



Overview of Special Education Needs - provision and services

RECOMMENDATION

1. To note the statutory duties, responsibilities and provision of services for children and young people with a range of special educational needs (SEN).

SUPPORTING INFORMATION

2.1 Introduction

All schools have a responsibility to identify children and young people with special educational needs - SEN. Where these needs are significant and complex, the local authority also has a duty to assess these needs and, where appropriate, maintain a Statement of SEN. The local authority and schools all work within the guidance and statutory duties set out in the Special Educational Needs Code of Practice 2002.

- 2.2 The duties set out in the Code of Practice require schools to identify pupils with SEN and arrange an appropriate level of support.

Support to schools

- 2.3 Support may be in small groups or by providing additional help in the class to allow individual children and young people access to the curriculum. In addition to the arrangements schools make to support the additional learning or behaviour needs of their pupils, the local authority has a number of professionals who work mainly on a consultative model, but who also provide some limited 'hands-on' work, modelling good practice to school staff.

The staff include:

- educational psychologists
- specialist teaching staff for:
 - physical impairment
 - visual impairment
 - hearing impairment
 - communication
 - behaviour
 - early years intervention.

2.4 Generic support to schools is provided by the Inclusion Team of consultants who are responsible for strategic and operational support to Special Educational Needs Co-ordinators - SENCOs - in primary and secondary schools. This includes prioritising support to schools, based on Ofsted reports and data analysis. All SENCOs have access to termly network meetings and receive consultancy support with provision mapping, self-evaluation and pupil tracking. There is an extensive continuing professional development - CPD - programme offered, based on areas of special educational needs – communication and interaction, emotional, behaviour and social difficulties, learning difficulties and sensory and medical needs.

Statements of Special Educational Needs

2.5 There are occasions where a child or young person's needs are very significant and complex. In these cases the local authority will carry out a multi-agency assessment and then, if appropriate, provide a Statement of Special Educational Needs. This is reviewed at least annually, but can be more frequent if professionals working with the child or parents identify concerns. Derby has 1060 children and young people with Statements of SEN. The number of statements produced each year has reduced as a result of early intervention programmes and the increased use of delegated funding to schools.

	Jan 00	Jan 01	Jan 02	Jan 03	Jan 04	Jan 05	Jan 06	Dec 06
Number of new statements issued each year	1454	1423	1382	1426	1394	1265	1150	1060

2.6 A Statement of Special Educational Needs is split into six parts:

- part 1 - identifies the child or young person and those with parental responsibility
- part 2 - identifies the needs of the child or young person
- part 3 - identifies the provision required to meet the needs as described in part 2
- part 4 - names the school where the child or young person will be placed
- part 5/6 - identifies health needs and the provision required to meet these needs.

The Children and Young People's Department does not have to meet the needs identified in parts 5 and 6, but the statement can highlight the needs for reference to other professionals working with the child or young people.

Throughout the process, local authority officers work with parents to reach agreement about the content of the statement.

2.7 The statementing process is very bureaucratic and must comply with very rigid timelines. These timelines are part of the local authority's Best Value Performance Indicators – 43a and 43b – outlined in Appendix 1.

The current targets and performance are:

PI	Actual (%)	Achieved to date this year (%)
43a	92.70	94.0
43b *	83.56	94.0

*43b takes account of the exceptions that are allowed when Statements are not completed in the timelines – these exceptions generally relate where health professionals have failed to complete their assessment within the required time

- 2.8 Although officers work closely with parents, there are occasions when parents are unhappy with the contents/provision/placement that is written into the statement. On these occasions parents have the right to appeal to an independent tribunal who will judge on the decisions made. The SEN Tribunal is chaired by an independent solicitor advised by two other professionals who have worked in Special Educational Needs.

Parent Partnership Service

- 2.9 Derby has a Parent Partnership Service - PPS - that offers independent support to parents of children and young people with SEN. This support can be provided to:
- parents in school or
 - in negotiation with the authority during the assessment process or
 - once a statement has been provided.

In addition to the PPS, the Government has made it a requirement for all LAs to offer parents the opportunity to take their case to a mediation service. Currently the East Midlands have the service provided by the Together Trust, a charitable organisation. To date, the LA has never had to call upon this service to resolve disputes with parents.

Special schools and specialist provision

- 2.10 The LA has a responsibility to arrange provision for children and young people with Statements of SEN. This provision can be in:
- mainstream schools
 - mainstream schools with enhanced provision
 - Derby special schools
 - out-of-authority provision
 - other authority special schools
 - independent/non-maintained special schools.

- 2.11 If a parent states a preference for their child to attend a mainstream school, the authority has a responsibility to arrange this provision. The only time the authority can challenge this is if it is considered detrimental to other pupils. The majority of resources are delegated directly to schools. However, if a pupil's needs are complex and significant, then additional 'top-up' can be provided for a school. Currently, approximately 1100 additional hours are allocated to individual pupils in mainstream schools. This is reviewed through the SEN annual review process. On some occasions the authority offers some short-term additional funding for pupils who are being assessed for a Statement of SEN or need some short-term support to overcome a difficult period in their education.

Enhanced resource provision

- 2.12 The LA has 15 enhanced resource provisions attached to mainstream schools. In addition, there are three nurseries that have additional resourcing to meet the needs of pre-school children with complex needs. Details of provision are set out in Appendix 2

Special schools

- 2.13 The LA maintains five special schools, details of which are set out in Appendix 2

Out-of-authority provision consists of:

- 2.14
- other authority special schools
 - independent/non-maintained special schools.

Eighteen children and young people attend other authority special schools. These schools are used where parents request places and the school's authority agrees the placement. These places must be brokered through the LA.

There are a further 66 children and young people placed out of the city in non-maintained or independent special schools. The three schools predominately used are:

- Royal School for the Deaf Derby - RSD - 27 pupils
- Alderwasley School - 11 pupils
- Sutherland House School - 11 pupils.

Nineteen pupils are placed in a range of other independent or residential schools. Out-of-authority provision is only used when there is no appropriate alternative within the city or the SEN tribunal process has ordered the authority to place in a particular out-of-authority school. See Appendix 3

Funding

- 2.15 The use of out-of-authority provision is only made after careful consideration of the pupil's needs. Sometimes a pupil is placed for social care or health needs that cannot be met locally. These decisions are taken by the Complex Cases Panel, which has representatives of the PCT and Children's Social Care to ensure that the costs are shared across agencies. However, this budget is always very difficult to control because it is generally needs-led and must respond to pupil needs as they arise, often in times of extreme difficulty for the pupil and their family.

IMPLICATIONS

Financial

1. None arising from this report.

Legal

2. The local authority has a legal duty to assess and monitor the provision for children and young people with severe and complex special educational needs.

Personnel

3. None arising from this report.

Equalities impact

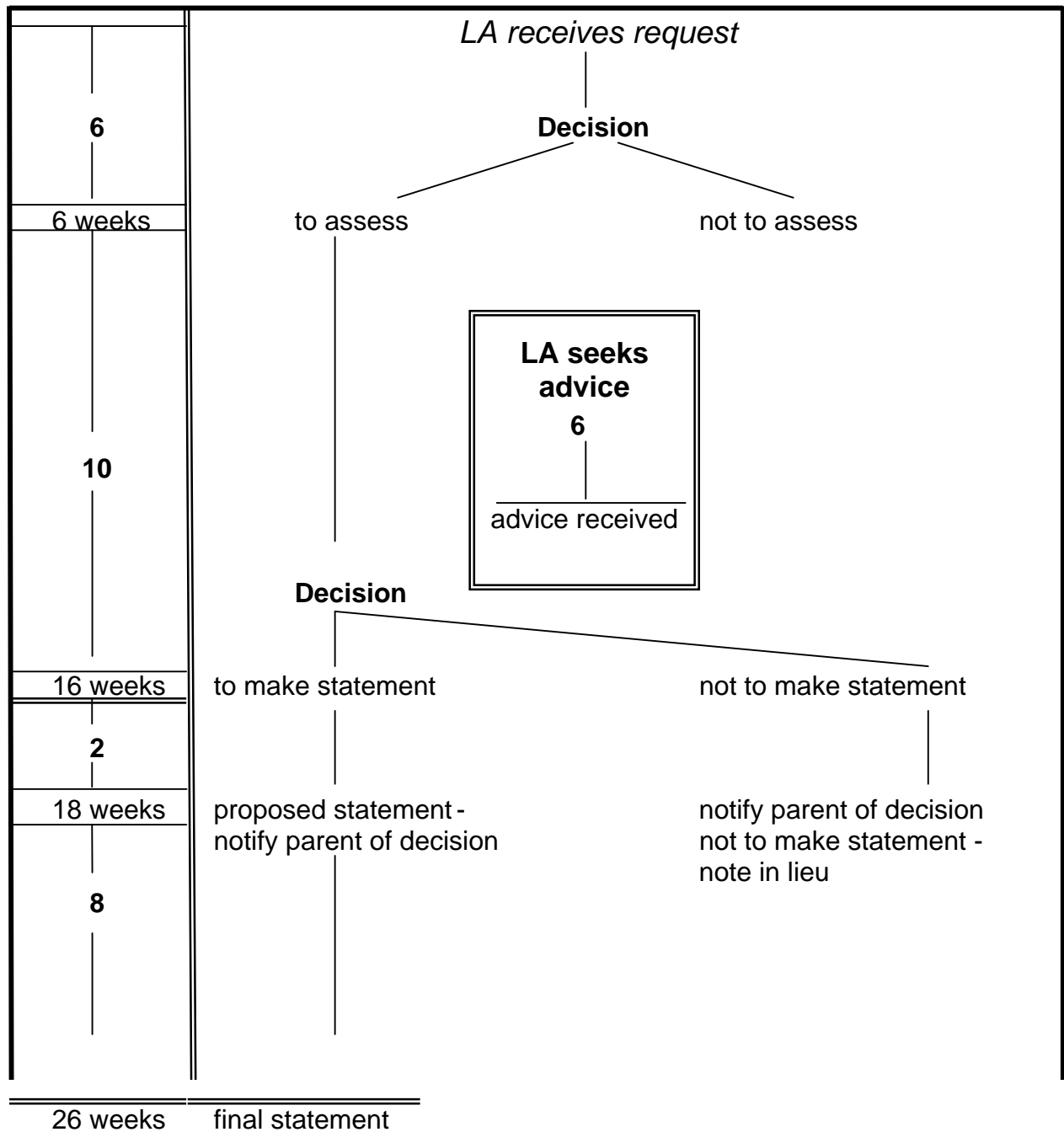
4. None arising from this report.

Corporate priorities

5. Ensuring appropriate assessment and provision for pupils with special educational needs supports the Council's priority of **supporting everyone in learning and achievement**.

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Background papers:	None	
List of appendices:	Appendix 1 – Statementing process timelines Appendix 2 - List of mainstream ERS provision and Special Schools and Out of Authority Independent and Non-Maintained Special Schools Appendix 3 – [To Follow] Further financial information on spending on SEN provision	

Time lines for completion of SEN Statement of Special Educational Needs



Primary enhanced resource provision

- Alvaston Junior Community School – Key Stage 2 – for children with learning difficulties
- Arboretum Primary School – Key Stage 1 and 2 – for children with hearing and learning difficulties
- Ashgate Primary School – Key Stage 2 – for children with learning difficulties
- Brackensdale Infant School – Key Stage 1 – for children with communication difficulties and ASD
- Brackensdale Junior School – Key Stage 2 – for children with communication difficulties and ASD
- Markeaton Primary School – Key Stage 1 and 2 – for children with sight impairment
- Reigate Primary School – Key Stage 1 and 2 – for children with hearing impairment

Primary shared placement/nurture provision

- Beaufort Community Primary School – Key Stage 1 and 2 - Key Stage 1 part-time shared placement provision – for children with behaviour difficulties
- Becket Primary School – Key Stage 1 and 2 – Key Stage 1 full-time nurture provision – for children with behaviour difficulties
- Lakeside Community Primary School – Key Stage 1 and 2 – Key Stage 2 nurture provision – for children with behaviour difficulties

Secondary enhanced resource provision

- Bemrose Community School – Key Stage 3 and 4 – for children with communication difficulties
- Lees Brook Community Sports College – Key Stage 3 and 4 – for children with learning difficulties
- Saint Benedict Catholic School and Performing Arts College – Key Stage 3 and 4 and post-16 – for children with sight impairment and physical impairment
- Woodlands Community School – Key Stage 3 and 4 and post-16 – for children with hearing impairment

Nursery provision for additional provision for pre-school children with SEN

- Central Nursery
- Lord Street Nursery
- Whitecross Nursery

Special school provision

- St Giles - Key Stage 1 and 2 - for children with complex moderate and severe learning difficulties and autistic spectrum disorders
- Ivy House - all phases - for children and young people with profound and multiple learning Difficulties – profound multiple learning difficulties
- St Andrew's - Key Stage 3 and 4 and post-16 - for children with complex moderate and severe learning difficulties and autistic spectrum disorders
- St Martins - Key Stage 3 and 4 - for young people with learning and behaviour difficulties
- St Clare's - Key Stage 3 and 4 - for young people with learning and behaviour difficulties.

Out of authority special schools currently used by the LA

- Alderwasley Hall School - 5-19 years - speech and language
- Chelfham Mill School - 7-13 years - boys - EBD
- Chelfham Senior School - 11-19 years - boys - EBD
- Clarence House School - 10-18 years - EBD
- Cruckton Hall School - 9-19 years - boys - ASD with challenging behaviour
- David Lewis School - 2-19 years - severe epilepsy
- Dawn House - 5-19 - specific learning difficulties
- Fullerton House School - 8-19 years - ASD with SLD and challenging behaviour
- Hollybank - 11-16 years - boys - behaviour difficulties
- Kisimul School - 10-19 years - SLD
- Maple Hayes Hall School - 7-17 years - specific learning difficulties
- Mary Hare School for the Deaf - 5-19 years
- Nugent House School - 7-19 years - boys - EBD
- Pegasus School - 8-19 years ASD with SLD
- Royal School for the Blind, Liverpool - 2-19 years
- Royal School for the Deaf, Derby - 2-19 years
- Rutland House School - 5-19 - physical difficulties, also SLD
- Sutherland House School - 3-19 - ASD with challenging behaviour and learning difficulties
- Wilsic Hall School - 11-19 - ASD with SLD and challenging behaviour