

SCHOOLS FORUM AGENDA ITEM

For Action For Information

Brief Description of Item (including the purpose / reason for presenting this for consideration by the Forum)

To provide Members with an update on matters concerning the SEND Strategy for children and young people with SEND & Behaviour needs across the District. Including an update on the position of the below items:

- Specialist places across both maintained and academy Special Schools, DSP's and EYESP's
- Future SEND Sufficiency
- Capital constraints
- Re-designation of the two PRU's
- The LA Commissioned SEMH Free School
- High Needs Block Advisory Group
- Bradford's Behaviour Continuum (Alternative Provision, TRACKS, District PRU)

Date (s) of any Previous Discussion at the Forum

The Schools Forum has received SEND and Behaviour updates at previous meetings.

Background / Context

Specialist Places across SEND & Behaviour (400 commissioned places)

Since the introduction of the Children and Families Act in 2014, we have experienced a significant increase in the number of children and young people being assessed for Special Educational Needs and Disabilities who require specialist provision to ensure they can have their complex needs fully met and receive the specialist support that is necessary for them to thrive.

Since 2014 Bradford has experienced a significant increase in the total number of Statements/Education, Health and Care plans

Local Authority	2014	2015	2016	2017	2018	Increase
Bradford	2145	2225	2334	2805	3299*	1154

Source: DfE Statements of SEN and EHC plans: England 2018

*Bradford is currently funding 3530 Education, Health and Care Plans (an additional 231).

Following the SEND Strategic Review 2016-2020, the need for additional specialist places across the District for children and young people with SEND and Behaviour needs was identified. The School Forum agreed to commission an additional 360 SEND places and 40 additional places for Behaviour.

Since that review further detailed analysis and forecasting work has been carried out. The projections are currently showing a continued growth of demand and need for additional specialist provision.

LA Commissioned SEMH Free School

In October 2016 the Department for Education (DfE) provided an opportunity for Local Authorities to identify where a new special free school would benefit their area, inform their Regional Schools Commissioner (RSC), and seek proposals for the establishment of a new school. This opportunity was intended to identify and meet untapped demand for special free schools as a supplement to LA's existing resources.

Bradford Local Authority was amongst 230 expressions of interest to establish an LA Commissioned SEND Free School. Our bid was successful and Bradford was one of 19 projects that were accepted onto the Free School Programme to establish a 72 place, 10-19 years SEMH Free School with a 12 place residential element. Unfortunately Bradford was not successful in securing a sponsor during the first competition round.

Re-designation of PRU's

Due to the numbers of children and young people with EHCP's in Ellar Carr and Park Primary PRU's, it had previously been agreed to look at the re-designation of the 2 PRU's into special schools (this is in line with the LA's continuum of behaviour provision).

Capital Constraints

Basic Need funding is allocated based on the DfE's School Capacity Survey (SCAP) return. The SCAP return does not capture any information relating to children and young people with SEND and only identifies and allocates funding for mainstream expansions. Local Authorities are allowed to use this funding for any purpose, prioritising by immediate need.

In March 2017 the DfE announced a SEND Capital Allocation of £219,322 for Bradford for three years, 2018/19 to 2020/21. Local Authorities have recently received an additional allocation of SEND Capital funding (a share of the additional £50 million). Bradford received an additional allocation of £153,016 this was based on a pro-rata share of the allocation announced in March 2017. This allocation was formulated from data held by the Office for National Statistics, taken in 2016, rather than current data sets requested from Local Authorities

High Needs Block Advisory Group

Following the Schools Forum meeting in March, members requested it would be beneficial to form an advisory group looking at High Needs Block funding for SEND and Behaviour. This has now been established.

Bradford's Behaviour Continuum (Alternative Provision, TRACKS, District PRU)

Bradford currently commissions 236 Alternative Provision places funded by the High Needs Block. This comprises of 50 places at Bradford Central PRU, 26 at Tracks PRU and 160 places at District PRU, based at Anerley Street. District PRU and TRACKS both have Inadequate Ofsted judgements (Special Measures) Subsequent Ofsted monitoring visits have concluded that there have not been any significant improvements. The RSC office have not yet identified a sponsor hence the LA is working on a number of options with the management committees of both provisions to ensure both PRUs make progress and improve, provide high quality provision that meets needs, and are therefore more likely to attract a suitable sponsor. The LA also continues to work very closely and regularly with the RSC's office to identify a sponsor, this will have to go through the DfE's due process.

Details of the Item for Consideration

Specialist Places across SEND & Behaviour (400 commissioned places)

Approval of the full council executive was given on 3rd April 2018 to proceed with the establishment of the increased specialist places across the maintained special schools, primary, secondary and nursery school sector.

- 116 Additional maintained Special School places
- 54 Additional Designated Specialist Provision (DSP) places in maintained schools (ASD, LD and SEMH)
- 40 additional PRU places have been approved:
- 28 Additional 0.6 Early Years Enhanced Specialist Provision (EYESP) places

Increasing provision across the District, by creating an additional 28 x 0.6 EYESP places for children aged 2 – 5 years but with capacity for some children aged 5+ where appropriate with a range of special educational needs and disabilities.

In addition to the above maintained specialist places, a number of academies have consulted on increasing specialist places across the special, primary and secondary sector. All of the proposals have gained approval from the Head Teacher Board and Regional Schools Commissioner and we are working closely with these academies to increase provision as soon as possible, subject to building works and available capital funds.

- 74 additional places have been approved by the RSC across the Academy Special Schools
- 23 additional DSP places have been approved by the RSC across 2 Academy Primary Schools

In total, all of the above additional places, including academies will deliver 267 additional specialist places across special schools and both primary and secondary mainstream schools.

Including the specialist behaviour places (60) this will total 327 additional places out of the agreed 360 + 40 commissioned specialist places previously agreed by the School Forum.

This currently leaves a further 73 outstanding additional specialist places out of the agreed commissioned number + the 20 commissioned Behaviour places. A proposal for delivering these remaining places is being worked through with key partners.

Details of the Item for Consideration

A letter will be sent to Lord Agnew, Parliamentary Under Secretary of State for the School System, to request an urgent meeting to discuss the lack of capital funding for Bradford against a back drop of increasing complex needs.

There is still uncertainty surrounding the awaited Special/AP Free School Programme announcement, anticipated on 16 July and guidance on the agreed process. We anticipate that Bradford LA will make the applications, with Expressions of Interest being made from providers.

Noting that there are only 30 schemes nationally, we need to be realistic and understand that it is highly unlikely we will be successful in securing the three schemes we were originally hoping for.

The Council will continue to consider all options available including what capital monies can be prioritised against other significant priorities at a time of financial challenge. LA Officers continue to lobby.

LA Commissioned SEMH Free School

Following an unsuccessful first sponsor round, the Local Authority has reviewed and updated the Free School specification, including the schedule of accommodation in collaboration with key partners.

There were four other LA's that were not successful finding sponsors.

The updated specification has been submitted to the DfE, and is awaiting RSC and Ministers sign off. We are anticipating that the new 4 month re-competition window will open in July '18 and that the successful sponsor will be identified by early December'18 and working with the LA from early January '19.

The timeframe for opening of the new free school is still expected to be September 2020.

Re-designation of PRUs

It is anticipated that the re-designation of Ellar Carr and Park Primary PRUs, which are currently operating as special schools, due to the cohort of children and young people placed there having EHCPs will re-designate to special schools, securing an additional £0.5m for the High Needs Block.

Work has begun to map out the required changes alongside the work of the Behaviour Continuum and legal advice and guidance is being sought.

Our plans have been shared with the DfE and we anticipate having some further guidance from them regarding the necessary processes in the very near future. The timeline is for re-designation by no later than October 2019.

Capital constraints

The lack of adequate SEND Capital funding is limiting our ability to meet our statutory duties for children and young people living with SEND.

The Government's recent Capital cash injection for SEND, does not introduce any new money into Local Authority budgets. This will not solve the long term challenges Local Authorities' and schools face in delivering effective high quality SEND provision for our most vulnerable children and young people.

The result has been far-reaching reductions to SEND provision, affecting Local Authorities nationally, with over 2000 children and young people across the country identified with complex needs and no available educational provision.

As a result of this Bradford has diverted £4 million from Basic Need Capital Allocation (intended for mainstream) to develop additional specialist provision. This means that the projects needed for mainstream place expansions, maybe reduced or delayed or even postponed.

We are also facing the uncertainty surrounding the delayed announcement of the SEND/AP Free Schools Programme. Nationally 30 new schools will be funded via this free school programme. Further funds may need to be identified if Bradford is not successful in the opening of 2 SEND Free Schools through this Programme due to our increasing complex SEND population.

High Needs Block Advisory Group

This group is now formally established and the group have met to agree Terms of Reference and membership which is composed of representatives from a range of stakeholders. A schedule of meetings has been agreed and the next meeting is scheduled for 9th July. This group will report back to the schools forum on actions and recommendations.

Details of the Item for Consideration

Bradford's Behaviour Continuum (Alternative Provision, TRACKS, District PRU)

Following the establishment of the SEMH wider working group, models were considered to ensure the needs of children and young people across the district could be met at a local level where appropriate. The group also reviewed existing provision, the educational offer and modelled potential options for future delivery. There was an urgency to re-model behaviour provision due to the inadequate performance and Ofsted judgements of some of the existing provisions.

District PRU:

A number of actions have taken place to improve provision including management committee (MC) changes at District PRU and leadership consultancy support. The MC has established a number of sub-committees which hold senior leaders to account. The LA has supported the provision through the work of school improvement officers, the Education Safeguarding team, and an Inclusion Officer. This work has led to positive changes to safeguarding practices. The LA has also established a scrutiny committee (LASC).

Following submissions of Expressions of Interest to the LA, preferred providers of AP were identified. This comprised of two new provisions but this is dependent on the outcomes of the new SEND/AP Free School Programme. There is also some flexibility built into the system to enable further proposals to be considered in the future.

Due to the uncertainty around SEND/AP Free School Programme there are 50 interim places secured with AP Independent schools ready for September 2018. Alongside this, it is intended the number of places commissioned at Anerley Street will reduce to 80 from September.

The maximum number of students who were placed in District PRU in 2017-18 was 125, and this figure has formed the basis of the number of places commissioned for 2018-19. This will be reviewed during the course of the year.

These actions have been discussed with DfE colleagues and financial implications relating to changes have been modelled to ascertain the impact of the reduction in the number of commissioned places at Anerley Street.

A placement panel for AP places has been established, bringing together managers from the five 5 AP independent schools, Anerley Street and an Inclusion Officer from the LA. The panel will identify a clear pathway for learners and all partners are committed to providing the best offer to meet the needs identified in the referral process. Schools are committed to providing the top up funding for places when referred, although concerns have been raised about the recurring annual cost.

Tracks:

The LA has also established a LASC (Local Authority Scrutiny Committee) at Tracks.

The LA has been working with Tracks PRU to establish staffing structures and the costs of the provisions that are currently being run by Tracks ie. Home Tuition under an SLA with the LA and the two Hospital schools to ensure that moving forward this PRU is economically viable. There continues to be concerns around the length of time this provision has been judged as inadequate and like District PRU is subject to a directive academy order (DAO). The RSC has not yet found a sponsor hence, the LA is continuing to work with the Executive Head, and the Head of School to ensure progress is made to the quality of provision. Much work has also been done to more clearly identify roles, responsibilities and budgets across the provisions, in order to ensure that Tracks is in a stronger position to attract a sponsor.

Central PRU; The LA has been working with Central PRU to commission 10 places for permanently excluded children and to resolve issues around TUPE rights from the existing provider. An SLA is to be finalised for this most vulnerable group. The top up funding for these places come from the HNB, but other commissioned places at provisions will result in a charge to referring schools/BACs.

The LA will continue to review how and where AP places are commissioned by listening to schools and ensure that provision is of a high standard and importantly meets the needs of vulnerable young people. Our strategy includes promoting partnership working between all providers to share good practice, enable joint training opportunities and share quality assurance activities.

Implications for the Dedicated Schools Grant (DSG) (if any)

The report sets out the implications for the DSG.

How does this item support the achievement of the District's Education Priorities

The draft SEND Strategy (which is to be consulted upon) details the principles which will be embedded in everything we do for children and young people with SEND and their families throughout the Bradford local area; and clearly identifies seven key priorities:

1. Engagement, collaboration and consultation
2. Embed the SEND Code of Practice
3. Development of provision and services
4. Quality and effectiveness of provision
5. Smooth and effective transitions
6. Leadership, governance and accountability
7. Joint commissioning

The principles we have established are inextricably linked to the priorities of the Bradford Children, Young People and Families Plan 2017 – 2020

- A great start and good schools for all our children
- Safe, clean and active communities
- Better skills, more good jobs and a growing economy
- Better health, better lives
- Decent homes that people can afford to live in

Recommendations

The Schools Forum is asked to consider and to note the information provided in this report.

List of Supporting Appendices / Papers (where applicable)

Behaviour Continuum – Appendix 1 to be tabled at the meeting.

Contact Officer (name, telephone number and email address)

Emma Hamer, SEND Planning and Project Manager (Interim)
01274 439535
Emma.hamer@bradford.gov.uk

Pat Curran, SEND and Behaviour Strategic Manager (Interim)
07582 103417
Pat.Curran@bradford.gov.uk