

# REPORT OF A SPECIAL EDUCATIONAL NEEDS REVIEW

## MILTON KEYNES COUNCIL – CHILDREN AND YOUNG PEOPLES' SERVICES

September 2008 to March 2009

Review undertaken by:

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## Priorities for Improvement

The following Priorities for Improvement have been identified through the review process. This report sets the context for this and will provide the reader with detail to understand the rationale behind these priorities. Section 16 of this report proposes a set of outcome indicators that could provide a start to monitoring the extent to which these priorities are being achieved over time.

1	Improve <b>leadership and strategic management</b> of SEN, driving forward a change in culture across Milton Keynes schools and settings, and with parents and professional partners.
2	<b>Narrow the achievement gap</b> between children with SEN and those who do not have SEN.
3	Develop an <b>improved resource and funding approach</b> so that individual pupil needs can be met promptly at school and setting level without the need for a statement.
4	Improve the integration of the statutory SEN process with <b>co-ordinated approaches between and across SEN support services</b>
5	<b>Increase the confidence, competence and capacity of mainstream education</b> settings to provide for a greater number of pupils with SEN.
6	<b>Build capacity, confidence and competence in special schools</b> to provide for more complex needs.
7	<b>Maximise continuity in the pathways of children with SENs through school</b> , and minimise the number of changes to supporting children, families and schools along these pathways that are created by operational structures.
8	<b>Put in place a SEN monitoring and accountability strategy</b> that links the use of funding intended for children with SEN and other vulnerable learners, with outcomes for individual children and schools / settings.
9	<b>Produce an action plan for the next 3-5 years</b> , and monitor its progress with key stakeholders.
10	Establish a <b>wide ranging and creative SEN training and development programme</b> that underpins and supports future action.

## 1 Introduction

- 1.1 This report sets out the main findings of a review that has explored a wide range of perspectives on how educational provision is made for children with special educational needs who live in or go to school in Milton Keynes.

- 1.2 It aims to draw together key themes and to distil these into a structure of recommendations and options for future development and improvement.
- 1.3 The detail of the report provides the background to the recommendations and options.

## **2 The Reasons for the Review**

- 2.1 In 2003 Milton Keynes Council adopted a Special Educational Needs strategy. It aimed to achieve increased inclusion and to remove barriers to learning and was founded on 4 key themes:
  - i. Raising achievement
  - ii. Attending school as close as possible to the child or young person's local community
  - iii. Developing partnerships with parents, schools and local communities
  - iv. Using resources effectively
- 2.3 The 'Special Educational Needs Handbook' that is distributed to schools, and specialist services, sets out this 2003 policy framework. In content it is operationally strong, and describes procedures and processes in significant detail, contextualising these in relevant legislation and national policy of the time. However, it lacks:
  - The support of a structured plan that is outcome driven;
  - A system that describes the inter-relationship with school improvement services;
  - A set of performance indicators and targets that will promote the aims and intentions of the strategy.
- 2.4 Whilst there is some evidence that key indicators, such as a reduction in the number of statements, were being achieved in 2004, there is also evidence that, since 2004, data trends are not going in the direction intended by this 2003 strategy. The lack of a structured framework of performance indicators and targets has meant that there has been a lack of clarity over the inter-relationship of various data sets. Whilst data relating to Best Value Performance Indicators and National Indicators is available and monitored as part of the performance assessment structure for the Council, there has been no supplementary assessment of data trends and their relationship with outcomes for pupils and expenditure. So value for money judgements have not been made.
- 2.5 The Milton Keynes Special Educational Needs Review was commissioned in September 2008 by the Director of the Children & Young People's Service.
- 2.6 The terms of reference for this review were focused on achieving certain outcomes:
  - A reduction in the number of statements issued;
  - An increase in the number of children and young people with statements in mainstream schools;

- Fewer children and young people placed in non-maintained and independence special school provision;
- Improved value for money;
- Narrowing the Gap / raising achievement.

2.7 The outputs initially specified were focused on securing:

- An up to date data profile, to include pupil and cost data with comparisons with other Local Authorities where possible;
- An analysis of outcomes for pupils;
- A structure of principles to drive future developments;
- Recommendations for future approaches to funding;
- Recommendations for the structure of future specialist provision.

2.8 Previous reviews had been commissioned, and the resulting reports were not progressed. Their scope was considered to be too narrow, with insufficient attention to the broader canvas of special educational needs provision and strategic management. These smaller scale reviews have not resulted in meaningful changes for the organisation or structure of resources or, improved outcomes for children and young people with special educational needs. A feature of these earlier reviews was their restricted engagement with key stakeholders, including parents and carers and Head Teachers.

2.9 It became clear, at an early stage in this review, that the initial specification lacked sufficient clarity and, given the prescribed timeframe, was over-ambitious. Importantly, it also failed to acknowledge the need to ensure some meaningful engagement with representative stakeholders. It was therefore essential that it was conducted with stakeholders and would provide a robust foundation for future development and improvement.

2.10 The Policy Development Committee has considered two previous reports on the Special Educational Needs Review. The first of these was on the 5<sup>th</sup> November 2008 and the second on the 7<sup>th</sup> January 2009. A seminar/workshop was provided for elected members on May 6<sup>th</sup> 2009. These discussions between Elected Members and with officers as part of the scrutiny process have provided a strong foundation for consideration of some of the more complex matters that are a feature of SEN strategic management.

2.11 The data profile for SEN in Milton Keynes is set out in detail later in this report. Data drawn from national indicators and raw measures was available at the beginning of the review. This showed an 'out of alignment' with both the intentions of the 2003 policy and the intentions of Government Policy 'Removing Barriers to Achievement' (DCSF 2004). It is the application of this data to nationally expected policy direction and to the views of local stakeholders and Elected Members that has driven various lines of enquiry in this review.

### 3 The Process of Review

3.1 A specialist consultant was engaged by the Director of Children and Young People's Services in September 2008 for approximately 50 days. Over this time a large number and range of stakeholders were able to engage in structured and open discussion, or to provide written views. Table 1 (below) sets out the range of stakeholders involved at varying levels in the review process.

**Table 1 -** A summative record of those who took part and/or expressed their views as part of the review

Stakeholder	Means of contributing to the Review
Parents and Carers of children with special educational needs	<ul style="list-style-type: none"> <li>• 6 separate meetings: 2 arranged by Milton Keynes Carers; 2 by the Parent Partnership Service; 1 by MK ADHD group and 1 by the Walnuts School.</li> <li>• Number of parents attending meetings: 40</li> <li>• Written contributions: 3</li> </ul>
Head Teachers	<ul style="list-style-type: none"> <li>• By individual meeting with the review officer               <ul style="list-style-type: none"> <li>○ Secondary Head Teachers – 3</li> <li>○ Special school Head Teachers – 5</li> <li>○ Primary Head Teachers – 7</li> </ul> </li> <li>• By attendance at Primary and Secondary Head Teacher group meeting with the DCS in the Spring Term 2009</li> <li>• By attendance at the Interim Review Seminar in February 2009</li> </ul>
SEN service managers and staff	<ul style="list-style-type: none"> <li>• SENDIS management team – structured discussion</li> <li>• Individual discussions / correspondence with some SENDIS staff</li> <li>• Educational Psychology Service management team – structured discussion</li> <li>• Individual discussions / correspondence with some EPS staff</li> <li>• Behaviour Partnership Manager – individual discussion</li> <li>• Early Years SEN – individual discussion with service manager</li> <li>• Education of children in care – individual discussion with Team Manager</li> </ul>
SEN activity / planning groups	<ul style="list-style-type: none"> <li>• ASD strategy</li> <li>• Special School Head Teachers</li> </ul>
Health Service	<ul style="list-style-type: none"> <li>• Speech and Language Therapy</li> <li>• Community Paediatrician</li> <li>• Joint Commissioner</li> </ul> <p style="text-align: right;">} individual discussion</p>
Children and Young People's Service Strategic Managers,	<ul style="list-style-type: none"> <li>• SEN</li> <li>• Capital Programme / BSF</li> <li>• School Place Planning</li> <li>• Data / Performance management</li> <li>• School Improvement</li> <li>• Behaviour</li> <li>• Commissioning</li> <li>• Children's social care</li> </ul> <p style="text-align: right;">} individual discussion</p>

Assistant Directors of CYPS	By Individual discussion with all Assistant Directors
A wide range of stakeholders	Seminars: Information Exchange & Consultative Attendance of 120 stakeholders from schools, settings, specialist services: health, education, social care, voluntary sector, parent partnership.
Elected Members	Policy Development Committee - Nov 08, Jan 09, June 09 Members Workshop / Seminar – May09
Early Years SEN and advisory staff	Exploratory Workshop to reflect on practice matters relating to current data profile.
Children and Young People	Views from children at the White Spire Special School

- 3.2 The consultant encouraged discussion on a range of issues, particularly those of importance to stakeholders. Through feedback from two separate seminars in February, she refined the issues of priority and developed the analysis of data in order to identify those areas of similarity and difference between Milton Keynes and other Councils. The analysis also considered whether or not these differences were helpful, unhelpful or of no particular relevance.
- 3.3 A small group comprising of two Head Teachers, a SENCO (special educational needs co-ordinator), Officers, the Parent Partnership Officer, and the Director of The Children and Young Peoples' Services met twice to monitor and discuss the process of the review. Table 2 (below) sets out the board process followed by the review.

**Table 2 -** Activities undertaken and process of the review

Activity	Timing								
	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
Initial scoping and planning									
Discussions and interviews with stakeholders									
Reports to / structured discussion with Elected Members									
Mid review Seminars for stakeholders									
Analysis of data & further exploration of related issues									
Structured discussion with DCS									
Review update information to schools									
Contribution to CYP service planning									

## **4 Where do children with SEN go to school, and what costs are involved?**

- 4.1 This section of the report considers:
- The types of school placement provided for children with special educational needs;
  - Whether there appear to be any trends in changing dependencies on one type of provision compared to another;
  - The costs of various types of provision, and any financial trends associated with this.

### **The Balance between Mainstream and Special Schools**

- 4.2 The majority of data used relates to pupils of school age or who are known to the Local Authority because they may have a statement of SEN. This is because the DCSF and the Local Authority does not collect data from early years education settings in the same way that it does from schools.
- 4.3 The majority of children with special educational needs in Milton Keynes attend mainstream schools. In 2008, mainstream schools in Milton Keynes said that 16.9% of their pupil population (primary and secondary) had special educational needs. This includes children at School Action and School Action Plus stages of the SEN Code of Practice, and children with statements of SEN. This compares with 19.5% (primary) nationally, and 19.8% (secondary) nationally. These figures do not include children who go to school outside Milton Keynes, or who attend special schools.
- 4.4 In January 2008, 1.3% of the primary aged pupil population in mainstream schools had statements of SEN, compared to 1.4% nationally. For secondary aged pupils in mainstream this was 1.7% compared to 2% nationally.
- 4.5 The percentage of the total pupil population in January 2008 with a statement of SEN in Milton Keynes was 2.9%. Nationally this was 2.8%. But where children go to school (the balance between mainstream and special school) is different to the national position. Whilst the percentage of pupils attending non-maintained and independent special schools was consistent with the national position in January 2008, the noticeably higher percentage of the pupil population attending Local Authority special schools in Milton Keynes means that the percentage of the pupil population attending all special schools is also noticeably higher than the national position.

**Table 3** Percentage of the pupil population attending special schools - Milton Keynes and England (at January 2008)

	<b>The National Position</b>	<b>Milton Keynes</b>
<b>Local Authority maintained special schools</b>	1.01 %	1.44%
<b>Non-maintained and Independent Special Schools</b>	0.15%	0.15%
<b>All special schools</b>	1.16%	1.59%

(source: DCSF SFR June 2008)

- 4.6 In real terms, if the position in Milton Keynes was that 1.16% of all of its pupils attended special school, this would make a difference of 169 pupils.
- 4.7 The Local Authority makes available specialist provision for children with special educational needs in special schools, in Departments (these are enhanced provision in mainstream schools), in pupil referral units (known in the secondary sector as PEC's – personal education centres) and through fixed numbers of places in designated nursery centres.
- 4.8 In January 2008, 57 children who live in Milton Keynes attend non maintained or independent special schools and 14 children with special educational needs attend special schools that are maintained by other Local Authorities.

### **Funding for SEN in mainstream schools**

- 4.9 This section of the report raises a number of issues about:
- The structure of SEN funding;
  - Its compatibility with the aims of an approach to delegated management and funding;
  - Decision making about who gets what funding and when;
  - The extent to which all SEN funding arrangements are coherently linked.
- 4.10 The SEN funding related matters that this section of the report highlights will need continuing consideration, building on the preliminary findings of the review. Funding was not highlighted in the initial review scope, although accountants have expressed some concerns over time. The list of recommendations arising from the review proposes some intense, detailed and focused work on SEN funding across all phases and types of educational placements. An interim report highlighting some of these matters is due to be taken to the Schools Forum on June 25<sup>th</sup> 2009. Meanwhile, in discussing SEN funding, and specifically SEN funding to mainstream schools, this report highlights facts and trends, as well as referring to national guidance and reports. Where inferences are made, they are cautious, and will need detailed consideration by specialist SEN and funding officers.

- 4.11 The SEN Code of Practice expects that the majority of costs for the majority of children with SEN should be funded through the school's delegated budget. This includes the cost of the school SENCO. In addition to the core formula funding element of the Age Weighted Pupil Unit (AWPU), the Council's LMS scheme also recognises specific features of 'predictable additional need' and provides pupil led additional funding, linked to a small number of indicators, including prior attainment and free school meals. These are proxy indicators and are designed to recognise that a certain profile of pupil led features are more likely to indicate a higher level of special educational need, or difficulty in learning at a school level. They do not, for example, assume that every child entitled to free school meals, has a special educational need. The proxy indicators used by the Milton Keynes LMS scheme are typical of those used nationally.
- 4.12 Local Authorities need to find ways to fund schools to meet higher levels of need. Some levels of need may still be predictable at a school level. In Milton Keynes, higher levels of pupil linked special educational need in mainstream schools are funded through 'Banding' allowances. There are 14 separate banding allowances (A to N), each having a separate value.

**Table 4** Mainstream SEN Funding Bands by Value 2009/10

Mainstream Funding Band	Value 09/10 £
Band A	2,197.17
Band B	4,400.99
Band C	6,600.38
Band D	8,804.19
Band E	11,005.80
Band F	13,208.51
Band G	15,409.02
Band H	18,710.30
Band I	12,767.30
Band J	7,725.57
Band K	14,013.32
Band L	11,660.96
Band M	30,820.24
Band N	8,132.40

Source: Mouchel April 09

- 4.13 In Milton Keynes, banding levels or needs weighted pupil units (NWPU) are attached to children with statements, and the funds are delegated, via the child's name, to the mainstream school. If the child leaves the school, the funds go with the child to the next mainstream school, or are returned to the Local Authority if the child leaves Milton Keynes or transfers to special school or to a specialist mainstream based provision called a 'Department'.

- 4.14 Historically this meant that mainstream schools could only access additional funding through statements. In order to enable schools to make prompt provision at an early stage and without the need for a statement (consistent with “Removing Barriers to Achievement DCSF 2004) funds spent on band A for primary school pupils have been added to the mainstream school quantum and distributed by formula to primary schools.
- 4.15 However, a recent analysis of the distribution of funding through the NWPU to primary schools shows resource drift. This is not an unusual feature of SEN funding approaches, and reflects a position where funds allocated to meet specific types of level or type of need, tend to become normalised after a while with a perceived need by schools and settings to need higher levels of funding. This is often accompanied by reports of increased severity and complexity of need. Responding to such situations is challenging for Local Authority Officers. Measures of relative need are hard to define, and tend not to relate to pupil attainment outcomes. There is evidence of ‘resource drift’ in both mainstream and special school funding approaches.
- 4.16 An analysis of the distribution of the distribution of the NWPU to primary schools shows that funds for Band A are again being attached to statements, even though the funding has already been delegated to schools. At January 2009, 22.2 primary aged pupils had received targeted Band A funding at a total cost of £48,777.
- 4.17 At January 2009, 400 children with special educational needs were receiving additional ‘banded funding’. The majority of these children have statements. The average cost for a primary school pupil was £6464 per annum, and for a secondary school student was £5687 per annum.
- 4.18 The Government has commissioned research into approaches to delegate SEN funds to schools that also reduce reliance on statements. In Milton Keynes this is important because all but one stakeholder asked to give a reason for why a statement was necessary, responded by saying that it was the only way to attract additional funds. A common comment from parents was that if their child did not bring new resources then the school would not ‘want’ their child. These same parents also said that they were ‘fed up’ with the main focus of discussion about their child relating to funding.
- 4.19 In 2004 the DCSF, through ‘The Management of SEN Expenditure’ recommended that Local Authorities delegate SEN funds to schools by formula. In Milton Keynes, the additional ‘banded’ funds are considered as delegated, but they are individual pupil linked, and do not achieve what financial delegation is intended to achieve in terms of school autonomy and self-management. If the child leaves, the resources follow, and the school is not able to use these funds to develop improved arrangements over a longer term in school, into which children with a wide range of SEN can fit. The key recommendations of Government in 2004 were:

- *Delegate SEN resources to mainstream schools;*

- *Develop a funding formula to allocate resources for most pupils with additional and special educational needs;*
- *Develop arrangements to distribute additional resources for pupils with the most severe and complex SEN;*
- *Work with schools and other stakeholders to ensure that respective responsibilities are clear and to build parental confidence;*
- *Ensure that the required provision can be delivered, particularly where statements are maintained.*

4.20 This same guidance features examples from other Local Authorities that have managed to reduce reliance on statements, build capacity in mainstream schools and develop formula led approaches to delegation, with additional mechanisms to distribute funds to mainstream schools for the highest levels of SEN. This guidance of five years ago remains pertinent and consistent with the development of local schools, to provide for local needs, achieving good outcomes for children and young people. The links between numbers of statements and SEN funding approach are acknowledged across Local Authorities, and referred to in 'Removing Barriers to Achievement'.

4.21 In 2005 a seminar was organised by a senior DCSF official to consider the potential benefits of delegating SEN funds to clusters of schools. Funding regulations allow this, and in Milton Keynes the Behaviour Partnership is based on such an approach across all secondary schools.

4.22 One authority involved in this seminar and referred to in the DCSF guidance, had a long standing approach of ensuring that additional resources were available to mainstream schools without the need for a statement. Decisions on levels of resourcing were made by groups of schools, usually through SENCOs but sometimes involving Head Teachers. Decisions were close to the schools, moderated by school staff across schools and contributed to a low level of statementing, low levels of placement in special school and consistent levels of spending on SEN.

4.23 The liaison group structure in Milton Keynes appears to be well embedded, and this is discussed later in the report where the link between statements, funding and placement in special school is considered.

### **Specialist Departments – Pupil Numbers, Provision and Costs**

4.24 Table 5 (below) sets out summary information about Departments in Milton Keynes, these are specialist provisions handled directly by the Local Authority through delegated funding but under the day to day line management of the Head Teacher of the school. Typically the Departments provide for children with low incidence of special educational needs, except where some provision is made available for children with moderate learning difficulties and social communication and/or language difficulties.

**Table 5 – Departments in Milton Keynes – specialism, funded places, occupancy (at Jan 2009)**

<b>Primary (age 4-11)</b>		
<b>Specialist Focus</b>	<b>No of funded places</b>	<b>No of occupied places at 27.1.09</b>
Social Communication / Language (SLCN/ASD)	45	32
Hearing Impairment / Deaf (HI)	12	9
Moderate Learning Difficulties (MLD)	25	19
Physical Difficulty	10	6
Specific Learning Difficulty	6	1
<b>Totals</b>	<b>98</b>	<b>67</b>
<b>Secondary (age 11 – 18)</b>		
<b>Specialist Focus</b>	<b>No of funded places</b>	<b>No of occupied places at 27.1.09</b>
Social Communication / Language (SLCN/ASD)	40	37
Visual Impairment / Blind (VI)	10	9
Hearing Impairment / Deaf (HI)	8	5
Physical Difficulty	10	1
Specific Learning Difficulty	6	1
<b>Totals</b>	<b>68</b>	<b>52</b>

- 4.25 All of the Departments in Primary Schools, with the exception of one, for social communication needs, were established before 1996. The most recent social communication / language department was established in September 2006. This list does not include designated nursery centres. There are two nursery centres attached to two schools where 7 places in each are designated for young children with severe and complex special needs. Admission is by statement. These children tend to go to special school when they reach statutory school age.
- 4.26 Table 5 shows the specific areas of need for which specialist departments have developed. They relate to social communication and language, hearing impairment and deafness; moderate language difficulties; physical difficulty and specific learning difficulty. For secondary age pupils there is a Department for children and young people who have a visual impairment or who are blind.
- 4.27 The total number of funded places for children between 4 and 11 is 98. In January 2009, 67 of these were occupied, representing an occupancy rate of 68%. In secondary Departments 52 of a potential 68 places were occupied, representing an occupancy rate of 56%.

- 4.28 The review looked at a sample of 50 students who were attending departments at the point of the analytical exercise. Of the 50 students, 44 of the 50 were admitted to Department provision prior to reaching year 7 (first year secondary). The peak age for admission to Departments appears to be year 3, with 20 of the 50 children having been placed in a department before the end of key stage 1.
- 4.29 The review also looked at whether the children attending Departments in both primary and secondary schools were more likely to live within the designated area of the particular school or to come from beyond that designated area. In January 2009, 16% of the total number of students attending Departments lived in the designated area for the school in which the Department was sited. This means that 84% of the children attending Departments lived outside the designated area of the school. This would indicate that the Departments are providing a service for the whole community of Milton Keynes, rather than the more local community of either the individual school or the liaison group area.
- 4.30 There were however some inconsistencies. For example the children attending a Department in one secondary school were significantly more likely to live in the designated area of that secondary school, with 64% of the students attending the Department in the school living in the designated area of the school (compared with 16% above).
- 4.31 Departments are classified as specialist provision. Information later in this report shows that the cost of the place in the Department is almost the same as the cost of an average place in a special school. Admission to a Department is via a Statement of Special Education Need as it is for a special school.
- 4.32 The analysis of the sample of 50 children and young people included 31 from primary Departments who had transferred to the secondary phase of their education between 2003 and 2008. Of these 31 students, 14 (45%) had moved to Departments in secondary schools; 9 (29%) to special schools and 8 (26%) to a supported placement in a main stream secondary school (that is to say not attached to a specialist Department). There is no overt and consistent framework of pre-defined aspirational outcomes for pupils linked to Department provision, so it is not possible to say whether moving on to mainstream, a special school or another Department is achieving the aims of the provision.
- 4.33 The numbers in Departments have changed between 2005/06 and 2008/09. At a time when numbers have decreased by nearly 26% in Primary Departments (from 149 to 111), they have increased by nearly 29% in Secondary Departments (from 52 to 67). By comparison, and over the same period, numbers in special school have increased by 7.5% (at a time where pupil population growth was +4.1%).
- 4.34 There is a short section later in this report (paragraph 6.28) that discusses other issues relevant to Departments.

## Funding for Departments

- 4.35 Departments are funded through delegated budgets. The formula is based on an indicative staffing structure. Most Departments use this structure. The Department is funded for a fixed number of places. Funding for unoccupied places is not recouped. This would be inconsistent with the principle of delegation.
- 4.36 Some Head Teachers have reported that SEN Officers have required the allocation of 'surplus' funds or staffing to be used for children with statements in that school, who have not been provided with a Department place. These Head Teachers report that this erodes the ability of the Department staffing to respond to the needs of the children in the Department, and that this is contrary to the basis on which funds were delegated.
- 4.37 The review officer has highlighted these concerns with finance officers who have verified that delegated funds for 'Department Children' cannot be required by the Local Authority to be used for other statemented children placed in the school.
- 4.38 The average cost for a Primary Department place in 2008/09 was £11,675 with a range from £8,391 (MLD department) to £18,442 (Physical Disability Department). The average cost for a Secondary Department place in 2008/09 was £12,713 with a range from £7,854 (Language Difficulties Department) to £18,211 (Visual Impairment Department). Table 6 below shows how the cost of an average place in Departments, by Primary and Secondary, has increased since 2005/06.

**Table 6** Average Cost of a Department Place 2005/06 to 2008/09

	2005/06		2006/07		2007/08		2008/09	
	No. of funded places	Average Cost	No. of funded places	Average Cost	No. of funded places	Average Cost	No. of funded places	Average Cost
<b>Primary</b>	149	6,177	128	6,774	121	7,231	111	11,675
<b>Secondary</b>	55	10,285	65	11,810	67	12,328	67	12,713
<b>Total / Av</b>	204	8,231	193	9,292	188	9,779.5	178	12,194

- 4.39 In 2008/09 the average cost of a special school place was £12,805.

## Special Schools

- 4.40 Milton Keynes Council maintains 6 special schools. The number of funded placements in special schools has increased from 589 in 2005/06 to 633 in 2008/09. This is an increase of 7.5% over that period. This is a slightly higher increase than the total pupil

population increase over the same period, which is 4.1%. Nationally 1.01% of pupils attend Local Authority Special Schools. In Milton Keynes this is 1.44%.

4.41 Table 6 (below) indicates the names and types of special schools in Milton Keynes, the age range for which they make provision and the number of residential and non-residential places funded at those schools in financial year 2008 to 2009. All children are included within the Day places.

**Table 7:** Special Schools maintained by Milton Keynes Council

Name of Special School	Age range	Type	Residential Provision	Number of funded places 2008-09	
				Res	Day
Romans Field	5-11	BESD	Yes	25	50
White Spire	3-19	MLD	Yes	20	140
Slated Row	3 - 19	MLD	No	0	166
Gatehouse	11-16	BESD	Yes	18	60
Walnuts	3-19	SLCN / ASD	Yes	23	110
Redway	2-19	SLD / PMLD	No	0	107

Source: Mouchel & MKC web-site 2009

## 5 Where do children with SEN go to school, and what costs are involved?

5.1 The distribution of children across ages in special schools is useful information to plot admission trends, and manage the admissions process. Different analyses of information about special schools have taken place over the course of the review, and one of these has been to begin a different way of recording information about the spread of children by age and by need across special schools. Table 8 below shows the spread of children by age group across the six Milton Keynes Special Schools (at January 2009). This information only includes Milton Keynes resident pupils.

**Table 8:** Distribution of Milton Keynes resident pupils, who attend Milton Keynes Special Schools, by school year group

School	Nursery	Reception	KS 1	KS2	KS3	KS4	16+
			Yrs 1,2	Yrs 3-6	Yrs 7-9	Yrs 10,11	Yrs 12-14
Gatehouse	0	0	0	0	25	23	0
Redway	12	7	8	23	16	13	13
Romans Field	0	0	7	42	0	0	0
Slated Row	0	3	11	30	46	32	36
Walnuts	0	7	18	26	24	16	10
White Spire	0	0	2	16	52	38	24
Total & % of total special	12	17	49	134	161	143	81

school population	(2%)	(2.8%)	(8.2%)	(22.4%)	(27%)	(24%)	(13.6%)
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Source: School Place Planning, MKC 09

- 5.2 There is a steep increase between Key Stage 1 and Key Stage 2. Interviews with the SEN Review Officer would suggest that one of the reasons behind this increase relates to lack of confidence amongst primary school staff and parents, about the ability of a secondary mainstream school to respond to the needs of vulnerable children with SEN. Some parents and professionals also reported reluctance on the part of some secondary schools to display a 'welcoming' attitude at new entrants parents' evenings.
- 5.3 Some special school staff also expressed reservations about the ability of secondary schools to make appropriate provision for children with more severe and complex needs. SEN Officers report that discussions with mainstream schools about potential admissions of children with statements are rarely easy and the fact that a child has a statement can act as a barrier to admission.
- 5.4 During the review, a number of individuals have expressed concerns about movement across Milton Keynes and transport costs. There has not been time during this short review to explore transport costs. However, maps have been constructed to indicate the home addresses of children who attend special schools. There is no apparent locality influence.
- 5.5 Given the current occupancy of special schools and the pressure on places, it would be difficult for the SEN administration team to manage a locality, or nearest special school, approach. The issues that present in relation to a high dependency on special schools, and the constellation of reasons that lead to that, would suggest that the issue of distance between home address and special school is unlikely to be a critical factor at this stage.
- 5.6 Of more importance is the links between statements and special school admission. These are explored later in this report.

### **How are Special Schools funded and what costs are involved?**

- 5.7 Special School funding is part of the Local Authority's funding scheme for schools. This means that funding is delegated and is subject to a formula. There are 4 main segments that drive funds. They are:
- Segment 1: Banded funding of pupil places
  - Segment 2: Lump sums linked to management, caretaking, administration, meals
  - Segment 3: Residential places
  - Segment 4: Issues unique to a particular school
- 5.8 The value and focus of each of the four segments, for 2009/10, is shown below:

**Table 9** Structure and Costs of Special School Funding 2009/10

	£	Pupil numbers	£ per pupil
<b>Segment 1</b>			
Places	8,818,528	645	13,672.14
<b>Segment 2</b>			
Head/Admin/Site	1,696,652	645	2,630.47
<b>Segment 3</b>			
Residential	861,161	83	10,375.43
Termly provision	87,046.37	1	87,046.37
52 week provision	284,217	2	142,108.64
<b>Segment 4</b>			
Pool	10,629	107	99.34
Speech Therapists	84,074	120	700.62
Physical Difficulty	14,703	87	169.00
Minimum Funding Guarantee	40,947	60	682.45
<b>TOTAL</b>	<b>11,897,958</b>		

Source: Mouchel May 09

5.9 The primary driver and the biggest element of special school funding is in Segment 1: banded funding of places. There are 8 bands, and the value of each band reflects the cost of providing a fixed number of staff to a class with a fixed number of pupils. For example, Band 3 assumes a class of 10 pupils, with a teacher and 2 teaching assistants. Band 8 assumes a class of 6 pupils with a teacher and 6 teaching assistants. The receiving special school places the child in a Band, and this is moderated between schools and with a Local Authority officer.

5.10 The value of a place at each band level is below:

**Table 10** Special School Funding Bands and their value

Band	Value (09/10) £
1	£6,630.71
2	£8,360.72
3	£8,552.95
4	£10,432.13
5	£12,834.91
6	£13,884.47
7	£17,088.19
8	£27,019.72

Source: Mouchel May 09

5.11 Each year the SEN Team determines the number of places to be funded, based on predicted admissions and admissions in the previous year. Typically more places than

required will be funded. These are called 'ghost' places and are funded at the average value of a place in the school, until the place is filled and the value of the child determined. There is no overt provision in the funding scheme for dual placements or funding support to encourage reintegration.

- 5.12 During the review, the Review Officer sought information to identify whether there may have been any 'resource drift' within special school funding. Resource drift is a common feature of SEN funding and in this scenario would be illustrated by an increasing number of pupils being placed at bands that are worth a higher value. This would result in an incremental increase in the average value of a place, as well as a shift in the Band value of new and existing admissions.
- 5.13 There has been an increase in the average value of a place, from £9,125.62 in 2005/06, to £12,805.20 in 2008/09. This includes inflationary linked increases. An analysis of allocation of amended bands to existing pupils, and of the allocation of funding bands to new pupils, has shown a year on year drift towards a higher cost. Some special school Head Teachers have stated that the first year (2005/06) was the starting year, and the second year (2006/07) was the year in which year 1 errors were corrected. Even where these years are discounted, there are clear trends of resource drift where numbers on lower valued bands are decreasing and those on higher valued bands are increasing.
- 5.14 Some special school Head Teachers attribute this to an increasing complexity of need. The increasing complexity of SEN is a view expressed by the majority of professionals, with many referring to co-morbidity (more than one type of special need or condition) or advances in medical science, contributing to this. It is unlikely that such a debate will lead to sustainable conclusions. But what is evident is a drift to more funding at resourcing levels in mainstream. So the matter of resource drift is complex, and will benefit from recurrent and rigorous review and reflection.
- 5.15 Table 11 (below) illustrates the increase in pupil numbers and average core place value at primary and secondary mainstream schools compared to special schools over the period 2006/07 to 2008/09. The value of a place in a special school in Milton Keynes has increased more over this period of time than the value of the age weighted pupil unit in primary and secondary mainstream school.

**Table 11:** Trends in % pupil place cost increases across primary mainstream, secondary mainstream and special schools 2005/06 – 2008/09.

Type of school	06/07	07/08	08/09
Primary mainstream (AWPU)	+5%	+4%	+11%
Secondary mainstream (AWPU)	+4%	+4%	+8%
Special School (average place value)	+9%	+12%	+16%

Source: Mouchel 2008

## How do Milton Keynes numbers and costs compare with other special schools?

- 5.16 There is no universal or completely reliable approach to comparing numbers and costs across special schools and across types of special schools in other Local Authority areas. It is not possible to make firm conclusions through comparison, as the nature of the special school population in one Local Authority is different to that in another Local Authority area. However, there are features of the data profile of Milton Keynes special schools that indicate a different position to the national or regional position.
- 5.17 One of these relates to the balance of need. Schools should follow guidance issued by the DCSF in 2005 that helps them to assign pupils to a category of need, in order to complete the schools' census return.

**Table 12:** A List of features of special schools showing similarities and differences

Characteristic / Feature			
	Milton Keynes	Region	National
Percentage of special school population with moderate learning difficulties	38.6%	22.5%	22.9 %
Percentage of special school population with severe learning difficulties	11.8%	19.2%	23.7%
Percentage of special school population with behaviour, emotional and social difficulties	21.5%	17%	14.9%

Source: DCSF SFR June 08

- 5.18 It is likely that special schools may use categories of need consistent with those expressed in statements of special educational need, or categories that are compatible with the type of school. The schools census returns from Milton Keynes special schools indicate a higher proportion of children with moderate learning difficulties and behavioural, emotional and social needs, and a smaller proportion of children with severe learning difficulties than nationally.
- 5.19 In Milton Keynes there are 2 special schools for children with moderate learning difficulties. Between them they account for 48% of the special school population. The Head Teachers of these two schools have explained that not all the children on roll have moderate learning difficulties. There are two schools for children with behaviour, emotional and social difficulties, accounting for 14% of the special school population.
- 5.20 Paragraph 4.40 explains that 1.44% of the pupil population in Milton Keynes attends Local Authority special schools, compared to 1.01% nationally. Tables 11 and 12 above show that the cost of a special school place in Milton Keynes has increased beyond the rate of increase for mainstream schools. In 2008 a group of Finance Officers from the south eastern region carried out some comparative cost work on day and residential

costs for different types of special schools. The average day and residential place costs for pupils with speech language and communication needs, or for pupils with an autism spectrum condition, were compatible with the same costs for the Walnuts School in 2008. The same average costs for special schools for pupils with behavioural, emotional and social difficulties were slightly lower for the Gatehouse School, with a residential place at the Gatehouse School costing over £6,000 a year less. This may have been because the Gatehouse School does not provide 7 day a week residential provision.

### Residential Provision in Special Schools

- 5.21 Table 9 (above) shows the overall funding, through Segment 3, that funds residential provision in special schools. The most costly aspect of this relates to the termly and 52 week provision at the Walnuts School.
- 5.22 The number of places and the average value of each place by type (residential / non-residential) has changed over the past 3 years. Table 13 below shows the year on year change in the numbers of funded places and the average value of the place. There has been a 35% increase over 3 years in the value of a non-residential special school place, with the average value of a place in 2008/09 costing £4,065 more than a place in 2006/07.

**Table 13:** Year on Year change in number and cost of residential place (05/06 – 08/09)

	2006/07		2007/08		2008/09	
<b>Number of residential places</b>	79	0	98	+24%	86	-12%
<b>Number of non-residential places</b>	612	+4%	623	+2%	633	+2%
<b>Value of residential place / allocation</b>	8,062	+9%	7,662	-5%	13,663	+78%
<b>Value of non-residential place / allocation</b>	12,884	+12%	13,960	+8%	15,567	+12%

Source: Mouchel 2009

- 5.23 Four of the six special schools in Milton Keynes have residential provision. In May 2009, the availability of beds and occupancy was as set out in table 14 below:

**Table 14a** Use of residential provision in special schools at May 2009

Special School	Available Beds*	Current pupils
Romans Field	25	27
The Gatehouse**	18	15
The Walnuts	31	34

White Spire	20	10
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Source: Mouchel 2009

\* some children may 'share' a bed because they do not stay on the same nights.

\*\* The Gatehouse is registered as having 22 places.

### **How do children access the residential provision?**

- 5.24 In 2007 the arrangements for managing admissions to special schools and residential short term breaks for disabled children were brought together. The aim of this was to develop a co-ordinated record of which children were accessing residential facilities at special schools and at respite care homes. The new arrangements were intended to ensure greater coherence across agencies and to monitor referral practice and access to specialist facilities.
- 5.25 Whilst the guidance that governs this process refers to referrals for social care and/or educational purposes, it is clear that the prime responsibility for referring for either type of care rested with the school. A referral from school for residential support for social care reasons needs to be backed up with an initial assessment from the social worker. A social worker can then also refer, following the initial assessment, with recommendations for the duration of the child's stay.

### **What is the purpose of residential provision at special schools?**

- 5.26 Current guidance operated by special needs and social care staff indicates that a child may access residential provision at a special school because the statement records this as an element of the child's provision, or the child may have been referred to the residential panel for either educational purposes or short-term respite breaks.
- 5.27 Professional views were varied, with some seeing the provision as having an educational focus, and others seeing it as helping to provide social and short break support. A senior manager in a special school described a long term placement (4 nights a week every week) as being essential to the stability of the child's family.
- 5.28 The Walnuts Special School is the only school where the residential accommodation has the status of a children's home, and is subject to the rigour of inspection and monitoring that this requires. The residential accommodation in the other three special schools is subject to periodic inspection by Ofsted.
- 5.29 Within the operational guidance used by Milton Keynes professionals, there is little to define the specific educational value of residential accommodation in special schools. Different regimes are operated in the Walnuts School to elsewhere. Professional staff did refer to the '24 hour curriculum', but time did not allow for a thorough examination of the rigour of educational planning and activities for residential placements.

### **The Residential Panel**

- 5.30 The residential panel decides which children can access residential provision in special schools. The panel is chaired by the Children with Disabilities team manager. Between

January 2008 and April 2009 (inclusive) there were 59 referrals to the panel, for access to special school residential accommodation or for short breaks / respite in Furze House.

- 5.31 All referrals were agreed apart from 2 that were for White Spire School, where one of the referred children attended White Spire and one, Slated Row Special School. Of the 59 referrals, 19 were for Furze House and the remaining 40 (68%) for special school residential accommodation. 15 of the 40 special school referrals were for the Walnuts School, 12 for White Spire and the remaining 13 for Romans Field. The data does not include the Gatehouse School that currently determines access to its residential provision for pupils on roll.

### What does residential provision cost?

- 5.32 The costs of the residential provision are met through the Dedicated Schools Grant, through formula funding for special schools. In 2008/09 a total of £1,175,030 is delegated to special schools for the purposes of providing term time residential provision. £265,177 of this is dedicated for two 52 week placements at the Walnuts School. This is a planned approach to reducing reliance on out of authority provision for children with an autism spectrum condition (ASC). Officers report that no new out of authority placement have been made for a child with ASC since the residential provision at the Walnuts School was made available.
- 5.33 Table 14, below, uses data from the 2008/09 budget and indicates the per residential place cost, by special school, for that year.

**Table 14b** Residential places and costs in MK special schools 2008-09

Special School	No of residential places	Total Residential budget £	Residential place cost £
Gatehouse	18	186,728	10,374
Romans Field	25	224,813	8,993
The Walnuts	23	578,927	25,171
White Spire	20	184,562	9,228
Average residential cost MK			13,663
Average residential cost across a group of LA's (listed in Table 15 below)			21,056

Source: Mouchel and SEEFOG 2008

- 5.34 Of the 627 funded places in Milton Keynes special schools (in 2008/09), 86 (13.7%) were residential. Regionally the picture is different. Table 15 below shows the varying

dependencies on residential provision across a group of Local Authorities whose finance officers decided to look together at aspects of special school funding in 2008.

**Table 15** The Percentage of special school places that are residential in other south eastern Local Authorities (2008-09)

1	2	3	4	5		6
Local Authority (from GOSE region)	Number of funded special school places	Number of funded residential places	% residential places	Out of Authority dependency (% of stated CYP)		% statements
				Current	New	
Milton Keynes	627	86	13.7%	4.6	5.8	2.9
Southampton	410	0	0	8.4	No data	2.0
Cambridgeshire	896	20	2.2%	4.1	2.5	3.1
Bedfordshire	966	0	0	3.7	No data	2.8
East Sussex	1027	65.4	6.4%	10	5	3.1
Slough	294	0	0	3.9	0	2.9
Medway	593	0	0	5.8	3.7	2.9
Hertfordshire	2131	122	5.7%	6.0	2.2	2.1
Surrey	1649	163	9.9%	8.7	2.8	3.0
Kent	2683	241	9%	4.6	4.7	2.8

Source: SEEF OG comparative special school data 2008 & DCSF SFR June 08 (for 07)

- 5.35 The average residential place cost in Milton Keynes (Table 14) is noticeably lower (at £13,663) than the average cost for a residential special school place across participating Authorities (at £21,056). This could relate to better value for money; or lower levels of staffing in residential units, or lower levels of pupil need requiring less adult intervention and support. This review has not tested these hypotheses.
- 5.36 Table 15 considers the same group of Local Authorities, and looks at the percentage of residential special school places (of all special school places) across the individual Local Authorities. Column 1 shows that Milton Keynes has the largest percentage of residential places. Its statementing rate (column 6) is not remarkable and the percentage of the stated population currently placed in out of authority schools is similarly unremarkable across this group of Authorities.
- 5.37 However, whilst the general trend amongst these Local Authorities is to place a smaller percentage of new statements in out of authority compared to the current position, the converse seems to be the case for Milton Keynes where the percentage of new

statements naming out of authority provision increases in 2007. Officers report a downward trend in 2008, but the DCSF statistical return is not expected until mid July.

- 5.38 It is not clear whether there are any positive outcomes from this investment in residential special school places in Milton Keynes. For example there is no current analysis of the difference that accessing residential provision makes to educational or social care outcomes. Funding is sourced through the Dedicated Schools Grant, and therefore educational outcomes should be focal to the expenditure on the provision.
- 5.39 Children from four special schools seem more likely to access the residential provision than those at the other two special schools, although Slated Row School has referred children for access to White Spire residential provision in 2008. Officers report that children from the Redway School use the short break provision at Furze House. This is an indication that the purpose of residential provision may be unclear. One parent said that without 4 nights residential provision a week at the school for her child; she would not be able to cope. This was an educational placement.
- 5.40 There has not been time during the review to explore data on a wide range of outcomes for pupils. However, the evidence here is not encouraging. It appears to say that Milton Keynes Council makes and funds residential school provision for more children than is the case in other Local Authorities; that Milton Keynes provision costs less, and that it appears to be having little impact on a growing dependency for out of authority provision.
- 5.41 The expenditure on residential special school provision is significant at £1,232,424 (for 2009/10) and £1,175,030 (for 2008/09). The review recommendations include a suggestion that a more detailed analysis of file records and pupil outcomes takes place, to identify positive outcomes for pupils that can be attributed to the residential budget. It is necessary to clarify the real purpose of residential provision, and this will need to take account of the activities provided for children and young people. The links between educational and respite care focus will need to be clarified, given the current source of funding. Children, young people and their parents and carers should be asked what added value the experience brings to their children.
- 5.42 Ideally a clear position on what residential provision is needed and why should be developed before the end of 2010 in order to inform budgets for 2010/11 and any future approaches to Building Schools for the Future that might involve special schools.

#### **Use of other Local Authority Special Schools, and supported mainstream placements**

- 5.43 If a pupil has a statement of special need and attends a special or mainstream school in the area of another Authority, Milton Keynes Council will fund the cost of the special school place, or the cost of any additional support in the mainstream placements. Some Local Authorities have voluntary agreements to fund additional costs in mainstream where the child does not have a statement. However this tends to be those Authorities where a statement is not needed to access additional help.

- 5.44 In August 2008, 40 pupils with statements attended schools outside Milton Keynes. 24 attended mainstream schools and received additional support and 14 attended special schools. 2 attended independent mainstream schools.
- 5.45 15 of the 40 pupils (38%) are children in care to Milton Keynes, with all except one being of secondary school age. 11 of these children attend mainstream schools and 4 attend special schools.
- 5.46 Of the remaining 25 pupils, 13 attend mainstream schools, 10 special schools and 2, independent mainstream schools. 7 of the 10 children who attend a special school outside Milton Keynes go to a special school in Hertfordshire for deaf and hearing impaired children.
- 5.47 In March 2009, the average per pupil cost to MKC of the 14 children attending special schools in another authority is £12,781. This does not include transport costs.

#### **Use of Milton Keynes Schools by Other Local Authorities for children with statements of SEN**

- 5.48 48 children with statements of SEN who live in the area of other Local Authorities, attended school in Milton Keynes. 40 of the 48 live in Buckinghamshire, Bedfordshire, Northamptonshire and Oxfordshire. Of the 40, 28 attend special schools and 12 mainstream schools. None of the 12 have places in Departments.
- 5.49 The average cost of a special school place in Milton Keynes to one of the placing authorities is £17,018 (at March 09).
- 5.50 The SEN team reports that the recoupment balance is in Milton Keynes' favour. That is to say that more funds are recouped to Milton Keynes than are spent of funding placements out of Milton Keynes.

#### **Out of Authority Placements**

- 5.51 This section of the report describes the position in Milton Keynes relative to the national position. Out of authority placements are those placements made by the Local Authority or directed by the SEN and Disability Tribunal, to non-maintained and independent special schools. These placements do not include those made to schools maintained by other local authorities.
- 5.52 In 2007 the Audit Commission produced a report on '*Out of Authority Placements for Children with Special Educational Needs*'. It reported that nationally there were over 11,000 pupils placed in non-maintained and independent special schools, and that they were most often pupils with an autism spectrum condition or with behavioural, social and emotional difficulties. The report recommended closer work across health, education and social care services as a means to avoid escalation to out of authority placements, and stressed the need for sophisticated planning and management so that the right type of placement can be developed locally to meet needs.

5.53 Nationally the overall number of placements in out of authority (OOA) special schools dropped by 2% in 2005.06<sup>1</sup>. Pupils between the ages of 13 and 15 years of age are most likely to be in an OOA placement. However, expenditure on these OOA placements increased nationally at a rate well above overall SEN or education funding. In 2007/08 the per pupil spend in Milton Keynes <sup>2</sup> on OOA placements was higher than the national and statistical neighbour average. The South East region (in 2007) was the second highest spending region, with London being the highest spender.

5.54 Table 16 below shows the type of out of authority placements that have been funded by Milton Keynes Council between 2006/07 to 2008/09.

**Table 16** Out of Authority Placements – 2006/07 – 2008/09

Year	Type of Placement			
	52 week	38 week	Day	Totals
2006 – 2007	16	32	29	77
2007 – 2008	20	27	38	85
2008 – 2009	25	29	46	100
Variance 06-09	+9	-3	+17	+23

Source: MKC SEN team

5.55 There has been an overall increase of 23 out of authority placements between 2006/07 and 2008/09. This accounts for a 30% increase over this period.

5.56 Table 17 below shows the age of the pupils who attend out of authority schools, by the overall balance, and by the age at first admission. In 2008/09 there were 24 new admissions compared to 9 in 2007/08 and 18 in 2006/07. It is not clear from this data whether the prime reason for securing an out of authority placement related to educational needs, or whether social care or health factors might have had an equal or higher profile.

**Table 17** Numbers in placement and admissions to Out of Authority Special Schools 2006 - 2009

Financial Year	U5 / KS1		KS2		KS3		KS4 and 16+	
	Numbers in placmnt	New Adm	Numbers in placmnt	New Adm	Numbers in placmnt	New Adm	Numbers in placmnt	New Adm
2006/07	1	0	6	1	26	13	44	4
2007/08	3	1	15	5	29	1	38	2
2008/09	2	0	10	2	36	17	52	3
Totals		1		9		31		9

Source: MKC SEN team

- 5.57 Nationally the majority of pupils who are placed in OOA schools have a behaviour social and emotional difficulty (BESD) or an Autism Spectrum Condition. In 2008/09, 59 of the 100 pupils in OOA schools had BESD as their primary need, with the next highest need being severe learning difficulties (11 pupils) and hearing impairment (11 pupils).
- 5.58 This means that nearly 60% of pupils in OOA placements have a BESD. This is in a context where:
- the percentage population in Milton Keynes Special Schools with a BESD is significantly higher than nationally (21.5% compared with 14.9% nationally);
  - the percentage of pupils in secondary mainstream school is lower (20.1% compared to 30.6% nationally);
  - Milton Keynes has a primary and a secondary BESD special school, both with residential provision.
- 5.59 It is possible that the threshold for sustaining placements of pupils with a BESD in secondary mainstream and Milton Keynes special schools is lower than nationally. This may be a matter of interest and focus for the Behaviour Partnership that aims to avoid exclusion from mainstream school and to sustain local placements for students whose behaviour, social and emotional difficulties interrupt their access to education.
- 5.60 Tables 16 and 17 demonstrate an increasing dependency on out of authority placements from 77 in 2006/07 to 100 in 2008/09. This is consistent with the national position <sup>3</sup> where an increase in the number of OOA placements has taken place. The funding implications of the Milton Keynes increase are set out below in table 18. The total education budget spend on OOA placements has increased from £2,609,839 in 2006/07 to £5,463,087 in 2008/09.
- 5.61 Table 18 differentiates between placements that are funded solely through the Dedicated Schools Grant, and those that are funded with contributions from health and social care budgets.

**Table 18** The Costs of OOA placements to the Education Budget 2006 - 2009

<b>Financial Year</b>	<b>Education Budget Spending **</b> £	<b>Education contribution to joint placements *</b> £	<b>Total Education Budget Spending</b> £	<b>Total Places</b>	<b>Average per place cost</b> £
2006/07	2,073,310	536,529	2,609,839	77	33,894
2007/08	2,412,952	998,761	3,411,713	85	40,137
2008/09	2,771,099	2,691,988	5,463,087	100	54,630

Source: MKC SEN Team

\*\* spending on placements driven by SEN statements

\* spending by Education on placements to which social care and health budgets contribute

N.B. Between 2007/08 and 2008/09 the 'funding split' was adjusted attributing a greater share of the costs to the education budget

- 5.62 The Audit Commission report on OOA placements reported that the average cost of an out of authority placement in 2006 was £57,150. This is higher than the average cost to the MKC Education budget in 2006 that was £33,894. This may be because the threshold at which children are placed out of authority is lower in Milton Keynes than elsewhere, or because the full inter-agency costs are not factored in to the 2006 figure.
- 5.63 A report carried out for the Regional SEN Partnerships in 2007 on OOA placements summarised average fees for OOA placements between 2002 and 2007. These had risen from £35,626 in 2002 to £49,570 in 2005, and then to £57,826 in 2007. The 2007 costs exceed the Milton Keynes costs, but it is not possible to make a direct comparison because the MK data relates to education spending only.
- 5.64 The Regional Partnership Report noted that there is an inverse relationship between number of placements in a Local Authority, and the average cost per placement i.e. the more placements made, the lower the average cost. This may be a feature of Milton Keynes costs, and requires further exploration where the total cost of placements is available. This report also noted that the majority of placements are made in Key Stage 3, and this is entirely consistent with Milton Keynes new placement profile.

#### **Statements – the link between statements, funding and school placement**

- 5.65 There has been significant national debate over the last seven years about the link between statements and funding. Audit Commission and the DCSF have produced a range of research and policy reports, all promoting the development of increased capacity and staff competence in mainstream schools, and removing ‘perverse incentives’ from the statementing and SEN funding system.

#### **Statements**

- 5.66 In February 2009, there were 1317 Milton Keynes pupils with statements. The percentage of the pupil population with statements has remained relatively stable. However, there has been a notable increase in the number of new statements issued for younger children. Table 19 below shows the number of statements maintained by year and by age span of pupil.

**Table 19** Numbers of statements by pupil age and year in Milton Keynes

<b>Age of Pupil</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>
<b>Under 5</b>	11	15	33	56
<b>5 to 10</b>	141	208	274	463
<b>11 to 15</b>	250	596	592	628
<b>16 to 19</b>	694	363	230	170
<b>Total</b>	1,096	1,182	1,129	1,317

Source: DCSF SFR and SEN 2

- 5.67 The number of statements as a percentage of the total pupil population puts Milton Keynes close to the national average position for % of the pupil population with statements. A matter for concern is the significant increase in statements for young

children up to 10 years old, particularly over the last two years. As this proportion of the pupil population progresses through school, and is enlarged with new statements for other children then it is highly likely that the overall percentage of the pupil population of statemented pupils will increase.

- 5.68 DCSF commissioned research<sup>4</sup> found, in 2004, that there was a strong correlation between those authorities that were 'high statemeters' and those that issued higher numbers of new statements. The number of new statements being issued in Milton Keynes is increasing at an apparently higher rate than the overall Percentage of the pupil population with statements. The number of new statements in 2004 was 97, increasing to 187 in 2006 and having reached over 250 in 2007. Officers report that the numbers of new statements are dropping, but long term data is not yet available.
- 5.69 There are a number of possible reasons for the increases in numbers of statements issued. The following possibilities have been discussed with officers and staff.

#### Possibility 1

In financial year 2008/09, SEN support services (SENDIS and the EPS) were required to sell certain aspects of their portfolio of services in order to meet an income target. This approach was introduced in order to respond to a predicted budgetary shortfall. The services 'sold' activities at school action and school action plus. This means that the general advice to schools on meeting needs, and avoiding escalation to statutory assessment, that had hitherto been free, now needed to be funded by schools. The sold services approach was not supported by an identifiable sum of money in schools' budgets, and this made it difficult for SENCOs, especially in smaller schools, to secure the agreement of the head teacher to 'buy in' some of this early intervention and preventative resource.

In this context, and because 'higher level' services were free; it is possible that some schools may have escalated cases through the statementing process to secure free advice. Support service managers believe that this is the position, and that the approach to sold services unintentionally produced some perverse outcomes, in terms of increased statements.

#### Possibility 2

In Milton Keynes it is not possible to secure additional help for a child without a statement.

If a child is allocated temporary funding because of a short term need or because s/he is new to Milton Keynes, a statement is needed to secure that funding. The budget for temporary funding in 2008/09 was £164,227 in 2007/08 it was £170,986.

Therefore, if a child needs additional help, and this is a longer term need, the only way to secure this and achieve stability and continuity for the child and the school, is to obtain a statement.

- 5.70 Both possibilities link funding to statements and to the statutory process. The way that funds are managed, even though they appear as 'delegated' once attached to a

statement, provides an incentive to obtain a statement. Whilst some SEN funds are delegated by formula for lower level needs, there is no mechanism for schools to secure funding for children with less predictable SENs unless through a statement.

- 5.71 A common response from parents who contributed to the review was that they did not want to have discussions with schools about money, or the financial value of their child. When asked whether the statement for their child had told them anything they did not know, the majority said that it had not. When asked why they had requested a statement, the majority said they had been encouraged to do so by professionals to secure access to additional resources
- 5.72 In its guidance about ‘*The Management of SEN Expenditure*’ (2004) the DCSF provides illustrative examples from Local Authorities that show how the delegation of SEN funding can remove the types of financial incentive described above. In Milton Keynes SEN funds for more complex needs in mainstream are delegated once a child has a statement. DCSF guidance recommends the use of a formula, and describes examples of collaborative arrangements between schools to achieve a level of flexibility that might be necessary to ensure higher level needs could be resourced through delegated funding. The difference is that currently a statement drives the delegation. In alternative models, a formula would drive this, and schools would determine the use of the funding for children with higher level needs, with and without statements.
- 5.73 Increasing numbers of statements in Milton Keynes occupy the time of specialist support services, and require a specialist administrative team to manage what is a complex process. In Milton Keynes current trends indicate a greater likelihood that children with statements will attend special school or specialist Departments, than nationally. The number of statements issued must therefore have a direct link to the greater use of special schools in Milton Keynes than nationally.

**Placement of children with Statements**

- 5.74 Nationally the majority of children with new statements are placed in mainstream schools. This is not the case in Milton Keynes. The percentage of pupils with statements (at 2.9%) is very close to the national average. However, of this population of children in Milton Keynes, a greater percentage go to special schools or specialist provision in mainstream (Departments). Table 20 below explains this.

**Table 20**     New statements 2007: School Placements, Milton Keynes and England

<b>Newly Statemented Child placed in:</b>	<b>% of new statements in MK</b>	<b>% of new statements in England</b>
Registered Early Years Settings	10.4	2.9
Departments or Mainstream Units	9.7	3.6
Mainstream schools	36	61
Special Schools	32	22
Out of Authority Special Schools	6	2.8

- 5.75 This data is drawn from the most recent (at the time of writing) DCSF SEN statistical return. Some officers think that the 2007 profile was unusual. Whilst it may be in relation to early years data, data from previous years shows a higher dependency on special schools than nationally, and this remains the position for Milton Keynes.
- 5.76 The most significant difference between the Milton Keynes and National position is the percentage of new statements that result in a mainstream placement. If the data for Early Years settings and mainstream schools is totalled, this leads to 63.9% of new statements nationally going to mainstream, compared to 46.4% for Milton Keynes.
- 5.77 Provision in Departments is specialist, with staffing ratios and unit costs comparable with some special school placement costs. If the percentage placements for special schools, out of authority schools and Departments / Units are added together, this shows that 47.7% of new statements in Milton Keynes attend specialist placements, compared to 28.4% nationally.

### **Early Years**

- 5.78 Following a mid review consideration of emerging data trends and analyses, a structured workshop and discussion took place with SEN staff from Early Years services. A further exercise looked at the 43 children between 2 and 5 who were provided with a statement in 2008. Three of the children were 3 years old. Twenty were 4 years old and twenty were 5 years old. The pattern of placements arising from their statements is set out in Table 21 below:

**Table 21**     The Placement of Early Years children with new statements in 2008

<b>Placement</b>	<b>Number</b>	<b>% (of 43)</b>
Mainstream School	13	30
Mainstream Nursery	3	7
Department	6	14
Designated Nursery	7	16
Special School	14	33
	43	100

- 5.79 On further investigation, it is clear that the cause for concern is justified. In 2008, 43 statements were finalised for young children. This is a significant increase on the year before. Only 16 of the 43 (or 37%) were placed in mainstream provision. The remainder (63%) attended specialist provision.
- 5.80 Early Years staff considered the processes that led to this situation. There were three potential scenarios:

#### Scenario 1

Parents wanted a special school or Department place and they (and professionals) knew that a statement was necessary.

### Scenario 2

There is often a wide range of professionals involved in the Early Years, and custom and practice may lead to non-education professionals recommending specialist provision, or to secure a statement.

### Scenario 3

Decisions to carry out a statutory assessment for these young children were not subject to the moderation of the statutory assessment panel.

### Scenario 3

Funding systems for non-school Early Years settings may lead to requests for statements to secure higher levels of funding than are typically available in settings.

- 5.81 Expectations and experience in the Early Years is critical in terms of future confidence in mainstream and other provision. The Early Years SEN team has decided to look constructively at how it operates, and to explore ways of increasing the balance of placements in favour of mainstream. This may involve considering ways of removing interruptions to the support pathway for a child. Currently the organisation of specialist services drives the allocation of specialist support, rather than the more natural approach which is to follow a child through his or her educational pathway and ensure continuity of support.

## **6 Specialist SEN services**

### **Early Years Inclusion Service**

- 6.1 SEN support services for young children are co-ordinated and managed through a Senior Educational Psychologist, as a part of the Educational Psychology and Portage Services. Early Years Inclusion services include specialist pre-school teachers and Portage workers who work with very young children and their parents. Area SENCO's provide advisory support to registered early Years educational settings. Educational Psychology Service (EPS) input is provided through time from the EPS, as well as a contribution from the Educational psychologist assigned to Sure Start.
- 6.2 As young children move towards statutory school age, responsibilities for their case management pass between professionals. This is reported by some of the professionals concerned to create unnecessary fragmentation in continuity of support for the child and family, and to the education setting.
- 6.3 The following comment is drawn from the Portage Service evaluation, reinforces the text above about service continuity.

### **From a parent of a young child with SEN....**

*Portage was the only consistent, practical and emotional support I could rely on in my son's early years.*

*My Portage worker helped to equip me with the knowledge and skills I need to cope and give my son the best life I can.*

*She also helped to explain the often baffling long drawn out and frustrating process towards diagnosis and statementing.*

*I really miss this support it's a shame the service does not continue up to the summer term before school*

- 6.4 An Educational Psychologist, who contributed to the SEN Review commented on the 'very good' support to young children with SEN and their families across education and other services. However, the commentary also suggested that the nature of the 'early intervention' (in particular the connections with specialist services and in some cases the provision of additional support) can lead to the young child being seen as having 'problems' when they enter school, and on occasions escalating the case through the statutory assessment process.
- 6.5 The Early Years Inclusion Service provides supported transition arrangements as young children with SEN transfer to school. In 2007 and 2008, it sought comments from schools on the effectiveness of this supported transition process. A total of 93 transition meetings were attended by the team over the two year period. Schools responses indicate an improvement in the usefulness of this support.
- 6.6 Area SENCOs sought feedback on their work over 2007/08. 49 of the 54 settings that responded to the survey said that they had the right level of contact with their Area SENCO. Settings graded clarity of advice as 4.6 out of a possible 5.0, and the usefulness of this advice at 4.5. 83% of the SENCOs based in early years settings had attended the four core courses designed to support and train them in their role. The usefulness of this training was graded at 4.4 out of a possible 5.0.
- 6.7 Specialist pre-school support teachers also sought feedback from the families that they supported. This was anonymised in order to enable open comment. Using a score of 1 – 5, where 5 is counted as high, 91% of responding families said that the skills taught to them by the specialist teacher were valuable for promoting their child's development.

### **The Educational Psychology Service**

- 6.8 The Educational Psychology Service is managed by a Principal Educational Psychologist, and includes 3 senior, 6 main grade and 2 trainee posts (at October 08). Discussions with service staff indicate a frustration with the amount of time spent in providing reports to support the statutory assessment process. This restricts the time

available to pursue preventative work with schools and to provide more pupil and family focused work.

- 6.9 The introduction of traded services for 2008/09 (for non-statutory work) unintentionally exacerbated the position where pressure to complete statutory assessment and review work impacted on flexibility to respond to preventative and systems based work with schools and settings.
- 6.10 In 2006/07 a total of 746 days per year were available to schools. In planning its allocation of work, the service produced the following time matrix:

**Table 22** EPS Time Matrix 2006/07

<b>Activity</b>	<b>Planned Time in Days</b>	<b>Percentage of overall time</b>
212 statutory assessments	318	42.6%
20 statutory advice to the SEN Team for pupils who move in to MK	10	1.3%
162 provision of statutory advice and attendance at annual reviews	81	10.9%
41 statutory pre-school assessment and advice	41	5.4%
<b>Statutory sub-total</b>	<b>450</b>	<b>60.3%</b>
Preventative work, consultation with schools including advice at School action plus, direct therapeutic work with children, working with looked after children, training	349	38.4%
Critical Incidents allocation	10	1.3%
<b>Total</b>	<b>746</b>	<b>100%</b>

- 6.11 In addition to helping the service plan for a regime where nearly 40% of its time would be 'bought' by schools, this matrix also highlighted the significant amounts of time that were spent (60.3% of available time) on the statutory process. If the current trend of increasing statements continues, then the amount of time that this service has for preventative work will gradually be eroded.
- 6.12 At the time that traded services were introduced, services expressed their concern that this approach may result in perverse outcomes. By this, they meant that providing preventative services on a sold basis, but statutory services at no cost, there was an incentive for schools to escalate children through the SEN Code of practice stages to secure free advice.
- 6.13 Whilst the decision not to extend traded services into 2009/10 will mean that preventative services again become free to schools and available through a conversation that determines priorities, there remains a legacy of increased statements

over this period. Whilst it is not possible to attribute this increase solely to the traded services approach, it is highly likely that it is one of a range of factors that have contributed to increased statements.

- 6.14 Educational psychologists in Milton Keynes work through a model of discussion (described as consultation) with adults who work with a named child. The service describes this as a '*collaborative approach, focusing on issues and planning appropriate support for effective learning, particularly for children with complex difficulties*'. Written reports can be provided, sometimes following direct contact with a child. Educational Psychologists also provide training, parent consultation and workshops as well as fulfilling their statutory role for the Local Authority.
- 6.15 Each school in Milton Keynes has a named educational psychologist. At the beginning of each school year the psychologist, along with staff from other teams, for example SENDIS (SEN and Disability Inclusion Service), meets to agree priorities for the coming year in the context of the time available. The introduction, in 2008/09, of a traded services model (not progressed into 2009/10) created some difficulties in relation to planning ahead, and what services were free and what were not.
- 6.16 The Denbigh School has chosen to employ its own Educational Psychologist. It makes the psychologist available to work with primary schools in its liaison group. The Head Teacher of Denbigh School, and SENCOs from primary schools that feed into Denbigh, were universally positive about this approach. The benefits described by the schools include:
- The Psychologist became familiar with systems, processes within the school and its feeder primaries;
  - She is able to respond flexibly and promptly to priorities determined by the school;
  - She is able to support links between schools, and in particular the transition of children with SEN between primary and secondary schools.

### **SEN and Disability Inclusion Service (SENDIS)**

- 6.17 SENDIS provides the Local Authority's specialist advisory and teaching service to support children with SEN. The majority of its work is to support children in mainstream schools. The service includes teachers and teaching assistants who are specialist in specific areas, autism spectrum condition, speech language and communication difficulties, dyslexia, deafness and hearing impairment, visual impairment and physical disability.
- 6.18 It describes its purpose as:
- To promote inclusive practice;
  - To promote effective collaborative practice;
  - To contribute to early intervention;
  - To contribute to raising the attainment of children and young people with SEN.
- 6.19 The service aims to work flexibly, and to increase the capacity of schools to meet SEN. It provides support in a range of ways, from contributing to the assessment of babies to check for deafness, to supporting the transition of children with severe and complex

SENs between school phases, to providing tailor made training for schools to develop new skills and awareness about an individual child's needs.

- 6.20 The challenges of the traded services approach have provided difficulties for this service, as much of their work had historically involved building confidence at school action and school action plus in order to avoid escalation to statutory assessment and statements.
- 6.21 The 2007/08 annual service evaluation showed that the most frequently used parts of the SENDIS service were:
- Advisory visits;
  - Guidance for class teachers;
  - Contribution to multi-agency working around children;
  - Consultation with SENCOs and Head Teachers.
- 6.22 Over 72% of responding schools graded the report or oral feedback from the visiting teacher at 4 or above out of 5. Negative comments related to the loss of certain services that were then subject to 'buy back', and to the need to ensure improved co-ordination across other SEN services.
- 6.23 The general message from the service to the review was one of wanting to be able to be more engaged in approaches that would provide professionals and parents with greater confidence in mainstream provision. One member of staff expressed her concerns that the valuable resources held by the service (for example assessment materials and phonic approaches to reading) were no longer accessible because of current accommodation arrangements for the service.
- 6.24 Specialist teachers in SENDIS are engaged in strategy groups to consider and progress arrangements to meet specific types of need across Milton Keynes. For example the teachers of the deaf maintain a close link with the Departments that provide for deaf and hearing impaired children, and support forward planning for these children and young people.
- 6.25 An ASD (Autism Spectrum Disorder) strategy group meets regularly and includes a range of education specialists as well as the Head Teacher from the Walnuts Special School, the team manager for ASD specialist teachers in SENDIS and paediatricians and speech therapists. This group plans and co-ordinates the delivery of provision across Milton Keynes, and is in the early days of developing a strategy that will enable robust monitoring and performance management.
- 6.26 The numbers of referrals to SENDIS have more than doubled since SENDIS developed its ASD team in September 2008. A new diagnostic service is highly likely to lead to an increase in the incidence of children with an ASD diagnosis in Milton Keynes. In January 2008 Milton Keynes primary schools reported the lowest incidence of ASD in the South eastern region. This is likely to be a reflection of waiting lists for diagnosis, low capacity for ASD specialist support in SENDIS, and places in special schools for children with BESD and MLD.

6.27 There is potential to build on existing links in the field of ASD in Milton Keynes and link the day to day work of the Walnuts Special School with the work of SENDIS and the Educational Psychology Service. There is a readiness in the Walnuts Special School to develop its role to provide an extended portfolio of services. There is expertise and experience in SENDIS in the provision of support to mainstream schools and education settings. Any developments will need to be very carefully planned and supported with clearly defined performance indicators and targets. They should also ensure that the potential enhancement of ASD support services should not result in a dislocation of these services from the wider range of SEN and Inclusion service support.

### **Departments**

6.28 Departments (enhanced resources in mainstream schools for specific types of need) appear to be separate from each other, and from the wider continuum of provision for the specific type of need. The majority of Head Teachers who contacted the Review Officer were Head Teachers of schools with Departments. Common concerns related to:

- Organisation of resources;
- Appropriate approaches to teaching and learning;
- Links with specialist services in the event that specialist staff were unable to attend work;
- The management of funding by the SEN Team.

6.29 Two Head Teachers expressed concerns about managing additional staff in a way that enabled effective teaching and learning in the classroom to take place. Resource levels are high, and a small school with a Department can experience additional challenges in the management and deployment in unusually large numbers of additional adults.

6.30 One secondary school is concerned about the number of Departments and Department places, and has suggested that the distribution of these specialist facilities should be more 'fairly' distributed across all secondary schools.

6.31 Milton Keynes appears to have a higher dependency on Department, or enhanced mainstream resource provision, than nationally. Nationally 7.3% of children with statements attend Department type provision. Regionally this is 5.4%. In Milton Keynes the figure is noticeably higher at 9.6%.

6.32 It is not clear why this dependency has developed. It may link to an approach operated in assessment, statementing and placement, which is to focus on the 'primary need' and use this as a basis for placement. This approach has been commented on by some special school head teachers and has been used throughout the review to explain why certain decisions are taken. The context to primary need is likely to relate to:

- A requirement on all schools to assign a primary need to a child who has SEN as part of the annual schools census return;
- An outcome of the statementing process where statement drafters identify a primary need for the actual statement;
- Decision making for placement of children with statements, where a type of need is used to inform placement in a specific type of special school or Department.

- 6.33 One Head Teacher expressed significant dissatisfaction with the situation where funds were delegated so that she could staff the Department, only to find that the statements of the children placed there were so specific that she was bound by a highly individualised approach to support, rather than being able to allocate support according to the child's learning needs in different lessons and activities.
- 6.34 These issues point to the need to rethink the role and purpose of Departments, and to consider whether:
- There are opportunities for more flexible links with specialist staff in SENDIS;
  - The number of Department places is right.

### **Co-ordination across Specialist Support Services and with the central SEN team**

- 6.35 According to services and schools, there are difficulties in ensuring effective co-ordination across specialist SEN support services. This relates to joined up working between the central SEN team, SENDIS, the EPS, and the Primary Behaviour Support Team. Not all services have access to the main data system that logs details of service support against children's names. Work is progressing to ensure this. None of these services share bases, and so there is little potential for incidental discussion, feedback and planning.
- 6.36 There are no shared performance indicators and targets that relate to practice. This means that there is therefore no shared set of priorities to drive forward co-ordinated working and focus.
- 6.37 All services have welcomed the opportunity to develop more co-ordinated management and shared direction and priority. Any move to enhance the capacity and confidence of mainstream schools will require a less reactive and more planned approach to school and pupil support.
- 6.38 The links between services and the central SEN Team are inconsistent and appear not to be tailored to achieve improved strategic outcomes, for example smooth transition from primary to secondary school. The management of the statutory process appears dislocated from the work of fieldwork services, except where these services are required to provide reports. Further comments are made in the section that refers to the SEN Team and management of the statutory process

### **Secondary Behaviour Support**

- 6.39 Funding and responsibility for providing behaviour support and provision for excluded pupils, as well as alternative provision for some young people with behaviour, social and emotional needs, have been delegated to the Behaviour Partnership. This is a partnership between the Local Authority and the twelve secondary schools in Milton Keynes. Its prime focus is to maintain responsibility for young people in Key stages 3 and 4 who are permanently excluded, at risk of exclusion, or require additional arrangements such as a supported move to another secondary school or to access an

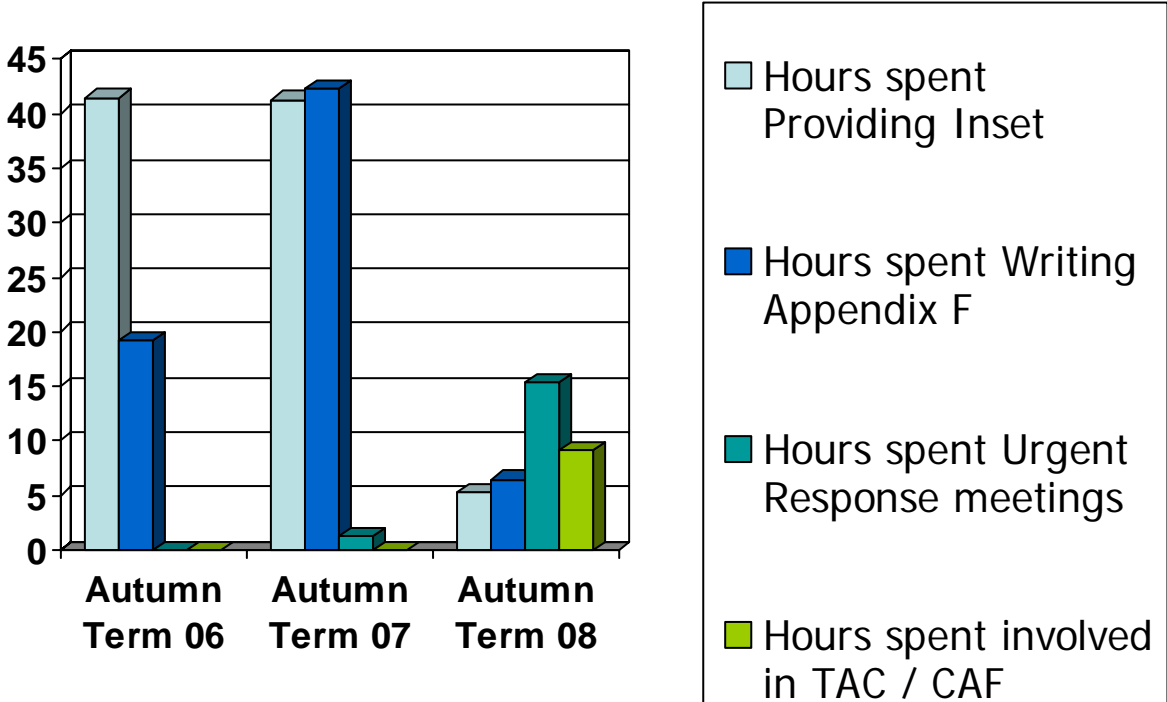
alternative educational programme. The Partnership manages the Local Authority’s two Pupil Referral Units that are known as PEC’s (Personal Education Centres), and ensures their integration in to the wider continuum of provision for young people at key stage 3 and 4.

6.40 The initial scope for the SEN Review did not include a consideration of matters relating to the provision of support for children and young people with behaviour, social and emotional needs. As the review progressed it became clear that some reference would be necessary, not least because of the role of two special schools for children with BESD and the high out of authority dependencies.

6.41 The Behaviour Partnership has considered ways in which it might develop partnership arrangements with the Gatehouse Special School. The school is currently under interim leadership and the timing is not right to progress these discussions. However, the Partnership Manager has reported success stories of two young people who have made successful and supported returns to mainstream education from the Gatehouse School.

**Primary Behaviour Support**

6.42 A small primary behaviour support team of five advisory teachers provides support to children and their mainstream primary schools. The nature of their work has changed in 2008 compared to 2006 and 2007.



6.43 The amount of time drafting reports for the statutory assessment process appears to have reduced significantly in 2008, whilst time spent in urgent response and multi-agency work has increased. It is not yet possible to see whether this changing emphasis has resulted in reduced statutory assessments for primary aged children with BESD, or reduced exclusions or reduced admissions to Romans Field. However the

number of new referrals from schools has reduced from 122 in 2006 to 112 in 2008, and the number of schools supported has reduced from 103 in 2007 to 81 in 2008. This may relate to the longer term impact of multi-agency engagement and rapid response meetings. Conversely it may reflect the value of the service as perceived by schools. The reasons are not clear.

- 6.44 Romans Field Special School provides for primary aged children with BESD. It also has a Pupil referral Unit on site. The Head Teacher is responsible for the day to day management of the PRU. Admissions are determined through a Panel. In May 2008 there are 12 children on roll at the PRU that are awaiting placement in Romans Field School.
- 6.45 The Head Teacher and Chair of Governors have expressed their concern at the lack of progress in moving forward outline plans set in train by previous Local Authority senior managers. Discussion as part of the review has focused on future possibilities that might provide a structure to develop the role of Romans Field School to support the improvement of confidence and capacity in mainstream primary schools to respond to difficult behaviour.

## **7 Parent Partnership and Views of Parents and Carers**

- 7.1 The Local Authority must provide independent information and advice to parents of children with SEN. This is carried out through the Parent Partnership Service. The service also manages the Choice Advisors who help parents to understand issues around school admissions and parental preference.
- 7.2 The number of new referrals to the Parent Partnership service has increased from 190 in 2004 to 311 in 2008. In 2008 the most referrals were received in September.
- 7.3 Reasons for referral are varied, but of the 311 referrals in 2008, 98 were connected to the statutory assessment process, with 41 concerning the provision of support in school, and 39 about the child's progress. The next most common reasons were change of school, exclusion and families who had moved into Milton Keynes.
- 7.4 The majority (114) of the 311 referrals come from parents themselves, with 84 being made by the central SEN Team and 36 by schools. The children who were the focus of the referral were at different stages of the statutory process. 89 were the subject of statutory assessments, 77 had a statement and 58 were at school action plus.
- 7.5 The service keeps a record of the type of pupil need. The majority (111) of children had cognition and learning difficulties, with 77 having communication and interaction needs (includes ASC).
- 7.6 The Review Officer met with two groups of parents convened by the Parent Partnership Officer. These were all parents who had contacted the Service. Some of them had children attending special school and some mainstream school. The three biggest messages were:
- The statutory assessment process is disappointing – it doesn't really add any value to what was already known about the child;

- The Parent Partnership Service is much valued by parents;
- Where children attended mainstream schools, parents were generally positive, but had two particular concerns:
  - They all had experienced negative and upsetting responses from some school staff and/or Head Teachers when they were looking at possible schools for their child, and;
  - They did not want the main focus of discussion about their child to focus on the child's financial worth.

7.7 Two further meetings were arranged by MK Carers, a voluntary organisation commissioned to enable the Council to seek and consider the views of parents and carers of disabled children. The issues raised by this group were similar. However, there were also comments relating to the style of interaction with the central SEN Team. Some parents felt that decisions were being taken without sufficient involvement of professionals who knew their children, in that decision. Other parents felt that they had been badly let down where they had followed the 'advice' of the SEN Officers, only to be told later that a place in the advised provision was not available. Others commented that letters were not acknowledged or replied to.

7.8 These latter concerns were investigated by managers promptly after the meeting and measures introduced to ensure that these situations were very unlikely to recur.

## **8 The SEN team, the management of the Statutory Process, and the use of data to inform policy and planning**

8.1 The SEN Team manages the statutory assessment process and arranges the admission of children with statements to school. Whilst this summary might imply a functional responsibility that is straightforward and procedurally based, the challenges for this team are significant.

8.2 The statutory process includes decision making at various stages throughout the process:

- whether an assessment should take place
- whether a statement should be issued after an assessment
- whether a note in lieu should be issued after an assessment
- how the child's needs should be summarised
- the detail of provision that a school should make
- whether the child needs any additional support, and of what type and how much
- whether this support is already available in the school or whether it should be provided in addition to the school or setting's core budget
- what type of school the child should attend
- the name of the school that the child should attend

8.3 A range of criteria are operated, supported by moderating panels, to try to ensure consistency in decision making.

- 8.4 The SEN statutory process is heavily regulated. The SEN Code of Practice provides very detailed operational guidance that has a quasi legal status. The Local Authority is required to provide access to mediation and disagreement resolution services for parents, as well as the provision of independent information and advice that it does through its Parent Partnership Service. Many decisions made throughout the process can be appealed to the First Tier Health, Education and Social care Tribunal. This is a formal part of the judicial system.
- 8.5 In order to manage the statutory process the team must be part of a coherent approach to SEN strategic management. This means that there must be field work support services that can advise the Local Authority and provide professional reports as required by the regulations. The team must also be clear about the funding framework within which the statutory process is operated.
- 8.6 The key criterion that governs whether or not a child is likely to need a statement, is whether or not the provision that the child needs is ordinarily available. The Special Educational Needs (Provision of Information by Local Education Authorities) (England) Regulations 2001 require Local Authorities to publish information on SEN provision, including what support will be provided by the authority and what schools are expected to provide from their delegated budgets. The current approach to SEN funding appears to be providing incentives for statements as the “gate” to be opened to access extra help in mainstream. However, the Council’s current web-based information is not sufficiently precise to satisfy what these regulations require.
- 8.7 Currently the majority of funds to support children with less predictable needs is retained until it is delegated through a statement. Where temporary support may be provided, it cannot continue beyond two terms without a statement.
- 8.8 Regulations also require that from April 2002, Local Authorities must publish details of the kinds of support arrangements they expect maintained schools in their areas to provide from their budgets under *School Action* and *School Action Plus*. Local Authorities are also required to publish their own plans for providing appropriate SEN support — particularly under *School Action Plus*. This information is not currently available in a clear and coherent structure. There is no coherent view across support services and schools about what schools can reasonably expect at what level. Different support service staff have expressed different views about this issue to the review officer.
- 8.9 The links between:
- the decision making of the SEN team
  - the roles and responsibilities of other staff involved in supporting schools
  - the expectations and hopes of parents of children with SEN, and
  - the SEN Funding Scheme

will need to be developed and described in a manner that is transparent and understood by all concerned if the statutory process is to work effectively.

## **Consulting schools about the admission of a child with a statement**

- 8.10 During the review a frequently expressed concern by head teachers relates to the way in which decisions are made about which school a child with a statement should attend. If, after a statutory assessment is completed, a decision is taken to issue a statement, a proposed statement is sent to the parents or carers, and they are asked to express a preference for a school. Schedule 27 to the Education Act 1996 requires that the Local Authority must comply with a preference, unless there is evidence that to place that child at the school would result in an incompatibility with the education of other children or it would be incompatible with the efficient use of resources.
- 8.11 Prior to complying with the preference the SEN team must consult with the school named by the parent. The team can also consult with other schools. During the course of the review the most commonly expressed concern made by head teachers, related to the way in which the consultation process takes place and the decision is made.
- 8.12 Schools will consider requests for a place, and where they explain that they cannot admit the child, they do not understand when the statement is issued naming the school. The interpretation of the conditions of schedule 27 are frequently different between the SEN team and schools. In the majority of cases the consultation takes place through the exchange of papers, and discussions with officers who do not have experience of working with the child, and so the whole process becomes very difficult for all concerned.
- 8.13 This is not a unique position for Milton Keynes. Other Local Authorities experience the same challenges. Two head teachers felt that contact with support services who knew the child would help this process. Others noted that if the child did not have a statement then the process would be much more straightforward, as there would be no basis on which a school could consider refusing admission, unless this related to numbers.
- 8.14 Some head teachers have expressed concern that they have more than their “fair share” of statemented children at their school. With a reduced reliance on statements to access funding, then this very difficult discussion between the Local Authority and schools would not need to take place so often.

## **9 The use of data to monitor placement and admissions of children with SEN**

- 9.1 The SEN team includes officers who are responsible for maintaining placement data for children with statements, monitoring statutory timescales, providing statutory data returns to the DCSF and ensuring effective monitoring of SEN funding. All of the data used in this report has been sourced through Council or Mouchel officers or through DCSF data reports. Information held by the DCSF is drawn from data provided by the Council or schools.
- 9.2 The review process has encouraged the production of a wider range of data, and the use of comparative reports to monitor trends and link these to policy and practice. The data considered in this report will support the ongoing development of improved links between data management and SEN strategic management.

## **Monitoring and Accountability**

- 9.3 Throughout the review a recurrent theme linked the role of the Local Authority (LA) in monitoring the use made by schools of SEN funding, and the related outcomes for pupils. Where exploratory discussions took place regarding the possibilities of extending the delegation of targeted SEN funds, some professionals were concerned that the funds might be used for purposes other than SEN arrangements. The SEN Code of Practice (Para 8:7) states that LA's and schools should "*work together to establish sound arrangements for monitoring and accountability to ensure that resources are used to raise the achievement of children with SEN.*"
- 9.4 In 2002, the Audit Commission <sup>5</sup> said "As resources for SEN are increasingly delegated to schools, it is critical that there are appropriate accountability structures in place so that parents can be confident that their child's needs are being met." One of the concerns expressed by a small group of parents when the delegation of funding to schools was discussed was that they would feel worried that the school might not provide the right level of funding for their child. Statements were seen by them to provide a "guarantee".
- 9.5 A follow on publication by Audit Commission, "Special Educational Needs: A Mainstream Issue" articulated a series of action points designed to promote the achievement of children with SEN in mainstream education. Three of these action points link the management of the statutory framework, funding schemes and school improvement. They are:
- The effective allocation and management of SEN resources,
  - Holding schools to account for their work on SEN, and
  - Providing a more meaningful basis for monitoring schools' work on SEN.
- 9.6 The current position in Milton Keynes in relation to SEN funding, the balance of children with SEN between special schools, Departments and mainstream schools, and trends towards more statements, are reflective of the national position around the time that these two Audit Commission publications were issued.
- 9.7 There are well developed links between School Improvement and SEN and Inclusion Services particularly at Strategic Manager level. The framework of a SEN Monitoring and Accountability Strategy is well understood by Strategic managers, although it needs further development in the context of developments in the delegation and devolution of funding for children with SENs.
- 9.8 The Audit Commission <sup>6</sup> provides a structure within which SEN monitoring and accountability strategies can be developed with schools and settings.

## **10 Policy and Aspirations**

### **The National SEN Policy Context**

- 10.1 The Government's SEN Strategy '*Removing Barriers to Achievement*' 2004 sets out a four fold policy framework. Its key themes and intentions are relevant to future SEN policy and direction in Milton Keynes. Not only are these key themes embedded across

other Government policies (for example the Inclusion dimension of Building Schools for the Future), but the continuing dialogue with DCSF national strategy advisers is based on outcomes and performance relating to Removing Barriers to Achievement.

10.2 The four themes in this policy framework are:

- Early Intervention:
  - Ensuring that resources are in place and available when children need them. Specific reference is made to the delegation of SEN funds to schools so that statements are not necessary to secure appropriate support.
- Removing Barriers to Learning:
  - Embedding and supporting inclusive practice in all schools. Specific reference is given to training, specialist support, increasing capacity and confidence, partnerships between schools – aiming for '*local communities of schools for local children*'.
- Raising Expectations and Achievement:
  - Helping children with SEN to achieve is fundamental to sustaining improvements in schools' performance. Specific reference is made to this, as well as to personalised learning and the work of the National Strategies.
- Delivering Improvements in Partnership:
  - Local Authorities working with schools and other partners to secure improved outcomes for children with SEN. Specific reference is made to the role of the Local Authority in monitoring outcomes for individual pupils with SEN through improved approaches to partnership.

10.3 The SEN Code of Practice (DCSF 2004) sets out the procedures and regulations that govern the Local Authority's and schools' responsibilities for children with SEN. It has a very strong focus on what should be done to avoid escalation to a statutory assessment and statement, and also sets out what the key aspects of a Local Authority's policy for SEN should include:

- Promoting high standards of education for children with SEN;
- Encouraging children with SEN to participate fully in their schools;
- Encouraging schools to share their practice in making effective provision for children with SEN;
- Work with statutory and voluntary bodies to make provision for SEN.

### **Towards a Milton Keynes SEN Policy – Aspirational Aims and Principles**

10.4 Part of the review brief was to provide the framework for a future policy and plan to progress and improve inclusive education for children with SEN in Milton Keynes. With this in mind, a series of aspirational aims / principles were developed within the national policy structure (above) and were considered by two small groups of parents of children with SEN and attendees at a review seminar in February 2009. Elected Members who attended a workshop on 6<sup>th</sup> May were also able to consider these.

- 10.5 The overwhelming response has been one of accord with these aspirational aims / principles. Some of those who attended the review seminar suggested amendments to the occasional word, or wanted supplementary script to show how the aim would be take forward. These statements are framed within a structure of 7 sub-headings to guide focus:

### **Raising expectations and achievement**

All children will receive an education that is personalised and suited to their individual and unique needs.

Children with SEN make good progress in school and will be supported with high expectations from their teachers.

### **Going to school in Milton Keynes**

Most children with special educational needs will attend their local mainstream school or setting.

Schools, settings and education centres will work collaboratively to minimise disruption and fragmentation to the child's pathway through their school life.

### **Teachers and teaching assistants**

All teachers should expect to teach children with special educational needs (SEN).

We will increase the capacity, confidence and competence of teachers and teaching assistants in mainstream and special schools to provide for a wider and more complex range of special educational needs.

### **Children and Young People**

Children with SENs will tell us that they are happy in our schools.

### **Parents and Carers**

Parents' views and experiences should be sought, valued and used to improve educational arrangements for children with SEN.

Parents of children with SEN will be supported and encouraged to be partners their child's education.

### **Other agencies and Partners**

We will work closely with other agencies to ensure that children with special educational needs can access the specialist support they need as part of their education.

### **Value for Money**

We will use our money wisely, ensuring that our funding approaches provide schools with flexibility and autonomy in developing their provision for SENs, whilst at the same time developing shared approaches to monitoring and accountability.

## 11 Stakeholder Priorities

- 11.1 Stakeholders provided comment throughout the review. This was done through organised meetings, such as seminars and planned discussions with individuals and groups, and also through ad hoc correspondence and unplanned discussion.
- 11.2 The mid review seminar in late February 2009 provided an opportunity for the review officer to explain emerging findings, and to discuss with those present, what this might mean for the future. 87 of the 120 attendees completed an evaluation form. 85 of these said that they believed that there was a readiness to reflect further and explore ways to improve SEN arrangements in Milton Keynes. This is an important and positive outcome from the seminar, as many of the issues arising from the review may present different challenges to different stakeholders.
- 11.3 77 of the 87 responses indicated a willingness to continue the discussion and exploration through further seminars and workshops. Again, this is encouraging as activity arising from the review will require collaborative working to maximise ownership across stakeholders and sustained improvement.
- 11.4 Attendees at the seminars were asked to highlight their top 3 priorities for the future. The following list summarises these priorities, and incorporates priorities that arose through a series of other discussions and meetings that took place as part of the review. These stakeholder priorities have been organised into the categories of:
- Policy and Strategy
  - Children's Views
  - Organisation of Provision
  - Collaborative Working
  - Effective and Inclusive Provision
  - Training : skills, competency and knowledge
- 11.5 These stakeholder priorities are listed below:

### **Policy and Strategy**

- Having a clear strategy
- Making better use of data to inform service management and planning
- Reducing the number of statutory assessments
- Having a vision and aims
- Having consistent management and effective strategic leadership
- A clarity about priorities and direction
- Need to see tangible outcomes and improvement as a result of the review

### **Children's Views**

- Children and young people are actively involved in contributing to decisions

## **Organisation of Provision**

- Being clear about the organisation of provision needed
- The role of Departments
- Funding for SEN – rethinking, need to be more creative, accountability
- How placement decisions are made
- Early Years arrangements for SEN, including funding
- Removing traded services for preventative work
- New build for special schools
- Assessment nurseries
- Avoiding using out of authority independent special schools
- Early Intervention – provision needs to be easily available to schools and settings
- Improved co-ordination and management of transition of pupils between school phases

## **Collaborative working**

- Joint working between special and mainstream schools
- Making effective use of liaison group structures to organise services and support
- Better co-ordination across SEN and Inclusion support services
- How the CAF links with SEN Code of Practice stages
- Multi-agency working, especially with speech therapy, physiotherapy and occupational therapy.
- The Local Authority should support networking between schools

## **Effective and Inclusive Provision**

- Investigation into the effectiveness of current provision
- Developing expertise in mainstream schools
- Supporting schools to increase teacher and teaching assistant confidence and competence
- Supporting culture change in schools
- Understanding effective approaches to collaborative working : inclusive, proactive
- Better targeting of support services to agreed priorities
- Monitoring and reviewing support service effectiveness
- Structure for linking funding with outcomes for children
- Reducing exclusions

## **Working with parents and carers**

- Taking greater account of parents views
- Shaping and developing services with parents and carers
- Ensuring that objective and independent information and advice is available

## **Training: Skills, competence and knowledge**

- Improving SEN training
- Training about specific types of need, especially ASD, sensory, dyslexia, behaviour
- SENCO support and mentoring – SENCO to SENCO networking
- Ensuring SENCO's obtain core competencies

## **Children's Views**

- 11.6 This review has not given sufficient emphasis to seeking the views of children and young people. Their individual views are sometimes expressed in annual reviews and in IEP (Individual Education Plan) reviews. Children in public care contribute their views to their reviews, and to their Personal Education Plan. However, there has not been time to undertake an analysis of these comments.
- 11.7 A group of children and young people between 6 and 19 years of age, and all with special educational needs, were asked what they liked best about school and what they would like to be different. The children attend a special school in Milton Keynes. When asked what they liked best, many of the responses referred to a particular subject area. Many referred to out of school activities such as trips or work placement. Others referred to activities in school such as reading, sport, school dinners on Fridays, the playground and seeing friends. Only two children said that they did not like anything, and one liked home time the best.
- 11.8 The children had a wide range of views about what they would like to be different. Many of the comments related to wanting more of favourite activities such as sports, outings and longer breaks and lunchtimes. Some pupils thought they should have their personal lap tops to use in lessons and some did not like wearing a uniform. One student said he wanted to have "chilled" teachers, with another wanting to start the school day at a later time than usual.
- 11.9 The children at this special school were also able to say that they did not want there to be swearing, or bullying, or to have naughty children in their class or for people to be unkind. There was a balance between classroom and non-classroom based issues, with a strong emphasis on food, sport, social activity as well as the more formal aspects of learning such as enjoying homework, wanting to learn to write "nicely" and to be better at reading.

## **12 Current Performance in SEN**

### **National Indicators**

- 12.1 As a plan is developed to build on the opportunities presented by this review, it is suggested that the framework of aspirational aims and principles guides the development of a framework of performance indicators and targets so that outcomes can be monitored, and tangible service improvement assured.
- 12.2 The main focus of this report so far has been on SEN provision and funding. There are four National Indicators (NI's) that refer explicitly to SEN. These are:

- NI103a: the % of final statements completed within 26 weeks, excluding exception cases;
- NI103b: the % of final statements completed within 26 weeks, including those where exceptional reasons allow the timeline to be disapplied for 103a;
- NI104: the SEN / non SEN gap that compares the gap in KS2 performance (at Level 4 English and Maths combined) between children with SEN, and pupils with no identified SEN;
- NI105: the SEN / non SEN gap that compares the gap in KS4 performance (5 A\* - C GCSEs) between children with SEN, and pupils with no identified SEN.

### **NI's 103a and b**

- 12.3 National Indicators 103 a and b are new (from 1<sup>st</sup> April 2008) and as yet there is no comparator group. The old indicator, 43a and 43b, related to the completion of the proposed statement (issued 8 weeks before the final statement). In 2008/09 performance was at 97.8% against a target of 99%. Where exceptions were included performance was at 77.5% against a target of 90.0%. In 43b performance had dropped on previous years.
- 12.4 Over this period of time there has been fragmented leadership to the Targeted Services Division, as well as a temporary restructuring and vacant posts at manager level in the SEN Team.
- 12.5 In order to secure views from parents to add to an interpretation of the NI performance data, questionnaires are sent to parents with their child's final statement of SEN. Between 1<sup>st</sup> February 2008 and 23<sup>rd</sup> February 2009, a total of 49 completed questionnaires were received. In 2008, 236 new statements were issued. Although this period spans April to March, and this survey spans February to February, the 49 completed questionnaires represents approximately 21%.
- 12.6 41% of parents and carers who responded said that the statement was completed quickly; with 43% saying it was what they expected and 16% saying it took longer than they expected. 84% of respondents said they felt well informed about the statutory assessment and statementing process.
- 12.7 Other questions asked by the SEN Team indicate, from this sample of 49 parents, a broadly positive view about the way in which the statutory process is co-ordinated. All of the 49 parents who responded reported that they were happy with the statement that they received.

### **NI's 104 and 105**

- 12.8 For NI 104 (see above) the SEN / non SEN gap at Key Stage 2 was 60% in 2006, compared to 54% nationally. In 2007, Milton Keynes had narrowed the gap by a further 4% but remained below the national position which had improved to 51%.
- 12.9 For NI 105 the position is more encouraging because the difference between the national position and that in Milton Keynes is not so big. In 2006, the SEN / non SEN gap at Key Stage 4 was 43.7% compared to 43.3% nationally. In 2007, Milton Keynes

showed a gap of 44.7% compared to 44.5% nationally. In 2008 the gap has widened slightly with Milton Keynes showing a gap of 46.6% compared to 45.6% nationally.

### **Other Performance and Outcome Data**

12.10 There are a range of other indicators that, together, give a picture of how various elements of provision and arrangements for SEN are performing. These indicators are more helpful if considered along side other data. For example, monitoring the numbers of fixed term exclusions by individuals with an autism spectrum disorder is likely to provide tangible information on which to improve services. The number of fixed term exclusions by school phase is not so helpful.

12.11 There is a need to develop a SEN performance profile for schools and services in Milton Keynes that enables schools, settings, services and the administration to work together to common aims. For example, the number of children with statements of SEN that transfer successfully to a secondary mainstream school, would provide an open and transparent focus for support services, as well as provide a structure within which to reflect comparative information back to schools.

12.12 The range of performance data recorded by Government and the Local Authority is significant. There is little evidence that this data is used to inform future budget, policy and provision planning in SEN. Examples of the range of this data are:

- Appeals to the SEN and Disability Tribunal are reasonably constant with a lower rate of appeal than nationally;
- Fewer young people with SEN and disabilities are without education, employment and training than nationally;
- Between 2004/05 and 2006/07, the rate of permanent exclusions in Milton Keynes was higher than the national position. Data for 2007/08 is not yet published;
- In 2006/07 fixed term exclusions were lower in Milton Keynes than nationally;
- The % of fixed term exclusions for pupils with statements in primary schools has increased from 4.75% (2005) to 6.4% (2007);
- The % of fixed term exclusions for pupils with statements in secondary schools has increased from 8.16% (2005) to 29.86% (2007).

12.13 A per pupil analysis of the section 52 budget statement shows, on a per pupil basis, that:

- Milton Keynes spends more on Parent Partnership services than nationally;
- In 2008/09, Milton Keynes spent less on specialist advisory and support services than nationally;
- Home to school transport costs are less in Milton Keynes than nationally;
- The amount of funds notionally delegated to schools for SEN is higher than the national position as is the notional budget as a % of the Individual School Budget;
- Local Authority retained SEN funding for individual pupils is lower than nationally;

- Expenditure on LA special schools is significantly higher than nationally (£283 compared to £199);
- Expenditure on independent and non-maintained special schools is significantly higher than nationally (£149 compared to £77);
- Planned expenditure per placed pupil is similarly high at £101,762 compared to £49,537.

### **Children in Care**

12.14 Children with SEN are over-represented in the population of children in care. In March 2009, a total of 46 (30%) children in care had statements of SEN. A further 35 were identified by their schools as being at School Action or School Action Plus of the SEN Code of practice, making a total of 53% of children in care having special educational needs.

## **13 Value for Money**

13.1 There has not been time in this review to carry out any Value for Money analyses or make any robust judgements. However, the extensive information and data within this report shows that Milton Keynes Council spends more than the national position in key areas, but falls below the national performance level in the SEN / non SEN gap indicators, as well as having a noticeably higher dependency on special and out of authority special schools than the average position nationally.

13.2 This suggests that the higher level of funding is not achieving improved outcomes in relation to levels of achievement, mainstream placement and reduction in reliance on special school and out of authority special school.

13.3 It is this configuration of factors that adds to the complexity of reaching Value for Money judgements in SEN. The development of locally developed performance indicators and targets is necessary to consider alongside data on placement, costs and achievement data. Examples that are relevant to the findings in this review might be:

- The number of fixed term exclusions of children with SEN in year 7
- The number of children who live in the designated area of a mainstream school, who attend special school
- The percentage of children supported through SENDIS in year 6 who make a successful transition to secondary mainstream school
- The number of children who transfer from a Local Authority special school to an out of authority independent or non-maintained special school

## **14 Conclusions and Moving Forward**

14.1 The management and organisation of SEN provision in Milton Keynes is reactive with fragmented connections between the range of SEN professionals and services. Financial strategy is under-developed, and appears to lead to patterns of placement and

levels of statements that are perverse in the context of Government policy and guidance.

- 14.2 There is however a very high degree of commitment in the majority of those who took part in the review and offered their views. Whilst views were often polarised, and occasionally critical of others, it was clear that they were driven by a very strong desire to do what was considered to be the best for children with special educational needs.
- 14.3 Significant challenges lie ahead in relation to culture change. Whilst opinion is strong about the relative merits of special and mainstream school to provide for varying levels and type of special educational need, it is not always informed by individual experience. Some professionals who work in special schools have said that mainstream schools will not be able to secure positive outcomes for children with more complex SEN, but the professional may not have spent significant time in mainstream schools recently. Conversely some professionals who work in mainstream schools believe that the answer is to develop more special schools, but many have never visited a special school.
- 14.4 The review found little evidence of creative solutions. Professionals work within the operational structures and provision that exists, often with more energy expended on discussing the problem, than in developing solutions. Those who are more solutions focused have expressed frustration and an inability to adjust the shape, form and location of resources to provide a better match to presenting needs.
- 14.5 Much of this frustration has been expressed in the context of discussions about lack of clear and consistent strategic leadership and direction. Children and young peoples' services in Milton Keynes needs to improve. It is currently judged as inadequate and a DCSF diagnostics team has indicated that the SEN review must meet its scheduled completion date (July 2009) and inform a robust action plan to guide improvement.
- 14.6 The new Director of Children and Young Peoples' Services (CYPS) brings strong leadership and a commitment to develop a culture of "Creativity with Compliance". In this context this might mean working through innovative and creative approaches, subject to a structure of both national and locally developed performance indicators providing a robust point of reference to guide activity and monitor progress.
- 14.7 A series of Priorities for Improvement are proposed below. They provide the structure for a future action and CYPS officers should develop an action plan that can be shared with all stakeholders and drive collaborative, collegiate and co-ordinated working.

**15 Priorities for Improvement**

15.1 The following table sets out a core structure for improvement.

1	Improve <b>leadership and strategic management</b> of SEN, driving forward a change in culture across Milton Keynes schools and settings, and with parents and professional partners.
2	<b>Narrow the achievement gap</b> between children with SEN and those who do

	not have SEN.
3	Develop an <b>improved resource and funding approach</b> so that individual pupil needs can be met promptly at school and setting level without the need for a statement.
4	Improve the integration of the statutory SEN process with <b>co-ordinated approaches between and across SEN support services</b>
5	<b>Increase the confidence, competence and capacity of mainstream education</b> settings to provide for a greater number of pupils with SEN.
6	<b>Build capacity, confidence and competence in special schools</b> to provide for more complex needs.
7	<b>Maximise continuity in the pathways of children with SEN through school</b> , and minimise the number of changes to supporting children, families and schools along these pathways that are created by operational structures.
8	<b>Put in place a SEN monitoring and accountability strategy</b> that links the use of funding intended for children with SEN and other vulnerable learners, with outcomes for individual children and schools / settings.
9	<b>Produce an action plan for the next 3-5 years</b> , and monitor its progress with key stakeholders.
10	Establish a <b>wide ranging and creative SEN training and development programme</b> that underpins and supports future action.

## 16 Outcomes

- 16.1 The following structure of outcomes need developing into numerical indicators and targets. Making judgements about Year 1 targets may be difficult, but to do so is essential in order to focus all partners on shared priorities for action.
- 16.2 An initial list of outcomes is proposed. They imply significant change and focused activity, and in developing a plan, officers will need to maximise strategic management capacity and make realistic judgements about priorities.
- Improved achievement for children with SEN
  - A reduction in the number of new statements issued each year.
  - A reduction in the number of children with moderate learning difficulties and with behavioural, social and emotional difficulties who attend special schools.
  - A wider distribution of children with an ASC or a speech language and communication need across special schools.
  - A reduction in the use of mainstream Departments and a refocusing of the resources more generally across mainstream schools.
  - A reduction in expenditure on residential special school provision and a shift of the resourcing to promote improved links between special and mainstream schools.
  - An increase in the number of children who are returned to mainstream school from special school.
  - A reduction in admissions to special school at KS1/2 and KS2/3 transfer.

- A reduction in the number of primary aged pupils with behavioural, social and emotional needs who access specialist off-site or special school provision, and a refocusing of these resources to increase capacity and competence in mainstream to meet needs.
- The establishment of operational structures that bring together experts and specialists in specific types of need (e.g.: ASC, hearing impairment).
- The establishment of operational structures that enable effective joint working between staff in Universal and Targeted Services.
- A refocusing of resources for deaf and hearing impaired children so that dependency on other Local Authority and independent school provision is significantly reduced.
- A significant reduction in the recurrent dependency on independent special school provision for children with BESD.
- A new approach to SEN funding, linked to this structure of outcomes, is in place for April 2010.

## **17 Consultants Closing Comments**

- 17.1 The community of Milton Keynes currently stands out as different to many other Local Authority areas in relation to the opportunities it offers to its children and young people with SEN, and what this means for their longer term life chances.
- 17.2 A special school head teacher told the review officer of a young man, recently a father, who attended special schools for children with behaviour difficulties from being very young. He has recently visited this special school to ask if his son can have a place when he is 5 years old. This is not because the little boy has significant additional needs, but more a reflection of the young father's experiences of education, how these have set his self-image and personal expectations, and the transference of those onto expectations for his child.
- 17.3 Many disabled adults express concern at low expectations for disabled children, and reflect this through their own experiences. They challenge the right of an education system to suggest that it cannot provide for all of its children in local schools. Some would say this is an extreme position, and a Local Authority needs to be able to maintain a balanced range of provision to reflect the wishes and aspirations of its community.
- 17.4 The challenge for the future is to sustain productive relationships with all stakeholders whilst pushing forward an agenda that will be fully supported by some stakeholders, and not supported by others. Changing the SEN data profile will require radical action, and a sensible approach to timing is necessary, so that enough care is taken in managing change, but momentum, energy and enthusiasm is not lost.

Penny Richardson  
 SEN and Children's Services Consultant

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1. Audit Commission OOA report 2007 para 18
  2. s52 analysis DCSF / CIPFA bench marking tool
  3. The Regional Partnerships: Analysis of Placements in Independent and Non-maintained Schools 2007
  4. DCSF Research Report no 508 *Reducing Reliance on Statements: An Investigation into Local Authority Practice and Outcomes*, Anne Pinney (2004)
  5. Audit Commission 2002, "Special Educational Needs: A self-review handbook for Local Authorities"
  6. Audit Commission 2002, "Special Educational Needs: A Mainstream Issue"
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## Acronyms

ADHD	Attention Deficit Hyperactivity Disorder
ASC	Autistic Spectrum Condition
ASD	Autistic Spectrum Disorder
AWPU	Age Weighted Pupil Unit
BESD	Behaviour, Emotional and Social Difficulties
BSF	Building Schools for the Future
CAF	Common Assessment Framework
CYPS	Children & Young People's Service
DCS	Director of Children's Services
DCSF	Department for Children, Schools & Families
EPS	Educational Psychological Service
HI	Hearing Impairment
IEP	Individual Education Plan
KS	Key Stage
LA	Local Authority
LMS	Local Management of Schools
MLD	Moderate Learning Difficulties
NI	National Indicator
NWPU	Needs Weighted Pupil Unit
OOA	Out of Authority
PEC	Personalised Education Centre
SEN	Special Educational Needs
SENCO	Special Educational Needs Co-ordinator
SENDIS	Special Educational Needs & Disability Service
SLCN	Speech, Language & Communication Needs
VI	Visual Impairment