



The Challenges and Opportunities for High Needs SEND

October 2019

Peopletoo have worked with a range of local authorities in 2018/19 to review the approach to delivering services to children and young people with SEND and the approach to managing the High Needs Budget. The local authorities worked with to date include:

- Halton Borough Council (this now includes an implementation phase)
- London Borough of Harrow
- Bristol City Council
- Torbay Council
- Kirklees Council

This presentation considers the key challenges facing local authorities and how Peopletoo are supporting local authorities to meet these.

SEND High Needs – the Context

- Local authorities are experiencing a rise in the demand for services for children and young people with Special Educational Needs and Disabilities (SEND) and spend of High Needs funding is often exceeding funding allocation within the High Needs Block.
- Evidence suggests that needs are increasing both in volume and in complexity.
- There are particular pressures brought about by the impact of the SEND Reforms in 2014.
- The changes to the High Needs funding formula by central Government for the 2018/19 financial year, and beyond, has in many cases served to reduce the overall level of funding available.

SEND High Needs – the Context

- Academisation and the pressure for schools to achieve performance targets challenges the inclusion agenda and the LA's ability to influence it.
- Parental choice and a lack of confidence in mainstream provision can create tension between parents' groups and the local authority if not managed appropriately, and risk legal challenge and reputational damage.
- ***These factors are putting pressure on local authorities to meet the needs of children and young people with SEND. The financial impact on Councils – if they take no action - will result in a continued reliance on specialist provision, increasing the budget deficit and a failure to provide inclusive local provision for children with SEND.***

Peopletoo have supported local authorities to consider:

- The SEND population, including the special school population and pupil profile
- The future needs and profiles of specialist provision to meet that need
- Post 16 needs and opportunities to improve local provision and capacity
- The views of all stakeholders in terms of existing strengths and opportunities to improve high needs provision
- Perceived barriers to inclusion in mainstream schools and colleges with recommendations for potential solutions
- The total level of resources available and how to effectively target these to meet need
- Strategy, governance and accountability for SEND and how education, health and social care work together
- Potential challenges, sensitivities and conflicts of interest, together with potential solutions to these

Key Findings – The Use of Provision

- High Needs budgets are frequently overspending due to an overreliance on specialist and independent provision and a lack of a robust strategy to address need throughout the system.
- Special Schools are often oversubscribed, not always with those pupils with the most need.
- This has happened as a result of historically placing children with lower level needs in special schools, but as needs have evolved there is less space for children with more complex needs and they have hence had to be educated in more costly independent provision.
- Some mainstream schools have Resource Bases but these are often underutilised, not focused on the current needs profile, and inconsistently delivered.

Key Findings – The Use of Provision

- The use of Pupil Referral Units is variable; at best they focus on re-integrating children with their origin school, but at worst, children enter at a young age and do not leave.
- The extent to which schools are inclusive of children with SEND (and SEMH in particular) is very variable. LA's tend to know this, but systems to challenge where necessary are not always robust.
- Schools report that SEND needs have become more prevalent, more complex, and presenting earlier, with a rise in Social Emotional and Mental Health (SEMH) needs in particular that often presents as high anxiety or challenging behaviour.
- The SEND population is overrepresented within exclusions data, with many of these being due to challenging behaviour linked to SEMH. Even where SEND is not identified, a rise in exclusions for disruptive behavior suggests a possible SEND (SEMH) need that has not been identified.

- Transition between school stages is not always effective. Information between settings at transition is not routinely shared.
- Consideration is not always given to how a child who has been well supported in the nurturing environment of a primary school may be supported within the different environment and expectations of secondary.
- Transition to post 16 / post 19 and preparation for adulthood is variable. When done poorly, this limits opportunities for the young person to become independent and included in their communities, and risks pressure on adult services.
- Young people are often aspirational yet realistic about their future but do not feel that these aspirations are matched by those of their parents / carers or by provision available to them.

- EHCP assessment processes vary from those that are streamlined and efficient to those that are overly bureaucratic, inconsistent and arbitrary.
- The interpretation of the Code of Practice about whether to assess can be too liberal, resulting in too many unnecessary assessments.
- Some processes confuse “diagnosis” with “need” when assessing.
- The process for allocating top up funding can be subjective and inconsistent if not supported by some kind of formal approach.
- The commissioning of / arrangement of provision is often less effective without the input of specialist commissioning support.

Key Findings – Joined Up Working

- Information to inform assessment and planning is not always available in full, in particular health and social care input, meaning that the extent to which plans are joint “education, health and social care” plans is variable.
- There is a debate about how much of this rise in SEMH needs originates from a social care need (including the impact of the “toxic trio”) and hence the role of social care / early help as part of an integrated approach to this.

- **Review the approach to how SEND resources are allocated and how specialist provision is used.**
- **Review the approach to Inclusion, and the effectiveness of the Graduated Response and the extent to which schools are supported and challenged to implement this.**
- **Take steps to develop the confidence of parents and carers in the mainstream offer and the rewards that this can bring in respect of a child's confidence, inclusion with their peers, and their pathway to independence.**
- **Take a co-production approach with children and young people, and their parents / carers and young people themselves, is critical to the success of any of the above.**