

# Central Bedfordshire Council

31 October 2023

Children's Services Overview and Scrutiny Committee

## Specialist School Place Plan 2022 - 2030

### Report of:

Cllr Hayley Whitaker, Executive Member for Families, Education and Children. Deputy Leader for Central Bedfordshire Council

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### Responsible Director:

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### Purpose of this report

The Specialist School Place Plan 2022 – 2030 has recently been reviewed and updated to take account of i) the numbers of children and young people with SEND requiring specialist provision and ii) the range of needs.

This report should be read in conjunction with the Central Bedfordshire Specialist School Places Plan 2022 – 2030.

### RECOMMENDATION(S)

Overview and Scrutiny Committee is asked to:

1. Consider and comment on the revised Specialist School Place Plan 2022 – 2030.

### Executive Summary

1. Under part 3 of the Children and Families Act 2014, a local authority in England must keep the educational provision for children and young people with SEND under review. This includes a regular review of the sufficiency of specialist education provision in the local area.
2. Specialist education provision refers to Additionally Resourced Provisions (ARPs) and to Special schools.
3. The Specialist School Place Plan 2022 – 2030 has been revised to take account of growing need for specialist provision as well as the prevalence of different types of need. Autism continues to be the main area of special educational need of children

and young people with SEND in Central Bedfordshire with Social, Emotional and Mental Health (SEMH) needs coming second.

4. The initial plan used 38% of children and young people with an Education, Health and Care Plan (EHCP) to calculate the number of specialist places needed in Central Bedfordshire.
5. The revised version of the Plan has used 42% of those with an EHCP requiring a specialist placement, which is slightly higher than the national average (41%).
6. The Specialist School Place Plan will be revised on an annual basis to ensure that it remain relevant to the needs of children and young people with an EHCP who require access to specialist provision.
7. As more specialist provision comes on stream in Central Bedfordshire, the number of children and young people in specialist provision outside of Central Bedfordshire, including those in independent provision will decrease.
8. In relation to the Additionally Resourced Provisions (ARPs), by September 2027 there is a planned increase to the number of ARPs taking the total to 27 ARPs, collectively providing over 350 places. This is an increase of around 110% from the 161 ARP places that are available in 2023/24.
9. There are currently 822 special school places in the academic year 2023/24. This is an increase of 107 places over the last two years.
10. By September 2026/27 there will be 1,312 special school places in Central Bedfordshire. This includes the opening of the 130 all through SEMH free school in Central Bedfordshire.

## **Key areas within the Specialist School Place Plan 2022 – 2030**

11. A priority for the Local Area's SEND Strategy is to have sufficient and the right type of specialist provision to meet the needs of children and young people with an EHCP who require either a place in an ARP or in a special school in Central Bedfordshire.
12. The principles that underpin the plan as agreed through the previous consultation are:
  - Promote inclusion in mainstream settings to support pupils identified at SEN Support and those with EHCPs where those pupils can access the curriculum and their other needs can be met through reasonable adjustments.
  - Agree a strategic approach to ARPs and their number/designation/location/ size / entry and exit strategies.
  - Develop robust collaborative working with ARPs to ensure that there are clear accountability processes.
  - Increase places available in special schools and address accommodation shortfall / suitability so that they can meet the needs of our children and young people with the most complex needs; and
  - Embed culture / processes that share and develop expertise, capacity and resilience across our schools, including strong leadership, secure safeguarding, quality assurance, and appropriate levels of staffing with identified development.
13. From September 2017 to September 2023 Central Bedfordshire has experienced an almost 94% increase in EHC plans. This compares to 65% nationally. Between 2014

and 2017, the percentage rate of EHCPs was lower than our statistical neighbours and the national average.

14. At the time of this report, Central Bedfordshire maintain 2,695 EHCPs for children and young people from Reception year to Year 14 (this number does not take account of pre-school and post19). There are 16 ARPs providing 161 places and four special schools providing 908 places.
15. There is pressure for placements for pupils in three primary areas of need: Autistic Spectrum Disorder (ASD), Cognitive & Learning and Social, Emotional and Mental health (SEMH).
16. One of the issues for ARPs has been inconsistent options for progression, meaning that pupils may not be able to progress with their peers. The updated plan aims to address this inconsistency. Details about this are in the plan.
17. The plan also seeks to address the current uneven geographical spread of ARPs across Central Bedfordshire. The plan outlines the significant increase in the number of ARPs from 16 to 27 by September 2027. This will not only help with providing more ARP places, but also better support mainstream schools through training and advice from the ARPs.
18. By September 2027 the plan aims to grow ARP provision from 161 places to over 350.
19. The Specialist School Place Plan outlines the planned development of more ARP and special school places in Central Bedfordshire. By September 2026, there will be 947 special school places, rising by a further 365 special school places by September 2030.
20. With the planned development of specialist places, 42% of children and young people with an EHCP in Central Bedfordshire will be placed in either an ARP or a special school.
21. As this plan and SEND sufficiency is reviewed on a regular basis (annually in Central Bedfordshire) there is scope to bring some developments forward as opportunities arise.

## **Council priorities**

22. The report supports Central Bedfordshire 2050 Vision, specifically, for Central Bedfordshire to become the best place to live and work and the vision for an education system that is truly inclusive, closes the skills gap, helps our young people into a great job and supports our older generations in lifelong learning.

## **Legal Implications**

23. Part 3 of the Children and Families Act 2014 covers the statutory framework for identifying children and young people with special educational needs, assessing their needs and making provision for them. S27 of the Act requires local authorities to keep

local provision for children and young people with SEND under review, to co-operate with their partners to plan and commission provision for those children and young people and publish clear information on services they expect to be available. It is accompanied by the statutory guidance - SEND Code of Practice.

24. There is a risk of legal challenge (and attendant reputational and financial risk) to the council if it fails to provide appropriate provision for children and young people with SEND and/ or fails to meet its statutory duties under the Children and Families Act 2014. This could either be by appeal to the SEND Tribunal, by way of judicial review and via the council's complaints' process.

## **Financial and Risk Implications**

25. Having sufficient specialist provision for SEND in Central Bedfordshire is a key focus of the SEND Strategy. Financial modelling undertaken by Newton Europe with the Chartered Institute of Public Finance Accountants (CIPFA) has shown that by the end of the financial year 2027/28, if nothing changes, Central Bedfordshire Council could be spending up to £129m on the High Needs Block. with a potential cumulative deficit position on the HNB in excess of £200m. This deficit assumes that by doing nothing, there will be a significant expenditure on independent and out of area provision.

26. By delivering on the Specialist School Place Plan there will be an associated cost avoidance to the High Needs Block by 2027/28 as well as better outcomes for children and young people with SEND being able to access specialist provision locally.

## **Equalities and Fairness Implications**

27. The overarching legal implication within the report is the Equality Act 2010 with respect to the Public Sector Equality Duty (PSED). Section 149 of the Act details the requirement when taking decisions to have due regard to the need to advance equality of opportunity for people with protected characteristics, foster good relations between such groups and eliminate unlawful discrimination. It is necessary that the impact on those groups is analysed as part of each area of work linked to HNB sustainability.

28. The Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

29. The provision for children with identified SEND to have the appropriate provision is key to us meeting our duties under both the SEND Code of Practice and the Equality Act. The Council is committed to inclusive education for all children and young people with SEND in all of our schools.

## **Sustainability Implications**

30. The sustainability focus for the SEND improvement programme places an emphasis on delivering actions and improving outcomes for the benefit of local children, young people, and families with SEND.

31. The more places for children with special educational needs to attend school as local as possible to where they live reduces the carbon footprint created through extensive taxi journeys for these children. The provision of a quality education for all underpins the broader definition of sustainability covered in the UN Sustainable Development goals, which have been adopted by the council as the definition of sustainability by the council and in its Sustainability Plan.

### **Other Corporate Implications**

32. Not Applicable

### **Conclusion and next steps**

33. The Specialist School Place Plan 2022 – 2030 (revised) will be published on the Local Offer.

34. The Plan will continue to be updated on an annual basis and brought to Overview and Scrutiny Committee in October.

35. Progress on the Specialist School Place Plan 2022 – 2030 (revised) will be reported to the SEND Executive Board on a quarterly basis.

### **Appendices**

Appendix A: **Central Bedfordshire's Specialist School Place Plan 2022 - 2030**

### **Background Papers**

None

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