Planning SEN provision

Whether in mainstream or special schools, children with the most severe and complex difficulties will continue to need specialist support. We shall encourage regional co-operation so that specialist facilities, whether from the maintained, voluntary or private sectors, are available when and where they are needed. LEAs will make decisions about changes to their special schools in the light of this regional co-operation and guidance from the Government.
Planning: the regional dimension

Role of local education authorities
1 LEAs are providers both of school places for pupils with special educational needs, and of specialist support services. However, as a result of this mainly local focus, we find across the country:

• differences in access to, and in quality of, provision; with duplication in some cases, and under-provision in others;
• wide variations in funding levels;
• inconsistency among schools in seeking external support; and
• difficulties for some smaller authorities in providing for pupils who need very specialised provision.

2 There can legitimately be variation in the ways in which educational services are provided, and to some extent in the degree of choice locally. But there can be no argument for variations in quality. We will work to secure a continuum of provision across the country so that, no matter where pupils live and whatever their needs, an appropriate level of support is available.

3 While it may be possible for the largest LEAs to make provision for a wide range of special needs, we do not believe that a go-it-alone approach will lead to resources being used efficiently and effectively. Nor will smaller authorities find it easy to provide the range of specialist services necessary to support the improvements we seek. In some areas, collaborative arrangements operate successfully, involving the voluntary and private sectors as well as other LEAs. But in general there is a need for closer co-operation.

Regional planning
4 For these reasons we want to see the development of regional planning arrangements for some aspects of SEN provision. Statutory responsibility for SEN would remain with the LEA. The regional arrangements would help LEAs meet that responsibility by opening up access to all available resources. We want social services departments and health authorities, and the voluntary and independent sectors, to be fully included as partners in the arrangements, so that their contribution can be properly integrated into the regional framework.
5 We do not propose to develop statutory or excessively formal arrangements. Their success will depend on partnership. Our preferred option, therefore, is to encourage voluntary co-operation on a regional basis, between LEAs, and between LEAs and other statutory, voluntary and private sector providers, including non-maintained special schools and independent schools catering for SEN, and institutions providing teacher training. This co-operation would be reinforced through funding mechanisms.

6 The core functions of these arrangements might be:

- planning of places for low incidence disabilities, such as visual and hearing impairments and at the profound end of the autistic spectrum;
- encouraging co-operation and perhaps specialisation in SEN support services;
- developing provision for specialised in-service teacher training;
- collecting and comparing data on SEN provision.

These are not the only areas that might benefit from regional planning.

Case study

Cross-LEA provision in inner London

A consortium of five inner London LEAs, led by Islington, was set up, initially using Grants for Education Support and Training (GEST) funding, to make provision for pupils with multi-sensory impairments.

In partnership with Sense (The National Deafblind and Rubella Association), the LEAs contracted one of its teachers – a national expert on working with these pupils – to conduct an initial audit of need, and then to support an advisory teacher employed by the consortium. The advisory teacher initially spent one day a week in schools in each of the authorities working with pupils, teachers and other staff, advising on individual programmes for pupils and providing training. Latterly, she has linked with other agencies in education, health and social services and spent one week in each school providing more specific support.
Others – for example, provision for pupils who are out of school because of illness or injury – might be included. Some voluntary organisations have begun to study the issues involved in bringing about such co-operation: we are supporting this work.

7 Regional planning arrangements could be facilitated in the first instance by Government Offices (GOs). The sort of arrangements we envisage are:

- groups to be made up of LEAs, other statutory agencies, voluntary and private sector representatives and providers of training, brought together on a voluntary basis under the chairmanship of the GO; membership could in some cases draw on existing regional structures; DfEE’s SEN Division would attend meetings;

- the structure would be non-bureaucratic; the GO would provide “light touch” facilitation; LEA staff or others with SEN background would be seconded to the GO to provide support for the regional groups;

- each group would be expected to produce a regional plan for relevant aspects of SEN provision within the context of increasing inclusion; the DfEE could issue guidance on coverage;

- as a first step we might support pilot schemes based in two GOs to prepare for introduction of these arrangements;

- LEAs would be expected to contribute to the low-level administrative costs of the arrangements; regional planning should result in better value for money through more economical use of expensive low-incidence provision;

- regional structures would provide a channel for two-way communication between local and central government; regional groups could contribute to national data on SEN and enable us to monitor the national picture.

8 A Regional Development Agencies Bill will be introduced in the current session of Parliament, preceded by a White Paper. In carrying forward our proposals for regional arrangements for SEN we will take account of these developments and also of the role of local regeneration partnerships, funded through the Single Regeneration Budget.

QUESTION: What should be the core functions of regional planning arrangements for SEN, and how should such arrangements be set up?
Planning: the school dimension

Community special schools
9 Within the new schools framework, described in *Excellence in schools*, all maintained special schools are likely to become community special schools. This is because of the importance we attach to the place of special schools in a unified service supporting greater inclusion.

10 At present, many details of the provision made by special schools have to be specifically approved by the Secretary of State. Similarly, any change to the approved arrangements has to be decided centrally. **We propose to end this requirement for community special schools.** Detailed arrangements for more devolved decision making were described in a consultation paper on the new school framework in August. Each LEA would set up a school organisation committee to agree a local school organisation plan and to decide school organisation proposals. In drawing up their plan, LEAs would have regard to the regional plans for SEN proposed above. In deciding proposals, school organisation committees would have regard to guidance from the Secretary of State. This would reflect our policy of increasing inclusion and cover issues such as:

- the relationship between regional plans, local school organisation plans and LEA Education Development Plans;
- advice on age ranges and types of SEN which could be catered for within the same school; the appropriateness of mixed/single sex provision; and perhaps updated guidance on teaching group sizes, staffing levels and qualifications;
- delivery of the National Curriculum;
- inspection arrangements: OFSTED would monitor the extent to which LEAs took account of this guidance in organising special schools.

Non-maintained special schools and independent schools
11 Non-maintained special schools and independent schools catering wholly or mainly for children with SEN offer specialised, often residential, provision. In many cases, they make a unique contribution. Like maintained schools, they will need to take account of the developing context set out in this Green Paper. We believe therefore that this key sector should be represented in the regional planning arrangements proposed above. Where a regional plan suggests a case for establishment
of a new school, a contribution from a voluntary body, charity or private provider should be considered sympathetically.

12 All non-maintained special schools have to be specifically approved by the Secretary of State and inspected by OFSTED. We do not intend to change these arrangements.

13 Independent schools providing for SEN are subject to three specific controls:

- they may seek approval by the Secretary of State: LEAs are then free to place pupils with statements in them within the terms of the approval. Otherwise LEAs may place children with statements in independent schools only with the case by case consent of the Secretary of State;

- they are subject to inspection. Schools which have been approved are inspected by OFSTED on a 4-yearly cycle (from 1998, 6-yearly). Other independent schools are inspected by HMI. We propose to ensure that independent schools providing specifically for children with SEN, but which have not received the Secretary of State’s approval, are inspected at least every 5 years and that the inspection reports are published; and

- residential schools are subject to inspections by social services departments under the Children Act.

Changes to the arrangements for independent schools

14 The number of applications for consent to place individual children with a statement at non-approved independent schools has risen sharply: the Secretary of State currently receives over 700 applications a year. It is questionable whether it is appropriate for decisions to be taken centrally on this scale about the suitability of a particular school for a particular child. The arrangement also blurs LEAs’ accountability for their decisions about placement. Yet it is essential that the children at these schools, many of them very vulnerable, should be well-served and that these expensive placements should offer value for money. We want to safeguard and improve standards in education and care.

15 We therefore propose to retain approval for independent schools, but to end the current consent arrangements. Approval would be a clear mark of good standing. Schools would be encouraged to work towards it. LEAs would not need consent to place a child with a statement at an
independent school outside the approved list, but would have an unambiguous responsibility to satisfy themselves that placement at such a school was appropriate and in the child's interest.

16 LEAs would be required to obtain available written reports on the school from OFSTED (or OHMCI for placements in Wales), social services departments for residential schools and any association of independent schools to which the school belonged. We should also expect them to visit the school in advance of placement to satisfy themselves that it could provide for the child's special needs including, where necessary, therapeutic or medical input; and to review the placement regularly. Placements would be monitored by HMI.

QUESTION: What changes are needed to the existing arrangements for the placement of children with SEN in independent schools?

SUMMARY

By 2002...

- Regional planning machinery for SEN will be in place across England, helping to co-ordinate provision for low-incidence disabilities, specialist teacher training and other aspects of SEN.

- There will be clear guidance to support the effective development of special schools in the context of a policy of increased inclusion.

- New arrangements will be in place to safeguard the interests of children with special educational needs who are placed in independent schools.