

**TITLE OF REPORT: Post 16 Special Educational Needs and Disabilities (SEND)
Provision in Gateshead Special Schools**

**REPORT OF: Caroline O'Neill, Strategic Director, Care, Wellbeing and
Learning**

Purpose of the Report

1. The purpose of this report is to update Cabinet with regard to the review and revised funding levels for Sixth Forms attached to Gateshead Special Schools.

Background

2. It has been necessary to review and revise commissioning levels for Post 16 provision in Special School Sixth Forms in the Borough. As the High Needs Block of the Dedicated Schools Grant (DSG) continues to be under severe pressure (overspent by £1.4m for 2017/18 and estimated overspend of £1.7m 2018/19) all areas of expenditure are under review, including post 16 provision. If at the end of a financial year there is an overall negative balance on the DSG the Department for Education (DfE) intend to tighten the regulations under which local authorities have to explain their plans for bringing the overall DSG back into a balanced position to themselves and Schools Forum.
3. Previously, it was normal practice for children in Special Schools to continue to Year 13 or Year 14. Year 14 places in Special Schools are not recognised by the Department of Education, and can only be funded from the DSG in specific circumstances.
4. There has been a substantial increase in the number of Post 16 pupils remaining in Gateshead Special Schools over recent years. The commissioned number is 41 but in the 2017/18 academic year, 69 places were being used.

Proposal

5. Going forward children in Post 16 provision funded from the High Needs Block will need to demonstrate that they are making educational progress in order to continue at school and it is no longer viewed as the norm for them to continue to Year 13 or 14 at schools.
6. Discussions have also taken place with the Head Teachers of Cedars Academy and Hill Top Schools regarding the need to reduce the number of Sixth Form places back to the commissioned number with effect from the academic year commencing in September 2019. This will mean that Cedars and Hill Top will generally only provide one-year Post 16 places, other than for those with severe autism attending Hill Top who may remain for two years in Post 16 education.
7. It is proposed to discontinue the offer of Year 14 provision in Gateshead Special Schools, other than in exceptional circumstances and that Year 13 provision will only be offered at

Dryden and at Hill Top Schools for those with severe/profound and multiple learning difficulties or severe autism. Post 16 provision at Hill Top and Cedars Academy would only be commissioned for Year 12.

Recommendations

8. It is recommended that Cabinet:
- (i) Note the contents of the Report.
 - (ii) Agree that for the 2018 Sixth Form intake at Dryden and for those in the Autism Provision at Hill Top, pupils are guaranteed 2 years funding.
 - (ii) Agree that for the Sixth Form intake at Cedars and those in the main school at Hill Top, pupils are guaranteed one year of funding to support those pupils who are not ready to access College at the end of Year 11.
 - (iii) Agree to undertake a statutory consultation process to reflect the change in age range for Dryden School from 11-19 to 11 to 18 and the outcome of the consultation to be reported back to Cabinet.

For the following reasons:

- (i) To meet the Council's statutory duty to promote high educational standards and to make effective use of resources.
- (ii) To comply with School Organisation legislation.

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APPENDIX 1

Policy Context

1. The Council has statutory duties to promote high educational standards; ensure fair access; promote diversity and ensure education is appropriate to meet the different age aptitudes and abilities of pupils in its area and make efficient use of its resources.
2. The proposals in this report are consistent with statutory duties set out in Part 3 of the Children and Families Act 2014, the SEND Code of Practice, the vision for children and young people as set out in Vision 2030 and the outcomes set out in Making a Gateshead Place Where Everyone Thrives.

Background

3. It has been necessary to review and revise commissioning levels for Post 16 provision in Special School Sixth Forms in the Borough.
4. This report presents summary information relating to:
 - The factors which have led to the need to review the commissioning arrangements
 - The funding model and mechanism for Post 16 SEND Education provision
 - The Local Authority's responsibility for the provision of SEND Post 16 education and training
 - The implications for schools
 - The need to initiate a statutory consultation process

Factors compelling a review of the commissioning arrangements and funding

5. A number of factors, beyond the Local Authority's control, have made a review of Post 16 funding in Special Schools essential. These factors are:
 - Rising demand
 - Growth in Post 16 numbers in Special Schools above commissioned numbers
 - Increased pressure on the High Needs Block Fund
 - The national funding model and mechanism
 - National expectations relating to Post 16 programmes of study

The Policy and Funding Context

6. Local Authorities have a Dedicated Schools Grant (DSG) allocation referred to as the High Needs Block [HNB] Funding which includes funding for Special Schools. In Special Schools, local authorities commission a specific number of places. In recognition of the high needs of the pupils, each place is automatically funded at £10,000 with the expectation that most children will require additional "top up" funding to meet their needs. The pupils' needs are defined in the Education, Health and Care Plan with different elements being met through Education [HNB] or through Social Care or Health Services.
7. In preparation for the new funding arrangements implemented from April 2013 the DSG was split into 3 blocks, the Early Years Block for funding 3 and 4 year old nursery provision, based on the take up of 3 and 4 year olds of their free provision, the Schools Block, based on the number of children in mainstream schools using the October pupil

count, and the High Needs Block which was the balance of funding compared to previous year's total DSG.

8. A new funding mechanism for SEND was introduced in April 2013 at that point a snapshot was taken of the Post 16 SEND provision that was being delivered in each area, and LA's were required to estimate the number of places they would require from each provider. LA's were told at the time that numbers would be reviewed at least every 2 years, to date there has not been an overall review and the DfE have introduced a mechanism for LA's to work with providers (e.g. academies) to increase their commissioned places, but the mechanism to reduce them is very restricted and relies on the provider agreeing to any reduction in commissioned places. The DfE expected LA's to manage movements between maintained settings within their overall commissioned places.
9. Places are not ring-fenced to young people in that area and may be accessed by young people from other Local Authority areas. Places are effectively allocated on a "first come, first served" basis and prior to 2018/19 only place funding above commissioned numbers could be charged for out of borough children together with applicable top up funding.
10. Funding for high needs pupils is comprises of 3 elements:
Element 1 – Basic entitlement £4,000
Element 2 – Additional support £6,000
Element 3 – Top up – dependant on pupil need
11. From 2018/19 the DfE have again introduced an inter authority reconciliation for high needs pupils and Gateshead is a net exporter due to the inclusion of non-maintained special schools and specialist post 16 providers in the calculation. The reconciliation moves the additional support element of £6,000 between LA's.
12. In the current funding system, we are allocated £4,000 under the new High Needs National funding formula for children in special schools as at October schools census, with a further update from individual learner records when the data becomes available. For none Gateshead pupils the £6,000 is received from the pupil's home LA, for Gateshead pupils the £6,000 is funded from the high needs block.
13. A further aspect of the funding system is that it is only possible to increase from these originally commissioned numbers. There is no mechanism to transfer places between providers where patterns of demand may alter. It is, therefore, possible for funding to be tied up in unused places. In the situation that all commissioned places are full, or if the only available places are unsuitable, the Local Authority's only option is to buy additional places.

Commissioned Places – Post 16

Provision	Commissioned	Number used 13-14	Number used 14-15	Number used 15-16	Number used 16-17	Number Used 17-18	Predicted Sept 2018
Dryden School	11	12	12	19	22	21	11
Hill Top School	17	21	20	19	21	22	24
The Cedars	13	4	14	17	24	27	22
Totals	41	37	46	55	67	69	57

The Local Authority Responsibility

14. The Local Authority has responsibilities for aspects of the education and welfare of young people who have SEND up to the age of 25. One of these responsibilities is the provision of education and training as part of the preparation for adulthood. We are reviewing the format of Education, Health and Care Plans for pupils from Year 9 to ensure there is a greater focus on the child's preparation for life which should result in them being better prepared to leave school at an earlier point.
15. The basic responsibility is to ensure young people with SEND have access to education or training opportunities for a period of 2 years after the statutory school age. This is dependent on there being evidence that the young person is able to continue making progress in their learning through access to the provision. Traditionally, the Local Authority has made provision beyond this and would seek to continue to do so to the extent that resources permit it.
16. Provision has been made through Schools Sixth Forms with some young people electing to stay at school for 3 years following the end of Year 11, or through attendance at a Further Education or Independent Specialist providers, or through participation in a work-related scheme such as a supported internship. Provision in Special School Sixth Forms has historically been five-day provision [c1000 hours p.a.] and the Local Authority has funded Special Schools at this level. In Further Education settings, a full-time programme is typically the equivalent of 3 days each week [c 600 hours p.a.].
17. Rising demands on the High Needs Block Funding, including from the growth of Special School Sixth Forms, coupled with the high level of funding allocated to Special Schools necessitates a review of the management of the Funding in its entirety. There has been an immediate need for Special Schools Sixth Form commissioning and funding to be reviewed to enable schools and the LA to work together to manage the unavoidable reduction in funding.

Historical Position

18. Historically Dryden children have accessed post 16 provision which has included year 14. Hill Top historically did not have a post 16 provision, but it was found that some children with Autism were not ready to leave school and access college at year 12 and the school entered into a collaborative arrangement with Gateshead College for children with an autism diagnosis for approximately 6 children. This relationship broke down and the LA

worked with the school to create a post 16 provision to coincide with the building of the new school.

19. The Post 16 provision was to help children transfer to college and for non-autistic children it was envisaged this would be a one-year provision. Children with an autism diagnosis could access up to 3 years post 16 provision at Hill Top. The number of children accessing post 16 at Hill Top and staying past year 12 has grown over the years.
20. Historically Cedars did not have Sixth Form provision but again entered into an arrangement with Joseph Swan School to offer Post 16 provision for children they considered not yet ready to attend college. This relationship broke down and the LA worked with both schools and the DfE to transfer commissioned places from Joseph Swan to Cedars Academy. Again, this was initially one-year provision but more recently, the school have been offering two-year provision which has resulted in an increase in numbers remaining in school.
21. As the High Needs Block of the Dedicated Schools Grant (DSG) continues to be under severe pressure (overspent by £1.4m for 2017/18 and anticipated to be at least £1.3m 2018/19) all areas of expenditure are under review, including Post 16 provision. Going forward children in Post 16 provision funded from the High Needs Block will need to demonstrate that they are making educational progress in order to continue at school and it is no longer viewed as the norm for them to continue to years 13 or 14 at schools.

Consultation

22. Following discussion with the Head Teachers of Gateshead Special Schools via the Special School Funding Review Group, it has been proposed not to continue to offer Year 14 provision beyond the end of this academic year, other than in exceptional circumstances. Consequently, the placement of current Year 13 pupils at Dryden School have been reviewed. Of the 9 pupils currently in Year 13, one belongs to Northumberland and is moving to Adult Social Care Provision and another to Sunderland who is likely to be moving to an Independent College. Five of the Gateshead children are moving to Gateshead College, one to Adult Social Care provision and one to a supported internship.

There are no Year 14 pupils currently at either Hill Top or Cedars Schools but it is recommended that no further Year 14 places are offered other than in very exceptional cases.

23. Consultation will be arranged with parents/carers of children of the existing pupils in Gateshead special schools and with staff and Trade Unions and alternative local Post 16 providers to discuss the proposed new arrangements.
24. The Cabinet Members for Children and Young People have been consulted.

Alternative Options

25. Do nothing and continue with the current level of provision. However, this would not provide the opportunity to improve outcomes for young people preparing for adulthood and transition to the next stage of their life. It would also result in a very significant pressure on the Council's High Needs Budget, which is already significantly overspent.

Implications of Recommended Option

26. Resources:

- a) **Financial Implications** – The Strategic Director, Corporate Resources confirms the immediate financial saving to the Council of not continuing to offer Year 14 provision at Dryden School is approximately £10,000 per annum but alongside this is the need to consider the improved outcomes for young people who have moved on to either employment or to live in supported accommodation once they have left school. This has led to a reduced strain on the Adult Social Care budget for these youngsters and consequent longer-term savings. Some youngsters have successfully transferred from Hill Top and Dryden Schools to vocational courses and then in to employment. A brief case study is attached for information (see Appendix 2).
- b) **Human Resources Implications** – This proposal has had implications for Dryden Special School with the reduced overall budget for 2018/19 creating a redundancy situation. It may have implications in future for Hill Top and Cedars Schools in terms of reduced budgets leading to potential redundancy situations.
- c) **Property Implications** - There are no implications from this report.

27. **Risk Management Implication** - There are no implications from this report.

28. **Equality and Diversity Implications** - There are some Equality and Diversity Implications arising from this report as the children attending Gateshead Special Schools have a disability. A stage 1 Equality Impact Needs Assessment has been completed which highlights that the proposal will have a positive impact for secondary school aged children with a disability.

29. **Crime and Disorder Implications** – no implications from this report.

30. **Health Implications** - There are no implications from this report.

31. **Sustainability Implications** - There are no implications from this report.

32. **Human Rights Implications** - There are no implications from this report.

33. **Area and Ward Implications** - no specific implications. Children attending the ARMS provision are resident across Gateshead

Appendix 2

Pen Portraits

P's Story

P is a young woman with Downs Syndrome. She attended Dryden School for pupils with complex needs and disabilities then progressed onto specialist college provision at Tyne Met College and Gateshead College. P had received home to school and college transport throughout her life. Gateshead Council developed a Supported Internship in 2015, a one-year work based study programme for young people and adults with an Education, Health and Care Plan who have additional needs with the aim of achieving paid employment. P was offered a place on this programme and after her year of being an Intern was offered two days per week paid employment. P does not receive Adult Social Care support as her needs are met by her mum, employment and social opportunities this has brought. Her mum's story follows.

Margaret's Story (P's mum)

'P and I were asked to attend an event in 2015 to discuss the opportunity for P to participate in an Internship and Independent Travel Training Programme. I was very uncertain about how this would work for P and came home feeling very concerned about it all. It's easy to pass on the negative vibe and after speaking to the family about my concerns they all agreed that it seemed a huge undertaking for P, the main concern being the travel training aspect.

However, after meeting a Supported Employment Worker and a Travel Trainer and hearing how the travel training programme worked and that P would be closely monitored throughout, we decided to give it a try.

The day that P came home with her uniform to start work at Shopmobility in the Metro Centre was just amazing. She was so proud of herself and embarked on this new chapter with great enthusiasm. The first few weeks travelling on the bus were a bit nerve racking but this process was monitored closely and P was shadowed until the Supported Employment Worker and Travel Trainer were confident that she was able to cope on her own. They were great at following up any concerns – on one occasion P told me about David, a man she chatted to at the bus station. After some undercover detective work by staff they discovered that David was actually an Inspector at the Interchange! She has made friends with people at the bus stop at home where she travels on the No.1 bus to the Interchange and then gets the X66 to the Metro Centre bus station. A situation that seemed so unlikely for P to cope with has now become her normal routine which could easily have not happened had I let my worries stand in the way.

P loves her job and this was made permanent last summer. We are all so proud of her but the best bit of all as when she told us that 'she loved her life. There has been some teething troubles as P tried to fit into an adult world with all of her new-found freedom and independence. The staff at the Metro Centre have been a great support for her and she is still making progress with what is and is not acceptable to say – P is very strong willed and at times can be challenging to say the least if she thinks she is right. This experience has been invaluable to her and she continues to learn from day to day situations she comes across in her job. I picked her up from work one day and whilst I was waiting a customer came in and asked me about my recent holiday, she recognised me from the photos P had shown her!

Over the summer P broke her foot and was most upset that she was unable to go to work. She is now back at work and settled into her routine although she was most unimpressed

when she found someone had taken her regular seat on the No.1 bus. P described her as 'a naughty lady who pinched my seat!'

P has been so fortunate to have been welcomed into a great team of staff who include her in their social events and keep in touch with her by text. She has attended meals out for leaving parties and other celebrations and has been involved in the training of new staff. It is a huge bonus that in addition to a wonderful job P has also made lots of great friends.

I am so pleased we did not dismiss this opportunity for P which I very nearly did. I can only say that if anyone else is in the position we were in to really think about taking this chance. By breaking down the process into manageable chunks rather than looking at the big picture anything is possible. P has proven that to us and I would like to thank all those people who have supported her on this journey as she continues to make progress and learn new things from each new day.'

JB – aged 20

J attended Hilltop School. He left in Year 12 and moved to Interface Project at South Tyneside College for two years. J wanted to stay behind for a sports course one night per week but the Council could not provide a separate taxi so J agreed to undertake Independent Travel Training. He successfully completed this from South Shields to Birtley.

He was offered a Care Act assessment at 18 but declined, feeling that his needs were being met at college.

He progressed onto the Supported Internship which he successfully completed in July 2016 and in November 2016 he was offered 15 hours paid employment at Opportunity Café at Newburn.

J receives ongoing support from Gateshead Access to Employment Service (GATES) who support J and the employer. Every couple of months an issue arises around J's behaviour, timekeeping etc. Generally, he is doing really well and is using the tills and all other tasks within the café.

AM – 26

A remained at Dryden school until Year 14 then progressed onto the then pilot of Gateshead/Dilston College provision for two years. This gave him group work experience and a taste of accessing his local community. A progressed onto the Supported Internship for one year. He had a placement at the Sage where he was so popular they offered him paid employment.

A has also secured paid work at Covent House in Birtley, he is an independent traveller and is about to move into his own tenancy with low level social care support in Whickham, with his friend.