

CABINET

17 January 2017

PLACEMENT FOR PUPILS WITH SPECIAL EDUCATIONAL NEEDS OR DISABILITIES

Report of the Director for People

Strategic Aim:	To deliver sustainable growth in our County supported by appropriate learning opportunities. Plan and support future population and economic growth in Rutland to allow families and communities to reach their full potential.	
Key Decision: No	Forward Plan Reference: FP/190816/03	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr D Wilby, Portfolio Holder for Lifelong Learning	
Contact Officer(s):	Gill Curtis, Head of Learning and Skills	01572 758460 gcurtis@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS

That Cabinet:

1. Approves the action plan to a) secure the required range of specialist places within Rutland, or utilise close geographical locations where specific provision is required, so that more children are educated closer to home and at lower cost; and b) reduce the proportion of children and young people with Education, Health and Care Plans through release of High Needs Funding directly into schools to enable more effective in-school learning and support.
2. Recommends to Council that £15.5k of grant funding in 2016/17 for High Needs Strategic Planning and the SEND reform grant funding for 2017/18 of £28k is used to support delivery of the action plan.

1 PURPOSE OF THE REPORT

- 1.1 This report describes the options available to enable the Local Authority to offer more localised provision to Rutland children and young people who have been identified with Special Educational Needs or Disabilities (SEND) within the funding available to the Local Authority for such provision (Appendix 1), and to inform Cabinet of the high level action plan (Appendix 2) for bringing about improvement in the identification and provision for children with Special Educational Needs.

2 BACKGROUND AND MAIN CONSIDERATIONS

This section provides an overview of the Local Authority's key statutory duties in relation to the provision for children and young people with SEN or disabilities (SEND)

- 2.1 The Special Educational Needs and Disabilities Code of Practice (January 2015) provides statutory guidance on duties, policies and procedures relating to Part 3 of the Children and Families Act 2014 and associated regulations and applies to England.
- 2.2 A child or young person has SEND if they have a learning difficulty or disability which calls for special educational provision to be made for him or her. Many children and young people who have SEND may have a disability under the Equality Act 2010 – that is 'a physical or mental impairment which has a long-term and substantial adverse effect on their ability to carry out normal day-to-day activities'.
- 2.3 Local authorities must have regard to the Code of Practice and fulfil their statutory duties towards children and young people with SEND in the light of the guidance set out in it.
- 2.4 Local authorities must carry out their functions with a view to identifying all the children and young people in their area who have or may have SEN or have or may have a disability (Section 22 of the Children and Families Act 2014).
- 2.5 Local authorities must keep their educational and training provision and social care provision for children and young people with SEN or disabilities under review (Section 27 of the Children and Families Act 2014); reviews to the Local Offer will help to identify gaps in local provision.

Statutory Provision for Special Educational Needs

- 2.6 When carrying out their statutory duties under the Children and Families Act 2014, Local Authorities must do so with a view to making sure that services work together to promote children and young people's wellbeing or improve the quality of special educational provision (Section 25 of the Children and Families Act 2014) and have arrangements in place to plan and commission education, health and social care services jointly for children and young people with SEN or disabilities.
- 2.7 Children and young people with SEND have different needs and can be educated effectively in a range of mainstream or special settings. Alongside the general presumption of mainstream education, parents of children with an Education Health and Care plan and young people with such a plan have the right to seek a

place at a special school, special post-16 institution or specialist college.

Joint Commissioning Arrangements

- 2.8 Local authorities and clinical commissioning groups (CCGs) must make joint commissioning arrangements for education, health and care provision for children and young people with SEND (Section 26 of the Act) and local governance arrangements must be in place to ensure clear accountability for commissioning services for children and young people with SEND from birth to the age of 25.
- 2.9 Local authorities must publish a Local Offer, setting out in one place information about provision they expect to be available across education, health and social care for children and young people in their area who have SEND. The Local Offer should cover:
- support available to all children and young people with SEND from universal services such as schools and GPs
 - targeted services for children and young people with SEND who require additional short-term support over and above that provided routinely as part of universal services
 - specialist services for children and young people with SEND who require specialised, longer term support
- 2.10 In having regard to the SEND Code of Practice and in meeting the aspirations of the Armed Forces Covenant, which attempts to eliminate or mitigate some of the potential disadvantages faced by Service families, all those with statutory responsibilities towards Service children with SEND should ensure that the impact of their policies, administrative processes and patterns of provision do not disadvantage such children because of their Service-related lifestyle. Local Authorities should:
- when commissioning services for children and young people with SEND, take account, with their partners (for example, Health and Social Care), of the particular needs of any Service communities within their boundaries for a Service child with SEND, consider the likely impact on the child's needs and the provision made to meet them of any relevant Service-related issue.
 - work with the relevant services which have bases within their areas so that special educational provision can be made as soon as a child arrives in the new authority.

Implications for Resources

- 2.11 The Education Funding Agency makes an allocation to local authorities for high needs as part of the Dedicated Schools Grant (DSG). The High Needs block is not separately ring-fenced within a Local Authority's DSG. This means that local authorities can decide to spend more or less of the funding than they have been allocated for high needs (The consultation currently underway for High Needs funding from 2018/19 onwards, proposes changes which may allow for limited movement of funds between blocks subject to approval from schools forum).
- 2.12 The high needs funding system supports provision for pupils and students with SEND, from their early years to 25. Maintained nursery schools, maintained schools, academies (including free schools), non-maintained special schools, further education and sixth-form colleges, as well as those independent special

schools and specialist post-16 institutions, have a duty to cooperate with the Local Authority on arrangements for children and young people with SEND (with a reciprocal duty on the Local Authority) and a duty to admit a child or young person if the institution is named in an Education Health and Care plan

- 2.13 Funding for high needs places is allocated to an institution and includes the funding pupils and students attract for their core education and basic programmes and to provide a contribution to the additional costs associated with a support package (see Appendix 3). Place funding is not withdrawn if an individual does not occupy the place. It provides institutions with a guaranteed budget for the year that gives them a degree of financial stability
- 2.14 If the child or young person is placed by a Local Authority at an independent special school, non-maintained special school or independent specialist provider, the Local Authority must pay the appropriate costs. If it is a residential placement, so far as reasonably practicable, those placing the child or young person should try to secure a placement that is near to the child's home. However, in making this decision they must have regard for the views, wishes and feelings of the child or young person and their families about the placement. Where the Local Authority names a residential provision at some distance from the family's home the Local Authority must provide reasonable transport or travel assistance.
- 2.15 Nick Gibb, the Minister for State for School Standards, announced in December additional funding to local authorities to continue to support transition to the new system for SEND to help with the additional costs associated with the implementation of the SEND reforms amounting to just over £28k for 2017/18. Further funding of just over £15.5k has been made available to the LA for carrying out a review of high needs provision. This funding will contribute to costs associated with the proposed High Level Action Plan (Appendix 2).
- 2.16 To make the best use of resources, Local Authorities and Clinical Commissioning Groups (CCGs) should regularly review how the integrated approach to supporting children and young people who have SEND is promoting:
- prevention – for example using the outcomes of early years developmental assessments to target early help for children experiencing developmental delay which can reduce the need for specialist services later on
 - early identification of needs in early years settings and schools, with swift adjustments made to provision to reflect and address need

This review is central to the proposed High Level Action Plan

3 CONSULTATION

- 3.1 No consultation is required at this stage. Key partners and stakeholders will be consulted within the described review process.

4 ALTERNATIVE OPTIONS

- 4.1 The Local Authority has a statutory duty to identify children and young people with SEND and, taking account of the views of the young person and their parents, and to provide sufficient placements within the Local Authority or support the identification of suitable arrangements out of county to ensure those needs are met.

4.2 The Local Authority can:

4.2.1 continue to offer placements under the current arrangements, although predictions indicate that there will be a shortfall in funding which will need to come from the schools block or;

4.2.2 implement changes to reduce long-term costs as recommended from implementation of the High Level Action Plan

5 FINANCIAL IMPLICATIONS

5.1 The allocation for the High Needs Block for 2017/18 is £3.82m and current predictions on spend indicate that there could be a shortfall of up to £400k in funding unless work is undertaken to reduce costs. Under the current funding formula, if the High Needs overspends, the authority can either look to recoup the overspend back from schools or fund it from the General Fund. Schools Forum has already agreed a methodology for recouping overspends back from schools in the following year.

5.2 The Council has been notified of £15.5k grant funding in 2016/17 for High Needs Strategic Planning which can be used in either 2016/17 or 2017/18. The Council has also been notified of SEND reform grant funding for 2017/18 of £28k.

5.3 It is proposed to utilise both of these grants to support the work required within the Action Plan in order to ensure that costs are reduced whilst improving the outcomes for pupils with SEN.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

6.1 Section 2 identifies relevant legislation included within the Special Educational Needs and Disabilities Code of Practice (January 2015)

6.2 The Code of Practice provides statutory guidance on duties, policies and procedures relating to:

6.2.1 Children and Families Act 2014

6.2.2 Education Act 1996

6.2.3 Equality Act 2010

7 EQUALITY IMPACT ASSESSMENT (EIA)

7.1 When local authorities plan and review special educational provision and make decisions about children and young people with SEN, they should consider, at the same time, the reasonable adjustments and access arrangements required for the same child or young person under the Equality Act 2010.

8 COMMUNITY SAFETY IMPLICATIONS

8.1 There are no community safety implications.

9 HEALTH AND WELLBEING IMPLICATIONS

9.1 Local Authority Health and Wellbeing Boards are required to develop Joint

Strategic Needs Assessments and Joint Health and Wellbeing Strategies to support a joined-up approach to prevention, identification, assessment and early intervention, and the joint commissioning arrangements for those with SEND

10 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 10.1 That the cabinet approves the High Level Action Plan to review the current arrangements for the placement of pupils with SEND to be assured that provision is best meeting the needs of those pupils and their families and that best value for money can be assured

11 BACKGROUND PAPERS

- 11.1 Cabinet Report No. 219/2016 dated 20th December 2016
- 11.2 Cabinet Report No. 224/2016 dated 20th December 2016
- 11.3 Presentation to Cabinet

12 APPENDICES

- 12.1 Appendix 1 SEN Rutland Provision and implications for pupil placement
- 12.2 Appendix 2 Special Educations Needs and Disabilities High Level Action Plan
- 12.3 Appendix 3 Responsibilities for funding high needs provision.

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

Appendix 1

Rutland SEND Provision

CURRENT POSITION IN RUTLAND

Pupils who have Special Educational Needs or Disabilities (SEND) can be considered for place planning in two groups:

- a) Those pupils with SEND within 'mainstream school' who are included in the LA general place planning arrangements
- b) Pupils who take up places within specialist provision within Rutland or attending out of county placements

Current pupil placements

In 2016, 105 students who have SEND were educated within Rutland and 81 (43%) took up out of county places. This compares with 119 in county and 50 (30%) out of county placements in 2015, and 128 in county and 43 (25%) out of county placements in 2014. This rising trend in placing pupils in provision out of county, and an increase in the associated costs, indicates that there is a need to review current provision in county and look to sustainable options for providing suitable placements more pupils within the authority.

In September 2016 out of county placements were provided for 17 students with moderate learning difficulties, 16 with autistic spectrum disorder, 16 with behavioural, emotional and social learning difficulties and 11 with profound learning difficulties. Other, less frequent included severe learning difficulties, specific learning difficulties and hearing impairment. As identified in the High Level Action Plan, it is essential that there is a thorough strategic review of how much is being spent on all placements and, where there is a common area of need identified, that a feasibility study is undertaken to consider how that need could be met within the Local Authority, either through utilising current provision or through the development of a specialist unit.

Within the high level action plan there will be an evaluation of in-county provision and the best use of the places currently available. In 2014, 33 SEND students (19% of the SEND cohort) were educated in a specialist setting with 133 educated within mainstream provision; in 2016, this had risen to 44 (32%) in specialist provision compared with 92 in mainstream.

Rutland currently has the following specialist in-county LA maintained provision:

- The Parks, Oakham with 8 places available for 2-5 year olds who have a range of special needs and disabilities
- Oakham Designated Specialist Provision (DSP) which currently holds 10 places for children aged 5 – 11 years of age with autistic spectrum disorders (ASD), and 10 for those with Moderate Learning Difficulty (MLD)
- Catmose College DSP which currently holds 25 places for 11-16 year olds with MLD

Independent provision is available through Wilds Lodge School, offering boarding and day provision for boys with social, emotional and behavioural difficulties aged between 5 and 18 and the Shires which offers residential care and education for children and young people aged 11 to 19 and for adults aged 18 to 65 who have a diagnosis of autism and may have accompanying learning disabilities.

In addition to considering the options available to meeting needs within the Authority, the outcome of the strategic review will also inform how further efficiencies required to address the potential shortfall in funding from the High Needs block could be achieved. For example, the High Needs currently funds 52.5 DSP places at £10k per annum per place in 3 settings. However, from analysis of previous uptake of these places, it is anticipated that only 29 of those places may actually be filled during 2017/18. This means that currently, £235k is committed with potential for those pupils to actually receive education and support as a result of that additional funding. Therefore we need to consider options to ensure high needs costs are reduced to remain within budget; either the number of places at these units needs to be decreased thereby reducing the overall need for funding from the schools block, or the take up of places at these units needs to be increased by reducing the number of external placements thereby reducing the overall budget requirement.

Assessment of Special Educational Needs

The 2015 SEND Code of Practice introduced a graduated response to supporting pupils identified with SEND and the transition away from SEN Statements to Education Health and Care Plans (EHCPs). In Rutland, the numbers of pupils being identified with EHCPs (previously Statements) has increased year-on-year, although the proportion of children at SEND support level (i.e. having SEND needs met through mainstream 'in-school' provision) is proportionally low compared with national ratios. For example, a study commissioned by NHS England and carried out in the East Midlands region in spring 2016 (*Reducing distant SEND placements - Increasing regional sufficiency*), reported that for Rutland, whilst 12.0% of overall SEND is almost the lowest percentage in the country, the proportion of EHCP:SEND Support (almost 29% or 1 in 3) is the highest in the country. While percentage-based comparisons can be misleading for small authorities such as Rutland, the numbers of pupils still hold some statistical relevance.

Within the above study, it was reported that for every 1 pupil in Nottingham with an EHCP there will be 10 receiving SEND Support, and for every 1 pupil in Leicestershire or Derbyshire with an EHCP there will be about 5 receiving SEND Support, for every 1 pupil in Rutland with an EHCP there will be 3-4 receiving SEND Support. Given that the levels of EHCP are controllable, there is an argument that if fewer EHCPs were issued, then mainstream schools would continue to work with those pupils at the SEND Support stage and there would be less 'upward' demand in the system.

At this stage, there is no a single reason identified behind these comparisons both locally or nationally, however it does raise questions about the systems and the culture of identifying and meeting needs in schools that can lead to such varied rates. Additionally, it is likely that there are historic inconsistencies in challenge to schools that is biased towards being overly supportive of schools' requests for assessments rather than applying and holding to a consistent threshold based on robust needs criteria.

Achieving lower levels of EHCPs is not to be realised through the Local Authority maintaining 'a quota' or insisting on a falsely high threshold; rather it is about working with schools and early years providers in building expertise and confidence of all staff so that they are accustomed and equipped to meet quite complex needs themselves and are referring fewer children for the statutory stage. This would then have a knock-on effect for the level of specialist provision required both in and out of the county.

SEND Local Area Inspection

The effectiveness of Local Areas (not just the Local Authority) in identifying and meeting the needs of children and young people who have SEND is externally evaluated through a joint inspection by the Care Quality Commission and Ofsted and will determine how effectively the local area:

- Identifies children and young people who have SEND
- Assesses and meets the needs of children and young people who have SEND
- Improves outcomes for children and young people who have SEND

It is likely that there will be a Local Area inspection imminently and an SEND Core Group has been set up to ensure that we are in the best possible position to demonstrate effectiveness in all three areas. The SEND Strategy is currently being revised to reflect the outcomes of further self-evaluation undertaken within this group, but the key aims within the strategy remain unchanged.

RUTLAND SEND STRATEGY

The Rutland Strategy for SEND was agreed in summer 2016 following consultation with all partners including social care, health services, parents' panel, providers, schools and has been presented to DMT and SMT (within Education Strategic Plan), the Health and Wellbeing Board and the Children's Trust (in late December).

The key aims of SEND Strategy are to

- Identify and succeed with more "SEND support" children within mainstream provision (and thereby reduce EHC) via stronger partnership working, training and support to professionals
- Increase use and availability of local specialist places via full use of current available places, creating new specialist places within schools or as separate units, developing local specialist skill-sets
- Increase child's and parents' involvement via active engagement, approach, procedures and guidance
- Control and reduce SEND costs via efficiency, personal budgets and voluntary involvement.

Relevant targets of strategy (to be confirmed).

2018: 80% of parents satisfied with the "localness" of specialist provision.

2018: 40% new EHC placements within 20 miles of home.

2019: 80% new EHC placements within 20 miles of home.

2020: 20% saving on 2016-17 SEN transport costs.

2020: 15% real saving on EHC placement costs of 2016/17(net present value).

Whilst the SEND Strategy remains central to the direction of travel, this sits within a wider policy for inclusion within Rutland which is currently being developed in partnership with the Early Help team and will form a key piece of work for the SEND Project Manager. This fixed-term post, funded through SEND Implementation Grants and the DfE High Needs Strategic Planning Fund, will be key to the swift achievement of the aims, through initiating and completing a thorough review of our local high needs provision and successfully completing the High Level Action Plan.

ACHIEVING THE OBJECTIVES OF THE STRATEGY

The SEND Strategy is being driven through the SEND Inclusion Group which consists of LA Officers and Head Teachers of maintained schools and academies. The group meets

regularly to consider the progress towards achieving the key strands within the Strategy and much of the initial groundwork has been completed.

There is a clear determination from school leaders to ensuring Rutland schools are taking greater accountability for their own role and responsibility for leading and driving improvements for the outcomes of pupils with SEND and with emotional and behavioural issues that could impede pupils' achievement, and are considering the options available for supporting these pupils. For example, Cottesmore Primary is already working on offering a behaviour support for primary pupils and options are being considered for the location of a secondary hub. This group will be ensuring that the education sector is taking a pro-active approach to meeting government expectation for greater school autonomy and improvement for pupils determined through mature sector led activity.

It is recognised that there is some inconsistency in how well schools and settings are accustomed and equipped to meet quite complex needs within their own provision, which can impact on the number of children put forward for the statutory stage (EHCPs). Funding from within the SEN/SEND reform grant reserve not spent in previous years has been identified for a programme of training for school staff in partnership with Rutland Teaching School. This aims to build sustainable capacity, with staff and leaders confidently identifying and managing need within early years' and school provision, and without the need to escalate to EHCPs. This is still at early stages, and it is vital that we engage with all relevant staff and governors across the county to create confidence and competence within the sector. Additionally, options for working with expertise from out of county is being explored, so that we can build on work already undertaken in other Local Authorities, and share good practice across local borders. This would also enable the potential to develop cross-county hubs of support, and the development of outreach support from specialist teachers and experienced Special Educational Needs Coordinators (SENCOs) from across the region.

Key within the success of the SEND Strategy and the further reaching Inclusion Strategy will be securing the required range of specialist places within Rutland itself, or through utilising close geographical locations where specific provision is required, so that more children are educated closer to home and at lower cost. It is desirable (both in terms of improved educational outcomes and better value for money) to reduce, and eventually eliminate the need to place young people with complex SEND conditions in schools that are far away from the family home. In the development of this approach, it will be essential to maintain the balance of providing those specialist places but also in putting the onus on schools themselves for adjusting provision within their own establishments and thereby educating a greater number of children within mainstream provision.

Cabinet on 20 December 2016 considered the Allocation of Funding for School Places presented by the Director of Places (Development and Economy), and within this the decision that the Authority allocate up to £200k on increased SEN provision subject to a viable business case being produced. This report identified that significant sums are spent within and by the County to support SEN in a number of ways which included out of county placements (including travel costs), children educated within mainstream settings and children attending The Parks, and described the approach that this is not about creating a 'new' provision but building on existing expertise, within our existing estate.

The approach of the Local Authority is a key driver; whereas SEND support categorisation can be subject to a degree of local determination within each school, the categorisation of

EHCP is subject to a policy managed through the Local Authority. Although still subject to the 'demand pressures' that might come from families and schools, the relative level of EHCP is a much closer reflection of area-wide, strategic policy at work.

OPTIONS FOR CONSIDERATION

As described in previous papers to Cabinet, it would be of benefit to see more children and young people who have SEND being educated within the County by increasing local provision supported within Rutland itself. However, it must be recognised that complex cases with a significant degree of variety within the cohort require very specialist support that it would simply not be viable to provide in Rutland, so there is always going to be a need to use out of county placements in a small number of cases for those with low-incidence needs.

There is an option for a Local Authority special unit, which would be determined through evaluation of prevalence data for different kinds of SEND, that is, the numbers of local children and young people with EHC plans and their main needs. This would require investment at some point in the future, as described to Cabinet and would be based on a sound business case that would present the demand and the most effective solutions to allow the children and young people who would be supported to achieve their full potential.

When considering the existing school option, this would need to take into account the location of the school to ensure accessibility for parents and minimising impact on travel costs. It is likely to be a small provision, similar to the Parks, but for older children. It is possible this could be as part of an existing school which is likely to be the most sustainable model; however the capacity of the school to lead and manage the unit would need to be assured. Head Teachers in Rutland are supportive of this model and a number have expressed an interest in creating additional places within a unit on their school site. These include options for expanding existing primary schools:

- Edith Weston has recognised advantages which include strong leadership, with evidence of inclusive practice across the Academy Trust. Additionally, the school is in a suitable location and is able to offer additional facilities including education welfare and an existing therapy pool.
- Oakham C of E primary is centrally located and able to demonstrate good practice in meeting the of young children with autism and moderate learning difficulties which, as described above, accounts for a significant proportion of students currently being placed out of county.
- Ketton Primary School has proposed through-school provision however there is not currently a strong business case for this owing to the location of the proposed site and associated locality constraints

Rutland County College site at Barleythorpe is currently designated for educational use. However, following the move of the College at the end of the 2016-17 academic year, this site will become vacant. Cabinet will be considering a report on the future options for this site at its meeting of 17th of January 2017 i.e. the same agenda as this report and it is clear from that report and Report 219/2016 that the Barleythorpe site is not suitable for the delivery of SEN provision. The site is over 12,000 square feet, with potential to hold 250 pupils; although the actual number of children who would be accommodated within the unit is not yet ascertained, it is unlikely to be more than 20 at the very most. Additionally, this

site, including the playing field, is shared with Oakham Town Football Club which would raise concerns over access and, with this, safeguarding.

If the option of a specialised unit is to be realised, there has to be full support for this direction of travel from all stakeholders, especially the Council, the schools and our commissioning partners. This direction must also form part of stakeholder and partners' forward plans. As with all decisions regarding the provision for SEND pupils, parents and carers' views must be considered and consultation must be included within any decision making processes. Once the location and financial support for the expansion has been agreed, monitoring of implementation will ensure that all stakeholders remain engaged and expected outcomes are achieved.

Other options include 'Dual Placements' where maintained schools and specialist provision work together so that children and young people to provide specialist teaching alongside regular lessons held in mainstream schools or liaising with out of county Special schools who act as support hubs. Linked to the trend for schools to be commissioned to provide wider services (as above), there are increasingly examples of special schools sharing their specialist knowledge and skills with others to the extent that it is contributing significantly to mainstream schools' confidence to admit pupils with EHCPs. Exploring the geographical suitability and capacity of out of county special schools to support this option would be included in the responsibility of the Project Officer.

The new autonomy and funding opportunities provided to academy chains or multi academy trusts are starting to lead to new roles within their school groups. These kinds of developments, individually and collectively, have the potential to lead mainstream schools to admit more pupils with EHCPs. However, there is a potential barrier to be considered; namely the pressure for educational standards that may be seen to be jeopardised by the changing profile of pupils in a more inclusive establishment.

As the general school system shifts nationally to more of a school-led system and environment, school leaders, individually and in groups, will have greater responsibility and freedom 'at the front line' for significant policy and resource decisions. We therefore need to be working with our schools and providers to support them in building their own capacity for the local leadership of SEND that should serve their schools well as the system matures, as well as with children and parents to ensure we are taking their views in to account as these changes occur.

In summary:

- Local authorities must keep their educational and training provision and social care provision for children and young people with SEN or disabilities under review to identify gaps in local provision.
- Currently, Rutland appears to have a disproportionate number of children with EHCPs compared with the number identified as SEND school support, and an increasing proportion of children and young people identified with SEND are educated out of county, both of which place a burden on the high needs budget
- The SEND Strategy advocates improving the capacity of schools to address pupils' additional needs within their own provision and thereby reducing EHCP numbers, and increasing in-county provision for SEND pupils provision within Rutland so that parents and young people have the opportunity to be educated within their own locality
- Options for increasing local provision include
 - maintaining higher numbers of SEND children within mainstream provision

- utilising existing specialist provision more effectively
 - developing specialist units to meet areas of highest need
- The high level action plan sets out the proposed actions and associated timelines for achieving a solution which meets the needs of children and young people and their parents, the Local Authority and maintained schools and Academies

**Special Educational Needs and Disabilities
High Level Action Plan**

Action	Expected Impact	Completed by
Systematic approach established to prepare for SEND Local Area inspection	SEND self-evaluation updated and self-evaluation form revised; outcome informs service action planning and delivery; joint response with relevant partners agreed All relevant RCC staff have clarity in expectations from outcome of evaluation and understand their role in successfully achieving required improvements	31/01/17 28/02/17
Internal Staffing Review completed; arrangements confirmed and published	Staffing arrangements enable LA to understand and respond to the market Team leadership ensures consistency of high quality approach	31/01/17
Fixed-term Project Support Manager appointed	Delivery and completion of high quality project assured Review of Local Offer initiated with relevant partners and stakeholders to ensure continues to meet local need Review of individual pupil placements initiated to identify common themes and indicator of local Feasibility study undertaken to assess opportunities for improving localised provision	28/02/17 31/03/17 31/03/17 31/04/17
Review of internal processes for determining support levels and provision for SEND children and young people completed	More effective decision making with consistency in approach to all assessment, contracting and decision making and value for money evaluations. RCC staff training programme to ensure confidence and competence in commissioning places and services	31/03/17
Programme of training for schools devised and offered to schools and settings through Teaching School Alliances and National Governors Association	All school staff are accustomed and equipped to meet quite complex needs within schools/ settings; fewer children referred for statutory stage. Joint commissioning arrangements established, ensuring value for money for each external placement Governors are confident in challenging school and academy assessment and admissions	31/03/17 – 31/03/18
Review of individual SEND placements completed	Clear position on knowing which group of 'out of county' children can be returned to provision within Rutland; projections for future	30/04/17

	placements inform future place planning arrangements Proposed arrangements for meeting needs in county through school expansion, etc identified; funding stream identified	31/05/17
Support arrangements agreed with Head Teachers	Provision arrangements agreed; Schools' Forum agrees a new methodology for payments to mainstream schools for High Needs to reduce numbers at out of county settings	31/07/17
Local Offer reviewed and updated offer published so that it is fully accessible	Local Offer fully reflective of need and provision as outcomes of children with SEND and their parents engaged in planning the content and deciding how Local Offer is published	30/09/17
Programme of training for teachers and early years providers completed	Greater proportion of children and young people are having needs met within mainstream provision through in-school capacity, and well-managed adjustment of curriculum and delivery Ratio of pupils with EHCPs compared with school support in line with national averages;	31/10/17 31/03/18
Final review and evaluation of plan undertaken	Out of county placements reduced through robust processes consistently applied Funding maintained within High Needs budget; best value assured Developing maturity within sector evidenced through strong school to school support and challenge for inclusion Parents and children are choosing to apply for local placements and are highly satisfied with their choice	31/03/18

The following table sets out the responsibilities for funding high needs provision in different types of provider for both pre and post 16 students for the 2016 to 2017 academic year:

	Pre-16	Pre-16	Post 16	Post 16
Type of provision	Core funding	Top up funding (real time)	Core funding	Top up funding (real time)
Mainstream schools, Mainstream academies	Funding to meet first £6,000 of additional support costs, delegated within school budget and academy grant derived from local formula.	Agreed per-pupil top up paid by commissioning Local Authority (LA)	Element 1 (based on 16 to 19 national funding formula) plus Element 2 (£6,000) based on number of places to be funded.	Agreed per-pupil top-up paid by commissioning LA.
SEN units and resourced provision in mainstream schools. SEN units and resourced provision in mainstream academies (including free schools)	£10,000 per place based on number of places to be funded.	Agreed per-pupil top-up paid by commissioning LA	Element 1 (based on 16 to 19 national funding formula) plus Element 2 (£6,000) based on number of places to be funded.	Agreed per-pupil top-up paid by commissioning LA.
Maintained special schools. Special academies. Non maintained special schools	£10,000 per place based on number of places to be funded	Agreed per-pupil top-up paid by commissioning LA.	£10,000 per place based on number of places to be funded.	Agreed per-pupil top-up paid by commissioning LA.
Nursery schools	Place funding system does not operate in 0-5 yr only settings.	Agreed per pupil funding paid by commissioning LA.	N/A	N/A

Independent Schools	N/A	Agreed per-pupil funding paid by commissioning LA.	N/A	Agreed per-pupil funding paid by commissioning LA.
Maintained pupil referral units. AP Academies	£10,000 per place based on number of places to be funded.	Agreed per-pupil top-up paid by commissioning school or LA.	N/A	N/A
FE and sixth-form colleges, special post 16 institutions and CCPs	N/A	N/A	Element 1 (based on 16 to 19 national funding formula) plus Element 2 (£6,000) based on number of places to be funded.	Agreed per-pupil top-up paid by commissioning LA.