

**SPECIAL EDUCATIONAL NEED
EDUCATION PLACEMENT STRATEGY**

2011-2016

1. INTRODUCTION	3
2. BACKGROUND	3
2.1 SPECIAL EDUCATIONAL NEED (SEN)	3
2.2 WHAT IS STATUTORY ASSESSMENT?	4
2.3 HOW ARE STATEMENTS FUNDED?	5
2.4 THREE WAYS THAT ISEPs PLACEMENTS ARE MADE: CRP, CAM AND SEN TRIBUNAL	6
A) COUNTY RESOURCING PANEL (CRP) AND ISEPs	6
B) CHILDREN'S ALLOCATION MEETING (CAM)	6
C) SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) TRIBUNAL	6
2.5 TRANSFERS IN COUNTY	7
2.6 MAKING PLACEMENTS	7
2.7 MONITORING AND REVIEW	8
2.8 MANAGING THE INDEPENDENT SPECIALIST EDUCATIONAL PLACEMENT SPEND	9
3. WHAT IS THE CHANGING PATTERN OF NEEDS AMONGST THIS COHORT OF CHILDREN AND YOUNG PEOPLE?	9
4. REASONS FOR THE INCREASED PRESSURE ON THE SEN EDUCATION PLACEMENTS BUDGET	11
4.1 AUTISTIC SPECTRUM CONDITION PROVISION	11
4.2 INCREASE IN COST OF PLACEMENTS	12
4.3 INCREASED PREVALENCE OF SEN/DISABILITY	12
4.4 CONSISTENT APPROACH TO CHALLENGING BEHAVIOUR	13
4.5 SINGLE PLAN	13
5. RESPONSE TO THE INCREASED DEMAND FOR INDEPENDENT SPECIALIST EDUCATIONAL PLACEMENTS	13
5.1 MAKING SURE OUR SPECIAL SCHOOLS ARE USING ALL OF THEIR AVAILABLE CAPACITY AND SKILLS TO MEET NEEDS	13
5.2 TAKING A STRATEGIC APPROACH	14
5.3 OBJECTIVES OF THE STRATEGY	15
5.3.1 OBJECTIVE 1	15
5.3.2 OBJECTIVE 2	15
5.3.3 OBJECTIVE 3	16
5.3.4 OBJECTIVE 4	16
5.3.5 OBJECTIVE 5	16

1. INTRODUCTION

There are currently just under 3000 children and young people within Cambridgeshire with a statement of special education need (2962 in September 2011). Meeting the individual needs of each child or young person requires very careful planning. Of this group, 784 children and young people attend special schools within Cambridgeshire.

The 3000 children also includes a small group of children and young people whose needs are so complex that they can only be met by Independent Specialist Educational Placements (ISEP).

These placements are funded by the Special Education Need (SEN) Education Placements budget. In 2011/12 104 children and young people were in these type of placements. Such placements are highly specialist, usually but not always outside of the County and are costly.

This strategy has been developed with a view to:

- Keep children and young people in Cambridgeshire with their families
- Provide high quality education provision as close to home as possible
- Reduce spend on ISEPs where provision can be made more cost effectively elsewhere
- Reduce the number of ISEPs where provision can be made elsewhere that is as good
- Provide effective and collaborative monitoring and review of placements
- Provide effective contracting and commissioning

This document sets out what we will do to deliver this.

2. BACKGROUND

2.1 Special Educational Need (SEN)

Some children in school have SEN, this means that they find it much harder to do things in school than other children of the same age. Schools provide support which is additional to, or different from, their usual differentiated curriculum for pupils with SEN. This is known as a graduated response, or School Action/School Action Plus.

Some children with SEN do not make the progress expected even though they have received additional support and advice from specialist services (a graduated response). Therefore, it may be that a school or parent asks the County Council to undertake a Statutory Assessment of the child's SEN.

Once the County Council has received the request for Statutory Assessment there has to be a decision made whether or not to undertake such an assessment. A decision must be made within 6 weeks of receiving the request (except in exceptional circumstances, such as the school summer holidays). The County Council will consider, in reaching a decision:

CHILDREN AND YOUNG PEOPLE'S SERVICES

- The child's progress
- Parent and child views
- School and professional views of the child's needs
- Evidence of the help and support the child has received so far

Decisions are made by the Statutory Assessment Panel (who meet every two weeks) about whether or not to proceed with the assessment and the outcomes are provided in writing to both school and parents.

2.2 What is Statutory Assessment?

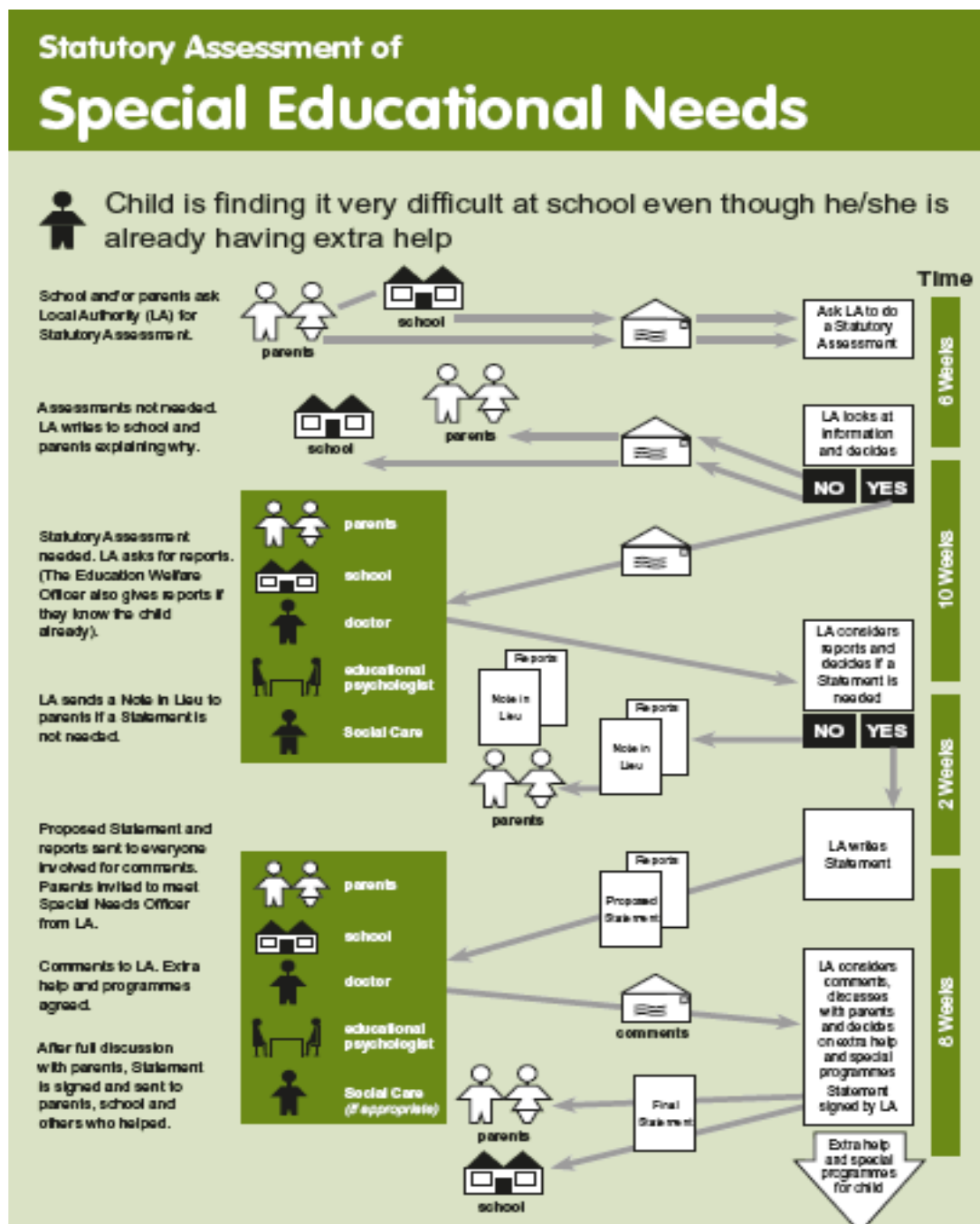
A Statutory Assessment is a very detailed look which is carried out in partnership with health, education and social care professionals, at what a child can do in school and considers the help that he/she needs to help them learn. This involves:

- Collecting assessments and reports from parents and all the professionals involved in supporting a child's SEN, e.g. Educational Psychologists, Therapists, school staff
- Ensuring that parents are involved in all aspects of the process
- Ensuring the child's views are sought as part of the assessment process

The Statutory Assessment process has to be undertaken within timescales prescribed in the SEN Code of Practice and in the Education Act. This is currently 26 weeks from request received to Statement finalisation. The Statutory Assessment must be undertaken by the Local Authority within this timeframe and the 26 weeks is broken down into timed activities:

- 6 weeks to make a decision as to whether to undertake a Statutory Assessment
- 10 weeks to collect advice from professionals
- 2 weeks to draft a Statement
- 8 weeks to produce a final Statement

The final statement details the child's special educational needs and the provision/resource required to meet these needs. The process of the Statutory Assessment is shown in the flowchart below.



2.3 How are statements funded?

Statements must specify the resources that must be delivered to meet the identified needs. Most Statements will have an allocation of additional adult support, Teaching Assistant hours (TA Hours) to the child's mainstream school. Currently schools are funded to deliver up to 15 hours of each statement with the balance being made up by the County.

Some children will require highly specialist, high cost resources due to the complexity of their needs. These decisions about resources are made by the County Resourcing Panel (CRP). Such decisions are set out in the Statement and once this happens the Local Authority must provide them.

CHILDREN AND YOUNG PEOPLE'S SERVICES

For some children and young people schools within Cambridgeshire's maintained and special schools are not able to meet their needs and they require an Independent Specialist Educational Placement.

2.4 Three ways that ISEPs placements are made: CRP, CAM and SEN tribunal

a) County Resourcing Panel (CRP) and ISEPs

When CRP makes decisions on placements or high cost packages, panel members must:

- Ensure that where possible children and young people are kept with their families
- Ensure that placements are needs led and not driven by funding
- Ensure placement and resourcing is from an inclusive perspective, wherever possible holistic and looking at the needs of the child
- Ensure that there have been exploration of creative, inclusive and multi-agency responses
- Ensure that decision making for this group of children and young people is consistent across the county but is flexible enough to respond to local variations
- Consider throughout identification of additional resources that would make in county provision successful/effective, taking into account the child/young person's views and those of their parents/carers ensuring options have been explored
- Require children are placed as near to home as possible

b) Children's Allocation Meeting (CAM)

Children's Social Care CAM panel meets weekly to make decisions regarding the thresholds of accommodation. Currently 26% of ISEPs were made due to decisions taken about Looked After Children (LAC) at CAM. These are all 52 week placements.

c) Special Educational Needs and Disability (SEND) Tribunal

The third route for placements in ISEPs comes from Tribunal decisions. 25% of the current ISEPs originate from SEND Tribunal decisions.

A parent/carers has the right to appeal to the Tribunal if they feel that their child's needs are not being met and they wish them to receive specialist provision. The Tribunal considers the appeal and then will make a decision (an order) as to where the child will be placed. This will be at a cost to the Local Authority.

Tribunal decisions have had an impact on the budget in 2011/2012 with a £320,000 spend due to the decision to order residential or day ISEPs. In the last financial year a total of seven Tribunals were lost and resulted in ISEPs. It is unlikely that these decisions will favour Local Authority provision unless we are able to develop our own specialist provision through the strategy.

Parents have the right to challenge any placement decision to the SEND Tribunal. The Tribunal is statutory and part of HM Tribunals Service. It is a formal legal process where parents will often be represented by solicitors or barristers.

CHILDREN AND YOUNG PEOPLE'S SERVICES

Placement disputes arise where parents are expressing a wish under section 9 Education Act for independent specialist school provision. The Local Authority will have offered local maintained provision, which parents do not consider appropriate. The Local Authority would argue that this was unreasonable public expenditure.

Where parents express a preference for an ISEP and the Local Authority has offered a local maintained provision the following factors are relevant:

- Is the ISEP suitable?
- What is the difference in costs between the ISEP and the maintained school offered?
- What are the transport costs?
- Are there therapy costs or additional staffing costs?

Where parents appeal to the SEND Tribunal, the Local Authority must be able to demonstrate the suitability of its school for the child.

The Tribunal's decision is binding on all of the parties and must be implemented by the Local Authority.

Once a child attends an ISEP either residential or day, it can be very difficult for them to be moved back to a Local Authority maintained provision. Therefore it is vital that a full costs analysis is undertaken from the beginning of the appeal process.

2.5 Transfers in County

When a child with a Statement transfers into the county the Local Authority has to continue to make the named provision available even if this is a residential ISEP. A recent case of a young person transferring into Cambridgeshire with a statement naming an out county school increased the commitments of the Local Authority by £130,000 per year.

2.6 Making Placements

Crucially, if after considering all the evidence the panel cannot identify suitable or appropriate in county or Local Authority provision which has capacity to meet the child's needs, then they will agree to an ISEP for 38 weeks (term time).

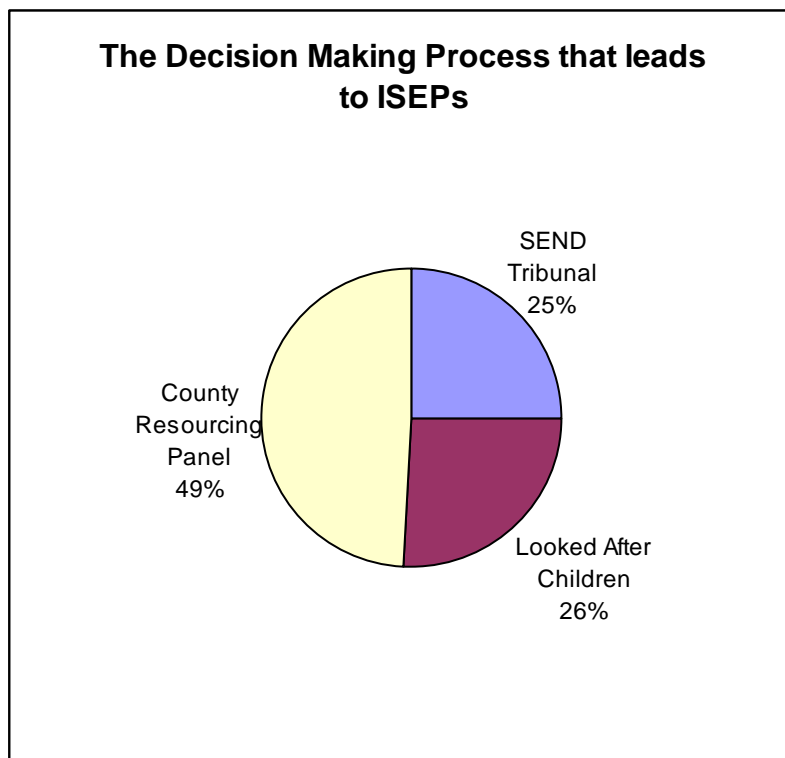
Once made these placements could be funded until the young person is 19 years old. Therefore in some circumstances the Local Authority will fund some children for 10 years or more. This means that commitment to a placement is very long term.

The SEN Green Paper has proposed to strengthen parental rights to choose schools for their children with Statements. This includes the right to choose:

- Maintained mainstream schools
- Maintained special schools

CHILDREN AND YOUNG PEOPLE'S SERVICES

- Academies
- Free Schools
- Independent Schools
- Independent Special Schools



2.7 Monitoring and Review

Legally all Statements must be reviewed at least annually. The Annual Review is the time when the child's progress is considered with parents and the professionals involved in helping the child. It allows for monitoring and evaluations of the effectiveness of support, provision, equipment and interventions. If the child's needs change the Statement must be amended.

In Cambridgeshire we are working towards making Annual Reviews more child centred so that they are able to participate as fully as possible in the process and have their thoughts and views central to the review process. The purpose of the Annual Review process is to review the needs, objectives and provision detailed in the Statement of Special Educational Needs and formally considers whether the provision in place is meeting the child's identified needs.

In addition in Cambridgeshire we have the Network Plan. This is an agreement between Children's Services and NHS Cambridgeshire, Cambridgeshire Community Services and Children and Adolescent Mental Health to support the arrangements for improved monitoring and review arrangements for children and young people placed in ISEPs. It has been implemented to address concerns about the lack of co-ordination of professionals visiting out of authority placements, some inconsistency in monitoring arrangements and poor sharing of information following visits.

The aims are to remove barriers to sharing information, acknowledge competing statutory duties and responsibilities, identify all the professionals who need to keep contact with/be kept informed about a child/young person once they had been placed out of authority, ensure consistency in visits and paperwork and to improve the monitoring and reviewing arrangements for children and young people placed in ISEPs. The Network Plan runs alongside the Statutory Annual Review and the LAC Review process.

2.8 Managing the Independent Specialist Educational Placement Spend

Funding for the all ISEPs comes from the SEN Education Placements budget which is part of the Dedicated Schools Grant. This is schools budget which the LA manages. However, a number of placements are jointly funded by Social Care, Health and Education. Health currently part fund 12 ISEPs, contributing an average of 6% per placement (£11,970 per average 52 week placement).

The SEN Education Placements budget for ISEPs for 2011/12 is £5,681,068. In March 2011 the SEN Education Placements budget had reached an overspend of £1.4 million. The reason for this is set out in section 4.

In common with all Local Authority responsibilities and those of our public sector partners, the Local Authority has committed to making savings against this budget.

Placements costs range from £22,232 to £287,000 for residential. An average 38 week placement cost is £83,886 whilst an average 52 week placement cost is £199,514 and the average day placement cost is £42,374.

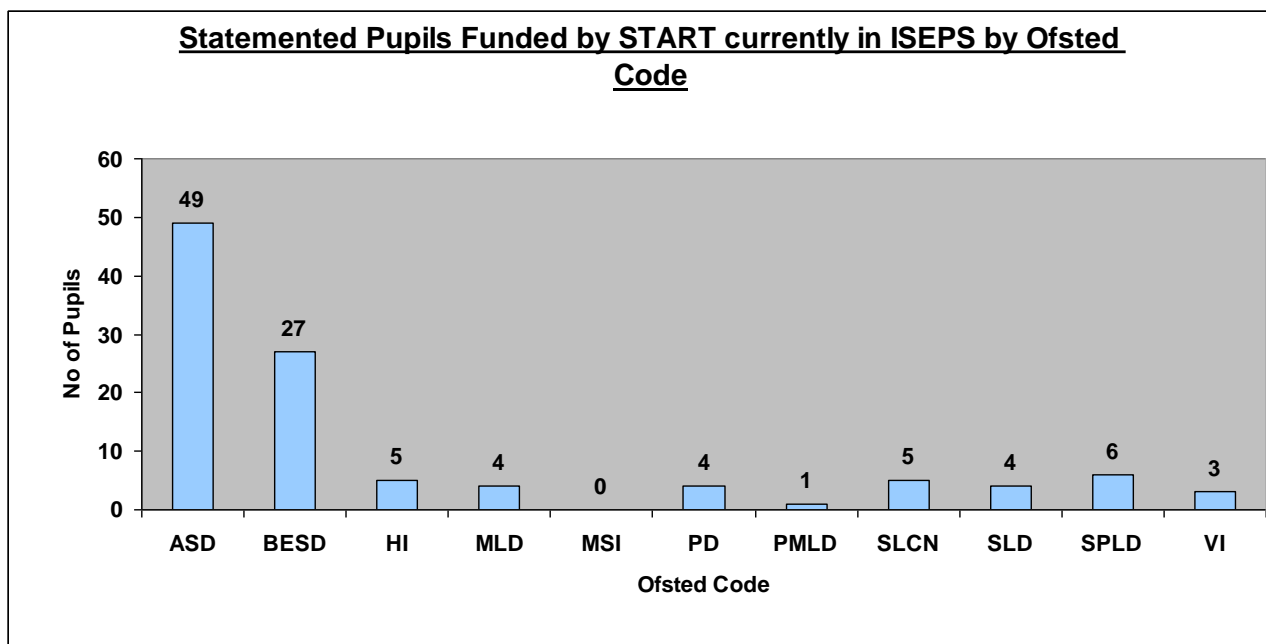
Managing this budget brings with it a number of challenges:

- We need to fully meet the needs of all the children and young people who are funded – many of whom are among our most vulnerable
- These children tend to stay in their placements a long time which means that changing the shape and delivery of places is a long process
- We have little control over the process in which an ISEP is required unless we have the available in county provision

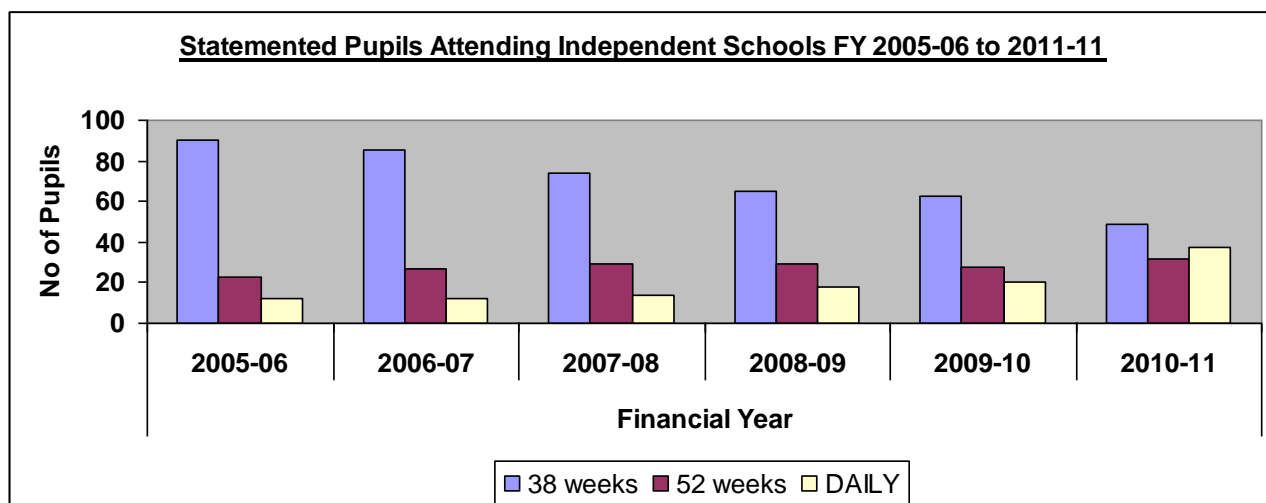
The next section looks at the characteristics of this cohort of children and examines the issues for the future.

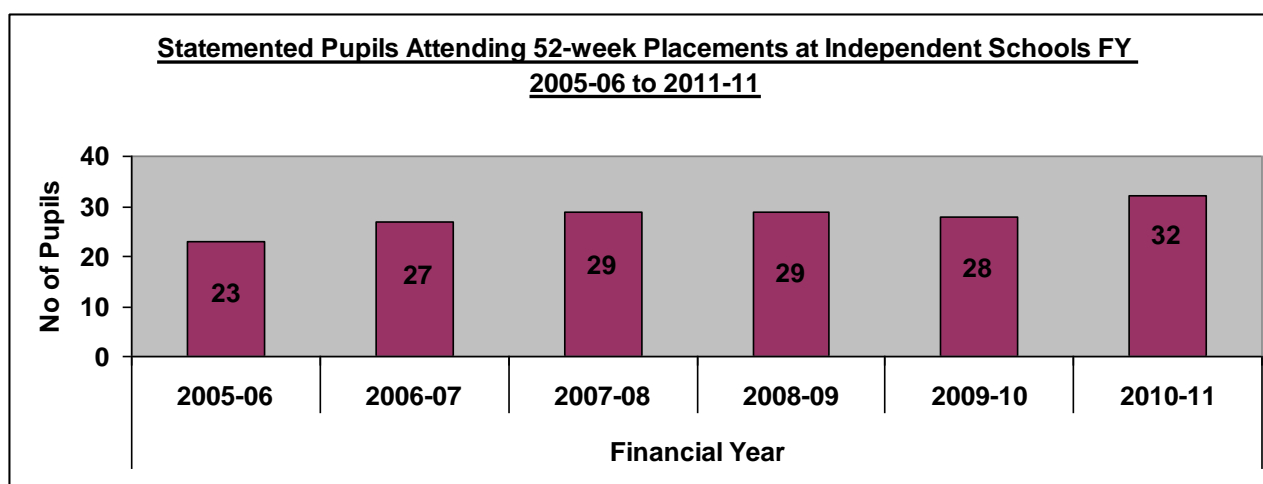
3. What is the changing pattern of needs amongst this cohort of children and young people?

CHILDREN AND YOUNG PEOPLE'S SERVICES



Ofsted Code	Description
ASC	Autistic Spectrum Conditions
BESD	Behavioural Emotional Social Difficulty
HI	Hearing Impairment
MLD	Moderate Learning Difficulty
MSI	Multi-Sensory Impairment
PD	Physical Difficulty
PMLD	Profound and Multiple Learning Difficulty
SLCN	Speech, language and Communication Needs
SLD	Severe Learning Difficulty
SPLD	Specific Learning Difficulty
VI	Visual Impairment





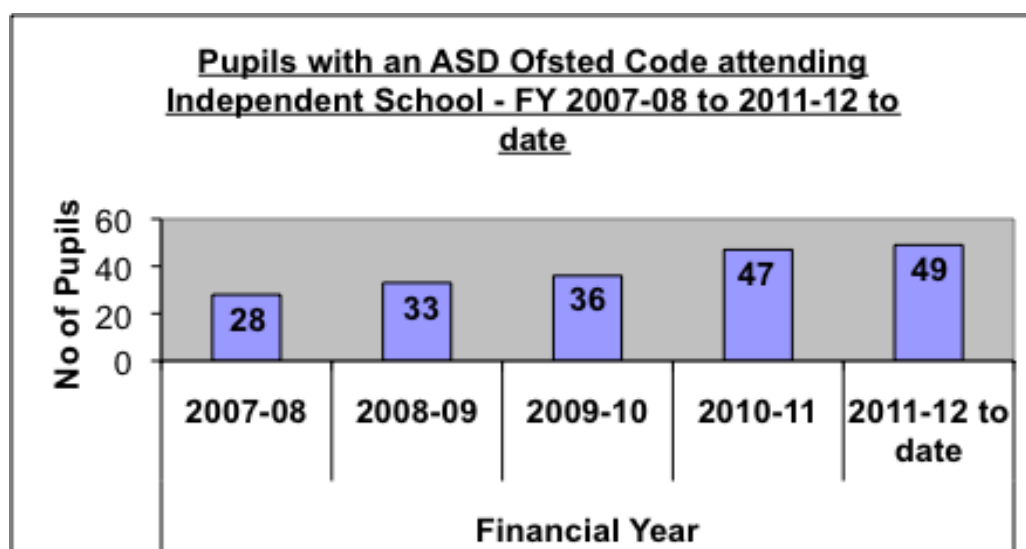
a) The charts above show that:

- 32 out of 92 ISEPs are young people who were previously in Cambridgeshire Special Schools. Some left because the school could not meet their SEN but they may have moved to 52 week placements as their family were unable to continue to meet their needs
- 26 young people in this cohort were placed in ISEPs due to Tribunal decision (order)
- There has been a growth in high functioning Autistic Spectrum Conditions (ASC) day placements with a total cost of £1,104,470 for 22 placements. The prevalence rate of ASC among children is currently 1 in 100 pupils
- There has been a growth in dyslexia
- 23 of the 92 placements are for 52 week provision which is the most costly placement averages £200,000 per year per place.
- Residential placements are long term and it is not realistic to predict returning young people to in county maintained provision. The length of time for these placements are on average 6 years. Once placed, a young person can remain in a placement until they leave full time education up until the academic year they are 19 (Education Act 2001)

4. REASONS FOR THE INCREASED PRESSURE ON THE SEN EDUCATION PLACEMENTS BUDGET

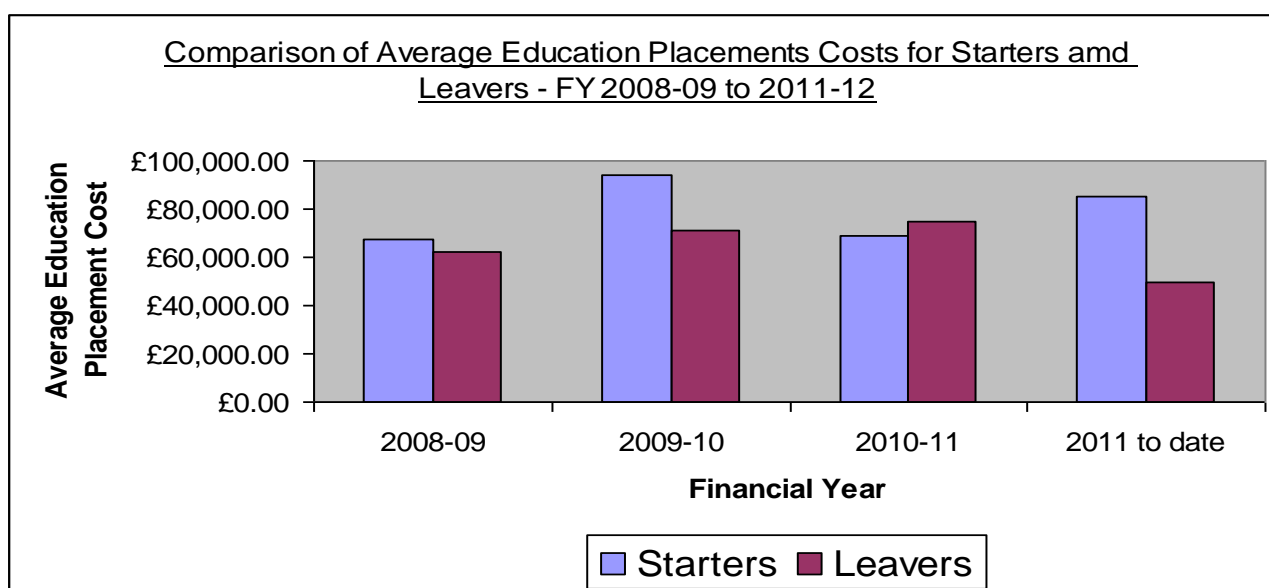
4.1 Autistic Spectrum Condition Provision

There is only one education provider in Cambridgeshire who provides specialist ASC education. This school fills a gap in the market for high functioning ASC primary age specialist provision. Currently there is no similar Local Authority provision and there has been a growth in demand for this type of placement as show in the graph below. The Local Authority has not won a Tribunal appeal for day ASC placements for the past year. Therefore a school and other similar day provision would provide a viable alternative. Costs for the placements at the school have increased with new placements from £60,000 – £85,000 on average in this financial year. In this financial year a total of 55 out 104 children in the current ISEP have ASC, with 38 of these with high functioning ASC.



4.2 Increase in Cost of Placements

We have seen a rise in the numbers of children arriving in an ISEP against the cost of those who have left. This indicates there has been an ongoing increase in the cost of new placements. In 2011/12 13 young people left ISEPs at an annual average cost of £49,903.23 per place. During this same year 14 young people began new ISEPs at an annual average cost of £85,115.07 per place, demonstrating an average annual increase per placement of over £35,000. The graph below demonstrates this difference over the last four years.



4.3 Increased Prevalence of SEN/Disability

National statistics show that the number of families with a disabled child rose from 700,000 in 2004 to 950,000 in 2010. The reasons for the increase nationwide relate to the fact that 80% of children born at 26 week gestation now survive and that 50% of those children have severe and complex disabilities. In Cambridgeshire for the period 2007-2009 there were 21,629 births, 313 of these babies were born weighing less than 1.5 kg, with 96 being below 1kg (from live birth figure for the period).

These disabilities include neurological disorders, complex health needs, support for nutrition, assisted ventilation and life saving medication.

The increase in the frequency of Foetal Alcohol Spectrum Disorder may account for as many as one in 100 children, with needs similar to ASC. One in 500 children is born with Foetal Alcohol Syndrome.

National data identifies a growth in disability and complexity of need of 34.6% over the past 5 years. In addition there is also expected to be an increase in the population due to the development of new communities in the Cambridgeshire, this is illustrated in the graph below. It is estimated that those new housing areas could bring additional requirements for children and young people with complex needs with of a minimum of 180 placements required once complete.

4.4 Consistent Approach to Challenging Behaviour

Children and young people with complex SEN and disabilities can currently receive up to four different approaches/strategies (e.g. Team Teach, Raid) to help them with challenging situations and anxiety. The response to behaviours, which can lead to a family and school breakdown, could be responded to more effectively and consistently, to avoid confusion and in extreme situations an escalation in the presenting behaviours. An agreed single approach for children and young people, regardless of setting or agency can only be beneficial in maintaining families together and successful schools placements. This work is reflected within the SEN Strategy where the lead for this work will sit.

4.5 Single Plan

Effective joined up working is essential to ensure that there is not a detrimental impact on families and schools experiencing significant difficulties in maintaining the required response and support for children and young people with high anxiety and significant communication difficulties.

A number of placements in ISEPs are the result of services not collaborating closely, further work is required to ensure that parents and schools are aware of the support that is available. The Single Plan proposal, within the SEN Green Paper, will bring together professionals, parents, volunteers and CYPS to draft a single plan in response to a variety of individual statutory assessments. This will support collaborative working, clarity of response and a shared approach. The work plan for the Single Plan sits within the SEN Strategy but also will be reflected in a number of other strategies.

5. RESPONSE TO THE INCREASED DEMAND FOR INDEPENDENT SPECIALIST EDUCATIONAL PLACEMENTS

5.1 Making sure our special schools are using all of their available capacity and skills to meet needs

CHILDREN AND YOUNG PEOPLE'S SERVICES

Over the past 9 months there has been a review of Cambridgeshire Area Special Schools, the outcomes are that:

- All the Cambridgeshire Area Special Schools have been analysed regarding the accommodation and floor space and there is a mismatch between the number of places purchased and the space available
- There is likely to be a shortfall in places over the next 10 years. Assumptions are based on estimated birth rate increase on current housing stock at 0.6% growth per year based on primary projection, percentage of SEN, percentage in Special Schools and expected two additional young people remaining in county provision
- National data identifies a growth in disability and complexity need of 34.6% in complex need over the past 5 years. If this continues to be the trend the impact for Cambridgeshire could be in 5 years Cambridgeshire could require overall 900 special school places and in 10 years Cambridgeshire could require overall 1200 special school places
- BB102 (best practice in building design for SEN) is recommending that currently we have only 704 places in county then there is clearly a significant shortfall that can not be addressed through the current Area Special School stock
- This growth in population should be taken into account when planning for the required savings of 27% on the current budget
- Special schools will be able to meet need better and support other schools to do so

5.2 Taking a strategic approach

Due to the factors set out above and the predicted growth, if the Council were to continue to fund the ISEPs at the current rate without taking action the spend on the SEN Education budget will continue to exceed the budget available and the number of children and young people being placed in ISEPs will continue to rise.

It is clear that there are some factors currently outside of the Local Authorities control which will affect the ability to make savings on the SEN Education Placements budget. These factors are:

- Growth
- Lack of in county provision for children and young people with Autistic Spectrum Condition
- Lack of in county 52 Week residential provision
- Transfers in county
- Tribunal decisions/orders
- Increase in the cost of new placements
- National Association of Independent Schools and Non-Maintained Special Schools (NASS) contract specifies up to 1.82% fee increase per annum

The strategy considers how to reduce the ISEP spend by commissioning to meet the need of Cambridgeshire children and young people to ensure there is appropriate provision available within county and to reduce the number of high cost placements.

The strategy takes account of the predicted future need and sets out how to ensure we have affordable provision available. A multi agency commitment will be essential

CHILDREN AND YOUNG PEOPLE'S SERVICES

to deliver the aims of this strategy as the response to meeting the needs of these very complex children and young people and their families encompasses all the services and agencies. Where a service is not deliverable and is required this can lead to the need for an Independent Specialist Education Placement.

5.3 Objectives of the Strategy

1. Support young people to remain with their families and to attend a school as close to home as possible
2. Develop High Functioning ASC day provision in county
3. Develop the best possible BESD Provision in county
4. Improve the review and monitoring of ISEPs
5. Consult with families and young people in developing in county provision

5.3.1 Objective 1

Objective	Support Young People to Remain with their Families and to Attend a School as Close to Home as possible
A.	Explore the development of a range of shared care provision for children and young people as part of the LAC Placement Strategy, to prevent the need for 52 week ISEPs.
B.	Explore the implementation of a single care plan within school, home and short breaks to support consistency in care at 14+.
C.	Single response to behaviour by Cambridgeshire professionals to manage challenging behaviour at school, home and short breaks.
D.	Jointly commissioning with regional partners to provide local and cost effective provision, where possible.
E.	Challenge views about ISEPs as preferable to in county services.
F.	Further develop capacity in Cambridgeshire Area Special Schools through the Specification and remodeled funding to match increasing complexity of need including the establishment of ESLAC involvement in Special Schools.
G.	Explore commissioning of new Area Special School to support predicted demographic growth.
H.	Explore Hearing Impairment provision in county pre 16/ post 16 and develop parental confidence for in county provision.
I.	Work with the Support for Learning to promote in county dyslexia provision and develop parental confidence for in county provision.

5.3.2 Objective 2

Objective	Develop ASC Provision in County
A.	Establish up to 20 day places for primary school aged children with high functioning ASC, to reduce placement in independent specialist schools.
B.	Develop further day provision for high functioning ASC secondary school aged children at Neale Wade School and at the new Southern Fringe Secondary School for up to 16 young people. Relocating the Resource Base for early intervention for complex and challenging behaviour in primary schools to support attendance and reduce trajectory into specialist provision and then ISEP. Support further ASC development in Area Special Schools.

C.	Detailing spectrum of ASC provision in Cambridgeshire.
D.	Development of an intensive support programme for early years children to reduce demand for home based programmes and ultimately reduce demand for ISEP.

5.3.3 Objective 3

Objective	Develop the Best Practice BESD Provision
A.	<p>In county BESD provision developed further to meet the current and predicted need, therefore reducing the reliance on ISEP. This work will include:</p> <ul style="list-style-type: none"> ➤ Development of the Learner Centres into a single registered multi site school ➤ The exploration of high quality 52 week residential provision at the Harbour School ➤ Detailing spectrum of BESD provision in Cambridgeshire ➤ Development of a specification for Cambridgeshire BESD schools

5.3.4 Objective 4

Objective	Improve Review and Monitoring
A.	Improve monitoring processes for both in county and out county provision.
B.	Amended Annual Review processes and 14+ Transitions Plan. Person centered reviews to be rolled out across all year groups in Area Special Schools. Develop early identification meetings to support, plan and commission resources for changing needs replacing Childrens Area Allocation Panel.
C.	Combine Annual Reviews of Statements and LAC Reviews to promote better planning and joint working.
D.	Review and relaunch of the Network Plan to support joined up monitoring, review and promote safeguarding of ISEPs.
E.	Promote the return to in county provision of children and young people from ISEPs.

5.3.5 Objective 5

Objective	Develop Joint Commissioning with other Local Authorities and Regional Partners
A.	Jointly commissioning with regional partners to provide local and cost effective provision.
B.	Develop analysis of opportunities for joint commissioning with Health.