

## Report to the Cabinet

Meeting to be held on Thursday, 8 March 2018

## Report of the Director of Children's Services

**Part I**

Electoral Divisions affected:  
All

### Special Educational Needs and Disabilities (SEND) School Placement Sufficiency and Suitability Plan 2018-21

(Appendices to follow)

Contact for further information:

David Graham, Tel: (01772) 532713, Head of Service, Special Educational Needs and Disabilities

[david.graham@Lancashire.gov.uk](mailto:david.graham@Lancashire.gov.uk)

#### Executive Summary

The Department for Education (DfE) has created a £215 million Special Provision Capital Fund (SPCF) nationally to help local authorities create new school places and improve existing facilities for children and young people aged 0-25 with SEND (Special Educational Needs and Disabilities), with Education, Health and Care (EHC) plans.

This report sets out what requirements the local authority needs to meet to receive the conditional funding allocation of £2,049,599.

This decision is time limited as the DfE requires publication of the local authorities SEND capital intentions by 14 March 2018 to release the funding.

A draft short plan of recommendations on how to spend the Special Provision Capital Fund (SPCF) will be presented to Cabinet in additional Appendices to this report once the consultation and audit of all Lancashire's Special School estate have been completed.

This is deemed to be a Key Decision and the provisions of Standing Order No. 25 have been complied with.

#### Recommendation

The Cabinet is recommended to approve the short plan of recommendations on how to spend the Special Provision Capital Fund (SPCF) to be published on the Local Offer by March 14<sup>th</sup> 2018.

This decision should be implemented immediately for the purposes of Standing Order 35 as any delay could adversely affect the execution of the County Council's responsibilities. The reason for this is that the local authorities SEND capital intentions must be published by 14<sup>th</sup> March 2018 in order to release the funding.

## **Background and Advice**

There are currently 28 special schools in Lancashire offering a range of specialisms in the needs of CYP with SEND, with an estimated 90% of these schools operating at over intended capacity. The schools are under increasing pressure due to medical advances, rise in population and earlier assessments around primary needs. Most schools are reporting increased numbers of visits and this increased demand is adding pressure in many areas across the educational estate. This is also mirrored nationally and is the rationale behind this additional government funding.

Due to the increase in demands, the County Council will prioritise auditing and analysis of special schools, short stay schools and special educational resource facilities. Only Ofsted rated 'good' or 'outstanding' educational provisions are to be considered for the DfE funding as set out in the SPCF criteria.

## **DfE Special Provision Capital Fund (SPCF)**

The DfE has committed £215 million of capital funding to help local authorities create new school places and improve existing facilities for children and young people with SEND, in consultation with parents and providers.

In total, Lancashire County Council was conditionally allocated £2,049,599 (2018-21). The funding is aimed to increase the capacity of Lancashire SEND school special provision. Local authorities can use the funding to invest in new places and improvements to facilities for pupils with EHC plans aged between 0-25 years.

An initial grant instalment of £488,467 was received from the DfE in January 2017, with permission to carry over to the financial year 2017/18. The Capital Funding detailed in the table below will only be released following consultation and publication of the strategic plan.

The purpose of the initial grant instalment is to undertake a suitability and sufficiency audit of Lancashire's SEND educational estate. This will be used to produce an overview of the current situation, past and projected future trends which will inform how best to invest in the estate to meet the needs of CYP with SEND and parent carers of those children and young people.

<b>Special Provision Capital Fund allocation for Lancashire County Councils (LCC)</b>			
<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>Total Allocation</b>
£683,200	£683,200	£683,200	£2,049,599

Local authorities are required to publish the outcomes of these reviews in the form of strategic plans to demonstrate transparency and accountability. The DfE then require the County Council to complete a 'short plan' return explaining:

1. What Lancashire County Council intends to invest the funding in
2. What benefits these investments will bring
3. How Lancashire County Council's decisions reflect our consultees' views

The 'short plan' must be published on Lancashire County Council's Local Offer by Wednesday 14 March 2018 to release the first year's DfE funding allocation (2018/19) of £683,200. The plan must then be annually reviewed with full consultation being undertaken with all stakeholders and updated on the Local Offer to receive the subsequent years funding (2019-21).

Further information and guidance on how to carry out this review and planning work, and on implementing the plans, is available in the high needs national funding formula consultation document <https://consult.education.gov.uk/funding-policy-unit/high-needsfunding-reform-2> (chapter 4).

## **Lancashire County Council Schools Capital Funding**

In addition to the DfE SPCF funding, the County Council has allocated £6m from the DfE Schools Basic Need grant capital funding for delivery over the next three financial years (March 2018-21). This additional funding is intended to increase sufficiency and suitability of school placements across Lancashire for CYP with SEND. In line with the provisions set out in the School Place Provision Strategy 2017/18 to 2019/20 this will provide additional places in settings which are judged good or outstanding by Ofsted.

## **Consultation**

Since January 2017, the SEND Head of Service and Capital Property Asset Managers have carried out various school site visits for consultation with head teachers and school staff.

- SEND service consultation day July 2017 "Informing Schools"
- Head of Service briefing to Primary Heads in Lancashire (PHIL)
- Head of Service briefing to Lancashire Special Schools Head Teacher Association (LSSHTA)
- Ongoing site visits and consultation with all Special Schools, Special Educational Resource Facility (SERF), Short Stay Schools to be completed by Feb 2018
- Ongoing site visits and consultation with educational provision that provide education to those with Education Health and Care (EHC) Plans aged 0-25
- Consultation with parent/carers and CYP will be carried out via Lancashire's 12 Local Parent Carer forums, Participate Opportunity Wining Achievement Respect (POWAR) group, Local Offer, Twitter, Facebook
- SEND Reforms Board

- SEND service will publish a short plan of intentions on 14 March 2018. Following this publication a full statutory consultation will take place from March - May 2018

This work will be overseen by a specialist project group reporting into the SEND senior management team

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

To meet the criteria for the DfE funding, the County Council must publish the initial intentions for SPCF spend ready for the next phase of formal consultation on 14 March 2018. Failure to publish the local authority's initial intentions would result in the local authority not receiving the allocated SPCF funding. This would impact on the ability of the local authority to meet the increasing demands on capacity across its educational estate and potentially have negative impact on CYP with SEND and their families.

Data analysis demonstrates that there has been a year on year increase over the past five years for school SEND placements within Lancashire. Failure to increase SEND school placements across Lancashire's estate will mean that out of county and out of area placements will increase.

### **Equality and Cohesion**

An Equality Analysis will be undertaken when the intention to consider the increase in capacity of SEND school placements is proposed.

### **List of Background Papers**

Paper	Date	Contact/Tel
<a href="#">SPCF</a>	2017	David Graham/(01772) 532713

Reason for inclusion in Part II, if appropriate

N/A