

Cabinet Meeting on Wednesday 15 September 2021

High Needs Provision Capital Allocation Funding



Cllr Jonathan Price, Cabinet Member for Education (and SEND) said,

“We want all children with special educational needs and disabilities to be able to reach their potential by receiving the right support at the right time in their own communities, at their local school or place of education.

This funding allows us to support bids which will enable pupils to be integrated and educated more inclusively closer to home.”

Report Summary:

Staffordshire County Council (SCC) has been allocated £2,441,299.98 High Needs Provision Capital Allocations (HNPCA) funding.

It is proposed that applications are invited from education settings for school age pupils for projects which involve:

- Developing Resource Bases at Mainstream Schools for children with Education, Health and Care Plans (EHCP) or SEN Support with Social, Emotional and Mental Health Needs and/or Autistic Spectrum Condition
- A partnership approach with co-location of specialist provision on mainstream sites
- Increasing capacity in specialist provision to reduce the need to access placements at independent schools/out of county provision.

Recommendations

I recommend that Cabinet:

- a. Supports the proposals to use the High Needs Provision Capital Allocations (HNPCA) funding as outlined below:
 - i. To develop Resource Bases at Mainstream Schools for children with Education, Health and Care Plans (EHCP) or SEN Support with Social, Emotional and Mental Health Needs and/or Autistic Spectrum Condition
 - ii. A partnership approach with co-location of specialist provision on mainstream sites
 - iii. Increasing capacity in specialist provision to reduce the need to access placements at independent schools/out of county provision.

Local Members Interest
N/A

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High Needs Provision Capital Allocation Funding

Recommendations of the Cabinet Member for Education (and SEND)

I recommend that Cabinet:

- a. Supports the proposals to use the High Needs Provision Capital Allocations (HNPCA) funding as outlined below:
 - i. To develop Resource Bases at Mainstream Schools for children with Education, Health and Care Plans (EHCP) or SEN Support with Social, Emotional and Mental Health Needs and/or Autistic Spectrum Condition
 - ii. A partnership approach with co-location of specialist provision on mainstream sites
 - iii. Increasing capacity in specialist provision to reduce the need to access placements at independent schools/out of county provision.

Report of the Deputy Chief Executive and Director for Families and Communities

Reasons for Recommendations:

Introduction

1. The government has committed £280 million High Needs Provision Capital Allocations (HNPCA) funding in 2021-22 to support local authorities, with Staffordshire County Council allocated £2,441,299.98. The aim of the funding is to deliver new places and improve existing provision in education settings for children and young people with SEND, particularly those with more complex needs, and with an Education, Health and Care plan (EHCP), although the funding can also be used to support SEND pupils without an EHCP and pupils that require Alternative Provision (including children in Alternative Provision settings without an EHCP).
2. The funding is intended for school aged children and young people, although it can also be used for children and young people aged 0-25 in education settings.
3. The aim of the funding is to meet local needs by:
 - a. Creating new (additional) places, at good or outstanding provision, for children and young people with high needs
 - b. Improving existing provision/adapting facilities for children and young people with high needs

4. The HNCPA grant funding Grant Determination Letter states the funding is intended for places required for the academic year 2022/23 however, local authorities have the flexibility to carry funding over into subsequent financial years.

Strategic Approach

5. Staffordshire County Council is proposing to use this capital investment to support the Vision and Priorities outlined in the [Staffordshire Special Educational Needs and Disabilities \(SEND\) Strategy 2021-2026](#)

6. The SEND Strategy Vision is:

“All children and young people with SEND are given the opportunity to achieve everything that they can. They engage with the right support at the right time from their parents/carers, the community and the professionals that work with them to make this happen.”

7. Key areas of focus within the strategy are:

- a. children and young people are given the opportunity to be educated in their local mainstream education setting, whenever it can meet their needs
- b. wherever possible children will access education placements that are close to home to help develop friendships in their local community and promote independent travel.

8. Staffordshire County Council is proposing to use the HNPCA funding to support the achievement of the above by focusing on projects which will increase:

- a. access to mainstream placements for children and young people with high needs (who might otherwise require more specialist provision)
- b. the local availability of high needs places to help reduce the requirement for out of area placements/placements at independent special schools.

The Staffordshire Picture

9. Staffordshire currently has over 6,300 children and young people with Education, Health and Care Plans (EHCP). Staffordshire has a higher than average proportion of children and young people with an EHCP attending its maintained schools (3.7% of all pupils, compared to 3.3% nationally) and lower than average levels of children and young people with SEN Support (10.3% compared to 12.1% nationally).
10. 51% of children and young people with an EHCP who are in an education placement attend specialist provision compared to 39% nationally. 7.1 % of children and young people with an EHCP who are in an education placement attend an independent or non-maintained special school compared to 5.2% nationally.
11. There are a higher proportion of children and young people with an EHCP at secondary phase, whereas for SEN Support a higher proportion can be seen at primary age.

12. The main SEN primary needs for children and young people with EHCPs and SEN Support are Autistic Spectrum Condition (ASC), Moderate Learning Difficulties (MLD) and Social, Emotional and Mental Health Needs (SEMH). The main SEN primary need for children and young people attending Staffordshire Pupil Referral Units (PRU) is SEMH. The main primary needs for children and young people with a EHCP maintained by Staffordshire attending Independent or Independent Special Schools are SEMH and ASC.
13. Districts with the highest proportion of children and young people with SEND are Cannock Chase and Tamworth.

Proposal

14. The need to develop support for school age children and young people with SEND, either with an EHCP or SEN Support, with SEMH and/or ASC has been identified and the proposal is to use the funding for projects which involve:
 - a. Developing Resource Bases at Mainstream Schools for children with Education, Health and Care Plans (EHCP) or SEN Support with Social, Emotional and Mental Health Needs and/or Autistic Spectrum Condition
 - b. A partnership approach through co-location of specialist provision on mainstream sites
 - c. Increasing capacity in specialist provision to reduce the need to access placements at independent schools/out of county provision.

Consultation

15. The above proposals were consulted on between 25 May 2021 to 25 June 2021. The consultation was circulated to schools, School Governors, Parent/Carer Forum, SEND and Inclusion Partnership Board, SEND information Advice and Support Service (SENDIASS) who circulated to parent support groups, SCC Officers and it was accessible on the SEND Local Offer.
16. 21 responses were received, with the majority from school staff. 19 responses (90%) responses were in support of the proposals.
17. The main feedback related to the proposals enabling mainstream schools to be more inclusive, meet the needs of pupils with additional needs, enabling pupils to remain in mainstream settings. Other supportive comments related to collaborative working enabling the development of staff skills and special schools being able to meet the needs of children, preventing the requirement for expensive independent placements. Consultation responses also highlighted a need to ensure resource bases are inclusive, with pupils integrated into the whole school and able to access a full differentiated curriculum, that staff were appropriately skilled and pupils had access to specialist placements if these were required.

Legal Implications

18. Legal colleagues have reviewed the HNCPA grant funding regulations and proposals and make the following comments:
19. If the Local Authority fails to comply with any of the conditions and requirements within the Grant Determination Letter then the grant may be reduced, suspended or withheld; or repaid in whole or in part. The Local Authority must comply with regulations made under Section 11 of the Local Government Act 2003. These regulations are the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003. Within Regulation 23, capital receipts can only be used for meeting capital expenditure. They cannot be used for revenue expenditure of any kind, such as training or staff costs. Further conditions of the grant funding relate to efficiency of spend to ensure value for money:

“A local authority should seek to ensure funding paid out under this grant is spent efficiently. To which end, it should thoroughly evaluate all procurement options for projects – including the DfE construction frameworks and output specification – to demonstrate value for money. A local authority should encourage academy trusts and other responsible bodies to do the same, should they procure a construction project directly.”

Resource and Value for Money Implications

20. Finance and Strategic Property colleagues have reviewed the HNCPA grant funding regulations and proposals and made the following comments:
21. In recent years Staffordshire has seen significant year on year rises in demand for SEND support. This is funded from the High Needs Block (a ring-fenced part of the Dedicated Schools Grant- DSG) and, due to historic government underfunding in this area, has been overspending annually. Staffordshire County Council is not alone in this position, it is a pressure that is impacting on the majority of councils across the sector. SCC has put in place a SEND and Inclusion Transformation Programme that is aimed improving the outcomes for Staffordshire’s children and their families. This transformation aspires to deliver an inclusive system underpinned by restorative practice and integrated into the District Footprint / Locality Model. However, this will take time and the issue is exacerbated by limited capacity within the system.
22. The Government acknowledges the pressures impacting on Local Government and has provided additional support including the High Needs Provision Capital Allocations capital investment. This will be used to deliver new places and improve existing provision for children and young people with special educational needs and disabilities or who require alternative provision. The proposals within this report are consistent and supportive of the Council’s wider transformation ambitions.
23. The DSG allocation to the Local Authority is based on pupil numbers and will therefore increase each year as pupil numbers rise. The majority of this increase will be allocated to the schools with the additional pupils through the Schools Funding Formula.

24. Future capital repairs cost of any new projects delivered will either be the responsibility of the local authority in respect of mainstream schools, or the school themselves in respect of Academies, as is the case currently. The responsible party will need to prioritise schemes to manage costs within the funding available to them.
25. Schools will be responsible for any revenue implications of the developments e.g., teaching and support staff and maintenance costs of any new buildings. Such costs will need to be contained within their overall revenue budgets.
26. To ensure value for money all contractors appointed to work on the projects funded will either be selected from SCC Frameworks or tenders will be sought from the Constructing West Midlands – CWM2 Framework. All SCC frameworks are value for money tested. In terms of resources all heating and lighting will be provided using efficient technologies.

List of Background Documents/Appendices:

Appendix 1 - Consultation Document

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