

<b>Report title:</b> SEND Sufficiency Briefing Paper	
<b>Report to:</b> People and Families Scrutiny Committee	
<b>Report author:</b> Cllr Tony Ball – Cabinet Member for Education Excellence, Lifelong Learning and Employability	
<b>Date:</b> 14 <sup>th</sup> February 2024	<b>For:</b> Information and Discussion
<b>Enquiries to:</b> Clare Kershaw – Director, Education & Ralph Holloway – Head of SEND Strategy and Innovation <a href="mailto:ralph.holloway@essex.gov.uk">ralph.holloway@essex.gov.uk</a>	
<b>County Divisions affected:</b> All Essex	

## Purpose

- To brief the Committee on current volume and capacity in the SEN system in Essex.
- To engage the Committee on the sufficiency plan (appendix 1).

## Introduction

This SEND Sufficiency Plan sets out how Essex County Council, and our partners, intends to ensure that there is sufficient high-quality specialist provision in both mainstream and special school settings, to meet the future needs of children and young people with SEND in Essex.

There has never been a greater need for a SEND sufficiency plan for Essex. The SEND population has grown significantly since the 2014 SEND reforms, with the greatest growth taking place in the statutory EHCP category. Despite an ambitious SEND capital programme, and investment in inclusive practices, the number of children and young people requiring a special school place has outgrown the capacity of the provisions in Essex.

This has resulted in a greater number of children and young people with higher needs being in mainstream schools, and more parents using the appeal process to seek a place at an Essex special school. There has also been a sharp rise in the number of children and young people placed in independent special schools which has placed a strain on SEND funding via the High Needs Block.

## Context

There are 222,423 pupils attending Essex schools; 37,527 have been identified with SEND. In Essex there are 24,862 children and young people who receive SEN Support and 12,665 with an EHCP (as of November 2023). Some of the 12,665 children and young people with an EHCP for whom Essex is responsible attend school outside of the county because they are looked after and placed in another authority; there are also 266

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Essex resident children and young people with an EHCP who attend a school in a bordering LA as it is the closest appropriate school to their home address.

The number of children and young people with an EHCP has risen every year since the implementation of the SEND reforms. The table below shows the number of children and young people with an EHCP from 2016 to 2023.

2016	7550
2017	8057
2018	8536
2019	9183
2020	9768
2021	10,824
2022	11,275
2023	12,193

The increase in children and young people with an EHCP in Essex has been one factor in the steady rise in the growth in numbers in Essex's special schools. The below tables show the number of children and young people attending special schools in each quadrant of Essex, over time:

	2015	2019	2023	% increase
Mid	690	774	908	32%
North-East	577	814	1105	91%
South	795	1015	1143	44%
West	231	324	342	48%
Total	2293	2927	3498	53%

Despite an ambitious SEND capital programme, the number of children and young people requiring a special school place has outgrown the capacity of the provisions in Essex. The SEND Capital Programme has delivered expansions at eight Essex special schools and created new facilities for residential provision at two schools.

As well as investment from ECC and the Essex Schools Forum, the County Council was able to successfully develop plans for four new special schools via the Department for Education's free school route. Three of these schools (Chatten, Greenwell and Hawthorns) are now fully or partially open.

Essex County Council undertook capacity assessments of our special schools in 2021 and from 2023 has made an annual return to the Department for Education setting out the relationship between capacity and numbers in our special schools. It is clear that the current capacity and approach cannot support the growing SEND population in future years.

One consequence of the pressures on special school capacity has been a continued growth in the number of children and young people who are placed in independent special schools on 38-week day placements. Whilst we see independent special schools as important partners, we must also recognise that they are likely to cost significantly more per pupil place, which reduces the amount of money we have available to invest in our own mainstream and special schools (a breakdown of placements and spend is set out in appendix 2).

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There have been similar increases in the number of placements made with alternative provisions whilst longer-term specialist provision is identified. The lack of available capacity within special schools is contributory factor in a rise in appeals to the SEND Tribunal. Families seeking a special school place where there is no capacity are left with little choice other than waiting for one to become available, maintaining a place within a mainstream school and/or appealing to the SEND tribunal; the SEND tribunal in all likelihood will result in a direction to admit regardless of the capacity pressures. This process is placing overwhelming stress on the system and, most importantly, children, young people and their families.

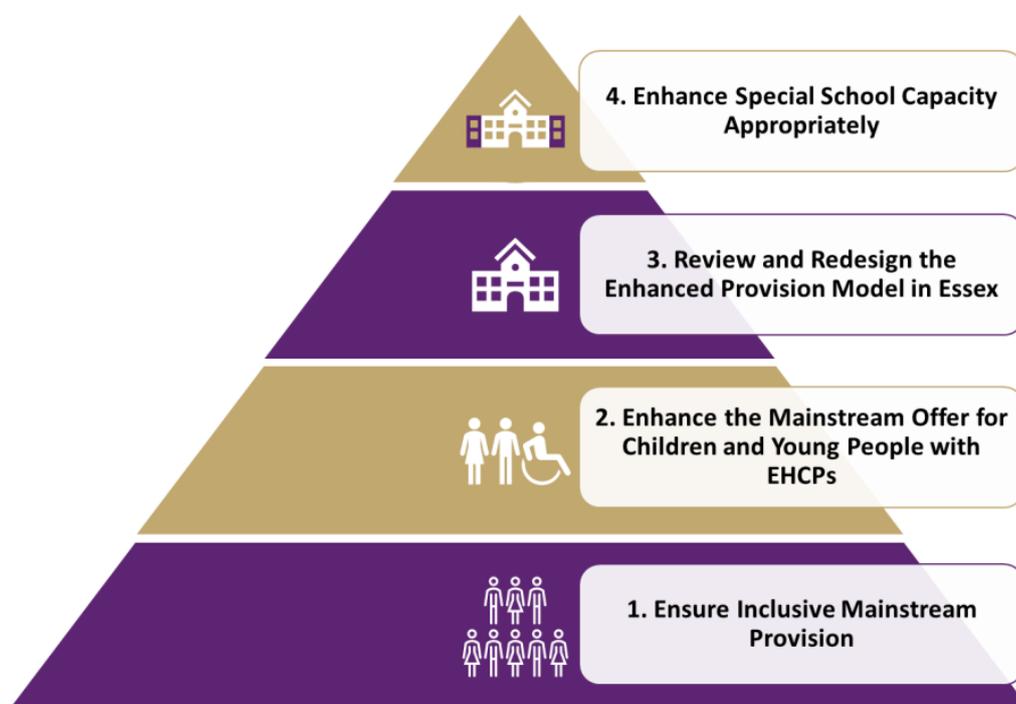
### Forecast

In 2021 a five-year SEND forecasting model was developed, which has been reviewed and refreshed each year. The process has been tested and has proven to have a high level of accuracy. The 2023 refresh information is detailed in the table below:

		South	MID	NORTH	WEST	Totals
<b>Actual</b>	<b>2023</b>	3550	3094	2613	2168	11425
<b>Forecast</b>	<b>2024</b>	3711	3234	2731	2266	11943
<b>Forecast</b>	<b>2025</b>	3807	3318	2802	2325	12251
<b>Forecast</b>	<b>2026</b>	3871	3374	2849	2364	12459
<b>Forecast</b>	<b>2027</b>	3932	3427	2894	2402	12656
<b>Forecast</b>	<b>2028</b>	3982	3471	2931	2432	12816

### Intentions

To better meet the forecast needs of children and young people with SEND in Essex, we have four key intentions:



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A high-level delivery plan for each of the intentions is set out in appendix 1.

### **Enablers**

To enable the above, we will need to review and improve the opportunities to work together as a system:

- Develop processes for health partners to share with ECC where a child is very likely to require specialist education provision at the earliest stage.
- Review the impact on special schools of Social Care thresholds and wider system capacity gaps.
- Develop an effective model of outreach/ in-reach between sectors.
- Through the Balanced System, ensure appropriate and effective therapy provision across universal, targeted and specialist tiers.
- Develop approaches to transition children back to mainstream provision when appropriate. This will mean working closely with parents to ensure that they are confident that their child/ young person can successfully transition.
- Explore all potential opportunities to access additional funding for SEND provision and use the developers guide to set out our ambitions.
- Work with our special schools to consider the range of need that each of them meets and explore how we support more children and young people with moderate needs in mainstream schools.
- Reviewing appropriate routes for returning children to in-county provision.

### **Financial landscape**

The intentions set out in this plan are in the context of a challenging financial landscape – both in terms of revenue funding (the mid to long-term sustainability of the High Needs Block) and capital funding (the funding available to develop new provision). With this in mind, it is recognised that to deliver the full extent of our ambitions will need innovation and new ways of working, rather than just relying on financial investment:

- Further exploration of the funding mechanisms which have enabled the 2015 SEND and PRU capital programmes to be delivered – a combination of ECC and Schools Forum investment.
- Making the best use of any future DfE special free school opportunities. This will mean being clear about what and where our priorities for growth lie, with a strong evidence base to support any applications.

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- Maximising the opportunities for growth and investment delivered through developed contributions (section 106 funding). This will need a more strategic approach set out in the Developers Guide.
- Exploring where savings against current spend (for example, high-cost independent placements) can be invested into Essex schools and settings to enable new provision to be developed.

### **Next steps**

The first step in our delivery plan is engagement. We are engaging with all partners and stakeholders on whether the four intentions of our SEND Sufficiency Plan are the right intentions for the Essex SEND system. To support all SEND Sufficiency Plan intentions, we will:

1. Consult on the SEND Sufficiency Plan Statement of Intent.
2. Develop a cohesive SEND workforce development offer.
3. Develop a Strategic Business Case to allocate sufficient funding and ensure appropriate governance.
4. Develop a SEND Capital Programme to deliver parts of ambition 4 – enhancing special school capacity.