

Wiltshire Council

Children's Select Committee

31 October 2023

Briefing on SEND (Special Educational Needs and Disability) Place Planning and Provision

Executive summary

This report provides an overview of SEND activities in 4 areas:

- 1) A status update on Education Health Care Plans (EHCPs) and Education Health Care Needs Assessments (EHCNA);
- 2) An overview of the process to develop High Needs provision, including an update on key live projects;
- 3) An overview of planned High Needs capital developments; and
- 4) The complexities and challenge of keep children and young people educated locally.

Children's Select Committee is invited to consider the following developments:

- i. The continued demand for Education, Health and Care Needs Assessments (EHCNA) in Wiltshire
- ii. The continued increase in the number of Education, Health and Care Plans (EHCPs) which are maintained by Wiltshire Council.
- iii. In July 2023 Childrens Select Committee was briefed on the delay to the Silverwood Rowde new build, which is currently 40 weeks behind schedule. In September 2023, new learners took their places in temporary accommodation. Although the arrangements are temporary, children and teaching staff are 'delighted' with their new classrooms.
- iv. In other special school developments, the refurbishment of the Wilton Road site for Salisbury Academy for Inspirational Learning (SAIL) is on track for completion by December 2023. At Springfields (Calne), the Aspen building is being converted to enable up to 40 autism/higher cognition places to come online from Easter 2024.
- v. Following a successful application for DfE wave 3 funding, the Free School for 130 learners with Social Emotional and Mental Health needs is in the early stage of development. Education providers were asked to submit bids to run the new free school by 31 August 2023. It is hoped the new school will open in 2026/27. Ahead of this, Melksham House will open with a registered education provider from September 2024. It will cater for up to 75 learners with an SEMH profile when full.
- vi. There is a pipeline of Primary Resource base expansion projects. In 2023/24 additional places will be offered at Wilton, Christ the King (pending approval),

Lyneham, Kiwi and Castle Mead. 2024/25 priorities include follow-on junior school provision from Wyndham Park Infants (Salisbury) and Clarendon Infants (Tidworth).

- vii. Wiltshire's first secondary resource bases opened from September 2023 at John of Gaunt and Clarendon (Trowbridge). It is a key priority to expand secondary resource base provision to satisfy the demand (from circa 50 children leaving primary resource bases at year 6, every year) and geographical spread. The development of secondary resource base provision and ELP (enhanced learning provision) is key to the prevention of cost escalation associated with special school and independent special school (ISS) places.
- viii. The ability to expand High Needs provision across Wiltshire is dependent on the willingness of schools and academy trusts to work with Wiltshire Council to develop flexible, inclusive provision. Also, capital plans are limited to those which are achievable and affordable. At the time of drafting, High Needs capital grants for 2022 and 2023 have been fully committed. Wiltshire Council will apply for Safety Valve capital funds. There is also a capital bid for an 'advance' of capital grant, being considered by Capital Investment Group in November 2023.
- ix. Despite the challenges of creating High Needs provision, it is pleasing to note that 519 additional places will have been created in the 3 years to July 2024.

Proposal:

The committee is asked to note the following developments:

- The ongoing and increased demand for Education, Health and Care Assessments (EHCNA) within Wiltshire
- The growth within the staffing of the statutory SEND Service which has supported the increase in statutory timeliness of EHCNA in Wiltshire
- The projected growth in pupil numbers between 2023/24 and 2027/28.
- The growth in demand for high needs provision arises from an increase in Autism Spectrum Disorder (36%), Speech, Communication and Language needs (29%) and Social Emotional and Mental Health (25%).
- The annual award of High Needs capital grant means that long term investment is difficult to plan. Moving forward, capital developments must be prioritised according to the availability of capital funds. The most immediate priorities are the expansion of secondary resource bases; follow-on junior resource base provision for Tidworth and Salisbury; and expansion of Exeter House special school.

- Although there is an aspiration to offer local provision to reduce travel times to school, the ambition to offer good geographical coverage of high needs provision is tempered by availability and prioritisation of capital funds; the ability to respond to specific growth in ASD/SLCN/SEMH needs; and age profile of learners.

Reason for the update

Wiltshire Council made a significant resource and financial commitment to invest in High Needs provision and the System of Excellence to deliver high quality education for Wiltshire learners with SEND. This paper offers an update on the progress to deliver the High Needs Provision strategy, at a time when High Needs spending is subject to additional scrutiny by the Department for Education.

Author: Melissa Hardwell, Head of Special School Transformation

Contact details: melissa.hardwell@Wiltshire.gov.uk

Briefing on SEND Place Planning and Provision

Purpose of report

Wiltshire Council makes a significant resource and financial commitment to invest in high needs provision and the System of Excellence to deliver high quality education for Wiltshire learners with SEND. This paper offers an update on:

- 1) A status update on Education Health Care Plans (EHCPs) and Education Health Care Needs Assessments (EHCNA);
- 2) An overview of the process to develop High Needs provision, including an update on key live projects;
- 3) An overview of planned High Needs capital developments; and
- 4) The complexities and challenge of keep children and young people educated locally.

Background

In line with the Council 2022 – 2032 business plan, there was a clear priority to protect those who are most vulnerable. The goal was to have “schools that help all pupils achieve” including those who “...are vulnerable to underachievement – including... those with Special Educational or Disabilities (SEND)”

The number of children and young people (CYP) with an EHCP have grown by 11%, year on year, for the last 3 years. 35% of children with an EHCP are of primary age; 65% of secondary age. The need to grow High Needs provision (encompassing ELP, primary resource base, secondary resource base and special school provision) is across the geographical areas of Wiltshire; across the primary, secondary and post-16 age ranges; and across areas of primary need (focusing on autism spectrum disorder accounting for 36% of growth; speech and language at 29% of growth; and social emotional and mental health, representing 25% of high needs growth).

The number of requests for an Education, Health and Care Needs Assessment (EHCNA) has continued to increase nationally, following a long-term trend of increases following the implementation of SEND reforms in 2014. Activity in the SW region and in Wiltshire reflects the national trend for increased demand. Demand nationally increased by 23% in 2022 and by 43.4% in Wiltshire (Source: SEN2, 2023).

Wiltshire maintains 5322 Education, Health and Care Plans (EHCPs) for children and young people aged between 0-25 years. The number of EHCPs maintained by Wiltshire Council has increased significantly since the implementation of SEND reforms in 2014. The number of EHCPs equates to 4.2% of Wiltshire’s pupil population.

Statutory decisions relating to the EHCNA process are made at Discussion and Decision (DaD) groups in Wiltshire. The groups decide whether to initiate an assessment following a request; whether to issue an EHCP following assessment; the level of banded financial support which is required to support an EHCP and the type of educational placement to be named in an EHCP. Schools are represented on

the DaDs and Wiltshire Parent Carer Council (WPCC) have oversight of our DaD1 which decides about undertaking an assessment following receipt of a request.

Although there are geographical and age-related needs for Primary Resource Base provision (primarily in the Salisbury area, West Wiltshire and for infants rising to juniors from Clarendon in Tidworth and Wyndham Park in Salisbury), there has been successes in growing provision at Lyneham, Wilton, Christ the King, Castle Mead and Charter.

After primary school, many learners transition from a Primary Resource Base to Secondary Special School (at least 60%), the move from a primary school to a large secondary school can be perceived as too significant a change for children and their families. Two secondary resource base provisions have been developed at John of Gaunt and Clarendon, there are plans to develop more of this provision across the county.

Across Wiltshire, there is very limited spare capacity in High Needs provision. For this reason, the High Needs system can be overly dependent on high cost, often geographically distant, independent special school provision. As at June 2023 there were 320 children in ISS. For some CYP (estimated at 20%), ISS offer the right education option, as their individual needs are quite bespoke and special schools cannot meet their needs. However, for some of the current ISS cohort, their educational needs could be met with special school or resource base places in maintained schools and academy trusts. This would have the added benefit of reduced travel time for children and their families, as well as reduced costs to the local authority financial.

1. Detail on EHCNA and EHCPS

Demand for EHCNA in Wiltshire has increased each year, apart from 2020, since the implementation of the SEND reforms in 2014. This mirrors the national trend:

Year	2016	2017	2018	2019	2020	2021	2022	2023
Number of requests received	503	505	690	722	588	677	971	928*
								* at 17/10

Wiltshire data can be compared with all other Local Authorities through the SEN2 census return. The SEN2 is an annual census which reports on activity for the preceding year. Recently, the SW benchmarking group has started to include some SEND performance measures which allows a more 'up to date' comparison of Wiltshire's demand and performance against other SW LAs.

The rate of increase in requests for an EHCNA in Wiltshire, taken from the most recent SEN2 census, is higher at 43.4% than the national increase of 21.7% and that seen by statistical neighbours of 21.7%.

Requests for an EHCNA can be made by a young person's school or setting, their parent carer and for young people themselves, over the age of 16. Most requests are made by schools and settings (73% in 2023).

The process of decision making in relation to EHCNA follows statute which is laid out in the SEND Regulations and the SEND Code of Practice. This describes the timeframe for decision making and the considerations which need to be given to the decisions made by an LA. In Wiltshire, decisions are made at one of our Discussion and Decision Groups (DaDs) which were implemented in 2021, with support from Wiltshire Parent Carer Council (WPCC).

The timeframe laid out in statute for completing an EHCNA, from the point of receipt of request to the issuing of a finalised EHCP is 20 weeks. The increased demand for assessments in Wiltshire has meant that compliance with the timeframe has been a significant challenge:

Year	2016	2017	2018	2019	2020	2021	2022	2023
% of EHCNA completed within 20 weeks	70.7	77.8	80.9	71.0	49.6	24.3	13.3	27.3* *at 17/10

There has been significant financial investment to the statutory SEN service to support the increased number of assessment requests and subsequent EHCPs which are maintained by Wiltshire Council. This has supported the improvement in 20-week compliance which can be seen for 2023.

The number of EHCPs maintained by Wiltshire is currently 5,247. This represents a growth of 10% in 2023 and a percentage increase of 124% since 2016:

Year	2016	2017	2018	2019	2020	2021	2022	2023
EHCP number	2342	2733	3349	3784	4067	4287	4760	5247

There is regular oversight and scrutiny of all aspects of statutory SEND performance in relation to EHCNA through SEND Improvement Board and the SEND and AP Board as well as through regular POGs and reports to POB. Monthly data returns are made to the DfE in addition to the annual SEN2 census return. Regular conversations with the DfE enable support and challenge to be provided in relation to this area of statutory performance.

Admissions to special schools and resource bases are managed through the discussion and decision (DaD) groups in the Local Authority, and fortnightly Gold Group meetings ensure a clear shared oversight of place availability and placements between the SEND Service leadership and commissioners. Age Phase Transfer processes have been developed and refined and aligning this with shared system oversight will provide assurance on demand and capacity.

2. An overview of the process to develop High Needs provision, including an update on key live projects

Wiltshire Council have benefitted from a High Needs Capital Grant allocation from the DfE since 2021. The amount and timing of the grant allocation is uncertain. At the time of drafting, the High Needs capital grants for the period up to 2024 have been fully committed. The Head of Special School Transformation has prepared a

capital bid to request Asset Gateway for an advance of future high needs grant. Regardless of the outcome of the bid, the High Needs capital plan will need to be reprioritised to reflect our most current assessment of priority schemes.

The process to develop high needs provision can be summarised as follows:

- Place planning projections to identify priority need
- Initial discussion with schools
- High needs provision requirements are prioritised according to: location, OFSTED good rating, inclusive practices, suitable accommodation or developable space; affordability/vfm, positive and can-do attitude by leadership team and SENCO
- Feasibility assessment
- Scrutiny/ review of proposal by Director and Strategic SEND
- Commit resource (£capital)
- Commence consultation (formal change processes)
- Appoint contractors for building/refurbishment work
- Seek education provider (if appropriate)
- Agree revenue package
- Inform Health and Transport of requirement

In addition to planned use of High Needs capital, the SEND and Inclusion service will respond to opportunities that arise from internal disposals e.g. Melksham House, commercial opportunities e.g. Calder House School and external funding opportunities, such as Cullum Trust or Free School bids. Opportunities for developing High Needs provision will be followed up if they offer a good fit with strategic priorities.

Status of live projects

In July 2023 Childrens Select Committee was briefed on the delay to the Silverwood Rowde new build, which is currently 40 weeks behind schedule. In September 2023, Silverwood starters took their places in temporary accommodation at the Silverwood Rowde campus; Hardenhuish site; and in a leased classroom within Paxcroft Primary School. A shared outdoor recreation/forest school space is being developed for Silverwood Trowbridge and Paxcroft learners.

In other special school developments, the refurbishment of the Wilton Road site for Salisbury Academy for Inspirational Learning (SAIL) is on track for completion by 22 December 2023. The first cohort of 82 learners will occupy the new building from January 2024. At Springfields (Calne), the Aspen building is being converted to enable up to 40 autism/higher cognition places to come online from Easter 2024.

Following a successful application for DfE wave 3 funding, the Free School for 130 learners with Social Emotional and Mental Health needs is in the early stage of development. Two education providers have submitted bids to run the new free school. The DfE will lead the evaluation, which is expected to conclude by January 24. It is hoped the new school will open in 2026/27. Ahead of this, Melksham House will open with a registered education provider from Easter 2024. It will cater for up to 75 learners with an SEMH profile when full.

In addition to Primary Resource base projects delivered for September 2023, work is underway to deliver 2024/25 priorities, which include: follow-on junior school provision from Wyndham Park Infants (Salisbury) and Clarendon Infants (Tidworth). It would be highly desirable to expand geographical provision in north and west Wiltshire.

Wiltshire's first secondary resource bases open from September 2023 at John of Gaunt and Clarendon (Trowbridge) – each starting with up to 10 places in 2023/24 and growing to 20 places in 2024/25. It is a key priority to expand secondary resource base provision to satisfy the demand (from circa 50 children leaving primary resource bases at year 6, every year) and geographical spread. The development of secondary resource base provision and ELP (enhanced learning provision) is key to the prevention of cost escalation associated with special school and independent special school (ISS) places.

The ability to expand High Needs provision across Wiltshire is dependent, to an extent, on the willingness of schools and academy trusts to work with Wiltshire Council to develop flexible, inclusive provision. Also, capital plans are limited to those which are achievable and affordable. At the time of drafting, capital funds have been fully committed.

Despite the challenges of creating High Needs provision, it is pleasing to note that 519 additional places have been created in the 3 years to July 2024.

3. Planned High Needs developments

Special Schools:

- the key priority is the development of Exeter House satellite to accommodate growing numbers in the south and east of the county;
- following approval to invest in Silverwood Chippenham and Trowbridge campuses, feasibility studies have commenced for 'Phase 5'. This will secure 150 special school places for Silverwood;
- Wiltshire Council must comply with the DfE Free School terms to bring forward the SEMH School for west Wiltshire;
- Subject to the availability of capital funds, there is a need to increase special school provision by 70 places per year. Specific areas of focus will include Exeter House and Downland expansion. The requirement for increased Hearing Impairment provision across the north and south is under investigation.

Primary Resource Bases:

- 'Follow on' provision from Wyndham Infants (Salisbury) and Clarendon Infants (Tidworth) is a key priority for September 2024;
- Melksham Primary and The Grove feasibility studies are nearing completion. There is an imminent decision to proceed or exit the new build schemes;
- The search for additional provision for west Wiltshire (around Trowbridge) and north Wiltshire will satisfy the highest geographic demand for places.

Secondary Resource Bases:

- Achieving geographical coverage for secondary resource bases is a key priority. Target search areas include Salisbury, Chippenham and the north/east;
- Approximately 50 children are leaving primary resource bases each year, at the end of Year 6, for the next few years. At least 30-40 places need to be created to prevent them from escalating to special school.

4. Considerations for keeping children and young people educated locally

There is consensus that it is highly desirable for CYP and their families to receive a local education, wherever it is possible to do so. This ambition is reflected in the SEND Strategy. However, unlike mainstream children, high needs provision cannot replicate the provision across all community areas as there is not the same volume of students or education providers who specialise in high needs provision.

Main considerations for the committee

Wiltshire Council have made a significant resource and financial investment in High Needs provision and the system of excellence – and therefore it is important to have confidence that desired outcomes will be achieved. Childrens' Select Committee are invited to consider:

- The impact of capital grant on the ability to progress schemes – which results in a prioritisation and phasing of projects within available resources.
- High Needs Capital Grant, together with Wiltshire Council investments have resulted in the successful creation of 519 places in the 3-year period to 2023/24. In addition, there are hundreds more high needs places in the delivery pipeline beyond 2023/24.
- There are opportunities to expand the high needs offer, with better alignment with mainstream provision (through in reach and outreach services with special school providers) and the development and expansion of Enhanced Learning Provision (ELP). An increasing number of school partners are coming forward to offer inclusive High Needs provision.
- The challenges of creating local high needs provision -it is not feasible to create high needs provision across all community areas, unlike mainstream education.

Environmental impact of the proposal

New school buildings are developed according to carbon neutral principles (such as the Free School) but cost more money to develop to this standard. The aspiration is to develop high needs provision within existing school buildings. Refurbishment schemes make best use of under-utilised school buildings.

There is the intention to move towards more modular build solutions comply with prevailing building regulations and often higher thermal insulation standards, thereby providing enhanced level of comfort and long-term cost savings.

Equality and diversity impact of the proposal

Equality and diversity impact assessments for major developments (e.g., Silverwood, SAIL and the SEMH Free School) are submitted as part of the approvals process and the impact assessments are updated periodically, as required.

Financial implications

The DfE High Needs capital grant allocation has been awarded annually since 2022. The award for 2022/23 was £3.7M and £5.3M in 2023/24. The timing and the amount of the funding allocation is unknown and therefore this makes it difficult to make strategic decisions.

The High Needs capital grant allocations have been fully committed. A request to the LA's Asset Gateway/Capital Investment Group for an advance against future capital grant has been submitted. If successful, it will enable commissioning of priority capital schemes.

Although the costs of creating high needs places is relatively expensive, the opportunity cost revenue savings (from the High Needs Block) are significant:

For every special school place created	£28,406	ISS cost is avoided
For every ELP place created	£39,345	ISS cost is avoided
For every RB place created	£38,332	ISS cost is avoided
For every ELP place created	£10,939	Special School cost is avoided
For every RB place created	£9,926	Special School cost is avoided

Conclusion

Significant resource has been committed to address the growing number of EHCNA and EHCPs. This in turn, creates the demand to commission an increasing number of high needs school places. The quality and sufficiency of Enhanced Learning Provision and Resource Bases (primary and secondary) are key to unlocking more affordable high needs placements, as well as responding to the challenge of educating CYP closer to home.

Author:

Cate Mullen, Head of SEND and Inclusion
Melissa Hardwell, Head of Special School Transformation

Contact details:

Cate.mullen@wiltshire.gov.uk

melissa.hardwell@Wiltshire.gov.uk