

## **CABINET**

**5 FEBRUARY 2019**

### **SPECIAL EDUCATIONAL NEEDS AND DISABILITIES NEEDS ANALYSIS**

Portfolio Holder: Councillor Andrew Mackness – Children’s Services  
(Lead Member)

Report from: Ian Sutherland, Director of People – Children and  
Adult Services

Author: Wendy Vincent, Head of Integrated 0-25 Disability  
Services

#### **Summary**

This report advises Cabinet of a revised forecast of the number and type of school places required for children and young people who have a Special Educational Need and/or Disability.

A glossary of acronyms is attached at Appendix 1 to the report.

#### **1. Budget and Policy Framework**

- 1.1 The responsibility for school places for pupils who have a Special Educational Need or Disability is a matter for Cabinet.
- 1.2 Related legislation includes the Equality Act 2010 and The Special Educational Needs and Disability Regulations 2014.
- 1.3 Local authorities must ensure there are sufficient good quality school places for all pupils, including those with SEN and disabilities. Through long-term strategic planning Councils are seeking to reconfigure specialist places to ensure that they can meet need whilst containing spending within the constraints of the High Needs budget.
- 1.4 Medway Council published its SEND and Inclusion Strategy 2016-2020 in April 2016. This sets out the ambition that, wherever possible, the special educational needs of Medway children should be met so that they are able to learn and achieve in local provision, close to where they live.
- 1.5 The Children and Families Act 2014, and accompanying SEND Code of Practice set out the statutory Special Educational Needs and Disability

(SEND) system for children and young people aged 0-25 years in England.

## **2. Introduction**

- 2.1 This report provides an analysis of the current and future SEND pupil population in Medway. The aim of this report is to help the Council understand the future need for SEND school places and assist with future provision planning.
- 2.2 The data within this report is based on a range of sources including SEN2<sup>1</sup> and the January pupil census. Where possible it is based on January 2018 data. Data sources used are indicated throughout the document.

## **3. National Demographic Data and Trends**

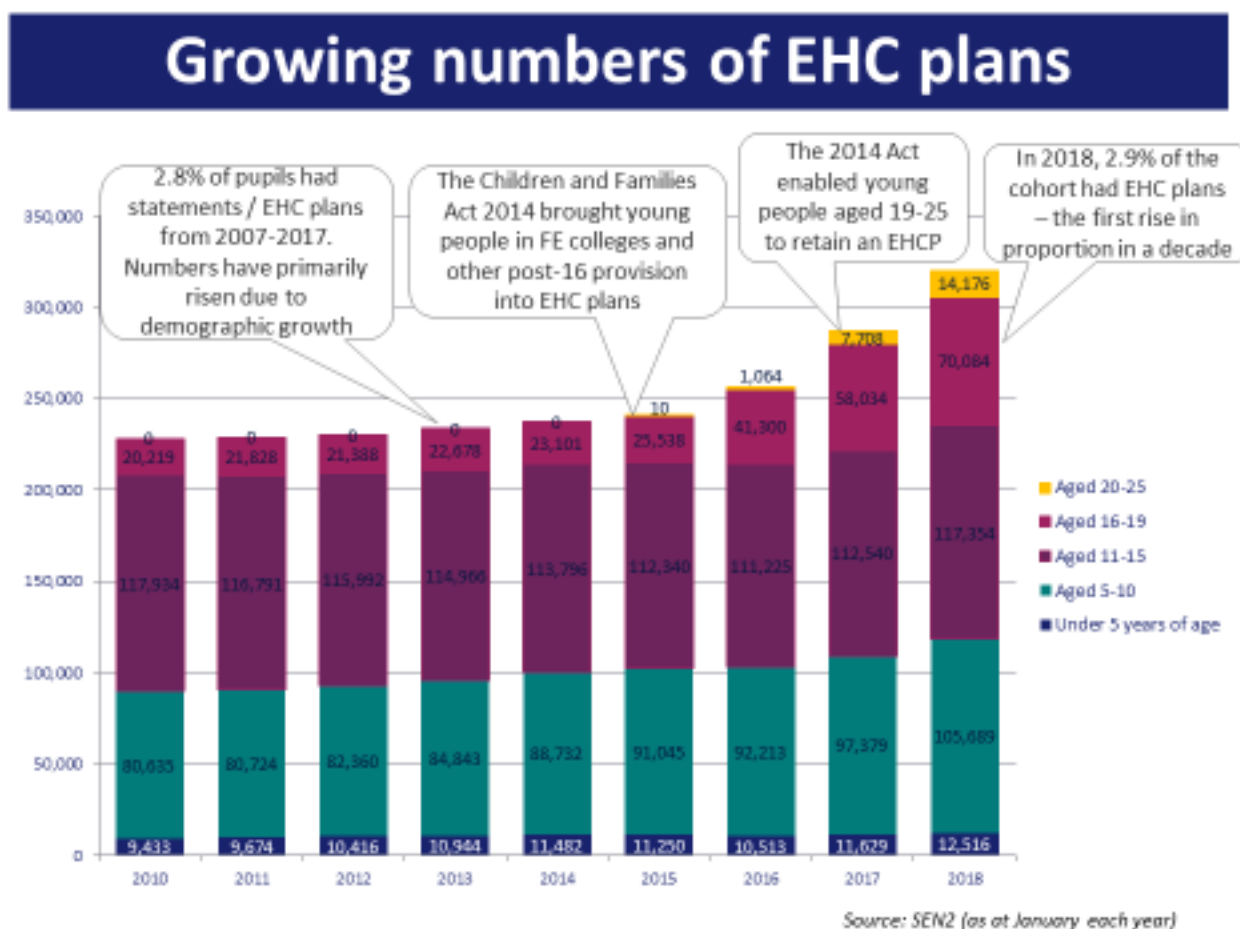
(Source - DfE – SEND Statistics in England, January 2018)

- 3.1 There has been growth in the number of pupils who have Special Educational Needs and Disabilities nationally.
- 3.2 Across all schools in England, the number of pupils with special educational needs has risen for the second consecutive year, from 1,244,255 (14.4% of pupils) in January 2017 to 1,276,215 (14.6%) in January 2018. This follows a period of year on year decreases from 1,704,980 in January 2010 to 1,228,785 in 2016.
- 3.3 253,680 pupils have a statement or Education Health and Care Plan (EHCP) in January 2018. This is an increase of 11,495 since January 2017.
- 3.4 The percentage of pupils with a statement or EHCP has risen to 2.9% of the total pupil population after remaining constant at 2.8% from 2007 to 2017.
- 3.5 Autistic Spectrum Disorder remains the most common primary type of need for pupils with a statement or EHCP. 28.2% of pupils with a statement or EHCP had this primary type of need in January 2018. This has increased from 26.9% in January 2017.
- 3.6 14.6 % of pupils with a statement or EHCP have a primary need of Speech and Language Communication Disorders.
- 3.7 12% of pupils with a statement or EHCP have a primary need of Moderate Learning Difficulties.
- 3.8 12.5 % of pupils with a statement or EHCP have a primary need of Severe Learning Difficulties.
- 3.9 12.8% of pupils with a statement or EHCP have a primary need of Social, Emotional and Mental Health issues.
- 3.10 The percentage of pupils with a statement or EHCP attending state-funded special schools has seen a year on year increase since January 2010 from 38.2% to 44.2% in January 2018.

---

<sup>1</sup> The SEN2 is an annual Special Educational Needs survey that all local authorities are obliged to complete each January and submit to the DfE.

- 3.11 The percentage of pupils with statements or EHCPs attending independent schools has also increased year on year between January 2010 and January 2018, from 4.2% to 6.3%.



#### 4. Medway SEND Data

- 4.1 As at January 2018, there were 2034 children and young people resident in Medway who have ECHPs or Statements.
- 4.2 The total number of pupils with EHCPs for whom Medway is responsible for provision planning increased by 14.2 % between 2017 and 2018, this compares to a 12.1% increase nationally.
- 4.3 There are currently (Jan 2019) 2229 children and young people with EHCPs in Medway.

Year as at January SEND 2 Return	England Average % with EHCP	Medway % with EHCP
2016	2.8%	3.1%
2017	2.8%	3.0%
2018	2.9%	3.2%

- 4.4 The percentage of the 0-25 population who have an EHCP is increasing nationally and in Medway.
- 4.5 The percentage of 0-25 population who have an EHCP is higher in Medway than the rest of England.
- 4.6 There has been a steady increase in the number of EHCPs maintained by Medway since 2014.

<b>Year (Jan)</b>	<b>No of EHCPs ( or Statements)</b>
2014	1409
2015	1500 (+6.5%)
2016	1678 (+12%)
2017	1779 (+6%)
2018	2034 (+14%)

- 4.7 Medway is supporting 625 more pupils (aged 0-25) who have an EHCP than we were in 2014. This is a 44% increase in 4 years.
- 4.8 There has been an average of 9.6% growth from one year to the next and, if the number of pupils who have EHCP's continues to rise at an average of 9.6%, we will be supporting 3216 pupils by Jan 2023.
- 4.9 Requests for statutory EHCP assessment in Medway continues to grow. This is also the case nationally.

<b>EHCP assessment requests</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Total</b>
2016	21	19	30	14	36	44	21	9	23	29	44	24	245
2017	29	19	40	25	59	35	34	9	34	44	59	31	387
2018 to date	46	39	29	46	41	48	56	10	40				318

- 4.10 The number of EHCPs issued following assessment reflects the growth in demand.

<b>EHCPs Issued</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Total</b>
2016	13	18	11	20	20	9	19	14	19	11	8	18	138
2017	9	13	19	16	16	27	18	7	14	14	20	27	200
2018	10	15	31	27	34	25	42	19	17				220

Source SEN2 return

## 5. Future pupil forecasts for Medway Council pupils with an EHCP

- 5.1 In response to increasing difficulties and costs in securing provision for children and young people with EHCPs, a complete review of data for SEND pupils has been undertaken. The analysis is based on historical data, from September 2014 to 2018, and uses a weighted average to project pupil numbers forward to January 2023. This data will be used as a baseline and be moderated against actual data year on year to consolidate and improve forecasting accuracy.
- 5.2 Analysis of current data trends and future demographic forecasts show that between January 2018 and January 2023 the number of EHCPs for Medway pupils are forecast to grow by 1,182.

<u>Year (Jan)</u>	<u>No of EHCP's ( or Statements)</u>
2014	<u>1409</u>
2015	<u>1500 (+6.5%)</u>
2016	<u>1678 (+12%)</u>
2017	<u>1779 (+6%)</u>
2018	<u>2034 (+14%)</u>
2019 (predicted)	<u>2229 (+9.6%)</u>
2020(predicted)	<u>2443(+9.6%)</u>
2021(predicted)	<u>2677(+9.6%)</u>
2022(predicted)	<u>2934(+9.6%)</u>
2023(predicted)	<u>3216(+9.6%)</u>

- 5.3 The data shows that this growth is likely to be evenly distributed across the educational phases from early years to Post 16 provision.

### Demand by Type of Provision

- 5.4 Based on current trends and using forecast data for September 2023 we can model the anticipated increase in demand for educational provision for Medway pupils with SEND by type for pre-16 and Post 16 provision.
- 5.5 The national data shows that the demand for places in special schools and independent schools is growing whilst the number of children who have EHCPs and are attending mainstream schools remains static.

Type of Pre-16 Provision	Jan-18	Jan-19	Jan-20	Jan-21	Jan-22	Jan-23
Medway Special Schools	737	808	885	970	1063	1166
Medway Resourced Provision	350	384	420	461	505	554
Medway Mainstream School	351	385	422	462	506	555
Independent Mainstream School (Medway)	2	2	2	3	3	3
Other LA Special School	44	48	53	58	63	70
Other LA Resourced Provision	4	4	5	5	6	6
Other LA Mainstream	21	23	25	28	30	33
Independent Special School Day (Medway)	100	110	120	132	144	158
Independent Mainstream School out of area	4	4	5	5	6	6
Independent Special School Out of Area	46	50	55	61	66	73
Independent Residential School	3	3	4	4	4	5
<b>TOTAL Pre -16</b>	<b>1662</b>	<b>1822</b>	<b>1996</b>	<b>2188</b>	<b>2398</b>	<b>2628</b>

Type of Post-16 Provision	Jan-18	Jan-19	Jan-20	Jan-21	Jan-22	Jan-23
Medway Special Schools	178	195	214	234	257	281
Independent Mainstream School Medway	25	27	30	33	36	40
Medway FE College	78	85	94	103	113	123
Other LA Special School	7	8	8	9	10	11
Other LA FE College	9	10	11	12	13	14
Supported Internship	8	9	10	11	12	13
Independent Special School Day (Medway)	25	27	30	33	36	40
Independent Special School Out of Area	9	10	11	12	13	14
Independent Special College	21	23	25	28	30	33
Other	12	13	14	16	17	19
<b>TOTAL Post 16</b>	<b>372</b>	<b>408</b>	<b>447</b>	<b>490</b>	<b>537</b>	<b>588</b>

## 6. Current SEND Provision Located in Medway

### 6.1 Special School Provision

- Specialist SEND Provision located in Medway is comprised of 5 special schools; 3 of which are Academies, 1 is a maintained school and 1 is a special free school.
- Due to in year admissions and increasing demand, most special schools have admitted children above the number of commissioned places.

### 6.2 Resourced Provisions in Medway

- There are 11 resourced provisions in Medway schools.
- These pupils are generally working to or just below national curriculum levels.
- Most resourced provisions are at or over capacity.

Name of Resource	Type of Need Met	Number of Commissioned Places	Number of Medway Children and Young People on Roll- Nov 2018	Variance (+/-)
All Faiths	HI	24	15	-9
Brompton – Elliot Centre	SLCN	100	99	-1
Delce	SEMH	25	27	+2
Elaine Primary	SEMH	20	26	+6
Hoo St Werburgh – Marlborough Centre	ASD	65	74	+9
Riverside	ASD and VI	13	16	+3
Hundred of Hoo	ASD	65	65	0
Robert Napier	VI/PD	9	10	+1
Thomas Averling	HI	5	4	-1
Twydall	HI and PD	25	25	0
Warren Wood	SLCN	20	27	+7

### 6.3 Mainstream Schools

The national data shows that the demand for places in special schools and independent schools is growing whilst the number of children who have EHCPs who are attending mainstream schools remains static.

## 7. Conclusion

- 7.1 An increase of 1,182 pupils aged 0-25 who have an EHCP is forecast by 2023 if the recent 9.6% growth continues.
- 7.2 Mainstream schools should continue to be encouraged to meet the needs of more pupils who have an EHCP.
- 7.3 If the percentage of pupils who have an EHCP attending mainstream schools remains static and we are to reduce our reliance on independent schools; there will be a need for an additional:
- 560 pre-16 special school places
  - 204 pre-16 resourced provision places
  - 143 post-16 special school places
  - 15 post-16 resourced provision places
  - 33 additional support college places
- 7.4 The need for these places is across primary and secondary educational phases.
- 7.5 If the recent Special Free School bid is unsuccessful, there will be a need for additional secondary profound and multiple learning difficulties (PMLD)/severe learning difficulties (SLD) special school places.
- 7.6 The growth in demand for special school and resourced provision places across primary and secondary phases is primarily to meet social, emotional and mental health (SEMH) and Autistic Spectrum Disorder (ASD) primary need.
- 7.7 It is difficult to increase the number of places at the special schools any further due to space and buildings capacity.

## 8. Risk management

<b>Risk</b>	<b>Description</b>	<b>Action to avoid or mitigate risk</b>	<b>Risk rating</b>
Insufficient SEND places are available to meet known and future demand	If no additional SEND provision is provided, then demand for places will not be met. This will lead to: a) placements out of area away from families, their local communities and incurs a significantly higher cost than provision within Medway b) legal challenges due to the council not meeting its statutory duties	A SEND Place Commissioning Strategy will be developed.	B2



## **9. Consultation**

- 9.1 No consultation is required at this stage.
- 9.2 No Diversity Impact Assessment accompanies this report, but one will need to be prepared as part of a SEND Place Commissioning Strategy. However, it is envisaged that any impact would be positive on diversity and equality.

## **10. Financial implications**

- 10.1 The round 3 monitoring forecast anticipates an overspend on the SEN and Educational Psychology service which would result in an overall deficit on the High Needs Dedicated Schools Grant reserve. The service are currently working on a financial recovery plan to mitigate this overspend as required by the Education and Skills Funding Agency (ESFA).
- 10.2 There are significant financial implications in meeting the identified future demand for SEND school places, which include but are not limited to:
- Funding for each additional place required in resourced provision unit will require funding at £6,000 per place occupied place and £10,000 per unoccupied place, plus top-up funding.
  - Funding for each additional place required in special schools will require funding at £10,000 per place, plus top-up funding.
  - Funding for top up funding for pupils educated in mainstream schools.
  - There may be insufficient capital funding resources/investment to develop the new SEN places in schools to meet the forecast demand.
- 10.3 The High Needs SEN Budget is already under pressure and it is unlikely that increases to the ESFA allocations to local authorities allocations will be sufficient to meet the cost of the growth in demand.

## **11. Legal implications**

- 11.1 The Council has a statutory duty to provide an appropriate SEN place for all children who require one.

## **12. Recommendations**

- 12.1 Cabinet is asked to note the report and instruct officers to progress the development of a SEND Place Commissioning Strategy to meet the forecast demand for SEND school places.

## **13. Suggested reasons for decision:**

- 13.1 This report provides an analysis of the current and future SEND pupil population in Medway and is aimed to assist the Council in understanding the future demand for SEND school places and in planning for future provision in order for the Council to meet its statutory duties.

**Lead officer contact**

Wendy Vincent –Head of Integrated 0-25 Disability Services  
Email: [wendy.vincent@medway.gov.uk](mailto:wendy.vincent@medway.gov.uk)

**Appendices**

Appendix 1 – glossary of acronyms

**Background papers**

None

## GLOSSARY OF ACRONYMS

<b>Acronym</b>	<b>Full meaning</b>
ASD	Autistic Spectrum Disorder
EHCP	Educational, Health and Care Plan
ESFA	Education and Skills Funding Agency
HI	Hearing Impairment
MLD	Moderate Learning Difficulties
PD	Physical Disability
PMLD	Profound and Multiple Learning Difficulties
SEMH	Social, Emotional and Mental Health
SEN	Special Educational Needs
SEND	Special Educational Needs and Disabilities
SLCN	Speech, Language and Communication Needs
SLD	Severe Learning Difficulties
VI	Visual Impairment