

TITLE OF REPORT: Post 16 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 of the review and revised funding levels for Sixth Forms attached to Gateshead Special Schools and to seek approval to consult on a change to the designated age range for Hill Top and Dryden Schools.

Background

2. The SEND Code of Practice indicates that all students aged 16-19 should follow a study programme providing stretch and progression to achieve the best outcomes in adult life. They should not be repeating programmes that they have already completed.
3. Prior to the 2014 reforms, it was normal practice for children in special schools to continue from year 12 to year 13 or year 14. Year 14 places in special schools are not recognised by the Department for Education (DfE) and can only be funded from the Dedicated Schools Grant (DSG) in very 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. When sixth form provision was established at Hill Top School in September 2013, the school anticipated continuing to commission services from Gateshead College and on average 16 students in any one year would be in the sixth form. Cedars anticipated that the numbers would be approximately 13 pupils. There are currently 21 pupils in Cedars Sixth Form.
5. Due to budget pressures, 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 DSG continues to be under severe pressure (overspent by £1.4m for 2017/18 and estimated overspend of £1.5m 2018/19) all areas of expenditure are under review, including post 16 provision. The DSG budget must always have a balanced budget at the end of each financial year. If the budget is overspent the DfE has tightened the Schools and Early Years Finance Regulations (England) under which local authorities must explain their plans for bringing the overall DSG back into a balanced position to DfE and to Schools Forum.

Proposal

6. Children in post 16 provision funded from the high needs block need to demonstrate that they are making educational progress to continue at school and it is no longer viewed as the norm for them to continue to year 13 or 14.

7. Discussions have taken place with the Head Teachers of Cedars Academy and Hill Top School 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 Post 16 education.
8. 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 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

9. It is recommended that Cabinet:
 - (i) Agree the contents of the Report.
 - (ii) Note that for the 2018 sixth form intake at Dryden and for those in the Autism Provision at Hill Top, pupils have been 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 and Hill Top Schools from 11 -19 to 11 -18. The outcome of the consultation will 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, Vision 2030 and the outcomes set out in Making Gateshead a 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 (LA) 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. There are a number of factors, beyond the Council's control, which have made a review of post 16 funding in special schools essential, this includes:
 - Rising demand
 - Growth in post 16 numbers in special schools above commissioned numbers
 - Increased pressure on the High Needs Block Funding
 - The national funding model and mechanism
 - National expectations relating to post 16 programmes of study

The Policy and Funding Context

6. The Department for Education provides Local authorities with a Dedicated Schools Grant (DSG). Apart of this allocation is referred to as the High Needs Block [HNB] funding which includes funding for special schools. Local authorities commission a specific number of places in special schools to provide them with guaranteed funding. In recognition of the high needs of pupils in special schools, each place is 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) Social Care or Health Services.
7. From April 2013 the DSG was split into three 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 the previous year's total DSG.

8. A new funding mechanism for SEND was introduced in April 2013 and at that point a snapshot was taken of the post 16 SEND provision that was being delivered in each area, and local authorities were required to estimate the number of places they would require from each provider. Local authorities were told at the time that numbers would be reviewed at least every two years. This did not occur until the DfE introduced further funding reforms for 2018/19 which introduced an import/export reconciliation process for out of borough high needs pupils. The DfE also introduced a mechanism for councils to work with providers (e.g. academies and further education colleges) 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 councils 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 which was above commissioned numbers could be charged, for out of borough children together with applicable top up funding.
10. Funding for high needs pupils comprises of three elements
Element 1 – Basic entitlement £4,000
Element 2 – Additional support £6,000
Element 3 – Top up – dependant on pupil need
11. The import/export reconciliation between local authorities moves the additional support element of £6,000 between local authorities, and for 2018/19 Gateshead was a net importer
12. Within the current funding process, we are allocated £4,000 under the new High Needs National Funding Formula for each pupil in special schools as per the October schools census for pre-16 pupils. Post-16 pupil numbers are taken from the individual learner records when the data becomes available. For pupils who do not belong to Gateshead, the £6,000 is received from the pupil's home local authority, for Gateshead pupils the £6,000 is funded from the high needs block.
13. There is no mechanism to transfer places between non-maintained 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	Number used 18-19
Dryden School	11	12	12	19	22	21	11
Hill Top School	17	21	20	19	21	22	25
The Cedars	15	4	14	17	24	27	21
Totals	43	37	46	55	67	69	57

The Local Authority Responsibility

14. The local authority has responsibility 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 two years after the statutory school age. This is contingent on evidence that the young person can continue make progress in their learning through access to the provision. Traditionally, the LA 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 School Sixth Forms with some young people electing to stay at school for three years following the end of Year 11, through attendance at a Further Education or Independent Specialist provider, or through participation in a work-related scheme such as a supported internship. Provision in Special School Sixth Forms has historically been for five days per week (c1000 hours p.a.) and the Council has funded special schools at this level. In Further Education settings, a full-time programme is typically the equivalent of three 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 funding pressures.

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 six children. This relationship broke down and the

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

19. The Hill Top post 16 provision was to help children transfer to college and for non-autistic children it was envisaged that this would be a one-year course. Children with an autism diagnosis could access up to three years post 16 education 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 came to an end 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 to help children transition to college but more recently, the school have been offering two-year provision which has resulted in an increase in numbers remaining in school.
21. When sixth form provision was established at Hill Top School in September 2013, the school anticipated continuing to commission services from Gateshead College and that on average 16 students in any one year would be in the sixth form. Similarly, at Cedars, the numbers were originally anticipated to be 13 pupils for year 12 only.
22. As the high needs block of the DSG continues to be under severe pressure (overspent by £1.4m for 2017/18 and anticipated to be £1.5m 2018/19) all areas of expenditure are under review, including post 16 provision. Future arrangements will mean that children in post 16 provision funded from the high needs block will need to demonstrate that they are making educational progress to continue at school. It will no longer be accepted as the norm for them to continue to year 13 or 14 at schools.

Preparation for Adulthood

23. The SEND Code of Practice expects that children and young people with SEND should be prepared for adulthood. This includes support towards greater independence and employability, participating in society and being as healthy as possible in adult life. To support this, all Gateshead children with Education, Health and Care Plans will have outcomes to reflect these key areas.
24. There are a range of options available as an alternative to remaining in school that have been developed in recent years. These are outlined at Appendix 3 and include vocational courses at local colleges, apprenticeships/supported internships (either at Gateshead College or through Gateshead Learning and Skills). In addition, a range of provision is available via Adult Social Care for those young people unable to progress in education including Gates, Marquisway/Sparks.
25. Parents, understandably may have some reservations about young people moving from school to college provision. Special school sixth forms offer five full day provision, whereas full-time college courses may only offer 3-3.5 days. In such circumstances, the Council will support alternative activities such as opportunities for work experience or sports such as the Special Olympics to widen the social experience for young people with SEND.

Consultation

26. Following discussion with the Head Teachers of Gateshead Special Schools via the Special School Funding Review Group, it has been agreed 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 Y13 pupils at Dryden School has been reviewed. Of the nine pupils currently in Y13, 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 Y14 pupils currently at either Hill Top or Cedars School, but it is recommended that no further Y14 places are offered other than in very exceptional cases.
27. 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.
28. The Cabinet Members for Children and Young People have been consulted.

Alternative Options

29. Decide not to approve the proposals and continue with the current level of provision however, this would not provide the opportunity to improve outcomes in terms of Preparation for Adulthood and achieve some degree of financial saving to the Council's High Needs Budget.

Implications of Recommended Option

30. **Resources:**
 - a) **Financial Implications** – The Strategic Director, Corporate Resources confirms the financial savings to the Council by not continuing to offer Year 14 provision at Dryden, Years 13 and 14 at Hill Top and Cedars are approximately £109,552. This assumes that all children would access at least one-year post 16 education at special school and the progress to a least a one-year placement at Gateshead College. By aligning special school post 16 provision and the offer by colleges it may be possible to double this year on year saving to £219,104 as children will spend up to 2 fewer years in education. The calculation is based on the assumptions of
 - i. schools maintaining their commissioned post 16 places,
 - ii. the calculation is based on current and 2017/18 cohort of pupils
 - iii. assumes all pupils included in the calculation would access at least 2 years post 16 education
 - iv. includes both base funding (£10,000) and top ups (variable amount depending on the needs of the child – average of approx. £4,500
 - v. pupils accessing a place at college with an average cost of £12,000

Other financial considerations include the impact on Adult Social Care budgets. There is the possibility of improved outcomes for young people who have moved on

to either employment or to live in supported accommodation once they have left education. This has led to a reduced strain on the Adult Social Care budget for these youngsters and consequent longer-term savings. Some youngsters 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). Some young people may not have the same level of independence and may need to access some areas of adult social care up to two years earlier, however young people's needs are assessed on an individual basis for social care which does not include an education element, so it is thought that the combined outcome could be cost neutral for Adult Social Care.

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 going forward 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.

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

22. **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.

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

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

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

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

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

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 wracking, but this process was monitored carefully, 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 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 have been some teething troubles as P tried to fit into an adult world with 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 would 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.

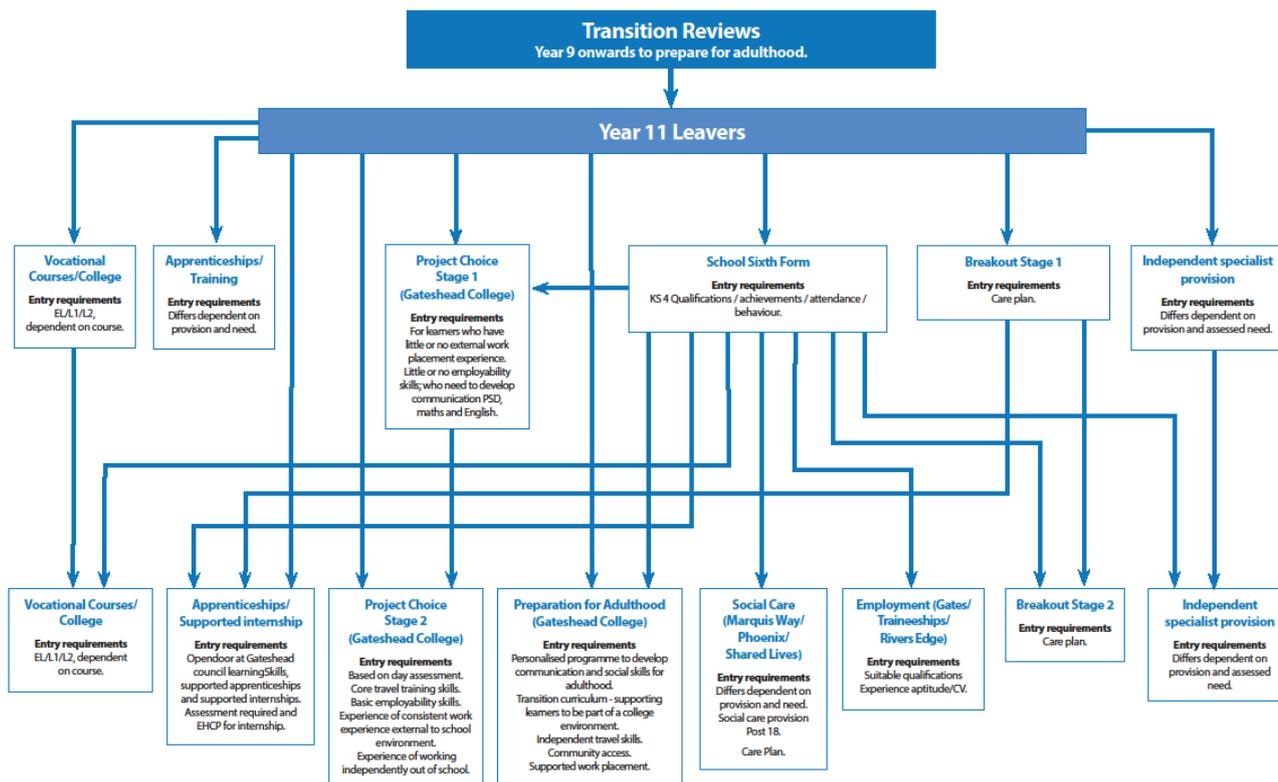
J receives ongoing support from Gateshead Access to Employment Service (GATES) who support J and the employer, every couple of months an issue arises around J' behaviour, timekeeping etc. Generally, he is doing very well and is using the tills and all other tasks within the café.

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, 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.

Learning pathways: Preparing for adulthood 16+



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