
**SPECIAL EDUCATIONAL NEEDS: THE EDUCATIONAL PROVISION IN
DARLINGTON SCHOOLS**

Purpose of Report

1. To provide Members with an update on how the special educational needs (SEN) of children and young people in Darlington are met.

Introduction

2. The report will give background information with respect to legislation and government guidance. Information will be given on the numbers of children and young people who have special educational needs, the provision available and support/guidance provided to schools. It will also contain information on the SEN Inclusion Service priorities detailed in the Children and Young People's Plan (CYPP) and progress being made in respect of these.

Background

3. A revised SEN Code of Practice was introduced in 2002. It set out 5 main principles:
 - (a) that children with SEN should have their needs met
 - (b) that their needs will usually be met in mainstream schools
 - (c) that the views of children should be sought and taken into account
 - (d) that parents have a vital role to play their children's education; and
 - (e) that children with SEN should be offered full access to a broad, balanced and relevant curriculum in the foundation stage and later years
4. The SEN and Disability Act 2001 provided a statutory framework for inclusion. It strengthened the right of children to attend a mainstream school, unless their parents chose otherwise or if this was incompatible with "efficient education of other children". Alongside this act, the Disability Discrimination Act 2001 placed new duties on schools not to treat children and young people with a disability less favourably than others and to make "reasonable adjustments" to ensure they were not disadvantaged.
5. In 2002 a revised SEN Code of Practice was introduced, in which there is greater emphasis on inclusion and outcomes for children and young people rather than on procedures and systems. It is predicated on the assumption that children's SEN will be met in mainstream schools, unless there are particular reasons why this is not possible, and it also placed increasing emphasis on seeking and taking into account the views of the child and young people.
6. The Disability Discrimination Act 2005 extended the definition of disability and required local authorities and schools to have a Disability Equality Scheme (DES). All schools

should have an Access Plan, which sets out how they will improve access to the physical environment, the curriculum and information.

7. These acts, and the guidance accompanying them, underpin the government's policy on SEN, which is part of a wider strategy aimed at removing barriers to successful participation in mainstream society. This "inclusion framework" indicates how schools and LAs are expected to work and has raised questions about the role of special schools, the capacity of mainstream schools to meet complex needs and appropriate expectations of progress for children with SEN.
8. Issues relating to inclusive practice are also addressed in the government's guidance on SEN 'Removing Barriers to Achievement' (2004), which placed greater duties on schools and Local Authorities to promote inclusion.

"All children have the right to a good education and the opportunity to fulfil their potential. All teachers should expect to teach children with special educational needs (SEN) and all schools should play their part in educating children from their local community, whatever their background or ability." - Introduction to Removing Barriers to Achievement (2004)

9. Government's current strategy for SEN as set out in 'Removing Barriers to Achievement' has four key themes:
 - (a) **Early identification** – to ensure children who have difficulties with learning receive the help they need as soon as possible, and that parents of children with SEN and disabilities have access to suitable childcare.
 - (b) **Removing barriers to learning** – by embedding inclusive practice in every school and early years setting through an inclusive development programme; leadership for inclusion and developing the role of special schools.
 - (c) **Raising expectations and achievement** – by developing teachers' skills and strategies for meeting the needs of children with SEN and sharpening the focus on the progress made by children with SEN using P scales and personalised learning; and
 - (d) **Delivering improvements in partnership** – taking a hands-on approach to improvements so that parents can be confident that their child will get the education they need. Making sure that inclusion is integral to school self-evaluation; sharing best practice in inclusion; joined up working between services and integrated inspection of services for children and young people.
10. "Removing Barriers to Achievement" emphasises that the context within which a child learns as well as the emotional, social and economic circumstances in which they live can act as barriers to learning in the same way as "within child" factors such as a learning difficulty, mental health problems, sensory impairment or physical disability. The central tenet of the policies will affect the methods and criteria used to judge the effectiveness of a school, particularly in the ways in which it offers support to vulnerable groups.
11. Regional DfES SEN advisors were appointed to support and challenge local authorities about the actions they are taking in response to 'Removing Barriers to Achievement'.

These advisors have now become part of DCFS National Strategy Framework. They support and challenge local authorities in order to:

- (a) provide training, support and guidance to schools in line with the government agenda;
- (b) reduce bureaucracy
- (c) increase delegation of budgets to schools
- (d) reduce the reliance on statements of special educational need
- (e) make arrangements for the monitoring and evaluation of SEN
- (f) make transport arrangements that support inclusive practice
- (g) develop the role of special schools

SEN Data

12. Nationally 1.91% of children and young people from age 0-19 years had a statement of special educational need in January 2007. In Darlington this figure was 2.0% (No:490) so we were above the national average. Currently (January 2008) we maintain 461 statements of SEN but national comparative data is not yet available. The table below shows the number of statements maintained by Darlington LA from 2004 to 2008. The data shows a downward trend and this is expected to continue as more of the budget for children and young people with additional needs will be delegated to schools from April 2008 to support early intervention and inclusive practice.

2004	2005	2006	2007	2008
540	520	491	490	461

13. There are two areas in which the number of statements of SEN have increased over the past 4 years. These areas are behaviour, social and emotional difficulties (BESD) and autism spectrum disorders (ASD).

Primary need	No: pupils 2004	No: pupils 2008
BESD	89	98
ASD	82	111

14. The increase in both areas reflects a national trend and is not specific to Darlington.

The current school population is 14,773. The table below shows the number and percentage of those pupils who have a need for additional and/or different provision. If schools provide this provision this is "School Action". If support agencies are involve in giving support and advice then this is "School Action Plus". The data is compared with the 2005 Scrutiny Report based on 2004 data.

Stage	No: pupils 2004	No: pupils 2008
School Action SA	1371	1786

School Action Plus SA+	749	938
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15. The data indicates that, while slightly fewer children and young people have statements of SEN, schools are identifying more children and young people who need additional to and different from provision available to all children in school. This may be due to the publication of guidance to schools about what is required from them as well as training to raise awareness of the needs of children and young people. The data published by DCFS in January 2007 showed that Darlington has the same percentage of primary age SEN pupils at school action and school action plus as nationally (17.7%) and 2.6% fewer secondary age pupils receiving School Action and School Action Plus provision.

Provision

16. Most children and young people with additional needs (Total No: 3,185 in January 2008) have those needs met within their local mainstream schools. For those with a statement of special education need (461 in January 2008) the placements made are as follows:

Placement type January 2008	No: of pupils
Mainstream schools and Academies	211
Resourced provision in mainstream schools	27
Darlington special school	196
Other local authority special schools	3
Independent and non-maintained special schools	9
Pupil Referral Unit	4
Parents own arrangements and funding	8
New to LA and awaiting placement	3

Support and Guidance

17. Schools have access to the following advice and support in order to help them make appropriate provision for children and young people with additional needs:
- Written guidance for provision and planning is available to all schools; it is also available electronically on the new local authority system , “Phoenix”.
 - Educational Psychology Service
 - Advisory and Support teachers for learning difficulties, behaviour difficulties, visual impairment, hearing impairment, physical/medical needs
 - Outreach Services for social communication difficulties and speech/language difficulties
 - Advanced skills teachers (ASTs) at Beaumont Hill Special School form part of the outreach services, working as members of teams of Local Authority support services
 - Early Years Inclusion Service
 - SEN Monitoring and Evaluation Service

Monitoring and Evaluation

18. Information on progress, attendance and exclusions is collected and analysed for children with additional needs. We also collect all this information in relation to children from ethnic minority backgrounds who have additional needs. The progress data is benchmarked with Stockton on Tees local authority. All this pupil level information is fed back to schools.
19. At Key stage 2 (end of primary education) pupils with SEN achieved an average points score of 12.5, identical to their non-SEN peers and above the expected level nationally. In secondary schools the Key stage 2 to 3 (at age 14 years) progress was lower than the expected level (average expected progress for pupils with SEN is 6 points; Darlington young people with SEN made an average 4.17 points progress). Data on Foundation stage is monitored to ensure that early identification takes place. A system is currently being developed for monitoring progress from age 14 to 16 (Key Stage 3 to 4)
20. The Schools Condition Document has been developed by the local authority in order to determine levels of support that will be provided for individual schools by lead officers from the School Improvement and Development Service and other local authority support services. The School Condition Document contains information about the progress of children and young people with additional needs.
21. An SEN Standards Self Review document, designed to assist schools to evaluate the policies and provision in place for pupils with SEN, was first issued to schools in April 2004. This document was revised during the summer of 2007 to bring it in line with “Every Child Matters” and provide references to schools’ self evaluation framework presented to OfSTED. The SEN Monitoring and Evaluation Team visit schools on a regular basis to support the completion of the SEN standards document and to discuss the data available via “Raise online”.
22. An electronic costed provision map has been developed for schools so they can better monitor the interventions and support put in place for children and young people. Training and support is provided for all schools on provision mapping by the SEN Monitoring Team.
23. An evaluation system has been developed for all resourced provisions in mainstream schools. This system includes information about academic progress and the amount of time spent in inclusive settings. All provisions must report annually to the Head of SEN Inclusion Services and are supported in the presentation of this information by the Educational Psychology Service and SEN Monitoring and Evaluation Team.
24. All school Ofsted reports are monitored for commentary on pupils with additional needs. This information is collected centrally and shows that over the past two years 74% of schools achieved “good” or above for children and young people with SEN.
25. An evaluation framework for Outreach Services for Speech, language and Communication Needs and Social Communication Needs has been developed and they will start to report on an annual basis in July 2008.

26. Currently we are exploring how we can track progress data for all children and young people with a statement of special educational need on an annual basis, using the information provided in statutory annual reviews.
27. The services for children and young people with additional needs are monitored and evaluated through national frameworks such as the annual visit by the DCFS SEN Advisor as part of the National Strategies, the Annual Performance Assessment (APA) and the Joint Area Review (JAR). The Best Practice Performance Indicators 43a and 43b are 100% (these related to the timescales for statutory assessments of SEN).
28. The Annual Audit Commission Survey measures school perceptions around service performance in a range of areas. Improved perceptions of the SEN Service have been recorded each year over the past three years so that judgements have moved from the lowest quartile to the second quartile.

Progress made on SEN Inclusion Priorities included in the Children and Young People's Plan (CYPP)

29. **Revision of "Planning, Provision and Review Guidance for Schools"** - This guidance was first made available to schools in November 2004. The document was revised and expanded after consultation with special educational needs coordinators (SENCOs). A separate file has been developed for Early Years settings and practitioners. The updated files will be available to schools in February 2008.
30. **Consultation on the further Delegation of SEN Resources to schools without recourse to a statement of special educational need** - There is general agreement that early intervention for children who experience barriers to their learning is an essential element in the resolution of difficulties and in ensuring progress is made. Schools clearly need resources in order to respond flexibly as needs arise. A practical, fair and clear system has been developed whereby a substantial proportion of the budget, currently only available through the process of statutory assessment, can be delegated to schools without disadvantaging those children with the most severe and complex needs. Consultation has taken place with schools, parents/carers, colleagues in Children's Services, colleagues in other agencies and the voluntary sector. After discussion and analysis The Schools Forum has agreed the local authority's recommendation to delegate a substantial part of this budget according to an index of deprivation from April 2008.
31. **The development of new ways to increase the involvement of parents, carers, children and young people in the assessment, planning and review of individual educational arrangements** – The following actions have taken place with outcomes as described:
32. The manager of the Parent Partnership Service is working with the Head of Inclusion Services to review the work of the PPS in light of new guidance published by DCFS. An action plan will follow. The PPS was extended in April 2006 in order to provide additional support for parents.
33. All parents of children and young people with a disability (this included those with a statement of SEN) are being invited to an event for parents on March 2008 in order to

consult with them about services and how they are delivered.

34. A research project has been undertaken to find out parents' views of statements of special education need. This has led to changes to the service so that all new statements of special educational need are hand delivered and further information is provided on Parent Partnership Services.
35. A project involving Parent Partnership Service and Educational Psychology Service, based in the Education Village, is helping young people report on their own progress and plan next steps. Some good examples of the contribution of young people are available on DVD and in the written presentations attached to statutory review reports. This project has resulted in an increase in parent/carer attendance at statutory reviews.
36. Four Children's Services staff have been trained in Person Centred Planning which complements the Pupil Participation Project work and will lead to better transition planning at age 14 for children and young people with additional needs.
37. Training had been offered to mainstream schools and external support staff on listening to children and young people and finding new ways of helping them present their views.
38. The Early Support programme has been evaluated by the Educational Psychology Service and Parent partnership Service. Parents reported that the programme was very positive for them and we are planning how this can be continued and further developed.
39. **The development of transition guidance for schools, settings, parents/carers and children** -The Children's Fund have provided resources in order for the Parent Partnership Service to work in association with Educational Psychology Service to carry out Action Research project on Y6/7 transition. The Pathfinder Children's Trust also provided funds for an evaluation of the Early Support Programme. Both of these projects have led to a decision to develop guidance for schools, parents/carers, children and other agencies on transition which focuses on ways to build resilience in children so they can develop strategies which will help them cope with times of change in their lives. There is a requirement for local authorities to have a Transitions Champion and the acting Principal Educational Psychologist has to take on this role. There is an overarching transitions plan for Darlington to address starting school, changing school, making choices within school and leaving school. This is monitored by the Additional Needs Transition and Transfer group. There is a separate group (Transitions Action group – TAG) that is developing specific practice for transfer from primary to secondary school.
40. **Planning SEN Training for Schools** - The SEN Monitoring and Evaluation team regularly audit training needs in schools and we use these for planning the focus of meetings for special needs co-ordinators (SENCOs) in schools and commissioning bespoke training for schools and clusters. Darlington and Stockton local authorities hosted a very successful conference on developing role of the SENCO in February 2008. We are currently exploring ways to deliver the governments Inclusion Development Programme, which is focusing on literacy difficulties and speech language and communication needs in 2008/9.
41. **Develop the use of costed provision mapping** - The SEN Inclusion Monitoring and Evaluation Team has developed a way of helping schools track and monitor how they use

resources for SEN within their school through the production of electronic costed provision map. Darlington's finance section and the finance section from Stockton have been involved in the development and piloting of costed provision maps.

42. **Further develop systems for monitoring outcomes of special provision** - A system is in place for monitoring outcomes for children and young people in the resource bases for Social Communication Difficulties and Speech, Language and Communication needs. A template has been provided to provide consistency across settings and improve the transparency of the information so that parents can be better informed. All settings provide an annual report, supported by the Educational psychology Service. The SEN data set is taken out to schools by the SEN Monitoring Team so that they can have conversations with schools about the interpretation of the data and how to use the information to plan intervention and provision. Conversations are also taking place with schools to help them more effectively evaluate any interventions they put in place.
43. **Review special provision within the context of the ongoing audit of needs** - Increasing numbers of children are being given a diagnosis of Autism Spectrum Disorder. We have an Outreach Service co-ordinated by Senior Specialist Educational Psychologist, which is developing practice and multi-agency protocols. There is resourced provision at both primary and secondary level. The secondary provision is at Hurworth School and is slowly building capacity with the expectation that 12 places will be filled there by 2009. This allows for 2/3 young people to be placed in each year group. We are keeping this provision under review and looking at ways of developing capacity in other secondary schools. Children and young people can access all resourced provision without a statement of special educational need.
44. We have successful provision for children and young people with cognition and learning needs at Heathfield School (Ofsted report 2008). This has been extended to provide a further 6 places in across Reception, Year 1 and Year 2.
45. Regular discussions take place with The Education Village to predict needs and develop appropriate provision. In the future these discussions will take place within the reconvened Inclusion Strategy Group, which will involve head teachers from mainstream schools as well as other stakeholders.
46. **Build capacity in schools for developing emotional well-being and positive ways of changing behaviour** - There is a proposal to increase the capacity of mainstream schools to develop emotional well being, intervene early and respond in a positive way to concerns about challenging behaviour. The plan is to work intensively with two to four schools at a time for up to two years using solution oriented frameworks to develop staff skills and nurturing environments. This will be supported by the Educational Psychology Service. This proposal is part of the Behaviour Strategy, currently in draft form.
47. **Support and challenge schools regarding response to DDA. This would include access planning and Disability Equality Schemes** – The local authority access strategy has been revised and this provides guidance for schools and a template for access plans to comply with the Disability Discrimination Act. The strategy shows the adaptations needed to provide “basic” or “universal”, “enhanced” and “enhanced plus” levels of access to the curriculum, building, information and trained staff for a range of disabilities. The SEN Monitoring Team and Information and Systems Manager have

visited all schools to monitor Accessibility Ratings, the presence of Access plans and Disability Equality Schemes. An overview document has been developed and this has been shared with the School Improvement and Development Service.

48. The service priorities for 2008/9 are:

- (a) To develop inclusive practice within mainstream schools through an Inclusion Strategy Group, further development of the Inclusion Award for Schools and by a creative use of special school staff expertise.
- (b) To roll out the Inclusion Development Programme published by the SEN National Strategies Group (DCFS)
- (c) To develop further methods of monitoring and evaluating provision and intervention in order to both support and challenge schools and settings
- (d) To review provision for children and young people with behaviour, social and emotional difficulties and make recommendations for further development
- (e) To complete a review of Parent Partnership Services following the publishing of national exemplification information.

Legal Implications

49. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. The Local Authority has a duty to assess Children in Need (S17 Children Act 1989) and those at risk of significant harm (S47 Children Act 1989). There are no issues which the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Section 17 of the Crime and Disorder Act 1998

50. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is not considered that the contents of this report have any such effect.

Impact on Looked After Children

51. The SEN Inclusion Service and Educational Psychology Service are aware of all children and young people who are looked after and have special educational needs. We collect progress data, attendance data and exclusion data for this specific group of children and young people. Those responsible for the assessment of the complex needs of children and young people always liaise closely with social workers where that child or young person is looked after.

Conclusion

52. "Performance appears good overall in this area" (Annual Performance Assessment 2007).

Recommendation

53. Members are asked to note the contents of this report.

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Background Papers

Darlington Borough Council's Children and Young People's Plan

SEN Code of Practice 2002

The SEN & Disability Act 2001

Disability and Discrimination Act 2005

'Removing Barriers to Achievement' 2004

SEN data

Audit Commission School Survey

Heathfield Primary School Ofsted Report 2008

Draft Behaviour Strategy

Annual Performance Assessment 2007