Severe Learning Difficulties	30	Planned for Sept 2013 subject to approval of business case.