

SEN Solutions (Bristol) Ltd

40 Church Road, Horfield, Bristol, BS7 8SE

karinakulawik@sensb.co.uk

External review of placements for children and young people with Education, Health and Care Plans (EHCPs).

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1.0 INTRODUCTION AND BACKGROUND

Over the past few years, there have been significant reforms to the way educational provision is arranged, delivered and funded. The aim of the most recent reforms has been to make things more transparent, consistent, fair and to provide more choice and control for children, young people and their families.

In June 2018 Devon County Council commissioned a review of placements for children and young people with EHCPs. The review took place between 26th June 2018 and 10th August 2018 and was carried out by external consultant, Karina Kulawik. The purpose of the review was to provide an external overview of the commissioning and monitoring arrangements related to placements agreed through the EHC process.

The context and background information to this review is related to concerns related to all Devon based educational providers within the Schools Company Trust, historical investigation undertaken at Chelfham Mill School and its subsequent closure, and more recent changes in staffing, processes and policy implemented by Devon County Council.

The objective of the review was to provide an overview (a diagnostic health check) of:

- ✓ The effectiveness of the current arrangements for strategic planning and commissioning of placements across all types of specialist provision including maintained special schools and non-maintained / independent special schools.
- ✓ The ability of the Council to effectively monitor outcomes set out in individual EHC plans.
- ✓ The quality assurance and monitoring arrangements of educational providers who support children and young people with EHC plans.

2.0 METHODOLOGY AND EVIDENCE BASE

The methodology agreed with Devon County Council commissioners aimed to ensure that the review is evidence based and gives a balanced account of how the current system has developed over time.

Appendix A sets out steps taken to ensure that the above standards were met and that the findings of this review are as informative and detailed as it was possible within the constraints of the time scales.

The content is based on the evidence made available during the review, subsequently tested and triangulated with stakeholders.

3.0 REVIEW FINDINGS

3.1 Place planning and commissioning arrangements

Devon's Multi- Agency Strategy for Children and Young People with SEND 2017-20 aims to deliver *the right provision in the right place at the right time, build resilient families and ensure access to good or better provision in local communities.*

A separate strategic Review of SEN Provision in Devon took place in 2017. It produced a summary report, which outlines key data used to formulate its findings and recommendations. This is the first such in depth and comprehensive attempt to provide an overview and analysis of SEN provision produced by Devon Council.

The SEN provision review outlines the context of Devon and forms the beginning of the strategic planning process based on a better-informed evidence and more accurate data. It makes good links with other strategic documents and plans, and gives a good overview of the comparative data and context on national and regional trends. It also captures issues related to statutory planning, school sufficiency and organisation, travel to school, capital and revenue funding and an analysis of the educational outcomes linked to individual children and young people and educational providers.

There is much improved and regular communication between the local authority and special schools via the federation of schools SENient. This provides an opportunity for discussions and strategic

planning at both federation and individual school level. Officers of the local authority attend head teachers meetings and much work has been done to improve systems and processes, which have already resulted in developing a strong listening and learning culture. One of the special school head teachers said *'the local authority really wants to get it right, we feel they are listening to us'*.

Observations and considerations for future strategic reviews and commissioning arrangements for SEN provision:

3.1.1 Consideration for a joint strategic approach to SEND:

There is a number of opportunities in relation to the governance of the current strategies namely the Multi Agency SEND Strategy and the Strategic Review of SEN Provision. In particular consideration should be given to:

- The participation and the co-design for the SEND Strategy was good. This could be further built on and be reflected more fully and the Partnership could explore a more participatory model in future strategic reviews of SEN provision.
- Devon has a strong inclusion agenda. The LA and the Partnership should celebrate what has already been achieved in relation to inclusive nature of the educational landscape of SEN provision in Devon. SEN in schools part of the Multi Agency SEND Strategy should reflect the fact that specialist provision is and can be effectively delivered by mainstream schools.
- Strengthen the presentation of the strategic links with the overall governance arrangements, structures of boards, groups and programmes supporting the whole school system approach to SEN.

3.1.2 Consideration for a long term strategic planning of SEN provision and an annual place planning.

It is important to draw a clear distinction between a strategic SEN provision planning and an annual commissioning cycle of places.

Strategic long term planning of specialist provision is a complex process, which requires significant consultation, financial planning and, where necessary, it must follow statutory processes. This planning stage requires a high level, strategic scrutiny in the context of the overall inclusion strategy. Planning for specialist support is not always about planning for places in special schools or units but often planning for building quality support networks to ensure local mainstream capacity to support pupils with complex SEN.

There are 3 key elements of the planning process:

- The overall number of places in specialist provision required across Devon
- The type of places required in relation to meeting the demand across the age range, SEN type or day/residential provision.
- Options appraisal carried out in the context of the availability of capital and revenue funding.

Additional planning for resources (services, skills, revenue, capital funding) will also be required to achieve the agreed vision for specialist provision.

The SEN provision review carried out in 2017 addresses most, but not all of these elements of planning. For example, it is not sufficiently clear what is the strategic position in relation to the continuum of specialist support including the strategic direction for inclusion and places in special schools or units, issues related to post 16 and residential provision also require further attention (detail set out in Appendix B).

Annual commissioning cycle of place planning is an on-going annual dialog between the local authority and specialist providers to agree a number of places, which are required to meet the demand for the following academic year.

The officers of the SEN team are in regular communication with head teachers of the special schools. Relationships are further improved and close partnership working has been developed in order to plan places, to discuss admissions, transfers and progress.

Some concern has been raised about annual increases in the number of places requested by the local authority, which in one school are outside of the statutory 10% allowed under the current statutory regulations. Statutory processes should be considered as part of the strategic longer term planning for special school places in this school.

Further concerns were raised about the admission process for pupils with EHCPs, specifically about:

- The timing of the referrals and
- The high number of referrals over short periods of time

These concerns were raised by schools in the context of the amount of planning required to admit children with complex needs; especially given the amount of multi agency involvement.

It is recognised by schools that some of the recent pressures on the SEN team are linked to the introduction of the new national Code of Practice. In 2017/18, local changes to the non-statutory allocation of top up funding which, in most cases, will now be dealt with through the statutory EHC needs assessment, have also contributed to the increased volume of work.

It is concerning that the number of EHCPs continues to grow at a rate, which is likely to take Devon outside of the national and regional averages. Should the growth trajectory continue, it is very likely to cause further pressure on members of staff. Devon are part of a regional benchmarking initiative and when finalised, it might be a helpful recourse for future considerations related to SEN staffing arrangements.

3.2 Monitoring arrangements for children with EHCPs

The new SEND Code of Practice 2015 sets out the statutory requirements for EHC needs assessment process, issuing EHC plans and carrying out annual reviews. EHC plans should be used to monitor children and young people's progress towards their outcomes and longer-term aspirations.

A sample of eight case files of children and young people with EHCPs were considered as part of this review. They represented placements in mainstream, special and independent schools. The content of the files included contributions to the assessment process, EHCPs and annual reviews.

Further evidence was provided via the Responses to Requests for Advice report (June 2018), which outlines data on the contributions received from across education, health and care, especially in respect of their timeliness against the statutory deadlines set out in the SEND Code of Practice.

Devon County Council has already developed a range of good quality guidance and tools related to the whole system approach to SEN, including the statutory functions:

- Devon's Local Offer sets out comprehensive information about SEND and the statutory EHC processes.
- On line SEN Support for schools offers a range of information about the graduated approach, funding, training opportunities, help and support.
- Education, Health and Care Needs Assessment Quality Assurance Guidance and Toolkit gives services practical guidance on how to ensure that all contributions to the EHC needs assessment are consistently of good quality, drive good outcomes for children and young people and deliver clear assessment of needs. The document outlines different levels of quality assurance from the practitioner self-assessment, line manager and senior manager oversight to multi agency quality audits.
- Processes have been introduced to track progress or placements of children missing education or children with EHCP with no school place (Missing Monday meetings).
- Communication with schools has been developed and much improved which means that some of the strategic work is now progressed jointly.

- Provision matrix for universal and enhanced provision for all SEN types is published on the Local Offer, this should ensure increased consistency of identification of SEN and available support delivered through delegated resources in all Devon mainstream schools
- New SEN funding toolkit was introduced last year for all mainstream schools to help them to review effective use of element 2 funding.
- New funding model for top up allocation in mainstream schools has been developed in partnership with schools. This system recognises the need for exceptional consideration to be given to cases where personalised solutions need to be created to prevent out of area, expensive placements and to ensure that local provision is possible.

It is clear that relationships and a partnership approach to developing local solutions is progressing well. However, both officers and schools who participated in this review shared a number of concerns related to the EHC process. These concerns have already been recognised by the local authority and many are part of the SEND implementation plan.

Observations and considerations for future quality assurance and monitoring arrangements for children and young people with EHCPs

3.2.1 Consideration about a whole system approach to SEN.

The growth in a number of children with EHCPs has been well documented in the recent review of specialist provision. By the end of academic year 2017/18 the number of plans reached nearly 4100. The cause of this growth is not understood well enough by all partners. During the interviews people voiced reasons mainly linked to the introduction of the new code of practice. Additional contributing factor is the discontinuation of non-statutory plans and non-statutory top up allocation, which in a short term is likely to continue to cause additional pressure.

The analysis of the national data indicates that the vast majority of the national growth in EHCPs was caused by demographic growth and the introduction of the extended age range 0-25. The overall percentage of children and young people with EHCPs nationally (2.8%) and regionally (2.7%) remains relatively stable. There is some anecdotal evidence shared regionally about pressures in some LAs, equally there are other authorities, which are seeing this pressure stabilising.

In order to fully explore the current strains on the statutory processes in Devon, it would be helpful to revisit the core ingredients of the whole system approach to SEN.

The current guidance and criteria for initiating the statutory EHC needs assessment provides good references to the Code of Practice and local operational arrangements. Future update of this guidance should provide an additional opportunity to:

- Reinforce the need to follow a graduated response
- Emphasise that the vast majority of children with SEN are appropriately and effectively supported by mainstream schools.
- Explain the financial element of the SEN support in more detail; how it's calculated and who is responsible and accountable for the delegated SEN budget.
- Provide more detail and specificity on criteria linked to severity of need.

Wider membership of the SEN Panel should be encouraged, especially participation from specialist support services and schools. The SEN panel provides an excellent opportunity for professional development for SENCOs, members of school senior leadership teams and other professionals. The quality and transparency of decision-making often improves as a result.

3.2.2. Consideration to develop, monitor and embed good practice in writing statutory advice, EHCPs and annual reviews.

It is widely recognised that the quality of the EHC process is a product of a partnership between the professionals, as providers of statutory advice, SEN team members coordinating and managing the statutory process and schools by arranging effective annual reviews. All partners should work in a person centred way with parents, carers, children and young people.

There is a great deal of interdependency between the quality and timeliness of the professional advice, quality of the EHCPs and annual reviews.

The LA is very clear about these principles. An improvement programme led by the LA included multi-agency training on all statutory SEN functions and duties, despite these efforts the impact will require further focus.

Statutory advice to the EHC needs assessment process

There are currently significant issues with professional advice, which too often is provided late and outside of the statutory expectations. These delays are present across most services, with well over half of the reports arriving late and many overdue by more than 6 weeks. This is one of the main contributing factors of the current low level of compliance in completing the EHC needs assessment process within 20 weeks, as required by the code of practice.

The following observations were made as a result of the scrutiny of the evidence held in the eight reviewed case files, a range of quality issues related to professional advice have been noted:

- There were gaps in specificity and quality of information in relation to the professional assessment of need (type of need and severity).
- Outcomes often represented as targets and they were not linked to the assessed need or to the proposed strategies or provision.
- Social care and/or health contributions were either too brief or in some cases entirely absent.

These types of issues are likely to present the SEN officers with some difficulty in drafting good quality EHCPs and SEN panels in reaching well-informed decisions.

It is acknowledged that the number of case files considered by this review represented only a very small sample and that Devon Council only recently updated the EHCP QA guidance and toolkit (June 2018). It is important to monitor the impact of the introduction of the new toolkit on the quality of future statutory advice.

Education, Health and Care plans

Many EHC plans lacked detail. They had very limited information about the child views or parental contribution.

SEN needs were well set out with content included under both strength and needs, however, due to gaps in information coming from the professional advice, plans did not provide a clear summary of the child needs.

Outcomes included in EHC plans were often presented in a format of objectives, historically used under the previous code of practice. They were not supported by short-term steps, as required by the new code of practice.

EHC plans focus mainly on educational needs and have limited content in relation to health and care.

It is important to acknowledge that the issues related to the quality of EHC plans, especially in respect of the quality of outcomes, are recognised as an area for development across many local authorities.

Annual reviews

All eight case files included evidence of annual reviews. Their content was varied in quality. Most annual reviews developed their own educational targets, which were not linked to the outcomes listed in the EHCPs. The review of needs or provision was not directly linked to the wording of EHCPs.

It was reported by schools that the recommendations for changes to the EHCPs included in the annual reviews are not dealt with in a timely manner; this is mainly due to the capacity of the SEN team and some IT issues.

The responsibilities of the local authority in managing and overseeing the annual review process are clearly set out in the code of practice. Some of these responsibilities related to arranging annual review meetings are delegated to schools. It is good practice to ensure that the local authority works proactively with schools to identify reviews, which should be prioritised and attended by the SEN team or representatives of support services. At present, due to continued pressures caused by a high number of referrals for statutory assessments, attendance at annual review meetings is often not possible. There is also a significant backlog of reviews, received but not processed by the local authority. It is important to note that this is a high-risk area of non-compliance with the statutory process. It also presents with a significant challenge for the council in terms of robust monitoring of placements and outcomes for children with EHCPs.

In addition, it has been reported that there is some confusion about supporting children with medical needs but no SEN. The Code of Practice and the national Statutory Guidance on Supporting Pupils with Medical Needs in Schools require local areas to develop joint commissioning arrangements. These arrangements should include appropriate support, training and good quality care plans supported by health services so that schools have the confidence and the necessary skills to support children with complex medical needs. EHC plans are not relevant for children with medical needs and no SEN.

Children and young people with EHCPs placed in residential schools or with non-maintained and independent providers.

The local authority is currently working on the implementation of the most recent statutory guidance on visiting children with SEND in long term residential settings. This guidance was issued in November 2017 therefore it is important for the local authority and partners to establish a clear process for the requirement to monitor such placements.

In addition, the local authority should consider developing a single monitoring record of all day or residential placements in the non-maintained and independent sector. Such single record would allow the local authority to:

- Monitor the frequency of visits by professionals from across different services such as SEN, social care, EPs and other services.
- Monitor the appropriateness of visits.
- Determine the frequency of visits based on information linked to the individual child and triangulated with the risk assessment of the provider (this system is already established and maintained by the lead commissioner).

3.3 Monitoring arrangements of educational settings

Despite considerable changes in national educational policy and the way the educational landscape has developed over recent years, councils retain many statutory duties related to education. They have a key role in ensuring good or outstanding education in their local areas, promoting well-being and acting as champions for vulnerable children and young people and their families.

Both the Children and Families Act 2014 and Schools Causing Concern Guidance 2108 places duties on local authorities, governors and proprietors to contribute to inter-agency working, to co-operate and use their best endeavours in making sure that children and young people with SEN get the support they need.

It is noteworthy to highlight many positive developments in Devon, which are already having a positive impact.

Many school representatives commented on a new positive relationship with the local authority, which they feel very optimistic about.

Unlike many local authorities across the country Devon Council continues to commission support services such as EPs, EWS, Safeguarding in education, EMAS, sensory support services, literacy

and numeracy leads and school improvement. Their work is focused on four key priority areas identified by the local authority: narrowing the gap, safeguarding, inclusion and governance. The Local Authority Management Board oversees the effectiveness of the support services delivered by Babcock.

The local authority has introduced a new governance structure of boards and strategic groups, which provides a good opportunity for partners to be fully engaged. They have a strong membership from across the local authority, schools, multi academy trusts, teaching schools and support services (Babcock).

There are good partnership arrangements of schools (primary and secondary associations, special schools SENient) and SEN networks for school SENCOs. These are appropriate forums to debate local strategic and operational matters.

Educational outcomes (attainment and progress) for children and young people with SEN are good across all key stages. In line with regional and national trends the number of permanent and fixed term exclusions are of concern.

Capacity for the monitoring arrangements of children excluded from schools has been increased over the last two years. The team has been working with schools to prevent exclusions or build capacity to reintegrate children who have already been excluded.

It is concerning that a high number of exclusions are related to children with EHC plans. Pressure on places for children excluded from schools means that there is very little capacity for preventative work. Since November 2017, Devon Inclusion Project has begun work to address some of these issues with a particular emphasis on primary sector, children with medical needs not attending schools and children looked after.

There are also groups of schools (for example the Exeter Project involving 9 local secondary schools) working proactively to avoid permanent exclusions. They pooled their own resources and with an additional contribution from the local authority's, from September 2018, will be able to deliver an alternative, preventative way of delivering education for the most vulnerable pupils.

Missing Monday meetings monitor part time attendance, children missing education and children with EHCP or children looked after with no school placement.

Officers shared positive examples of how they are able to escalate issues to their managers and / or senior leaders.

Although no system is risk free and it is difficult to predict situations, which may lead to difficulties, the review has identified actions taken and improvements already made, which have contributed to a significant reduction of potential risks in the future. The local authority is committed to ensuring that the improvement journey continues and recognises that systems and processes must be tested, monitored and reviewed regularly.

It is very reassuring to note that the messages about the improvements already made were consistent across most interviews and supported by the evidence presented during the review.

Observations and considerations for future quality assurance and monitoring arrangements of educational providers.

There are areas of work, systems and processes, which could further accelerate the progress outlined above.

3.3.1 Consideration for a review of the admission process

Some concerns about the admission process are already included in section 3.1.2. of this review. In addition, the following was raised:

- A historical issue about children referred and admitted to all three sites of the Schools Company Trust after concerns about the provision were identified. These concerns included schools capacity to deliver full time education, concerns about the buildings, governance, finances and

curriculum offer; all subsequently confirmed by most recent Ofsted inspections. Admissions continued until April 2018.

- A number of referrals to special schools and their timeliness.

Many local authorities face difficulties related to securing places for vulnerable children and those with EHCPs. This is particularly challenging when the local system relies on one provider (in the case of Schools Company Trust) or is driven by a statutory process (in case of referrals to special schools).

A number of steps have already been taken to mitigate the current risk and to minimise any potential future risks:

- The local authority continues to review its school improvement process, strategically developed in partnership with the Excellence For All Programme and operationally managed by a new management board. Concerns about educational providers are followed up through formal processes and if necessary may involve the Regional School Commissioner.
- The number of children on roll at the Schools Company Trust has been significantly reduced.
- Admissions to the Schools Company Trust remain suspended. A new provider has been identified to take over the governance and operational running of the Trust.
- The extended inclusion team is now in place, overseeing both exclusions and the reintegration process. Cases are reviewed jointly with Schools Company Trust. Evidence of the Readiness to Integrate Assessment is used to inform future plans and actions.
- The local authority has carried out a strategic review of the specialist provision in Devon and developed recommendations to address potential capacity issues. Additional recommendations have been made in part 3.1.2 of this report.
- The local authority officers are in regular communication with all special schools; relationships are much improved and all partners are committed to deliver improvements.
- The capacity of the local authority and support services to manage the statutory EHC needs assessment process is under continues review.

3.3.2 Consideration for a whole system approach to the Quality Assurance processes across all types of educational providers.

Quality assurance arrangements are in place across all types of educational providers:

Maintained schools, academies and free schools

The school improvement function is commissioned by the local authority and delivered by Babcock. The QA model is based on a staged approach:

- **Self-evaluation** carried out by schools and subsequently submitted to Babcock. At present, all maintained schools and some academies are part of this process. Other academies use their own / trust level school improvement monitoring systems.

There are three elements of the self-evaluation offer for schools: a) overall school improvement, b) safeguarding and c) SEN funding (element 2). Some schools complete all three, others take part in one or two self-evaluations.

In September 2018 Babcock is planning to launch an updated version of the self-evaluation system. There are early indications that the new model is likely to attract more academies and multi academy trusts.

- **Triangulation** of the schools self-evaluation against key data indicators and intelligence gathered by officers or support services when visiting schools.

Other triggers for action include complaints or issues raised by parents.

Concerns are discussed with relevant senior managers, they are shared with schools and records maintained centrally by Babcock.

- If necessary **action** is taken; this may include commissioning of additional services. If concerns are raised about schools that do not participate in the self-evaluation cycle, they are discussed by the LA Management Board. In some cases, this may result in a formal communication with the office of the Regional School Commissioner and/or Ofsted.

Although some schools do not fully participate in the above model of self-evaluation, they have access to support services offered by Babcock or the local authority. For example 100% of schools use governors services, 100% schools complete safeguarding audits, 98% subscribe to the EP service and all statutory SEN functions are delivered centrally. This means that Devon Council is able to maintain good level of communication with all schools in Devon.

Alternative Provider – Schools Company Trust

There is evidence of regular meetings with Schools Company Trust and the new provider (Wave Multi Academy Trust). These meetings are considering transitional arrangements and focus on individual children and young people and their plans for reintegration. The inclusion team is working closely with the Trust to monitor progress of individual children.

The lead commissioner from the local authority is overseeing compliance with the Service Level Agreement. In view of on-going concerns about the quality of the educational provision, joint meetings are used as an opportunity to hold the Trust to account. When necessary, the local authority has taken steps to commission additional support, specifically around safeguarding issues. Further meetings are planned in the new academic year to discuss and review Ofsted action plans.

All meetings should have appropriate minutes; actions should be clearly recorded so that progress can be evidenced.

Proposals and options for future school improvement arrangements are being considered.

Non-Maintained and independent schools and colleges

The quality assurance function of the independent sector is delivered jointly by the commissioning officer for independent schools and the SEN team.

Detailed risk assessment process for monitoring independent providers has been developed and set up. It is based on:

Risk assessment log, which lists all independent providers in or outside of the geographical boundaries of Devon which are supporting children and young people with EHCPs from Devon. This risk assessment includes indicators such as Ofsted, safeguarding self-assessment returns, number of pupils on roll, reports or notes from previous QA visits and feedback from SEN officers about compliance with statutory requirements. An assessment is then made about the level of risk, which informs the nature and format of the potential follow up.

Issues log, designed to make sure that officers of the SEN team are able to log their feedback or observations about the independent providers. Unfortunately this log is not being routinely used and at the time of the review recorded only one issue.

This log hasn't yet been shared with support services. It could be a good opportunity to widen the level of evidence gathering and better informed by professionals who are visiting schools to carry out individual assessments.

The above system already presents as a well-developed system. The lead commissioner has also developed a flow chart and an action plan and is very determined to make sure that it allows the local authority to have a comprehensive overview of the quality of independent providers.

The QA visit notes are detailed, they clearly outline strengths, areas for improvement and agreed actions. Visits involve meeting members of senior leadership teams, physical walks around schools, some lesson observations, feedback from children and parental views are also taken into account. The QA report produced by the lead commissioner is shared with schools. A six monthly report summarising QA visits and the risk analysis of all providers is submitted to the local authority senior leadership team.

Additional considerations for the local authority and all educational providers.

Following discussions with schools, the local authority and Babcock, it is clear that all partners have been working together to strengthen local systems and ensure that children and young people in Devon receive good or outstanding educational experience.

The review has identified further actions and opportunities, which could further advance progress already made:

- Review potential links between the QA process developed by Babcock for Devon schools and the system working across the independent sector.
- Provide additional training and support for officers and professionals to ensure that the issues log is routinely used to better inform the QA process.
- Although the QA visits to the independent providers already involve the commissioning officer and SEN manager it would be helpful to consider involving specialist members of support services. This is particularly important and relevant to low incidence SEN types such as hearing or visual impairments.
- Consider a minimum standard / requirement for QA visits for schools assessed as low or medium risk. At present there is very little capacity for the commissioning officer to carry out such visits and some schools haven't had any formalised QA monitoring for a number of years. It is important to point out that children placed with these providers would have received visits from practitioners involved with individual cases.
- Consider links between a single record for children and young people placed in the non-maintained or independent sector recommended in part 3.2.2 of this report with the existing risk assessment log of providers. This could present with an opportunity to manage risk in a more cohesive way.
- Although there are already well established links with commissioners responsible for oversight of social care placements, communication with adult services require further development.
- The commissioning officer is already developing provider's feedback questionnaire so that the QA process can be improved further.
- There is already much evidence of a collaborative approach between Peninsula LAs, especially if significant issues are identified as a result of the existing QA process. Through a review of QA commissioned by the Peninsula Board Devon are sharing their approach and sub-regional authorities are developing a collective process. It would be beneficial to share this model with other LAs in the South West region.

Further Education

Although placements for young people with EHCPs in Further Education sector are monitored through the annual review process (subject to comments made in part 3.2.2 of this report), the FE providers are currently not subject to equivalent QA processes.

The new SEND code of practice introduced many new duties on FE sector and it would be helpful to consider what additional steps can be taken to provide a more strategic overview of the SEN provision in FE. This would improve joint understanding of the local area priorities and how the FE sector is able to develop further to meet the future demand.

Appendix A

Review of Devon County Council SEND strategies, policy and practice

The review took account of:

- SEN related strategies, policy and practice documents provided by the officers of Devon County Council or available on the website.
- Relevant benchmarking data (national, South West regional and statistical neighbours).
- Sample of eight case files of children and young people with EHCPs placed with mainstream and special schools.
- Sample of reports of the independent school quality assurance monitoring visits and reviews carried out by Devon County Council in the last year.

Strategic documents:

Devon's Multi-Agency Strategy for Children and Young People with SEND 2017-20
 SEND Strategy Implementation Plan 2017 - 20
 Strategic Review of Special Educational Needs Provision 2017/18, Review Report

Operational documents:

Guidance – Education, Health and Care needs assessment (process and criteria), September 2016
 Quality Assurance EHCP, Audit record 2018
 Education, Health and Care Needs Assessment, Quality Assurance Guidance and Toolkit, June 2018
 Statutory EHCP Annual Review templates (pre and post 16), December 2016
 On line materials such as Devon's Local Offer, SEN Support for schools

Reports:

Ofsted Reports – Schools Company Central Devon Academy 2017, Schools Company North Devon Academy 2017, Schools Company South and West Devon 2018

Data:

Local Area SEND report (2016/17), Department for Education
 Statistics, SEND (May 2018), Department for Education
 DCC school placement data for children and young people with EHCPs
 Responses for Requests for Advice data, January – June 2018

Interviews with key officers and partners.

A number of interviews with officers of the local authority and the provider of educational support services (Babcock) were set out to harness the expertise of key strategic leads for place planning, commissioning, school improvement support and statutory SEN functions.

Representatives from different types of educational providers including special schools, AP and non-maintained and independent sector were available for interviews. Unfortunately, due to time pressures, it was not possible to meet representatives of mainstream schools or units.

Local authority officers:

Fiona Fleming – Head of Commissioning, Children's Services
 Julia Foster – SEND Senior Manager
 Simon Niles – Schools Planning, Pupil Placement and Commissioning Manager
 Dawn Stabb – Head of Education and Learning (Deputy Chief Officer)
 Beatrice Beer – SEN Commissioning Manager
 Velda Woodruff - SEN Commissioning Team Manager
 Marc Kastner - Strategic Lead for Inclusion
 Sam Plumb - SEN Area Education Officer
 Adrian Fox – Head Accountant for Education and Learning
 Jade Torr – Commissioning Officer

Babcock:

Jeannette Savage – Babcock, Lead for SEND and Inclusion

Claire Thompson – Babcock, Head of Specialist Services and Safeguarding

Educational providers:

Chris Freestones - Head of Education, Dame Hannah Rogers School

Jason Rider - Head of Education, Dame Hannah Rogers School

Angela Barry - Interim CEO, Schools Company Trust

Maggie Carter - Chair of SENTIENT Trust

Sarah Pickering - Headteacher Mill Water Bicton School

Appendix B

To secure well-informed decision-making alongside clarity and transparency of the strategic direction for planning SEN provision it is helpful to follow a 3-stage approach:

Stage 1 - Consideration about **the overall numbers** of places in specialist provision.

Options and models vary across the country and include a) staying in line with the current percentage of children and young people in specialist provision in Devon (38%) and in line with some comparative neighbours (Shropshire 38%), b) increase to the national (48%) regional (41.7%) or other local areas (Wiltshire 50%, Dorset 47%) or c) decrease when compared to some areas such as Cornwall (24.2%). Nationally, the evidence on the quality of outcomes for children does not support any particular model. They are not easily transferable between local authorities and should be developed locally in the context of the local issues.

Stage 2 – Detailed analysis of **the type of places** required in Devon in relation to meeting the demand across the age range, SEN type or day/residential provision.

The current strategic Review of SEN Provision delivers an analysis of most of these issues. Special care needs to be taken when analysing data on SEN type, as it is often difficult to interpret and may highlight anomalies when benchmarked against other similar local areas. In Devon, data around SEMH, ASC, SpLD and MLD require further analysis.

In addition, issues related to residential and post 16 / post 19 provision require further attention.

Stage 3 - Options appraisal

Once there is clarity around how many and what type of placements or services are required options such as a) school expansions, b) new provision, c) school or unit or d) opportunities with neighbouring authorities can be explored. The options appraisal needs to be carried out in the context of the availability of capital and revenue funding.

Detailed analysis of the current spend within the High Needs Block might be necessary to explore opportunities for redirecting funding or re-commissioning of places or services. Nationally and internationally it is well recognised that financial arrangements can create certain behaviours within the system therefore it is important to ensure a strong link between the SEN strategy and financial planning. (Helpful overview of the relevant literature could be found in Chapter 4 of the Research on funding for children and young people with SEN https://consult.education.gov.uk/funding-policy-unit/high-needs-funding-reform/supporting_documents/Research_on_Funding_for_young_people_with_special_educational_needs.pdf)