



Nottinghamshire
County Council

Children and Young
People's Services

Review of Special Educational Needs and Inclusion

*"Inclusion is a journey with a clear direction and purpose:
equality of opportunity for all children and young people"*

Council for Disabled Children 2008

13 May 2009



VISION

We will work together to provide integrated services for all children and young people in Nottinghamshire aged 0-19¹ to improve their life chances and to help them maximise their potential.

Nottinghamshire Children and Young People Plan 2007-2009

¹ Including young people leaving care up to the age of 24, and disabled young people up to the age of 25

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1. INTRODUCTION

- 1.1 The County Council's current strategy for special educational needs (SEN) is described in the 'SEN and Inclusion Strategy for Nottinghamshire' (published April 2003).
- 1.2 The local authority (LA) has a statutory duty² to keep under review its arrangements for special educational provision. The LA is also under a duty³ to consult the governing bodies of maintained schools and nursery schools in its area for the purpose of co-ordinating that provision.
- 1.3 In October 2007, Nottinghamshire County Council began a process of reviewing its arrangements for children and young people with special educational needs or learning difficulties and disabilities (LDD). This report is the result of that review and, subject to the County Council's approval, will culminate in the publication of a new SEN and Inclusion strategy and an improvement plan for Nottinghamshire.
- 1.4 Nottinghamshire County Council remains firmly committed to inclusion. This review has enabled discussion about the **quality** of the inclusive experiences of our children and young people to take place. In the course of the review process, we have sought to identify ways in which we can improve and develop our inclusive arrangements and enhance the inclusive experience of children and young people and their families.
- 1.5 Nottinghamshire has used a number of indicators to measure the success of its inclusive practice. These indicators are based on statistical analysis of placements in special schools and numbers of statements of special educational needs. Such data is relatively easy to gather and analyse. However, this does not reflect a true measure of the success (or otherwise) of our inclusive strategy which relates to the quality of the daily experiences of children and young people in Nottinghamshire schools.
- 1.6 Nottinghamshire compares very favourably both with central government 'benchmarks' and its statistical neighbours in respect of a range of national indicators which form part of the Department for Children, Schools and Families (DCSF) national annual audit of specialist SEN provision. The County Council has, however, sought to respond to the views of stakeholders who have expressed concern that arrangements for SEN/LDD should better support children and young people, that access to funding should be more transparent, that behaviour is a major concern for schools and that services should be more available in localities.
- 1.7 The review reflects Government policy for SEN and inclusion, set out in the Special Educational Needs and Disability Act 2001, which introduced an updated statutory Code of Practice for SEN; and in *Removing Barriers to Achievement, 2004* - the Government's current strategy for SEN and inclusion.

² Education Act 1996, Section 315 (1)

³ Education Act 1996, Section 315 (2)

1.8 This is the final report of the review of SEN and inclusion and for ease of reading is presented in a number of sections:

- **The Executive Summary of the report**
- **The review of SEN and Inclusion.** This section sets out the scope and methodology of the review
- **The current situation.** This section gives an overview of the issues that underpin provision for young people, locally and nationally
- **Key issues arising from the Review's strategic analysis of SEN arrangements**
- **Improving inclusive practice in Nottinghamshire**
- **Conclusions**
- **Appendices.**
 1. **Improvement Plan**
 2. **SEN review Board membership**
 3. **Terms of reference of the SEN Review**
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 6. **Summary of feedback from sub-groups**
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2. EXECUTIVE SUMMARY

- 2.1 Special educational needs is an issue which inspires and generates constant dialogue and debate between the County Council, schools, parents and other stakeholders. The review of SEN and inclusion commenced in October 2007 and provided a platform for a number of critical issues to be openly and honestly debated. It included a wide-ranging consultation process, involving all stakeholders, together with consideration of the outcomes of the earlier review commissioned by the County Council, "Building on Achievement", which focussed on special school provision in Nottinghamshire. The views of children and young people have been central to the review and they and their parents and carers have been widely consulted.
- 2.2 The review of SEN and inclusion has been undertaken in order to ensure that the County Council complies with its statutory duty⁴ to keep under review its arrangements for special educational provision. However, the County Council was primarily concerned with addressing a number of issues repeatedly raised by stakeholders over the last few years. The aim of the review was to comply with the County Council's statutory responsibilities, address the concerns of stakeholders and describe priorities for improvements in the effectiveness and efficiency of provision for children and young people with SEN.
- 2.3 There are a number of inclusive principles which underpin this area of work. The Council for Disabled Children has published an inclusion policy setting out six principles which describe very clearly the needs of children. These principles echo the views that many stakeholders expressed throughout the review. They are contained in the following extract from the Council for Disabled Children's inclusion policy (September 2008):

"Inclusion is a journey with a clear direction and purpose: equality of opportunity for all children and young people. The Council for Disabled Children believes the following factors are crucial to the development of inclusion:

- *a welcome for all disabled children and young people, secure relationships and support for their families when they need it*
- *respect for difference and a commitment to building friendships and community to the benefit of everyone*
- *equality of access to play, learning, leisure and all aspects of life*
- *the active participation of children and young people and their families in decision making*
- *a proactive approach to identifying and removing barriers*
- *timely access to information and to people with empowering attitudes, supportive skills and expertise."*

⁴ Education Act 1996, Section 315 (1)

2.4 The review was undertaken in four stages involving:

- scoping the project
- consulting with stakeholders
- considering options and priorities for improvement
- finalising the proposed improvement priorities, actions and implementation arrangements.

2.5 The review has been steered by a Review Board comprising a senior elected member, senior officers, practitioners and stakeholders. The Board agreed the lines of enquiry for the review and four sub-groups were established to take these themes forward. The review was conducted within a context of the best value principles of challenge, compare, compete and consult.

2.6 National and local data has been analysed in order to inform the review. A variety of methods have been employed to consult with stakeholders, including countywide consultation events, the collation of views via student surveys and interviews with teachers, parents and carers. As a result, priorities for improvement have been identified and developed into an improvement plan which sets out the recommended way forward in a number of key areas:

Priority 1 – Behaviour

To create balanced and graduated provision and responses that meet the needs of a range of children and young people with behavioural, emotional and social needs (BESD). This will involve:

- improving young people's engagement and positive social/emotional development and well being
- supporting schools to develop their ethos and climate for learning
- developing locality behaviour partnerships and collaborations between schools, services and settings.

Priority 2 – Financial resources

To target financial resources to meet the needs of children and young people with the most complex needs and those in the areas of greatest deprivation and to ensure that these resources are subject to monitoring and accountability. This will involve:

- improving the capacity to develop flexible approaches to commissioning specialist provisions as appropriate
- improving monitoring and accountability arrangements for SEN resources
- researching and developing ways in which High Level Needs (HLN) and Additional Family Needs (AFN) monies are targeted on those with the most complex needs and living in areas of highest deprivation
- developing a new multi-agency panel for the allocation of resources.

Priority 3 – Graduated response

To develop a graduated range of responses. This includes specialist, targeted and universal provision and support. This will involve:

- developing specialist support for learning in mainstream school settings
- improving our special school environments through the capital programme and *Building Schools for the Future* programme, and developing federation arrangements between special schools
- developing extended services opportunities for children and young people within our special school population.

Priority 4 – Integrated locality teams

To develop an integrated locality based support service that responds to individual needs, the needs of families and the needs of localities. This will involve:

- developing our services in localities, around the child and their family
- reducing 'gaps' in educational achievement and promoting an inclusive standards agenda which addresses the need to balance strategies that raise the achievement of all children with those which safeguard the inclusion of others who are more vulnerable.

- 2.7 Finally, the Review Board recommended that the County Council's Head of SEN Strategic Services should be designated as the officer responsible for leading the implementation of the improvement plan (see Appendix 9). Implementation of the plan will be monitored and evaluated by the County Council's Children and Young People's Services Department's Leadership Team through its performance management arrangements.

3. REVIEW OF SEN AND INCLUSION

The National Context

3.1 New legislation and guidance have been published since the County Council's last review of SEN and inclusion, and have had an impact upon the development of a revised strategy. These are summarised below:

- **The Children Act(2004) and Every Disabled Child Matters Charter (2008)**

The Every Child Matters agenda is enshrined within the Children Act 2004. Every Child Matters (2003) and the Every Disabled Child Matters Charter (2008) identify a number of aspirational goals to which the County Council is committed, in order to ensure that disabled children and their families are involved in planning and commissioning services. Nottinghamshire signed the Charter in January 2008. Every Child Matters has as its focus improved outcomes for all children and young people including those who have SEN/learning difficulties and disabilities and requires public services to work in partnership to provide integrated support, services and provision.

- **Removing Barriers To Achievement, the Government's SEN Strategy (2004)**

This strategy summarises the government's 10 year programme for SEN and inclusion. The strategy was developed to accompany the implementation of Every Child Matters and the Children's National Service Framework. Although a recent House of Commons Select Committee has heightened the debate around SEN policy nationally, the government's response has been to reaffirm its commitment to its 10 year programme and strategy.

- **Inclusion: Does It Matter Where Pupils Are Taught? (Ofsted 2006)**

This report examines the factors that promote good outcomes across a range of provision for pupils with learning difficulties and disabilities. It found effective provision was distributed equally between mainstream and special schools when certain key factors were securely in place. The best outcomes were achieved in resourced provision in mainstream schools. It found that the deployment of learning support assistants did not by itself bring about pupil progress.

- **Government Response to the Education Select Committee Report, (October 2006)**

The government resisted demands for a full scale review of SEN and inclusion, but suggested a national review by Ofsted in the 2008/09 school year (now deferred to 2009/10), setting the following as their immediate priorities for SEN in 2009 :

- build capacity in the children’s workforce to identify and meet children’s needs
 - promote a flexible continuum of local provision
 - improve accountability for the outcomes that children achieve
 - strengthen partnerships with parents and children
 - improve provision for children with behavioural, emotional and social difficulties, and children with autism.
- **Aiming High for Disabled Children (Report of HM Treasury 2007)**

Actions and proposals arising from the government’s Disabled Children review identified that families with a disabled child are disproportionately likely to experience relative poverty. The report also emphasised the success of the Early Support initiative, which not only identifies needs at an early stage, but also provides a ‘team around the child’ approach to support.

The Local Context

The final report will contain reference to JATs and Shortbreaks pathfinder

3.2 At the time that this review was undertaken, the Nottinghamshire Children and Young People’s Partnership identified the following priorities for the 2007 – 2009 Children and Young People’s Plan as:

- to work together to promote the welfare of all children and young people in Nottinghamshire and to keep them safe
- to enhance partnership working by developing a coherent framework to engage all partners (including schools, general practitioners and the voluntary and private sectors) in order to deliver improved outcomes for children and young people
- to improve services and outcomes for vulnerable groups of children and young people
- to ensure the active participation of children, young people and their families in shaping the design and delivery of services
- to improve the attainment and achievement of all children and young people, including targeted action to improve outcomes for low achieving groups
- to facilitate a range of early intervention and preventative actions to achieve optimum outcomes for children and young people and their families.

3.3 Although the Children and Young People’s Plan has subsequently been updated, these priorities were reflected in the SEN review process. A focus on these issues has been central to the consultation process. We recognise that parents and carers are our key partners in this work.

Who this report is about

- 3.4 The review of SEN and inclusion has focussed on vulnerable children and young people with special educational needs and their parents and carers.
- 3.5 According to the Education Act 1996 and the SEN Code of Practice (2001), a *special educational need* arises when a child has a *learning difficulty* which calls for *special educational provision* to be made for them.⁵
- 3.6 The Code of Practice identifies 'needs' as those matters requiring *School Action*, *School Action Plus*, or those children and young people who require a statutory assessment which could lead to a *statement of special educational needs*.
- 3.7 Children are deemed to have special educational needs if they:
- a) have a significantly greater difficulty in learning than the majority of children of the same age; or
 - b) have a disability which either prevents or hinders them from making use of educational facilities of a kind provided for children of the same age in mainstream schools ; or
 - c) are under compulsory school age and fall within the definition at (a) or (b) above, or would do if special educational provision were not made for them.⁶

What this report is about

- 3.8 This report identifies the ways in which Nottinghamshire County Council uses the resources available to it to make arrangements for children with special educational needs.
- 3.9 It examines the three key ways in which resources are distributed:
- the allocation of financial support to schools
 - the funding of specialist placements in special schools and other specialist packages
 - the provision of advice and support through centrally managed support services.
- 3.10 The review examines the effectiveness of current arrangements and considers ways in which we can provide a more effective service, which is also:
- **Graduated** - offering a range of provision to a continuum of pupils with differing needs in a variety of settings

⁵ Education Act 1996, Section 312; extract taken from DfES Special Educational Needs Code of Practice 2001, paragraph 1.3

⁶ Education Act 1996, Section 312; extract taken from DfES Special Educational Needs Code of Practice 2001, paragraph 1.3

- **Integrated** - a fully integrated provision with a range of service providers
- **Localised** - a service that can be accessed locally
- **Personalised** - one that can make interventions based on the individual needs of children and young people and their families.

The lines of enquiry of the SEN and Inclusion Review

3.11 The Review Board identified eleven lines of enquiry on how the local authority:

- fulfils its statutory responsibilities in relation to SEN strategy
- supports the management of behaviour in schools
- resources and accounts for SEN
- defines the key roles in the area of SEN
- provides support for children and young people with SEN and their families and settings where learning takes place
- defines the terms of reference for the Nottinghamshire Learning Centre (NLC)
- determines the effective elements of SEN work upon which we should build
- ensures that children and young people and their parents or carers are involved in decision making
- ensures equity of access to provision for children and young people with SEN
- ensures the educational standards agenda is fully inclusive
- develops the role of special schools.

Review methodology

- 3.12 The review has been conducted with a wide range of stakeholders and has accessed service user views as a primary source of evidence.
- 3.13 A Review Board was established to steer the review process. The Review Board comprised a range of stakeholders, including a senior elected member, senior officers, practitioners and school leaders, who wished to challenge the Council to offer different types of provision and differential access to County Council services (see Appendices 2 and 3).
- 3.14 The Board agreed the lines of enquiry for the review and four sub-groups were established to take these themes forward, focusing on:
- behaviour
 - resources
 - local authority support services
 - inclusive standards.

The terms of reference for these sub-groups are attached as Appendix 4.

- 3.15 The review was undertaken in four stages involving:
- scoping the project,
 - consulting with stakeholders
 - considering options and priorities for improvement
 - finalising the proposed improvement priorities, actions and implementation arrangements.

3.16 These stages are shown as follows:

Review Stage	Activity
<p>Stage 1: Scoping</p> <ul style="list-style-type: none"> • establish Board • agree lines of enquiry • set objectives • agree timescales and process • agree budget 	<ul style="list-style-type: none"> • Review Board established • lines of enquiry and process agreed • sub-groups established to examine agreed areas of focus: <ul style="list-style-type: none"> ○ Behaviour ○ Support Services ○ Inclusive Standards ○ Resources • comparisons with other local authorities
<p>Stage 2: Consultation</p> <ul style="list-style-type: none"> • gain user views • establish commissioning context, assess competitiveness of existing provision • explore agreed themes through sub-groups • challenge and revise aims • challenge and compare delivery options 	<ul style="list-style-type: none"> • seminar on commissioning for Board members • sub-group exploration of initial themes • user views gathered through agreed fora • interim priorities and emerging themes developed through stage 2 consultation events in April 2008
<p>Stage 3: Options and priorities</p> <ul style="list-style-type: none"> • develop options and priorities • appraisal of options and priorities 	<ul style="list-style-type: none"> • Children and Young People's Leadership Team and Review Board agree initial options • stage 3 consultation events held in September 2008 • Review Board to agree final report in November 2008 • Cabinet to approve final report and implementation plan strategy in April 2009
<p>Stage 4</p> <ul style="list-style-type: none"> • improvement, action and implementation 	<ul style="list-style-type: none"> • implementation of final report including improvement plan and publication of new strategy post April 2009

Throughout the process, the review was conducted within a context of best value, incorporating the principles of challenge, compare, compete and consult.

Challenge

3.17 The review benefited from the previous wide ranging best value review of SEN and inclusion in 2002. Challenge has been an integral part of the review, with the following components providing a framework for challenging the way in which existing provision is made:

- the SEN Review Board comprised over 30 members, including 16 head teachers, who provided significant challenge to the process
- the former National SEN Adviser for the region acted as a critical friend to the review
- consultation was wide-ranging and began with a focus on the needs and issues for families, both children and young people themselves and their family members. Extensive consultation also took place with County Council staff including school based staff and support services and a wide range of stakeholders
- the participation of children and young people has been central to the review and has ensured their active engagement with the process
- further advice was gained from the current National SEN Adviser for the region, and from the Council for Disabled Children.

Comparison

3.18 The review began with consideration of Nottinghamshire's existing arrangements within the context of England and the East Midlands region.

3.19 Data and information used to compare the SEN functions and effectiveness of Nottinghamshire's provision included:

- data from the National Strategies Regional Partnership and national reports for the East Midlands and England, which includes information from the Nottinghamshire SEN self-evaluation framework 2008
- Ofsted data for England, to provide end of Key Stage performance comparisons
- annual financial benchmarking data, published under Section 52 of the School Standards and Framework Act 1998, which provides a breakdown of education and school budgets at both a local authority and individual school level
- comparison with structures and strategies of other local authorities.

Competition

- 3.20 The commissioning of services has been a major focus within this review, reflecting the dual role of enabler/commissioner and provider of services frequently undertaken by the County Council.
- 3.21 The County Council must ensure that there is a transparent and inclusive range of processes in place to enable resources to be allocated fairly and to ensure that services are delivered in the appropriate manner. In this context, the Review Board recognised the need to ensure that a process is in place which allows for the optimum balance to be struck in relation to the County Council's dual role as both enabler/commissioner and provider of services. The Board also acknowledged the need to ensure that we benefit from the economies of scale and additional value that accrue from developing partnerships with other public service and voluntary sector organisations.
- 3.22 Competition with the private sector and other service providers was explored as part of the review. The review also considered whether alternative providers could better provide any of our existing services in the area of special educational needs. It found that there were only a small number of potential providers and that this area of work did not generally appear to attract business investment.
- 3.23 Nottinghamshire has already developed a variety of partnership approaches. An example of this is the joint arrangements with the local health services regarding the funding of the placement and provision for some children with health-related special educational needs. In partnership with other authorities in the region, we have also commissioned an external organisation to provide independent mediation services for parents of children with special educational needs. We are also involved in an early autism intervention partnership with a local non-maintained special school in order to provide a more coherent service for families.
- 3.24 The review used its consultative and comparative arrangements to consider these issues, building upon the East Midlands Regional Commissioning Framework.

Consultation

3.25 The work of the review has been steered by the SEN Review Board, comprising over 30 members, including representation from a senior elected member, head teachers, governors, health colleagues, social care colleagues, the parent partnership service and County Council officers.

3.26 We have consulted widely during the review period. This has involved:

- gathering the views of children and young people in three ways:
 - analysing the TellUs2 Ofsted survey 2007
 - organising a 'student voice' event in 2007 (80 secondary school students attended, including representation from one special school)
 - engaging with groups of children and young people with additional needs - such as Cool Kids, Young Pioneers and excluded young people who were interviewed by Connexions staff in two districts of the county
- gathering the views of parents and carers through a Parents and Carers Forum (see Appendix 4 for its terms of reference). The Forum met five times during the review period. It was also supplemented by a meeting with Asian mothers of children with additional needs and a further meeting to explore parents as commissioners of services for children with SEN
- developing the outcomes of the earlier consultation '*Building on Achievement*' regarding the future role of special schools in the county
- establishing four sub-groups to consider the lines of enquiry identified by the Review Board. These sub-groups were chaired by members of the Review Board and addressed the following issues:
 - Behaviour
 - Resources
 - Local authority support services for SEN
 - Inclusive standards
- organising seven district consultation events attended by over 300 delegates, from a range of services, stakeholders and agencies
- providing workshops on the proposed priorities of the review at three primary head teachers' conferences and four conferences for special educational needs co-ordinators (SENCOs)
- organising two further consultation events at Stage 3 of the review in the north and south of the county, attended by more than 240 people. These events were held in order to gauge stakeholder reaction to a number of emerging priorities (see Appendix 5 for consultation feedback)

- consulting a wide range of partners during the development of a strategy for improving behaviour and attendance in schools
- engaging with secondary school head teachers through the ‘building new relationships with schools’ meetings. This was in order to develop a shared understanding of school and County Council responsibilities for children and young people who are both challenged and challenging in relation to their behaviour.

Section summary

- 3.27 The review took place within the context of a range of central government initiatives, which impact upon the way in which provision is organised and delivered locally. The review has focussed upon children and young people with special educational needs as defined by the Education Act 1996 and the statutory SEN Code of Practice. The review aimed to provide an analysis of the current use of resources and how these might be realigned and refocused in order to deliver better outcomes for these vulnerable groups of children, young people and their families.
- 3.28 The next section of this report links the methodology of the review with the current situation in Nottinghamshire, creating the basis for the review’s analysis of the improvements needed in relation to the provision which is available for children and young people with SEN.

4. THE CURRENT SITUATION

General demographic data

- 4.1 This section of the report considers the characteristics of Nottinghamshire's provision and use of resources in relation to young people with special educational needs.
- 4.2 Nottinghamshire is a large and diverse county, covering 805 square miles. The total population is 770,000 of which almost 181,000 are children and young people aged 0 – 19 years. 94% of children and young people aged 0 -15 years are from White British backgrounds and 5.4% have Black and minority ethnic heritage. The largest minority ethnic groups are from an Indian, Pakistani, Black Caribbean or dual heritage background and there is an increasing population from Eastern Europe, with 2.7% of school age children and young people for whom English is not their first language. This ethnic diversity is growing through the arrival of families with children and young people from the newly extended European Union. In 2006, 3,000 migrant workers, some with dependent children, were employed in the county.
- 4.3 Partnership arrangements are complex, with seven district councils (Ashfield, Bassetlaw, Broxtowe, Gedling, Mansfield, Newark and Rushcliffe), 103 parishes, two Primary Care Trusts (PCTs), two Hospital Acute Trusts and five neighbouring local authorities. Deprivation levels in the county are extremely varied. Rushcliffe borough, for example, is one of the 10% least deprived areas in the country, whereas Mansfield borough is amongst the 10% most deprived. Indicators of need are reflected within these wide fluctuations in deprivation across the county.
- 4.4 Nottinghamshire has 290 primary schools, 47 secondary schools and 11 special schools. There is one federated pupil referral unit which is called the Nottinghamshire Learning Centre. There are 255 settings funded by the County Council to provide nursery education and two nursery schools, as well as 122 designated nursery classes located within infant and primary schools and one 3 -18 school. Post-16 provision is made through six further education colleges, one sixth form college (located in the City of Nottingham) and 43 schools with sixth forms in the county itself. There are also 28 work-based learning providers, funded by the Learning and Skills Council (LSC).

SEN data

- 4.5 As of January 2008, there were 119,846 pupils aged 3-19 attending Nottinghamshire schools, the majority of whom were educated in mainstream schools.
- 4.6 Schools identify children who require additional interventions to meet their special educational needs. Pupils who require differentiation and additional interventions provided by their school are defined by the SEN Code of Practice as requiring "School Action". Pupils who require the intervention of agencies from outside the school are defined as needing "School Action Plus". The number of pupils described as being at School Action and School Action Plus

helps us to define the number of pupils with special educational needs in Nottinghamshire. Table 1 shows the number of pupils according to these Code of Practice categories. In addition, 1,272 children and young people have a Nottinghamshire statement of special educational needs.

TABLE 1: Pupils according to SEN Code of Practice categories

Of the 119,846 pupils in Nottinghamshire schools:

SEN Code of Practice Category	Number of pupils	% of school population
School Action	14, 978	12.5%
School Action Plus	4,673	3.9%
Statement of SEN	1,272	1.1%

TABLE 2: Pupils at School Action, School Action Plus or with statements according to Pupil Level Annual School Census (PLASC) category

Specific Learning Difficulty	Moderate Learning Difficulty	Severe Learning Difficulty	Profound & Multiple Difficulty
449	1,113	48	94

Behaviour Emotional Social	Language & Communication Difficulty	Hearing Impairment	Visual Impairment	Multi Sensory Impairment
1,486	592	103	89	13

Physical Disability	Autistic Spectrum Disorder	Other Difficulty	Not Recorded	Total
344	911	270	14,978	20,490

TABLE 3: Number of pupils in Nottinghamshire with a diagnosis of autism known to support services

2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008
867	993	976	1,025	1,200	1,350*

* This figure represents a significant increase in the number of children and young people with a diagnosis of autism. The number of children and young people known to support services is greater than the number shown in Table 2 whose primary need is shown as autistic spectrum disorder. This is partly due

to a number of children, known to support services, who are pre-school and are therefore without a PLASC category and partly due to their primary need not being recorded or attributed to another category of need.

SEN funding and resources for mainstream provision

- 4.7 Funding for schools is ranked according to how much each local authority is allocated on a per pupil basis. Compared to other local authorities, Nottinghamshire ranks below the national average for England. According to statistics published by CIPFA (Certified Institute of Public Finance and Accountancy), Nottinghamshire is ranked 112th out of 148 local authorities. In other words Nottinghamshire County Council receives less funding than 111 other councils.
- 4.8 In terms of deprivation, Nottinghamshire is ranked 90th. In addition, the DCSF ranks local authorities according to levels of additional educational needs. On that basis, Nottinghamshire is ranked 97th.
- 4.9 There is a direct correlation between the level of funding Nottinghamshire County Council receives and indicators such as deprivation and special educational needs, as these indicators are used to inform DCSF allocations.
- 4.10 Making comparisons with other local authorities is not straight forward and can be unhelpful. This is due to differences in the way that individual local authorities assign expenditure to the Section 52 statement. (The 52 statement is the format by which local authorities submit annually to the DCSF regarding financial arrangements.)
- 4.11 As Nottinghamshire receives less money than the majority of other local authorities, it faces the challenge of distributing this money in a way that ensures children and young people with special educational needs are not disadvantaged. It does this in a number of ways.
- 4.12 Additional funding for pupils with SEN in mainstream schools in Nottinghamshire is allocated in funding blocks according to need. Funding is available in the following blocks
- at a school level (Age Weighted Pupil Unit, AWPU)
 - at a school level (Additional School Needs, ASN)
 - at a family level (Additional Family Needs, AFN)
 - at an individual pupil level, allocated centrally (High Level Needs, HLN).
- 4.13 An undefined element of the AWPU is intended to fund a curriculum that is appropriately organised to address the needs of all children and young people and to fund the cost of the school Special Educational Needs Coordinator (SENCO). Table 4 shows the amounts allocated over the last three financial years in each of these funding blocks.

TABLE 4: Nottinghamshire County Council SEN funding blocks

Level	2006-2007 £ million	2007-2008 £ million	2008-2009 £ million
Age Weighted Pupil Unit (AWPU)	261.925	271.297	271.905
Additional School Needs (ASN)	12.563	13.140	14.354
Additional Family Needs (AFN)	6.053	6.368	6.560
High Level Needs (HLN)	3.152	3.317	3.416

Table 5 shows how many pupils receive additional funding through AFN or HLN mechanisms.

TABLE 5: Numbers of pupils allocated additional funding

Level of Allocation	2005-2006	2006-2007	2007-2008
Additional Family Needs	2,062	2,150	2,296
High Level Needs	316	346	348

4.14 Personalisation funding is also available for all schools. This funding is provided to support the government's priorities for personalisation of teaching and learning. It is intended to:

- support intervention and 'catch-up' provision
- support gifted and talented learners
- help learners from deprived backgrounds to access after school and year round activities.

Currently, in 2008/09, £14.7 million is available to Nottinghamshire maintained schools for these priorities.

4.15 Consultation with stakeholders indicated that there was an underlying issue about the need for clarity in the resourcing strategy for SEN and a need for

more effective monitoring and accountability for each of the different funding blocks.

SEN support and inclusion services

- 4.16 Nottinghamshire has traditionally maintained a comparatively large centrally funded and managed group of support services. In the 2008/09 financial year the expenditure on such services amounted to almost £59 per pupil (see table 7), and is approximately twice the English national average. This reflects the fact that in Nottinghamshire the majority of pupils with SEN attend their local mainstream school and require increased levels of support to maintain these placements.

TABLE 6: Specialist Advisory and Support Services – gross costs

Service	2006-2007 £ million	2007-2008 £ million	2008-2009 £ million
Inclusion Support Services	5.307	6.538	6.718
Behaviour Support Team	1.675	1.936	1.884
Physical Disability Support Service	0.309	0.368	0.332
Educational Psychology Service	1.415	1.647	1.665
Total	8.706	10.489	10.599

TABLE 7: Specialist Advisory and Support Services – amount per pupil

	2005-2006	2006-2007	2007-2008
England	£24	£27	£29
Nottinghamshire	£50	£61	£59

(Data from Section 52 statement (line 1.2.2) – resources not delegated to schools)

- 4.17 The role of support services has been a key line of enquiry within this review. This reflects the concerns of some teachers regarding the consistency of such support and the wider issue underpinning this review in relation to the role of all services within an integrated service environment. The views of schools are reflected in the School Survey 2008 conducted by the Audit Commission. Schools' views of support services in a number of areas were considered to be less than satisfactory. Further detail is provided within the Audit Commission's report.

Placements in specialist resourced provision

4.18 As noted above, the majority of Nottinghamshire children and young people are educated in local mainstream schools. Tables 8 and 9 below provide data on the arrangements for children requiring more specialist placements who attend mainstream schools with specialist resourced provision. Nottinghamshire currently has resourced provisions for a small number of children with specific needs.

TABLE 8: Resourced specialist provisions in Nottinghamshire

Resourced provision	Type of need
Annie Holgate Infant, Hucknall	Deaf
Annie Holgate Junior, Hucknall	Deaf
Holgate Comprehensive, Hucknall	Deaf
St Augustine's Infant, Worksop	Deaf
St Augustine's Junior, Worksop	Deaf
Sutton Road Primary, Mansfield	Speech and language

TABLE 9: Number of children with statements in resourced provision/units/special classes in mainstream schools (January 2008)

2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008
38	22	20	21	19	14

4.19 As can be seen in table 9, the number of pupils in the specialist resourced provision has decreased significantly over the period 2002/03 – 2007/08. Conversely, over the period same the number of pupils accessing external placements has increased. In the category of hearing impairment, for example, currently 9 pupils attend the Royal School for the Deaf in Derby whilst only 5 pupils in total attend our four infant and junior resourced provisions for deaf pupils.

4.20 The review has highlighted the need to consider the role of our resourced provisions in the light of declining numbers of pupils and value for money principles.

Pupils with statements of SEN

- 4.21 Nottinghamshire issues a comparatively low number of statements of SEN. Currently we maintain 1,269 statements; this equates to 1.1% of Nottinghamshire's total pupil population and is amongst the lowest in the country. The number of statements issued by Nottinghamshire has remained relatively constant since 2002. Nationally, the average in January 2008 was 2.8% (see table 10).
- 4.22 Nottinghamshire is different from most local authorities in that it does not use statements as a mechanism for distributing resources for pupils with SEN. However, a statement is required in order to access special school provision or where an individual child's needs are particularly complex and require systematic monitoring.
- 4.23 Statistics on pupils with special educational needs are published by the DCSF in a statistical bulletin issued in January of each year. Information is mainly drawn from two sources: the School Census and the SEN2 survey completed by local authorities. The bulletin provides information on the incidence and placement of pupils with SEN, together with analyses of the characteristics of pupils by their stage of SEN.
- 4.24 The key points from the latest bulletin (January 2008) are:
- some 223,600 (or 2.8% of) pupils across all schools in England had statements of SEN, a slight fall when compared to the previous year
 - 56.6% of pupils with statements of SEN were placed in mainstream schools (nursery, primary, secondary). The corresponding figures for the proportion of pupils with statements of SEN placed in maintained special schools was 36.9 %, with 3.6 % in non-maintained special schools.
- 4.25 In 2008 nationally there were some 1,390,700 pupils with SEN without statements representing 17.2% of pupils across all schools. This is an increase from 16.4% in 2007. Contrary to the pattern for pupils with statements of SEN, the incidence of pupils with SEN without statements is greater in primary schools (18.1%) than in secondary schools (17.8%).
- 4.26 Table 10 shows the comparative data for pupils with statements of special educational needs in England and in Nottinghamshire.

TABLE 10: Number and percentage of pupils with statements (England and Nottinghamshire)

		2002	2003	2004	2005	2006	2007	2008
Eng	No.	248,980	250,550	247,590	242,580	236,750	229,110	223,610
	%	3.0	3.0	3.0	2.9	2.9	2.8	2.8
Notts	No.	1,263	1,278	1,238	1,287	1,283	1,314	1,269
	%	1.0	1.0	1.0	1.0	1.0	1.1	1.1

(Data taken from DCSF Statistical Bulletin: Special Educational Needs in England: January 2008)

Strategic management

4.27 The County Council spends less than the national average on central service functions such as SEN administration, assessment and coordination of such functions, due to our long term approach of delegating resources to families of schools. This has reduced the reliance on statements in order to access specialist funding and services.

TABLE 11: Strategic management, assessment and coordination costs in Nottinghamshire County Council

2004-2005	2005-2006	2006-2007	2007-2008
£2,918,932	£3,280,128	£3,194,044	£3,130,002

TABLE 12: Strategic management, assessment and coordination - Amount per pupil (3-19)

	2005-2006	2006-2007	2007-2008
England	£37	£37	£39
Nottinghamshire	£27	£27	£26

(Data extracted from Section 52 statement)

4.28 During the course of the review, it emerged that it is necessary to consider the role of SEN strategic services, in the context of the County Council's strategic approach to locality and integrated working.

Special school placements

4.29 The number of pupils in Nottinghamshire's special schools has risen steadily in recent years. In January 2008 approximately 834 of our pupils attended one of the eleven special schools maintained by the County Council compared to 750 in 2003-04. Most recently, however, this figure has declined significantly and stands at 816 in 2008. This may be a part-year anomaly.

TABLE 13: Total number of pupils placed in Nottinghamshire maintained special schools (5-15 population)

2003-2004	2004-2005	2005-2006	2006-2007	2007-2008
750	790	777	824	834*

(Data taken from DCSF Statistical Bulletin: Special Educational Needs in England: January 2008)

* 793 as at September 2008

TABLE 14: Percentage of pupils placed in maintained special schools

	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008 *
England	1.22%	1.20%	1.19%	1.18%	1.19%	1.20%
Nottinghamshire	0.63%	0.63%	0.68%	0.69%	0.73%	0.71%

(Data taken from DCSF Statistical Bulletin: Special Educational Needs in England: January 2008)

TABLE 15: Maintained Special Schools – Total planned expenditure ISB (Individual School Budget)

2003-2004	2004-2005	2005-2006	2006-2007	2007-2008
£9,948,370	£11,122,831	£12,909,700	£13,267,035	£14,250,640

4.30 In 2007/08, the County Council funded 849 special school places. This resulted in an average per pupil place cost of £16,785. In 2008/09 this will rise to 876 pupil places, with a corresponding cost per pupil of £18,252.

TABLE 16: Maintained Special Schools – Cost per pupil (3-19)

	2005-2006	2006-2007	2007-2008
England	£165	£173	£193
Nottinghamshire	£107	£111	£121

4.31 These figures are based on a calculation made by the DCSF which enables comparisons to be made for types of provision made by County Councils. Table 16 shows the cost of special school placements in relation to the total number of pupils in Nottinghamshire and demonstrates that in comparison to other councils, this type of provision costs significantly less in Nottinghamshire.

TABLE 17: Number of Nottinghamshire pupils attending special schools in other local authorities

2005-2006	2006-2007	2007-2008
118	123	112

4.32 Currently 112 young people whose home address is in Nottinghamshire attend special schools maintained by other local authorities. Most of these live close to the border with other local authorities and attend schools maintained by them. The majority with these live in the Nottingham conurbation and attend schools maintained by Nottingham City Council.

TABLE 18: Number of pupils from other local authorities attending Nottinghamshire special schools

2005-2006	2006-2007	2007-2008
124	122	128

4.33 Conversely, a number of pupils who live in the area of other local authorities close to the borders of Nottinghamshire attend special schools maintained by Nottinghamshire County Council.

Independent and non-maintained special school placements

4.34 Nottinghamshire places fewer children and young people in independent and non-maintained special schools than is the case nationally.

4.35 51 children and young people attended independent or non-maintained special schools in 2007/8, which reflects a lower rate of placement outside the authority's special schools than the English national average.

4.36 Recently there has been an overall increase in such placements reflecting an increase in the number of pupils placed in local independent and non-maintained special schools such as Sutherland House School (for autistic pupils) in Nottingham, partly offset by a decrease in the number of placements in establishments which are located further afield.

TABLE 19: Number of pupils attending independent/non- maintained special schools

2005-2006	2006-2007	2007-2008
45	46	51

4.37 The total cost of placements in special schools not maintained by the local authority is shown in Table 20. The cost per pupil is shown in Table 21

TABLE 20: Independent and non-maintained special schools - total planned expenditure

2005-2006	2006-2007	2007-2008
£1,959,607	£2,002,818	£1,874,508

(Data extracted from Section 52 statement (line 1.2.4))

4.38 The average per pupil cost of placements for Nottinghamshire pupils in independent or non-maintained special schools is lower in Nottinghamshire than other local authorities. This may be because Nottinghamshire places more pupils in **local** independent or non-maintained provision. The County Council has engaged in the development of effective partnerships and as a result has agreed more competitive placement costs with providers.

TABLE 21: Independent and non-maintained special schools – costs per pupil

2007-2008	Amount per pupil (3-19)	Cost per placed pupil
England	£75	£46,429
Nottinghamshire	£16	£32,886

Home to school transport for pupils with SEN

4.39 In addition to the costs of special provision, the County Council must also provide home-school transport for pupils attending special schools and other specialist provision. This accounts for a further £5.039 million of expenditure in the 2008/09 financial year. The cost of this transport has risen significantly in recent years.

TABLE 22: Home to school transport for children and young people with SEN / LDD

2005-2006	2006-2007	2007-2008	2008-2009
£4,545,616	£4,862,054	£4,877,287	£5,039,137

Permanent exclusions and arrangements for excluded pupils

4.40 As is the case across the country, exclusions in Nottinghamshire are more prevalent in secondary than in primary schools. The number of permanent exclusions in Nottinghamshire has been consistent for the last three recorded years, and is closely aligned to the English national average.

4.41 Educational arrangements for excluded young people are made through the Nottinghamshire Learning Centre, a federated provision which incorporates the four county pupil referral units (PRUs) and makes arrangements as a service for a wider variety of individual needs, including teenage pregnant mothers, specialist individual packages of support and those children and young people with anxiety related non-attendance. The Nottinghamshire Learning Centre has become a key element of the review given the increasing focus on children and young people with challenging behaviour and the significant increase in its roll since its inception in 2005. During the three years since it was established placements at the NLC have increased from 75 to 243; an increase of 224%. The increase in placements has not been as a direct result of increased exclusions. The increase seems to be indicative of a lack of capacity, provision and on occasions a perceived unwillingness on the part of schools to accept the return of these young people back into appropriate mainstream provision.

TABLE 23: Permanent exclusions – total numbers of all permanent exclusions

2002-2003	2003-2004	2004-2005	2005-2006	2006-2007
120	170	150	150	150

TABLE 24: Permanent exclusions as a percentage of the school population

	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007
England	0.12	0.13	0.12	0.12	0.12
Nottinghamshire	0.10	0.14	0.12	0.12	0.12

TABLE 25: Secondary schools fixed term exclusions as a percentage of the school population

	2004-2005	2005-2006	2006-2007
England	9.94%	10.40%	10.83%
Nottinghamshire	10.95%	10.76%	11.42%

4.42 The increasing reliance on the NLC to make provision for children and young people who are excluded or unable to attend school has a financial impact on the non-ISB element of the Schools' Budget. The cost of the NLC is retained centrally in order to deliver the service. Over the period of 2006/07 to 2008/09 expenditure on the NLC has increased by 42.6% reflecting increasing pupil numbers. This expenditure is funded through the non-ISB element of the School's Budget.

TABLE 26: Cost of NLC provision

	2006-2007 £ million	2007-2008 £ million	2008-2009 £ million
Cost of provision	3.267	3.503	4.658

4.43 The review has highlighted the need to consider alternative strategies to manage the trend towards long-term placements in the NLC and to increase the capacity of mainstream schools to meet the needs of children and young people with behavioural, social and emotional difficulties. This may involve re-defining the role of the NLC in order to enable a more effective response to the increasing needs of schools.

Young people not in education, employment or training (NEET data)

- 4.44 The Joint Area Review (JAR) of Nottinghamshire in May 2008 highlighted the difficulties that young people with SEN experience when progressing to education, training or work opportunities at 16+ years of age.
- 4.45 Overall, Nottinghamshire remains well below the national NEET average (8.7% as at March 2007 compared to 11.4%). However, for young people with learning difficulties; the NEET level for those 16 to 18 year olds who had been at School Action Plus on the SEN Code of Practice is three times the national average. This is reducing but remains a high priority for attention.
- 4.46 The review has highlighted the need to work collaboratively with partners in order to improve progression pathways for young people with SEN into education, employment and training.

Section summary

- 4.47 This section of the report sets out the current situation in Nottinghamshire, in relation to a range of demographic and other factors that impact upon the lives of children and young people with SEN. It also provides details of funding for SEN provision in Nottinghamshire.
- 4.48 The main issues arising from this section are Nottinghamshire's:
- comparatively low levels of expenditure on SEN
 - comparatively low number of placements in special schools
 - comparatively low number of statements
 - rise in the number of out county placements
 - rise in the number of pupils on roll of the NLC
 - rise in the cost of SEN transport
 - recent fall in the number of pupils in special schools maintained by the County Council.

- 4.49 The next section moves this analysis on a stage further by outlining what the review has found in relation to the way in which provision for children and young people is currently organised and delivered across the county. The section draws out the main issues arising, creating a link between the review's analysis and the proposed improvement plan.

5. KEY ISSUES ARISING FROM THE STRATEGIC ANALYSIS OF THE SEN REVIEW

- 5.1 This section of the report summarises the strategic analysis of provision for children and young people with SEN, undertaken by the Project Manager and Head of SEN Strategic Services with support and advice from the Review Board and its four sub-groups. The main themes and outcomes of the sub groups are summarised in Appendix 6.
- 5.2 The data and information gathered throughout the review has been analysed using a process which considered:
- what we heard - what stakeholders told us
 - what we think this means - the case for change
 - what we propose to do - our proposals for action.
- 5.3 This information was grouped under four emerging priorities:
- behaviour
 - financial resources
 - graduated response
 - integrated locality teams.
- 5.4 Appendix 5 summarises the feedback from the two consultation events held in September 2008. At these events the four priority areas for improvement were presented and debated. Each priority area also identified three specific activities which would be undertaken in order to achieve the improvement. The summary feedback identifies the delegates' response to the proposals and specifies a percentage rating in relation to each activity. It also provides a sample commentary from the delegates.

Priority 1: Behaviour

What we heard

- 5.5 The behaviour of some young people in schools, communities and homes generated much discussion and debate. The behaviour described by schools ranged from low level disruption, to the violent behaviour of potentially dangerous individuals. The needs of the children and young people involved ranged from those who are mildly disengaged from the curriculum, to those whose lives are disrupted by events and circumstances that surround them to such an extent that the impact on their emotional well-being and social needs results in very challenging behaviour.
- 5.6 Schools manage this behaviour in different ways with various levels of success and with various levels of support from families and other agencies.
- 5.7 As a result, a number of schools in Nottinghamshire can demonstrate highly successful approaches with the most challenging young people, whilst others seem less tolerant and less able to meet the needs of some of our most vulnerable young people.

- 5.8 Throughout the review, schools made reference to the impact of pupil behaviour on their ability to achieve national and local targets on attainment. Schools perceive a conflict of interest between achieving good academic outcomes for all, whilst at the same time meeting the social and emotional needs of children and young people.
- 5.9 Currently, behaviour support and provision in Nottinghamshire is funded in a number of ways. Schools are expected to make significant provision themselves through their general delegated budgets. Those with higher levels of 'predictable need' receive additional funding through social disadvantage factors in the schools' budget formula. Nottinghamshire has also retained a factor in secondary schools for 'Pupil Retention Grant' (PRG). This is allocated to schools on the basis of numbers on roll and social disadvantage levels (ranging from £20,000 to over £60,000 per year per school).
- 5.10 Additional funding is available to support individual pupils with more significant needs across both the primary and secondary school sectors through the AFN and HLN funding mechanisms (see paragraphs 4.12 and 4.13).
- 5.11 At the secondary phase, the County Council has supported the development of behaviour collaboratives through its AAP (Area Admission Panel) process. This was originally designed as a mechanism to support the implementation of the Council's managed moves/hard to place protocol. In some areas, panels have taken on a broader strategic role. Each AAP receives an annual budget to enhance its capacity/support its activities. Budgets range from £46,000 (Newark) to over £62,000 (Mansfield). The panels operate in each of the seven districts in Nottinghamshire. They consist of local authority officers and school leaders, who meet to make arrangements about young people who are at risk of exclusion or have been excluded. The panel in each district operates differently and there are varying levels of trust, cooperation and success. As a result, confidence in the panels ranges from high to low levels, and this impacts on the ability of the panels to bring about positive change to the lives of young people.
- 5.12 A range of other support is also provided to schools. This includes support provided by the Council's educational psychology service and behaviour support team. Nottinghamshire provides a range of options for pupils out of mainstream settings. These include centre-based provision at the four learning centres (Bassetlaw, The Grove, New Daybrook, Oakdale), vocational/pre-vocational options for KS4 students and more flexible personalised programmes for some young people with more complex needs. The significant majority of this provision is centrally-funded, though schools may be asked to contribute to some additional costs, where pupils remain on their roll (e.g. fees for college courses).
- 5.13 The consultation process indicated that there were a number of features in relation to the current arrangements which impacted on the effectiveness of the service the Council provides.

- 5.14 The behaviour support team (BST) is a relatively small centrally managed service which focuses on school based interventions. The consultation process revealed that many colleagues believed that there is a lack of capacity within the current arrangements of the BST to effectively respond to the demand for preventative work requested by schools. In contrast, the Nottinghamshire Learning Centre has seen a large increase in pupil numbers in the last three years (an increase of 224%, from 75 to 243 placements). This has resulted in a significant growth in NLC expenditure (see Table 26 on page 32).
- 5.15 Throughout the review, there was a strong consensus that it would be helpful to undertake a fast-track review of the behaviour support team in order to promote a balance of prevent, provide and return. This will need to be considered in the context of a review of other services.
- 5.16 The growing imbalance between preventative measures and provision of alternative placements has resulted in a County Council response that is heavily weighted towards provision (by the NLC), with a limited response to preventative work (by the BST).
- 5.17 The data provided in paragraph 4.41 of this report shows that the number of exclusions has remained constant in Nottinghamshire and in line with national averages and targets. However, analysis has shown that young people who are excluded from schools in Nottinghamshire and who subsequently attend NLC provision, do not generally return to mainstream school and spend longer periods in the NLC, hence the year on year increase in its pupil numbers. The review has considered ways in which young people could be appropriately returned to mainstream provision. The review concluded that resources which are available to support a prevent, provide and return cycle should be considered as part of the emerging behaviour and attendance strategy. A better balance of resources will reduce exclusions, make good provision for those who are out of school, and ensure the effective return of excluded young people back into mainstream provision at the earliest appropriate opportunity.
- 5.18 The first half of the autumn term 2008 has seen permanent exclusion figures which are slightly higher than those of previous years. This has been due in some part to the new regulations for making provision for excluded young people after 6 days.
- 5.19 In order to support the prevent and return aspect of the cycle, it is necessary to increase the range of mainstream school based opportunities for learners with behaviour emotional and social difficulties. By providing an extended curriculum that meets the social and emotional needs of these learners, as well as their curriculum needs, the intention is to retain learners in their communities, and allow greater opportunities for young people to return to mainstream provision after periods of exclusion.
- 5.20 Often the gap between the highly personalised provision pupils receive in the NLC, and the mainstream curriculum, does not support successful reintegration. A more graduated and flexible response is required.

- 5.21 A significant number of children and young people have additional special educational needs and in many cases these remained undiagnosed or unrecognised before placement within the NLC.
- 5.22 Children and young people told us that they are concerned about being bullied and require appropriate anti-bullying interventions in schools. Children and young people, who have difficulties in managing their own behaviour, told us that they did not always receive appropriate emotional support.
- 5.23 During the period of the review the DCSF announced plans for a radical new approach to improve behaviour in an initiative called “Back on Track”. The new plans will see a transformation of alternative provision as it currently exists. The DCSF will encourage local authorities to pilot new types of provisions and programmes for young people who are educated outside the usual mainstream offer.

“Alternative provision requires a much higher priority than it has generally received in the past, and this White Paper will surely ensure that it gets it.” Back on Track. DCSF, 2008

- 5.24 In February 2009 Sir Alan Steer published the Interim report of the “Review of Pupil Behaviour”. The report advised on:
- how school behaviour and attendance partnerships might be developed so as to maximise their effectiveness
 - the impact on pupil behaviour of consistently applied school policies on learning and teaching
 - the links between behavioural standards, special educational needs (SEN) and disabilities.
- 5.25 At the end of the consultation period on the SEN review, a presentation of the findings of the behaviour section of the review was made to secondary heads at their conference in November 2008. This resulted in concerns being expressed by secondary head teachers who felt the behaviour strand of the review would not have the desired impact. As a result, an additional period of consultation was agreed and a process established to develop a consensus.
- 5.26 Three additional meetings of the behaviour sub group subsequently took place. The meetings focussed on agreeing a programme of activity which subsequently would bring about change and improvement. The process involved discussing the outcomes of the sub group meetings at secondary head teacher conferences for consultation. This report acknowledges the comments made and has included the recommendations of the sub group.

What we think this means

- 5.27 The County Council needs a county wide behaviour and attendance strategy which has the support of stakeholders, particularly school leaders, communities and families. Behaviour partnerships will be established in all seven districts of the county. The County Council will need to consider how the behaviour support team and the Nottinghamshire Learning Centre will effectively support

locality behaviour partnerships in delivering the objectives of the behaviour and attendance strategy.

5.28 The partnerships will need support, advice, resources and provision in order to address the needs of a continuum of learners within their school communities. The partnerships will be responsible for making decisions about resources that have been devolved to them.

5.29 In developing solutions for pupils with social and emotional behavioural difficulties the following principles were adopted by the behaviour sub group. Solutions would seek to:

- recognise the rights of children, young people and their families
- raise the standards in all aspects of behaviour management across Nottinghamshire
- develop a multi agency response with a common understanding of the criteria that agencies use in order to secure an equality of opportunity for accessing provision
- develop appropriate curricula and environments for identified groups of children and young people in Nottinghamshire
- promote the devolution of decision making and control to enable the effective commissioning of services
- ensure a professional entitlement infrastructure is in place in order to enable the delivery of a range of responses.

5.30 In developing local partnership solutions the following principles will be adhered to:

- all current legislation and guidance from the DCSF must be complied with to the satisfaction of the County Council and Local Behaviour Partnerships (LBPs)
- a County Council regulatory body should quality assure across all LBPs and ensure legal compliance (this might be the SEN monitoring and accountability board)
- through provisions provided via the Joint Access Teams and other providers, the focus of the LBPs should be to help manage the spectrum of factors that prevent a BESD pupil from accessing education
- to facilitate schools to engage positively in the process, a small minority of pupils with BESD should be enrolled 'outside' the mainstream school's provision because of their inability to engage with mainstream learning
- LBPs should operate an agreed management structure that enables the pupil and family to receive appropriate support and to ensure continuity of learning
- clear timelines should be set out for each pupils needs
- LBPs should act as a commissioner of external support and learning provision and consequently County Council resources should be devolved to enable this to occur
- LBPs should ensure value for money is monitored
- LBPs should ensure consistency of practice across all schools in a locality
- the County Council has a duty to ensure appropriate expertise is available and accessible.

5.31 Each local behaviour partnership will be responsible for establishing a structure which:

- supports class teachers in managing disruptive behaviour by providing suitable strategies
- supports schools in delivering a suitable curriculum
- develops local responses and partnership responses to meet the needs of young people where there are significant concerns about disengagement, emotional well-being and personal development that require the input of targeted services
- provides greater access to specialist environments for young people who are excluded and those who are unable to attend their local community school
- creates a balance of resources across the “prevent, provide and return” cycle.

What we propose to do

5.32 It is proposed to create balanced and graduated provision and responses that meet the needs of a range of children and young people with behavioural, emotional and social needs. This will involve:

- improving young people’s engagement and positive social/emotional development and well being
- supporting schools to develop their ethos and climate for learning
- developing locality behaviour partnerships and collaborations between schools, services and settings.

Short term deliverables (within one year)

- produce a behaviour and attendance strategy with an improvement plan
- arrange seven district conferences in order to describe behaviour partnership in each of the areas for all phases of schooling
- establish a behaviour partnership working group in each area
- establish locality behaviour partnerships in each area
- develop a range of strategies and support mechanisms which improve the ability of schools to meet the social and emotional needs of young learners
- provide a clear description of the role and function of the Nottinghamshire Learning Centre (NLC) based upon the outcomes of LBP district conferences
- develop a range of innovation projects linking mainstream schools with the NLC
- implement a review of the behaviour support team as a part of review of the inclusion support group which considers how best to support the new behaviour partnerships.

Medium term deliverables (within 2 years)

- evaluate the effectiveness of each of the behaviour partnerships

- promote the training of a specialist leader in every school for tackling behaviour and attendance under the National Program for Specialist Leaders in Behaviour and Attendance (NPSLBA), and other accredited CPD opportunities which are available for a range of professionals.

Long term deliverables (within 3 years)

- further develop locality behaviour partnerships that will jointly commission services with resources that have been devolved to them from a range of agencies.

Priority 2: Financial Resources

What we heard

5.33 Throughout the review funding has been identified as one of the major causes of concern. These concerns relate to:

- the level of funding
- the complexity of processes used to access funding
- the transparency and use of financial resources.

There is a relationship between how much the County Council allocates for SEN and the amount of funding received from the government. The current formula for allocating funding to local authorities does not work to Nottinghamshire's advantage, and we receive less than many other councils. This is explained in paragraphs 4.7 – 4.11 of this report.

5.34 Many stakeholders, particularly Special Educational Needs Coordinators, feel that the funding arrangements around HLN are too complex and bureaucratic. The current system of requiring schools and families of schools to "top up" HLN allocations from their budgets was seen to be unhelpful and resulted in different families of schools making differing levels of contribution. This results in a perception that children and young people with the most complex needs are being treated inconsistently across the county.

5.35 Some families of schools suggested that they were disadvantaged if, as a result of their inclusivity, they attracted pupils with SEN from other families of schools. The more inclusive the school the more they were likely to attract pupils with SEN. Schools who felt that they "imported" high numbers of pupils with SEN from other families of schools considered that the financial burden which was placed on them was unfair. The lack of flexibility of AFN funding was felt to contribute to this in that, unlike HLN funding, AFN funding does not follow the individual child.

5.36 It was felt there was a lack of transparency about resource allocations at all levels, including funding which is delegated to schools. This lack of transparency was remarked upon by parents, those responsible for SEN within schools, and those supporting and advising schools.

5.37 Parents told us that they wanted transparency about the resources and funding which are available to their children. Too often they became embroiled in

disputes between schools and the local authority about levels of funding and allocation of resources.

- 5.38 SENCOs said often they were not always aware of the resources available in their schools. This inhibited their ability to make decisions, in conjunction with their head teachers, about the allocation of available resources.
- 5.39 Support service staff said they would benefit from knowledge about resources in schools when helping plan transitions. On occasions concerns about resourcing became a barrier to successful inclusion.
- 5.40 There was agreement that there was a lack of robust monitoring and accountability arrangements to ensure that funding is used effectively and for the purpose for which it is intended. Schools use the money available to them in different ways, some of which are perceived to be more effective than others. This variety of practice is not recorded, evaluated or monitored effectively. The lack of effective monitoring and accountability does not help to identify (and thus eliminate) poor practice, nor does it enable best practice to be celebrated and shared.

What we think this means

- 5.41 Throughout the review there was an underlying issue about the need for clarity in the resourcing strategy for SEN and a need for more effective monitoring and accountability for each of the different funding blocks.
- 5.42 The current funding strategy replaced the old allocation methodology (Mainstream Support Groups) in 2002 following a best value review of SEN and inclusion. The new system is well embedded in practice and there was no significant challenge from this review to change the system. The focus of the debate was largely about features within the system that work against its efficient operation and add to a feeling that it is overly complex, bureaucratic and differentially applied in different parts of the county.
- 5.43 A secondary, but long standing, debate centres on the totality, i.e. sufficiency, of the resources for SEN as a whole. This is part of a broader national debate about SEN but is often raised in the local context in terms of how much Nottinghamshire County Council spends on SEN. DCSF statistics show that Nottinghamshire's mainstream schools receive a lower level of targeted funding for SEN than the England average and the County Council maintains less special school provision than many other local authorities. The balancing items here are the higher than average level of AWPU available to Nottinghamshire schools and our spending on specialist SEN support services which accounts for almost £7 million in 2007/08 and is over twice the national average. The Schools' Forum is the appropriate mechanism through which funding issues can be raised and discussed. However, there seems also to be a need for less formal opportunities for debate and discussion. This would avoid the current situation which involves ad hoc meetings between stakeholders (mainly schools) and officers with a view to discussing issues around, what are perceived to be, an inequitable position in individual cases.
- 5.44 There are three main funding streams going into schools (HLN, AFN, and ASN - see section 4, paragraph 4.12) to target children and young people with

special educational needs. They are described and allocated separately and there is a high level of inconsistency in the way the allocations are monitored, in the allocation methodologies and in the degree to which there is moderation of allocations across families of schools.

- 5.45 The overall impact of this is what is known as 'resource drift' at the family of schools level, where funding to meet the needs of individual children with significant SEN is reduced in order to meet the needs of the larger group of children with more predictable SEN. This impacts on individual schools within a family where evidence demonstrates that they face significant challenges in meeting the needs of children with predictable SEN when the funding for that group is needed to 'top up' the funding for children with very significant SEN.
- 5.46 The impact of all of this is felt most acutely in those areas that have high levels of deprivation and it has been argued during the review that the formulae for allocating the AFN funding stream, to families of schools, is not sufficiently sensitive to SEN because it is largely driven by pupil numbers. However, stakeholders also expressed the view that we should not change the formulae without first putting in place a monitoring and accountability strategy that would provide value for money measures of how the current budgets were being deployed. This caution is based on work that some schools have already been engaged in, using an Audit Commission tool, to measure the effectiveness of SEN funding in their particular context. There is also evidence of good practice arising from this work and from the moderation exercises in many families of schools that lead us to approach any changes to the formulae with caution.
- 5.47 One aspect of the funding streams, however, was the focus of a great deal of discussion and requests for a more rapid change. HLN is the highest level of targeted funding. About 350 children and young people in Nottinghamshire currently have an HLN allocation. Overall this element of the funding is the most monitored and transparent. There is a high level of stakeholder involvement in the panel that allocates the funding and a high level of confidence in the administration of the budget. Concerns were raised, however, about the time required to prepare an application to the panel and the interface between that process and the Common Assessment Framework. The cash value of the HLN allocation has been a matter of debate since its inception and, not surprisingly, was raised again in the review. There is a strongly held view that the HLN allocation should meet the full costs of supporting the individual child, thus reducing the need for schools to "top up" the allocation from other funding streams. Moreover, it was suggested that there should be greater flexibility allowed in the use of the HLN allocation. Currently it is largely tied to teaching assistant support but could be used, for example, to combine this with additional specialist support from special schools or support services. Another suggested development was to combine HLN allocations in a school, or family of schools, to provide a specialist type provision within the mainstream setting.
- 5.48 Such a change to HLN would mean a redistribution of funding and would impact on the other funding blocks by top slicing the Individual Schools Budget (ISB), but it was felt that the impact would benefit those schools supporting children with the most complex needs and, in that sense, would be a more efficient use of the budget and more effective in terms of outcomes. Any changes to the formulae used to allocate AFN funding will result in a shift of

funding across schools. This will need to be modelled, the implications of which will need to be understood by schools and agreed by the Schools Forum.

5.49 Throughout the county we saw evidence of innovative practice, very effective use of resources and children with SEN making good progress. What we do not have are effective means of sharing that good practice. There is, therefore, one strand of the debate around funding that suggests that we should be targeting more resources on the co-ordination of support for children and young people, linking this to the development of Joint Access Teams in localities, and building on the strengths we have within the family of schools' structure.

5.50 Any developments we propose should, it is suggested, be underpinned by the following principles:

- changes to funding mechanisms or funding formulae should be widely consulted on and be the subject of comparison with CIPFA neighbouring authorities
- proposals should be designed to ensure improved outcomes for children and young people
- changes should reduce, not increase bureaucracy
- the highest level of resourcing should focus on those with the most complex needs
- resources should be targeted on deprivation.

What we propose to do

5.51 It is proposed to target financial resources to meet the needs of children and young people with the most complex needs and those in the areas of greatest deprivation and to ensure that these resources are subject to appropriate monitoring and accountability. This will involve:

- improving the capacity to develop flexible approaches to commissioning specialist provisions as appropriate
- improving monitoring and accountability arrangements for SEN resources
- researching and developing ways in which High Level Needs and Additional Family Needs monies are targeted on those with the most complex needs and living in areas of highest deprivation
- developing a new multi-agency panel for the allocation of HLN resources.

Short term deliverables (within 1 year)

- establish a monitoring and accountability board
- provide training on provision mapping using appropriate value for money tools
- research and compare the use of AFN in a number of districts in Nottinghamshire, by comparing who receives it, how it is used and how it benefits children and young people.

Medium term deliverables (within 2 years)

- produce descriptors of inputs, outputs and outcomes to match HLN and AFN descriptors

- identify a number of options for change at HLN level which would increase the amount of financial allocation to individual pupils with complex needs
- develop protocols and models of good practice around the use of personalised learning funding
- propose new models of distribution for AFN
- deliver an additional £1 million each year for the next three years through IDACI to primary mainstream schools to provide early intervention before the transition to secondary schools.

Long term deliverables (within 3 years)

- develop the HLN Panel as a multi-agency integrated panel, reflecting the commissioning of services for the whole of a child or young person's life experiences and the wider *Every Child Matters* agenda.

Priority 3: Graduated response

What we heard

- 5.52 Children and young people in Nottinghamshire have a range of needs. Their needs should be addressed through a continuum of provision. The current continuum does not have the range of options or the range of provision that stakeholders would like, and children and young people need.
- 5.53 The phrase “one size does not fit all” was heard on a number of occasions and reflects the need for a flexible range of options that suit the needs of children and young people. The SEN review considered how best to provide this continuum and listened to a wide range of stakeholders’ views on this matter.
- 5.54 Some parents want special school placements for their children. Some would prefer mainstream school placements. Some want mainstream schools that offer a more “specialist” approach or specialist curriculum. Others said they would like to see a more flexible offer, with increased opportunity to have access to aspects of special school provision whilst retaining their child’s placement in a mainstream school. Parents want real choice and real participation in decision making, particularly in relation to types of provision. They expressed the view that this was not always possible or offered.
- 5.55 There are many good examples where schools and families of schools make alternative or innovative provisions. During the review, information on these developments was gathered and a number of visits were made to schools who were keen to show what they were doing.
- 5.56 When considering the role of special schools, the review took into account information, data and outcomes of the earlier review of special schools in Nottinghamshire. During that review a wide range of stakeholders were consulted and a number of focus groups were established to consider specific issues, such as links between health, autism, sensory, behavioural and physical difficulties. The review was titled *Building on Achievement* and took place between May 2006 and May 2007. The title of the review, borne out by Ofsted inspection evidence, reflected the feeling that our special schools are very successful and offer excellent provision to children and young people who

are placed there. The review also considered a number of issues in relation to the condition, capacity, suitability and role of special schools in developing inclusive practice.

5.57 The review culminated in two conferences held in May 2007, at which the outcomes were presented. It was agreed that the overall conclusions of the consultation on future roles for special schools should be integrated within the new SEN and inclusion strategy. It also concluded that special schools are part of a continuum of inclusive provision available to meet the needs of all children and young people in Nottinghamshire

5.58 Parents and carers were also keen to point out that:

- there are very effective placements in both mainstream and special schools in Nottinghamshire
- they benefited from good practice and support from early years support services
- they benefited from good practice and support from the enhanced resource team for autism
- they benefited from good support from the parent partnership service.

5.59 The views of children and young people with SEN in Nottinghamshire largely reflect the concerns of other children and young people expressed through the Tellus surveys. Major issues identified by children and young people are concerned with:

- worrying about exams
- trying their best at school (80% of children say they try their best at school)
- doing better at school (78% suggested they wanted lessons that were more fun/interesting)
- feeling their views are not listened to much or at all
- the arrangements we make to meet their needs in the classroom
- getting emotional support
- avoiding being bullied, or knowing how to deal with it through school systems.

5.60 However, there are particular issues for children and young people with additional needs, which seem to be more negative about their school experiences and relate to:

- not being listened to, feeling ignored
- not feeling understood
- not always getting support when it was needed (or getting it when it wasn't needed) – although some young people did feel they got good support
- feeling sad, lonely, and angry.

What we think this means

- 5.61 The things that children and young people told us which have helped us understand how they feel about school are that they:
- are not sufficiently engaged in decision making process that affect them, particularly those around their own support needs
 - have different learning styles and that the level of personalised learning in our schools doesn't always match the diversity of needs as expressed by the young people themselves
 - are not having their social and emotional needs met at school. Many young people do not have social skills in order to develop healthy social networks and friendship groups
 - are often the victims of bullying.
- 5.62 Nottinghamshire's approach to measuring the impact of inclusion has focussed on the numbers of statements we issue and the type of schools children and young people attend. This data is relatively easy to collate and analyse, but does not necessarily reflect the quality of the child's experience. It is necessary, therefore, to embark on a new programme of innovation and invigoration of our inclusive practice and policy. The quality of a child's inclusive experience in terms of how this makes them feel is more important than the type of school they attend. This review offers the opportunity for schools to develop their own inclusive practice which needs to be supported by a strategic programme of change.
- 5.63 Inclusion will continue to progress through effective collaboration between schools and the County Council's Children and Young People's Services Department and this partnership will include special schools.
- 5.64 We learned from the review of special schools that Nottinghamshire's special schools are well-respected, effective and popular. As a result, the County Council will maintain the overall capacity of its special schools. We understand that parents and schools feel that special school partnerships would be beneficial and we would like to extend the partnership working of our special schools into their wider communities, enabling special schools to support partner mainstream schools in order to develop provision in mainstream settings which delivers a highly personalised and appropriate curriculum.
- 5.65 The suitability and capacity of special school buildings will need to be addressed. The County Council will engage in an inclusive design programme which aims to reflect the changing, increasingly complex needs of children and young people. This should be incorporated into the *Building Schools for the Future* programme.
- 5.66 There is much experience, enthusiasm and commitment within mainstream schools to develop appropriate curricula and strategies. These approaches need recognition, evaluation and celebration in order for good practice to be replicated on a wider scale across the county.

What we propose to do

5.67 We propose to develop a graduated range of responses which include specialist, targeted and universal provision and support. This will involve:

- developing specialist support for learning in mainstream school settings
- improving our special school environments through the capital programme and *Building Schools for the Future* programme, and developing federation arrangements between special schools
- developing extended services opportunities for children and young people within our special school population.

Short term deliverables (within 1 year)

- research, evaluate and celebrate innovative developments in mainstream schools in order to replicate good practice
- establish a programme of innovative projects to develop mainstreams schools' capacity to deliver specialist provision
- produce a vision for Carlton Digby Special School linked to its proposed rebuild
- develop a federated approach to special schools.

Medium term deliverables (within 2 years)

- enhance the capacity to meet the needs of pupils on the autistic spectrum
- extend the innovation programme to further develop the capacity of mainstream schools to deliver specialist provision
- co-locate Orchard Special School and Grove Comprehensive School as part of Newark BSF programme
- develop a strategic plan for each special school, in relation to its local community of schools.

Long term deliverables (within 3 years)

- enable mainstream schools to commission support, advice and teaching inputs from special schools, local independent schools and other providers
- develop a hard federation of special schools in the Mansfield district
- develop provision in special schools to meet the requirements of children and young people with complex medical needs
- develop a 'hub and spoke' model of provision for children and young people with physical disabilities and sensory needs
- review post 16 SEN provision.

Priority 4: Integrated locality teams

What we heard

5.68 Within the context of the review, the Review Board and the review project team were very mindful of the rapid developments within the County Council toward the integration of services within localities, as specified in the Children and Young People's Plan. This led the project team to negotiate and work alongside colleagues within the strategic services division in the Children and

Young People's Services Department, in order to place the SEN and inclusion review within the context of overall County Council wide developments.

- 5.69 Centrally managed support services are a key part of Nottinghamshire's current range of provision. Feedback on the services varied widely, with some schools rating services very highly, but with inconsistency of practice a key concern. Schools and other partners were also keen to point out within the review, that the development of integrated services would have an inevitable impact upon all services such as these, requiring, at least, realignment and, at most, a thorough review of their contribution to the newly emerging approach to developing integrated services within localities. The current configuration of support services does not sit well with an integrated pathway of provision. There is a perception by some, that the current alignment of services places inclusion as an issue out of the school improvement arena. There was some discussion around whether there should be key roles within the County Council's school improvement services that support schools in their development of inclusive policies and practice from a school improvement perspective.
- 5.70 There is an increasing demand and need for specialist advice, support and places for children and young people with autistic spectrum disorder (ASD). Provision for children with ASD was a key priority for parents and carers, not only with regard to access to appropriate school placements, but also to the wider extended services. Practitioners and parents were very positive about the provision available from the enhanced resource team for autism in the inclusion support service, but felt that it has insufficient capacity to cope with the significant increase in diagnosis amongst children and young people. The need to develop services within a multi-agency context, alongside health and others, was also highlighted.
- 5.71 Parents expressed concern at some aspects of case management for children and young people with additional needs. This related to how cases are managed, how information is stored, and how children and young people's services link with other departments and agencies.
- 5.72 Parents frequently felt that they are the co-ordinator of services for their child. They reported that lead professional or key worker roles are often not taken up by professionals. This contrasted to parents who talked about their early years experiences. Parents valued highly the support provided in the early years, but then reported that this support "dropped off" when their child, on reaching compulsory school age, started to attend school and this was often a shock. The early years support focussed on the needs of the family, but when the child started to attend school the emphasis shifted to the needs of the professionals working with the child. They also expressed a view that services should be organised in order to support children and young people through periods of transition. Services are often organised in age bandings. This left parents and young people feeling exposed when changes in support staff coincided with moves between phases of schooling.
- 5.73 Parents reported that access to social and leisure opportunities for children and young people with SEN is uncoordinated and frequently unavailable. Parents felt that the very few opportunities available were found by them, and supported by them.

5.74 Families, schools and other agencies expressed a preference for locally delivered services to meet locally identified needs. Localities, including school partners, want more ownership of resources within their localities. They also want more freedom to purchase the support they believe they need rather than receive support they are offered.

5.75 Communication between professional groups needs to improve further.

5.76 Family of school structures are on the whole, seen as strong and supportive networks which help engender partnership working. The role of the family SENCO is seen as important but concerns were raised about their capacity to deliver all that is asked of them. It was a commonly held view that this role was under supported and should attract more resources to increase its effectiveness.

What we think this means

5.77 Schools have a widening range of responsibilities within the *Every Child Matters* agenda, and extended school developments. The twenty-first century school, as described by the Training and Development Agency for Schools (TDA), is a highly sophisticated environment. Schools are judged in the public arena on the basis of their success in reaching benchmarks for pupil progress.

5.78 The recent debate regarding the National Challenge - where even schools with strong contextual value added factors were included in the list of vulnerable schools, due to GCSE A* to C performance being below the 30% floor target - has illustrated the pressure upon schools to be judged by raw academic standards. This strand of investigation illustrated the desire of Nottinghamshire schools and services to also consider the success of our school environments in enabling all children and young people to feel included. This would be demonstrated through children and young people with special educational needs belonging to certain groups, having friendships and having access to adults who can support them emotionally as well as with their academic and personal progress.

5.79 Nottinghamshire needs to develop mechanisms to help 'narrow the gap' for learners with additional needs, whilst at the same time celebrating the achievements of children and young people with significant needs. A way of establishing recognition of schools' inclusive achievements would be to strengthen the remit of the County Council's school improvement services to support the development of inclusive practice.

5.80 School improvement services and SEN strategic services need to explore opportunities to be better 'joined up'. There is the need to improve the links between resource allocation and monitoring processes through SIPs (School Improvement Partners) and SIAs (School Improvement Advisers) with SEN and inclusion services.

5.81 The Inclusion Development Programme (IDP) is seen as a major thrust for improving quality first teaching and learning and is currently focussed on improving teaching for pupils with dyslexia and speech, language and communication needs. Next year the IDP will focus on autism and the following

year behaviour. The IDP will target School Action level pupils to improve outcomes and achievement. This national strategy development will help, but needs to be embedded within the work of the inclusion services group (ISG)⁷ and school improvement services.

5.82 The *Aiming High for Disabled Children* agenda is well supported in early years and the foundation stage. However, parents and professionals were concerned at the dissipation of the team around the child from Year 1 onwards. Extending early support would be an appropriate integrated and multi-agency approach to address this area of concern.

5.83 Families and schools want access to locally delivered services to meet locally identified needs. The ISG and others should consider ways in which they could deploy their resources within locality teams which could develop a local system of deployment and management. Managers within the ISG should review their services to see how this could be achieved

5.84 The family of schools structure and the role of family SENCO are key in the development of cohesive family structures. JATs are organised around families of schools, and will become an increasing feature of Nottinghamshire's approach to integrated working. The capacity of family SENCOs to support this development is currently limited so the County Council will need to consider identifying resources to remedy this.

What we propose to do

5.85 We propose to develop integrated locality based services that respond to individual needs, the needs of families and the needs of localities. This will involve:

- developing our services in localities, around the child and their family
- reducing 'gaps' in educational achievement and promoting an inclusive standards agenda which addresses the need to balance strategies that raise the achievement of all children with those which safeguard the inclusion of others who are more vulnerable.

Short term deliverables (within 1 year)

- focus the SEN training programme around the government's Inclusion Development Programme
- explore the potential to extend support to families provided by early years support services to school aged children and their families
- implement a review of services that normally support children and young people with SEN and or disabilities through a programme for change
- strengthen the model of provision around the model of families of schools.

Medium term deliverables (within 2 years)

⁷ The ISG encompasses the centrally managed inclusion support service (ISS), behaviour support service (BST), educational psychology service (EPS) and the physical disability support service (PDSS).

- develop a strategy on transitions
- implement the outcomes of the review of services that support children and young people with SEN and or disabilities
- improve the school improvement service's capacity to support schools in developing their inclusive practice and raising the achievement of children and young people with SEN and or disabilities.

Long term deliverables (within 3 years)

- move towards co-located accommodation arrangements for appropriate staff groups, following consultation and engagement with stakeholders, including the recognised trade unions.

Section summary

5.86 This section analyses the County Council's provision for children and young people with SEN and or disabilities, from the perspective of service users and schools. From this analysis, the key challenges of the review are set out.

5.87 The key challenges for our arrangements for children and young people with SEN and or disabilities form the basis of the improvement plan set out as Appendix 1.

6. IMPROVING INCLUSIVE PRACTICE IN NOTTINGHAMSHIRE

- 6.1 In the course of the wide-ranging consultation stages of the review of SEN and Inclusion, more than one head teacher advised the project team that “the status quo is not an option”. Stakeholders recognised and supported inclusion in its broadest sense, with the review concentrating on the *quality of inclusive experiences*. The course of the review thus focussed on how we can improve our services, incorporating commissioning approaches and tools, to improve our range of provision and the experiences and outcomes of children and young people with additional needs.
- 6.2 Children and young people with additional needs live in the same communities as their peers and are entitled to the same high quality services so that they can enjoy childhood and prepare for their adult lives. The Review Board believes that adopting a more strategic approach across services could enhance the collective contribution of the County Council and its partners in improving outcomes for children and young people and their families. The concept of greater strategic clarity and coherence is the platform upon which all the improvement and options for the future will be built. An overarching strategy for provision to children with additional needs and a framework of accountability within which this strategy can be implemented is seen as crucial for improvement to be real and sustained.
- 6.3 The Review Board’s vision for the future of provision for children and young people is based on adopting this strategic approach. The Board believes that this will enable the County Council to:
- provide strategic leadership across all provision for children and young people with additional needs
 - provide a high quality range of provision which the County Council is best placed to provide directly, or to commission from others
 - ensure the active participation of children and young people and their families in the specification, governance, management, delivery and quality assurance of provision
 - ensure that there are coherent and consistent partnership arrangements in place which involve all key stakeholders
 - ensure that our strategy offers a graduated response, within the context of the development of integrated services for children and young people with special educational needs.
- 6.4 There are a number of inclusive principles which underpin this work. The Council for Disabled Children has published an inclusion policy setting out six principles which describe very clearly the needs of children. These sound principles echo the views that many stakeholders expressed throughout the review. They are contained in the following extract from the Council for Disabled Children’s inclusion policy (September 2008):

“Inclusion is a journey with a clear direction and purpose: equality of opportunity for all children and young people. The Council for Disabled Children believes the following factors are crucial to the development of inclusion:

- a welcome for all disabled children and young people, secure relationships and support for families when they need it
- respect for difference and a commitment to building friendships and community to the benefit of everyone
- equality of access to play, learning, leisure and all aspects of life
- the active participation of children and young people and their families in decision making
- a proactive approach to identifying and removing barriers
- timely access to information and to people with empowering attitudes, supportive skills and expertise.”

7. CONCLUSIONS

- 7.1 The review of SEN and inclusion has provided the opportunity for a wide-ranging examination of provision, using its terms of reference to examine both strategic and local issues. The review has sought to take full account of the perspective of young people and their parents and carers. The recommendations of the review are designed to bring about improvements that impact upon direct delivery, making it better and more responsive to the needs of children and young people with additional needs.
- 7.2 The review has been a team effort and many young people and colleagues from across the County Council and stakeholders have contributed. The process of conducting the review has been an empowering experience for those involved, and much has been learned from the journey. Aside from this, the success of the review undoubtedly rests upon its improvement plan, which the Review Board recommends to the County Council.

APPENDICES

Review of SEN and Inclusion

Appendices to the Final Report

Appendix No.	Details
1	Improvement Plan
2	Members of the SEN Review Project Board
3	Terms of Reference of the SEN Review
4	Terms of Reference of the four Sub-Groups
5	Summary of SEN Consultation feedback: September 2008
6	Summary of feedback from sub-groups
7	Equality Impact Assessment
8	Glossary

REVIEW OF SEN AND INCLUSION IMPROVEMENT PLAN

Improvement Priority 1: BEHAVIOUR

We have been successful when stakeholders can say:

“Each district has an effective behaviour partnership which is able to offer children and young people an appropriate curriculum in a variety of locally commissioned placements which are able to meet their holistic needs.”

Outcome	Action	Timeline	Lead Officer	Resources
<ul style="list-style-type: none"> • Improving young people’s engagement and positive social/emotional development and well being • Supporting schools to develop their ethos and climate for learning • Developing locality behaviour partnerships and collaborations between schools, services and settings. 	<p>Short term deliverables (within 1 year):</p> <ul style="list-style-type: none"> • produce a behaviour and attendance strategy with an improvement plan • arrange seven district conferences in order to describe behaviour partnership in each of the areas for all phases of schooling • establish a behaviour partnership working group in each area • establish locality behaviour partnerships (LBP) in each area • develop a range of strategies and support mechanisms which improve the ability of schools to meet the social and emotional needs of young learners 	September 2009	Head of EOTAS	Officer time
		Summer 2009	Conference Planning Group	Event costs Planning costs Printing costs
		Summer 2009	Conference Planning Group	Event cost
		April 2010	District steering group	Nil
		April 2010	District steering group	Nil

Outcome	Action	Timeline	Lead Officer	Resources
	<ul style="list-style-type: none"> • provide a clear description of the role and function of the Nottinghamshire Learning Centre (NLC) based upon the outcomes of LBP district conferences • develop a range of innovation projects linking mainstream schools with the NLC • implement a review of the behaviour support team as a part of review of inclusion support group which considers how best to support the new behaviour partnerships 	Summer 2009	Head of EOTAS	Officer time
		Summer 2009	Head of the NLC	Officer time
		Summer 2009	Head of Inclusion Services	Officer time
	<p>Medium term deliverables (within 2 years):</p> <ul style="list-style-type: none"> • evaluate the effectiveness of each of the behaviour partnerships • promote the training of a specialist leader in every school for tackling behaviour and attendance under the National Program for Specialist Leaders in Behaviour and Attendance (NPSLBA), and other accredited continuous professional development opportunities which are available for a range of professionals 	Autumn 2010	Head of Personal Development for Learners	Officer time
		Autumn 2010	Head of Personal Development for Learners	Officer time

Outcome	Action	Timeline	Lead Officer	Resources
	<p data-bbox="533 212 1137 250">Long term deliverables (within 3 years):</p> <p data-bbox="533 288 1256 432">further develop locality behaviour partnerships that will jointly commission services with resources that have been devolved to them from a range of agencies.</p>	April 2011	Head of EOTAS	Officer time

Improvement Priority 2: Financial Resources

We have been successful when stakeholders can say:

“Nottinghamshire has a simple, fair and transparent funding system which allows schools to access financial resources. These resources are monitored and the positive outcomes for the learners can be measured.”

Outcome	Action	Timeline	Lead Officer	Resources
<ul style="list-style-type: none"> Improving the capacity to develop flexible approaches to commissioning specialist provisions as appropriate Improving monitoring and accountability arrangements for SEN resources Researching and developing ways in which High Level Needs (HLN) and Additional Family Needs (AFN) monies are targeted on those with the most complex needs and living in areas of highest deprivation 	<p>Short term deliverables (within 1 year):</p> <ul style="list-style-type: none"> establish a monitoring and accountability board (MAB) provide training on provision mapping using appropriate value for money tools research and compare the use of AFN in a number of districts in Nottinghamshire, by comparing who receives it, how it is used and how it benefits children and young people. 	<p>April 2009</p> <p>April 2010</p> <p>April 2010</p>	<p>SEN Training, Monitoring & Accountability Coordinator</p> <p>SEN Training, Monitoring & Accountability Coordinator</p> <p>SEN Training, Monitoring & Accountability Coordinator</p>	<p>Officer time</p> <p>Officer time Cost of tools - £60,000</p> <p>Officer time</p>
	<p>Medium term deliverables (within 2 years):</p> <ul style="list-style-type: none"> produce descriptors of inputs, outputs and outcomes to match HLN and AFN descriptors 	<p>Summer 2010</p>	<p>SEN Training, Monitoring & Accountability Coordinator. MAB</p>	<p>Officer/MAB time</p>

Outcome	Action	Timeline	Lead Officer	Resources
	<ul style="list-style-type: none"> <li data-bbox="533 140 1285 245">• identify a number of options for change at HLN level which would increase the amount of financial allocation to individual pupils with complex needs <li data-bbox="533 360 1256 432">• develop protocols and models of good practice around the use of personalised learning funding <li data-bbox="533 584 1182 619">• propose new models of distribution for AFN <li data-bbox="533 807 1256 951">• deliver an additional £1 million each year for the next three years through IDACI to primary mainstream schools to provide early intervention before the transition to secondary schools. 	<p data-bbox="1328 140 1525 172">January 2011</p> <p data-bbox="1328 360 1525 392">January 2011</p> <p data-bbox="1328 584 1525 616">January 2011</p> <p data-bbox="1328 807 1480 839">2009-2011</p>	<p data-bbox="1590 140 1794 320">SEN Training, Monitoring & Accountability Coordinator. MAB</p> <p data-bbox="1590 360 1794 541">SEN Training, Monitoring & Accountability Coordinator. MAB</p> <p data-bbox="1590 584 1794 764">SEN Training, Monitoring & Accountability Coordinator. MAB</p> <p data-bbox="1590 807 1742 951">Principle Officer – LMS/Early Years</p>	<p data-bbox="1830 140 2011 212">Officer/MAB time</p> <p data-bbox="1830 360 2018 432">Officer, MAB time</p> <p data-bbox="1830 584 2000 616">Officer time</p> <p data-bbox="1830 807 2000 839">Officer time</p>
	<p data-bbox="533 1031 1137 1066">Long term deliverables (within 3 years):</p> <p data-bbox="533 1106 1294 1249">develop the HLN Panel as a multi-agency integrated panel, reflecting the commissioning of services for the whole of a child or young person's life experiences and the wider <i>Every Child Matters</i> agenda.</p>	<p data-bbox="1328 1106 1473 1137">April 2011</p>	<p data-bbox="1590 1106 1709 1177">Head of SENSS</p>	<p data-bbox="1830 1106 2000 1137">Officer time</p>

Improvement Priority 3: Graduated Response

We have been successful when stakeholders can say:

“All our special schools are newly built or refurbished and share sites with mainstream schools. They are able to support learning in mainstream schools in a variety of ways. Parents have an increased menu of choices of placements from a continuum of provisions.”

Outcome	Action	Timeline	Lead Officer	Resources
<ul style="list-style-type: none"> Developing specialist support for learning in mainstream school settings Improving our special school environments through the capital programme and <i>Building Schools for the Future</i> programme, and developing federation arrangements between special schools 	<p>Short term deliverables (within 1 year):</p> <ul style="list-style-type: none"> research, evaluate and celebrate innovative developments in mainstream schools in order to replicate good practice establish a programme of innovative projects to develop mainstreams schools’ capacity to deliver specialist provision produce a vision for Carlton Digby Special School linked to its proposed rebuild develop a federated approach to special schools. 	April 2010	Head of SENSS	Officer time
		April 2010	Head of SENSS, ASEN0 – Disability and Inclusion	Officer time SAI ¹ and SDG ²
		Summer 2009	Visioning Consultant	£5,000
		Summer 2009	Seconded head teacher	£15,000

¹ SAI: School Access Initiative

² SDG: School Development Grant

Outcome	Action	Timeline	Lead Officer	Resources
	<p>Medium term deliverables (within 2 years):</p> <ul style="list-style-type: none"> • enhance the capacity to meet the needs of pupils on the autistic spectrum • extend the innovation programme to further develop the capacity of mainstream schools to deliver specialist provision • co-locate Orchard Special School and Grove Comprehensive School as part of Newark BSF programme • develop a strategic plan for each special school, in relation to its local community of schools. 	<p>April 2009-2011</p> <p>April 2011</p> <p>2009-2011</p> <p>September 2010</p>	<p>Consultant Teacher for Autism</p> <p>Head of SENSS, ASENSO – Disability and Inclusion</p> <p>Project Director BSF</p> <p>School Planning & Provision – Area Strategy Consultant</p>	<p>Reconfigure existing resources</p> <p>Officer time SAI and SDG</p> <p>Officer time</p> <p>Officer time</p>
	<p>Long term deliverables (within 3 years):</p> <ul style="list-style-type: none"> • enable mainstream schools to commission support, advice and teaching inputs from special schools, local independent schools and other providers 	<p>April 2011</p>	<p>Head of SENSS</p>	<p>Officer time</p>

Outcome	Action	Timeline	Lead Officer	Resources
	<ul style="list-style-type: none"> <li data-bbox="533 140 1290 209">• develop a hard federation of special schools in the Mansfield district <li data-bbox="533 325 1290 427">• develop provision in special schools to meet the requirements of children and young people with complex medical needs <li data-bbox="533 475 1290 577">• develop a 'hub and spoke' model of provision for children and young people with physical disabilities and sensory needs <li data-bbox="533 694 994 730">• review post 16 SEN provision. 	<p data-bbox="1317 140 1487 172">April 2011+</p> <p data-bbox="1317 325 1464 357">April 2011</p> <p data-bbox="1317 475 1487 507">April 2011+</p> <p data-bbox="1317 694 1487 726">April 2011+</p>	<p data-bbox="1581 140 1783 284">Head of SENSS, head teachers and governors</p> <p data-bbox="1581 325 1805 427">Head of SENSS, Health Commissioners</p> <p data-bbox="1581 475 1800 657">Head of SENSS, Head teacher Fountaindale Special School</p> <p data-bbox="1581 694 1697 762">Head of SENSS</p>	<p data-bbox="1827 140 2069 209">Officer time and partners' time</p> <p data-bbox="1827 325 2069 394">Officer time and partners' time</p> <p data-bbox="1827 475 2069 544">Officer time and partners' time</p> <p data-bbox="1827 694 2002 726">Officer time</p>

Improvement Priority 4: Integrated Locality Teams

We have been successful when stakeholders can say:

“Schools and families can contact and access locally provided services which operate in a coordinated and integrated way. Parents will have key workers who support them as well as schools”. Localities have control of local resources and can make decisions about how they are utilised.”

Outcome	Action	Timeline	Lead Officer	Resources
<ul style="list-style-type: none"> Developing our services in localities around the child and their family Reducing ‘gaps’ in educational achievement and promoting an inclusive standards agenda which addresses the need to balance strategies that raise the achievement of all children with those which safeguard the inclusion of others who are more vulnerable 	<p>Short term deliverables (within 1 year):</p> <ul style="list-style-type: none"> focus the SEN training programme around the government’s Inclusion Development Programme explore the potential to extend support to families provided by early years support services to school aged children and their families implement a review of services that normally support children and young people with SEN and or disabilities through a programme for change strengthen the model of provision around the model of families of schools. 	Summer 2009	SEN Training, Monitoring & Accountability Coordinator	SDG
		April 2010	Head of ISS - Early Years	Officer time
		Summer 2009	Head of Inclusion Services	Officer time
		Summer 2009	Head of SENSS Family SENCO working group	Officer time

Outcome	Action	Timeline	Lead Officer	Resources
	<p>Medium term deliverables (within 2 years):</p> <ul style="list-style-type: none"> • develop a strategy on transitions • implement the outcomes of the review of services that support children and young people with SEN and or disabilities • improve the school improvement service's capacity to support schools in developing their inclusive practice and raising the achievement of children and young people with SEN and or disabilities. 	<p>April 2010</p> <p>September 2010</p> <p>2009-2011</p>	<p>Head of SENSS</p> <p>Head of Inclusion Services</p> <p>Service Director, Learning & Achievement</p>	<p>Officer time</p> <p>Officer time</p> <p>Reconfigure existing resources</p>
	<p>Long term deliverables (within 3 years):</p> <ul style="list-style-type: none"> • move towards co-located accommodation arrangements for appropriate staff groups, following consultation and engagement with stakeholders, including the recognised trade unions. 	<p>2009-2011</p>	<p>Service Director, Inclusion & Engagement</p>	<p>Officer time</p>

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SEN REVIEW BOARD MEMBERSHIP			
Surname	First name	Designation	Service/division/establishment
Panel members			
May	Anthony	Corporate Director	Children and Young People's Services
Skelton	Rob	(Chair) Acting Service Director	Inclusion and Engagement
Addison	Janice	Head Teacher	The Brunts School
Bates	Sally	Former Head Teacher	Albany Infants School
Betts	Paul	Head Teacher	Yeoman Park Special School
Bradley	John	Head of Inclusion Services/Principal Educational Psychologist	Inclusion Support Service
Bullen	Pat	Project Manager, SEN Review	SEN Strategic Services
Cosgrove	Edwina	Acting Parent Partnership Officer	Parent Partnership Service
Cumberpatch	Kate	Head Teacher	Abbey Gates Primary School
Dengel	Mark	Head Teacher	Fountaindale Special School
Dennis	Simon	Former Head Teacher	South Wolds Community School
Dodson	Val	Head of Service, Health Visiting and School Nursing	Nottinghamshire County tPCT
Graham	Pat	Project Manager, Programme for Change for Children with Additional Needs	Inclusion and Engagement
Hallam	Liz	General Manager, Services for Children and Young People	Nottinghamshire County tPCT
Harrison	Chris	Acting Head of SEN Strategic Services	SEN Strategic Services
Head	Patricia	Head Teacher	The Grove School
Jefferies	Sharon	Head Teacher	Newark Orchard Special School
Jones	Jonathon	Head Teacher	Lady Bay Primary
Jones	Carol	Locality Manager, Children and Families	Children and Young People's Services
Killick	Neville	Treasurer	Nottinghamshire Association of Governors
Lancaster	Rob	Head of EOTAS	Education Otherwise Than At School
Lyon	Elaine	Head Teacher	Eastwood Infant and Nursery School
Moodie	Chris	Head Teacher	Richard Bonnington Primary School
Neely	Janet	School Improvement Adviser	Learning and Achievement
Parkes	Lynn	Head Teacher	Kirkby College
Parsons	Gareth	Head Teacher	Intake Farm Primary School
Peck	John	Former Head Teacher	Peafield Lane Primary and Nursery School
Smith	Lorraine	Head Teacher	Gateford Park Primary
Stokes	Gary	Locality Service Manager Nottingham East	Nottinghamshire Community Health
Ward	Lillian	Head Teacher	St Augustines Infant School
Wilson	Jeanne	Head Teacher	William Lilley Infant School
Observer			
O'Riordan	Jim	County Councillor	Nottinghamshire County Council
Critical friends			
Muncey	Jim	Independent Educational Consultant	
Stobbs	Phillipa	Principal Officer	Council for Disabled Children
Supporting Officers			
Holloway	Alison	Acting Head of Performance Standards and Business Support	Inclusion and Engagement
Martin	Philip	Executive Officer	Children and Young People's Services
Smith	Andy	LMS Officer	Education and Schools Budget Policy

* Anthony May was the original project sponsor prior to taking up his new post as Corporate Director, Children and Young People's Services Department.

SEN Review Board: Terms of Reference

The terms of reference for the SEN Review Board were set out in a Project Initiation Document and were as follows:

The project board will be supported administratively by the LA's SEN Strategic Services team and will convene on a monthly basis during the project to:

- monitor progress
- approve key deliverables
- commit resources and delegate authority to the project manager
- resolve resource and other conflicts
- own risks/issues that the project manager cannot deal with or which are beyond his/her delegated responsibility
- consider any necessary modification/review changes to the scope of the project
- recommend the final report of the SEN Review for consideration by the County Council's Cabinet.

Terms of reference**SEN Review Behaviour Sub-group****Context of the SEN Review**

The local authority has a statutory duty¹ to keep under review its arrangements for special educational provision. The LA is also under a duty² to consult the governing bodies of maintained schools and nursery schools in its area for the purposes of co-ordinating that provision.

Two reports, one dated 12th January 2007 reporting to the Children and Young People's Leadership Team, sought approval to undertake a review of the LA's SEN and Inclusion Strategy; and a report of the Head of SEN Strategic Services on 17th May 2007, advised the Children's Services Executive of the impending review.

A Review Board has duly been established, meeting for the first time on October 2nd 2007. This sub-group has been agreed as a necessary delivery vehicle for a key line of enquiry for the review.

Terms of Reference

Subject to the agreement of the first meeting of the sub-group, the following draft terms of reference are recommended:

- To review the operation and development of the Local Authority's arrangements to support the inclusion and achievement of pupils with BESD and to address barriers to learning within mainstream settings
- To evaluate the impact of the Local Authority's arrangements for pupils with BESD in terms of pupil inclusion, achievement and stakeholder perception
- To consider the Local Authority's provision for children and young people with BESD, including the roles of The Behaviour Support Team, and the Nottinghamshire Learning Centre, linking with the review of the latter conducted by the Head of EOTAS (Education Otherwise Than At School)
- To consider links with arrangements within the Local Authority for children and young people identified as on the Autistic Spectrum
- To advise on monitoring and accountability arrangements for BESD and ASD
- To advise on any issues which may arise necessitating formal consultation with schools and other stakeholders

Membership

Subject to agreement, it is recommended that the sub-group is comprised of the following representatives:

- Primary and secondary Head Teachers (3)
- A Head Teacher to represent the Nottinghamshire Special Schools
- A SENCO
- Governors (1)
- Parent Partnership or Parents/Carers Forum (1)
- Head of SEN Strategic Services
- Head of Inclusion Services
- Head of EOTAS
- Head Teacher, NLC
- Head of Behaviour Support Team
- Health representative (1)
- Consultant Teacher for Autism
- Other LA staff as required to prepare and present information
- SEN Review Project Manager

¹ Education Act 1996, Section 315 (1)

² Education Act 1996, Section 315 (2)

Context of the SEN Review

The local authority has a statutory duty³ to keep under review its arrangements for special educational provision. The LA is also under a duty⁴ to consult the governing bodies of maintained schools and nursery schools in its area for the purposes of co-ordinating that provision.

Two reports, one dated 12th January 2007 reporting to the Children and Young People's Leadership Team, sought approval to undertake a review of the LA's SEN and Inclusion Strategy; and a report of the Head of SEN Strategic Services on 17th May 2007, advised the Children's Services Executive of the impending review.

A Review Board has duly been established, meeting for the first time on October 2nd 2007. This sub-group has been agreed as necessary delivery vehicle for a key line of enquiry for the review.

Terms of Reference

Subject to the agreement of the first meeting of the sub-group, the following draft terms of reference are recommended:

- To review the operation and development of the Local Authority's funding arrangements to support the inclusion and achievement of pupils with SEN and to address other barriers to learning within mainstream settings
- To ensure that the Local Authority's arrangements for the distribution of resources are transparent, equitable and easily understood
- To evaluate the impact of the Local Authority's funding arrangements in terms of pupil inclusion, achievement and stakeholder perception
- To advise on appropriate monitoring and accountability arrangements
- To advise on any issues which may arise necessitating formal consultation with schools and other stakeholders
- To consider the outcomes of consultation and make recommendations for implementation to the Schools Forum and the County Council as appropriate
- To review the Family of schools structure and decision making processes in terms of the allocation of resources to pupils with SEN
- To compare Nottinghamshire's approach to resourcing mainstream schools for pupils with SEN with the approach adopted by other similar authorities regionally and nationally, and to identify any good practice from which the Local Authority could learn

Membership

Subject to agreement, it is recommended that the sub-group is comprised of the following representatives:

- Primary and secondary Head Teachers (3)
- A Head Teacher to represent the Nottinghamshire Special Schools
- A Family SENCO
- Governors (1)
- Parent Partnership or Parents/Carers Forum (1)
- Head of SEN Strategic Services
- Head of Inclusion Services
- Head of Inclusion Support Services
- Other LA staff as required to prepare and present information- Head of Performance Standards & Business Support, Operational Support and Resources Manager, and Education & Schools' Budget Policy officer- & a representative of Schools Finance
- SEN Review Project Manager

³ Education Act 1996, Section 315 (1)

⁴ Education Act 1996, Section 315 (2)

Context of the SEN Review

The local authority has a statutory duty⁵ to keep under review its arrangements for special educational provision. The LA is also under a duty⁶ to consult the governing bodies of maintained schools and nursery schools in its area for the purposes of co-ordinating that provision.

Two reports, one dated 12th January 2007 reporting to the Children and Young People's Leadership Team, sought approval to undertake a review of the LA's SEN and Inclusion Strategy; and a report of the Head of SEN Strategic Services on 17th May 2007, advised the Children's Services Executive of the impending review.

A Review Board has duly been established, meeting for the first time on October 2nd 2007. This sub-group has been agreed as a necessary delivery vehicle for a key line of enquiry for the review.

Terms of Reference

Subject to the agreement of the first meeting of the sub-group, the following draft terms of reference are recommended:

- To review the operation and development of the Local Authority's centrally managed support services (except the behaviour support services which are the focus of a separate sub-group) to support the inclusion and achievement of pupils with SEN and to address other barriers to learning within mainstream settings
- To evaluate the services' impact in terms of pupil inclusion, achievement and stakeholder perception
- To consider the arrangements within the Local Authority for meeting the needs of children and young people with SEN in mainstream schools, including the roles of support services from within the LA
- To consider and compare arrangements made within other LAs, identifying good practice, in providing services to support pupils with SEN, as informed by regional and national comparators
- To advise on appropriate monitoring and accountability arrangements for support services
- To advise on any issues which may arise necessitating formal consultation with schools and other stakeholders

Membership

Subject to agreement, it is recommended that the sub-group is comprised of the following representatives:

- Primary and secondary Head Teachers(3)
- A Head Teacher to represent the Nottinghamshire Special Schools
- A SENCO
- Governors (1)
- Parent Partnership or Parents/Carers Forum (1)
- Head of SEN Strategic Services
- Head of Inclusion Services
- Heads of Inclusion Support Services (2)
- Health representative (1)
- Youth Support Service (1)
- Youth Offending Service(1)
- Other LA staff as required to prepare and present information
- SEN Review Project Manager

⁵ Education Act 1996, Section 315 (1)

⁶ Education Act 1996, Section 315 (2)

Context of the SEN Review

The local authority has a statutory duty⁷ to keep under review its arrangements for special educational provision. The LA is also under a duty⁸ to consult the governing bodies of maintained schools and nursery schools in its area for the purposes of co-ordinating that provision.

Two reports, one dated 12th January 2007 reporting to the Children and Young People's Leadership Team, sought approval to undertake a review of the LA's SEN and Inclusion Strategy; and a report of the Head of SEN Strategic Services on 17th May 2007, advised the Children's Services Executive of the impending review.

A Review Board has duly been established, meeting for the first time on October 2nd 2007. This sub-group has been agreed as a necessary delivery vehicle for a key line of enquiry for the review.

Terms of Reference

Subject to the agreement of the first meeting of the sub-group, the following draft terms of reference are recommended:

- To review the operation and development of the Local Authority's arrangements to support the inclusion and achievement of pupils with SEN and disabilities, particularly in relation to pupil outcomes
- To evaluate the impact of Local Authority policy and provision in terms of pupil inclusion, achievement and stakeholder perception
- To consider how the rate of achievement for pupils with SEN could most appropriately be measured, and to identify any benchmarks which can provide evidence as to what makes a difference to pupils with SEN
- To advise on monitoring and accountability arrangements for SEN, including on-going feedback from service users
- To advise on any issues which may arise necessitating formal consultation with schools and other stakeholders

Membership

Subject to agreement, it is recommended that the sub-group is comprised of the following representatives:

- Primary and secondary Head Teachers (3)
- A Head Teacher to represent the Nottinghamshire Special Schools
- A SENCO
- Governors (1)
- Parent Partnership or Parents/ Carers Forum (1)
- Head of SEN Strategic Services
- Head of Inclusion Services
- Head of Inclusion Support Service (1)
- AIS/school improvement representative
- Other LA staff as required to prepare and present information
- SEN Review Project Manager
- Attendance and participation of the two external critical friends engaged to advise the review

⁷ Education Act 1996, Section 315 (1)

⁸ Education Act 1996, Section 315 (2)

Context of the SEN Review

The local authority has a statutory duty⁹ to keep under review its arrangements for special educational provision. The LA is also under a duty¹⁰ to consult the governing bodies of maintained schools and nursery schools in its area for the purposes of co-ordinating that provision.

A full review of SEN and Inclusion Strategy has now been agreed by the County Council. A Review Board has duly been established, meeting for the first time on October 2nd 2007. At that meeting, a Forum for parents views was been agreed as a key group to support the County Council in eliciting the views of parents and carers regarding their views of how services can improve further to support children with SEN.

The Review Board has agreed that a new Parent/Carer Forum will need to be established to sit alongside the Board, feeding in the views of parents regarding the provision and arrangements for SEN within the County.

Terms of Reference

Subject to the agreement of the first meeting of the sub-group, the following draft terms of reference are recommended:

- To consider how the Local Authority provides responsive services and timely support to children, their parents and families when a child or young person has SEN or other barriers to learning, (linking with views from the Children & Young People's Forum, and feeding into the full SEN Review Board)
- To consider what a 'core offer' of minimum service standards would look like from a family perspective¹¹
- To consider the role of parents in supporting the continuing improvement of the quality of services for children with SEN and disabilities
- To consider how the rate of achievement for pupils with SEN could be measured, and to determine the benchmarks which can be made to identify what makes a difference to pupils with SEN- what matters to parents?

Membership

Subject to agreement, it is recommended that the Forum is comprised of the following representatives:

- Parent Partnership (1)
- Head of SEN Strategic Services
- Up to 25 parents, representing all districts of the County Council
- Up to seven IPSs (Independent Parental Supporters) – one per district
- Health representative (1)
- Representative of the SEN Review Board
- Other LA staff as required to prepare and present information
- SEN Review Project Manager

Frequency of meetings

It is envisaged that the group would meet up to four times in the academic year. Meetings would be held within the school day, though both childcare and travel costs would be payable from the Parent Partnership Service.

One member of the Parents Forum would be asked to represent the group at the full SEN Review Board, which would necessitate up to a further nine meetings in the school year.

Case Studies

In addition to eliciting the views of Parents and Carers through the Forum, the Review will also publish case studies of the experiences of families in Nottinghamshire mainstream and special schools.

⁹ Education Act 1996, Section 315 (1)

¹⁰ Education Act 1996, Section 315 (2)

¹¹ This refers to the core offer as stated in 'Aiming High for disabled children: better support for families' HM Treasury and DfES, May 2007

Summary of SEN Review Consultation Feedback: September 2008

Priority 1: Behaviour and attendance.

Activity 1: Establish locality district partnership.

Agree: 78%

Undecided: 10%

Disagree: 12%

Feedback Sample

- Locality means different things within CYPS, care needed not to cause confusion.
- The more wide ranging resources I can tap into – the better!
- Don't forget the parents – they need to be taken along with this process.
- Sounds like a good idea in principle – enabling schools to join and share resources, targeting what we need.
- While this is unquestionably a good, solid principle, how are other agencies being involved and engaged to make then fully representative. How can we make this happen?

Activity 2: Encourage innovative projects.

Agree: 65%

Undecided: 15%

Disagree: 20%

Feedback Sample

- Build on what's already working, not starting again!
- Help to make mainstream schools feel small and secure for disaffected pupils.
- Personalise the curriculum, make it appropriate and accessible and develop alternative accredited courses, not just GCSE's.
- Audit the innovative projects already happening in schools and produce directory of good practice.
- We should be encouraging this, it is very important.
- EXCELLENT!
- This is all well and good, but whilst schools continue to be measured on SAT's results and league tables, and teachers measured on pupil progress, this will be hard to achieve.

Activity 3: Fast track reviews of the Behaviour Support Team in order to provide a balance of prevent, provide, and return.

Agree: 62%

Undecided: 16%

Disagree: 22%

Feedback Sample

- Must be seen as integrated part of SEN root and branch review. It should not be seen as short term fix – a long term strategy is needed.
- BE BRAVE! Take a holistic view of what is happening in the home lives of some children and young people.
- Review should be independent, identify what works well.
- Ensure review is integrated alongside other multi-agency developments such as integrated locality working, CAMHS etc.

Priority 2: Targeting Financial Resources.

Activity 1: Simplify HLN – provide options for consultation.

Agree: 90%

Undecided: 3%

Disagree: 7%

Feedback Sample

- Definitely – using AFN to supplement HLN cuts into family budgets too much.
- It makes sense as does integrated panels.
- This was how most SENCO's thought HLN would initially work.
- Use of CAF to replace HLN submission form.
- An excellent idea, moderation across county is essential.
- There is massive confusion across my family of schools and advice of ISS about how "top-up" works. As a new SENCO this has been very confusing. To clarify the system must be good.

Activity 2: Target AFN on deprivation and prior attainment.

Agree: 43%

Undecided: 22%

Disagree: 35%

Feedback Sample

- Fine if you're a winner!
- Kids don't have to be deprived to have needs!
- As a family school with good attainment and few families with deprivation, but high emotional and social needs, I would have great reservations about this practice.
- AFN does need redistributing, but the sort of needs met by AFN does not correlate with deprivation.
- Yes! This should happen – money should go where the greatest need is.
- This makes perfect sense to me! Children with greater needs socially and educationally need more support to achieve. However – the children with SEN in less deprived areas should not lose out as a result – make sure provision is in place for them also.

Activity 3: Increase accountability, focus on positive use of resources.

Agree: 92%

Undecided: 2%

Disagree: 6%

Feedback Sample

- Who will the board consist of?
- I agree it is very important to have more accountability around ASN, but what can be done when discrepancies come to light?
- As long as it is not so bureaucratic and complicated that it acts as another burden in schools.
- Make fair accountability – no blame. Allow schools time to change.
- Some system for moderating across families – good idea.

Priority 3: Specialist Provision – A Graduated Response

Activity 1: Develop a graduated range of response which includes specialist, targeted and universal provision and support.

Agree: 83%

Undecided: 6%

Disagree: 11%

Feedback Sample

- This approach may suit children who find mainstream difficult but are not suited for special schools. Nurture groups can be very effective.
- Really good idea. Hopefully this will allow greater flexibility for more students to benefit from specialist services. Hopefully co-location within BSF will make this easier to achieve.
- Very good. Needs to be for all young people and will involve schools being liberated in their thinking.

Activity 2: Review 14-19 provision.

Agree: 65%

Undecided: 30%

Disagree: 6%

Feedback Sample

- Audit of what is happening in schools that is effective so we can share. Help to evaluate our practices and celebrate success and take it forward.
- Pathways into adulthood – partnerships with colleges and other institutions need to be developed.
- Is work being done with adult provision especially social care real life meaningful qualifications leading to realistic work/life opportunities for all young people? Smooth/good transitions into adult life – again make it realistic.

Activity 3: Develop innovative partnerships between mainstream and special schools.

Agree: 83%

Undecided: 7%

Disagree: 10%

Feedback Sample

- All have so much to offer each other.
- Links are developing already – they need time to develop – long term consistency. The flexible approach should help.
- All have so much to offer each other.
- Special schools historically offer very strong and valued support for parents – many parents of children with additional needs in mainstream school would benefit from peer and specialist support – they are often very isolated within their communities.
- This is an exciting opportunity to share and develop practice and provision.
- This could include secondments at all levels in school i.e. – TA, SENCO's, teaching staff.
- Go for it please.

Priority 4: Integrated locality provision

Activity 1: Root and branch review of Inclusion Support Group and SEN Strategic Services.

Agree: 64%

Undecided: 22%

Disagree: 14%

Feedback Sample

- Review should be clear and independent with timelines to relieve stresses within services.
- An absolute must in order to maintain progress with the wider integrated services agenda.
- Yes but there is a need to retain and build on the expertise which comes from working in specialist teams.
- Fully in support – ensure quality provision within each branch of ISS is crucial. Make sure schools know precisely what is on offer and agree expectations of all partners.

Activity 2: Establish key Inclusion and Development posts within School Improvement Service and focus training on Inclusion Development Programme.

Agree: 38%

Undecided: 32%

Disagree: 30%

Feedback Sample

- Very supportive of this, but will be reluctant to lose good ISS staff and access to them.
- Will help schools move on.
- Yes, but needs real impact on individual children, not administration.
- Why take the 'experts' out of the classroom?
- There needs to be fewer posts at the top end out of school. Families of schools need people they can call at point of need devolved by the family. We need more 'on the job' staff.
- Do we need more consultants? Should we look more at joining up services.

Activity 3: Enhance support to families of schools.

Agree: 93%

Undecided: 2%

Disagree: 5%

Feedback Sample

- Family SENCO post would enhance good practice.
- Strongly agree with this but need to moderate between family.
- Would be helpful to have keyworker for child as representative of all agencies involved in care and ensuring support for schools rather than several agencies. Currently keyworker is parent.
- Any enhanced support would be welcome.
- Support for JAT's is vital for their success. Solution focussed approaches – positive way forward.

SEN REVIEW SUB-GROUPS: Key Themes

BEHAVIOUR

- **'Minimum' Standards at school level**- what should we expect of Nottinghamshire schools in terms of the support which they offer disengaged children and young people? Explore the possibility of monitoring minimum requirements via the School Improvement Partner
- Arrive at a **Provision Map for behaviour services and interventions** in the county
- **Commissioning**- what should we keep doing? What should we do differently in LA support services for behaviour? What should we stop doing? Services provided at a locality level? 'Easy access' required
- **Data**- we need evidence such as research evidence regarding the impact of behaviour upon learning & the learning of others/ TellUs2 survey findings regarding children & young people survey views/Raise-Online CVA SEN data
- **Locality 'Learning Partnerships'** which include primary schools, moderating and allocating resources within districts, moderated by LA possibly via the LEO
- Explore **interventions which support the whole family**
- Explore **targeted funding towards disengaged children and young people via a locality group**, utilizing personalization funds further supplemented via Alternative to Exclusion groups resources
- Explore **improved impact of linking school improvement and SEN strategic services at LA level** to support the link between pupil outcomes and resource allocation

SEN REVIEW SUB-GROUPS: Key Themes

RESOURCES

- **Targeted funding:**
 - Is the balance right in the blocks of funding?
 - Is allocating money out through numbers of pupils affecting the provision given to areas of deprivation?
- **Monitoring and accountability:**
 - Provision mapping to be recommended as the basis of monitoring and accountability processes.
- **Capacity to meet complex needs:**
 - Building Schools for the Future presents opportunities for removing barriers to achievement and driving the special school review
 - New populations of children with very complex medical needs need to be taken into account
- **The Local Authority needs to bring in resources through a proper commissioning strategy, ensuring:**
 - Children who are placed out of county, through to children and young people with less complex needs, are supported by robust commissioning processes 'Pathways to Provision'
 - Value for money in the provision of services
 - Decommissioning and recommissioning of services.
- **Transition arrangements between phases, focusing on Year 9 and Post-16 transitions and transition between Early Years and school settings.**
- **Parents, Carers and young people need to have more involvement in the processes which develop the strategy.**

SEN REVIEW SUB-GROUPS: Key Themes

SUPPORT SERVICES

- **Consistency of**
 - Performance Management and review
 - Use of coaching
 - Quality Assurance
 - Self-evaluation

- **Consistency would be improved by**
 - Consideration of integrated management structure
 - Single targeted structure :

- **Options Appraisal**
 - a range of options for structure of support services
 - ways of working with children
 - protocols for response times and ensuing actions

- **Locality working**
 - at district level? In federated or larger family units?
 - Commissioning of services- at a strategic level
 - Transparency of available resources

- **Consideration of the CAF- Common Assessment Framework**
 - audit of existing networks, e.g. Springboard/Area Admission Panels etc.

SEN REVIEW SUB-GROUPS: Key Themes

INCLUSIVE STANDARDS

- **Benchmarking and pupil progress**
 - We have an expectation that all Nottinghamshire schools will collect data to track pupil progress- is there any additional data required for pupils with additional SEN?
 - We need to benchmark achievement and standards- different issues- to be supported by our two colleagues from SIS- Janet Neely and John Dryden
 - We require comparative evidence of data collected in other authorities, e.g. Derbyshire, Lancashire

- **School Improvement and pupil achievement**
 - School Improvement Services and SEN Strategic services need to be better 'joined up' at LA level- we need to improve the links between resource allocation and monitoring processes through SIPs (School Improvement Partners) and SIAs (School Improvement Advisers) with SEN and Inclusion services
 - Identify data collection which can be made via the SEF process to promote the achievement of all and to monitor the use of SEN resources
 - Adopt a kite mark for the quality of inclusive practice in Nottinghamshire schools

- **LA processes**
 - We need to learn from areas of good practice, e.g. data and benchmarking of LAC and to apply to SEN data management if applicable
 - We need to review Assessment Manager and school systems for capturing data
 - We need to consider the use of CASPA – across the LA to capture P level attainment for mainstream and special school pupils
 - We need to develop systemic links between SIS/SEN Strategic Services/ISS to improve data sharing and the use of data to challenge, as well as to support, schools

Equality Impact Assessment

An equality impact assessment (known as service diversity review in Nottinghamshire) has been carried out in respect of the SEN review. The assessment identified intentional impact in the following areas:

- **Age** – the review relates to children and young people with special educational needs and disabilities aged 2-19 years for whom the County Council has statutory duties
- **Disability** – the SEN strategy is designed to enhance the life chances of children and young people with additional needs, by providing them with appropriate educational support geared to their individual needs.

There is also intentional impact in the area of social exclusion, where data and research suggests there is a link between social deprivation and levels of achievement. The review has taken into account that such casual relationships exist and that there is a need to target interventions appropriately to reflect such impact upon the population of the country.

It is anticipated that the outcomes of the review will include proposals to change the way that special educational needs and inclusion in Nottinghamshire are resourced.

GLOSSARY OF TERMS

<u>Acronym</u>	<u>Definition</u>
AAP	Area Admissions Panel
AFN	Additional Family Needs
ASD	Autistic Spectrum Disorder
ASN	Additional School Needs
AWPU	Age Weighted Pupil Unit
BESD	Behavioural, Emotional and Social Needs
BSF	Building Schools for the Future
BST	Behaviour Support Team
CAF	Common Assessment Framework
CAMHS	Child and Adolescent Mental Health Services
CASPA	Comparison and Analysis of Special Pupil Attainment
CIPFA	Certified Institute of Public Finance and Accountancy
CVA	Contextual Value Added
CYPLT	Children and Young People's Services Leadership Team
DCSF	Department for Children, Schools and Families
ECM	Every Child Matters
HLN	High Level Needs
IDACI	Income Deprivation Affecting Children Index
IDP	Inclusion Development Programme
ISB	Individual School Budget
ISG	Inclusion Services Group
ISS	Inclusion Support Service
JAR	Joint Area Review
JATs	Joint Access Teams

LA	Local Authority
LDD	Learning Difficulties and Disabilities
LSC	Learning and Skills Council
NEET	Not in Education, Employment or Training
NLC	Nottinghamshire Learning Centre
NORSACA	Nottingham Regional Society for Adults and Children with Autism
NPSLBA	National Program for Specialist Leaders in Behaviour and Attendance
OLA	Other Local Authority
PCT	Primary Care Trust
PDSS	Physical Disability Support Service
PLASC	Pupil Level Annual School Census
PRU	Pupil Referral Unit
PSA	Parent Support Adviser
SAI	School Access Initiative
SDG	School Development Grant
SEF	Self-Evaluation Framework
SEN	Special Educational Needs
SENCO	Special Educational Needs Coordinator
SIAAs	School Improvement Advisers
SIPs	School Improvement Partners
SIS	School Improvement Service
SLCN	Speech, Language and Communication Needs
TA	Teaching Assistant
TDA	Training and Development Agency for Schools
WTC	Working Tax Credit



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