

# Special Educational Needs and Disability (SEND) Capital Investment Strategy

**Cabinet**

**Date: 7<sup>th</sup> February 2018**

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Author: Cabinet Member for Children Service's and School Attainment  
Corporate Director Children's Services / Head of Education

Wards: All

Parishes Affected: All

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## **1. Purpose and Reasons**

- 1.1 The report sets out the strategy for the allocation of capital funding specifically for provision that serves children with Special Educational Needs and Disability in Swindon.
- 1.2 The report is necessary to approve the investment strategy following consultation in order to comply with the Department for Education requirements to access the first tranche of funding on the 1<sup>st</sup> April 2018.
- 1.3 This report supports the Priority Two of the Vision to "Offer education opportunities that lead to the right skills and right jobs in the right places".

## **2. Recommendations**

Cabinet is recommended to:

- 2.1 Note the analysis of the consultation attached at Appendix 2,
- 2.2 Approve the Special Educational Needs and Disability Capital Investment Strategy attached at Appendix 1, and
- 2.3 Authorise the Head of Education, in consultation with the Cabinet Member for Children's Services and School Attainment, to implement the actions in the Capital Investment Strategy.

## **3. Detail**

Background

- 3.1 The Children and Families Act 2014 places important statutory responsibilities on Local Authorities to support children and young people with special educational needs and disabilities (SEND).
- 3.2 Swindon currently has 1752 children and young people receiving support in education provision through an Education, Health and Care plan (EHCP), which equates to 3.7% of the total school population (compared to 2.7% nationally).
- 3.3 Proportionately this is a high level of EHCP's, therefore the priorities for the funding are to promote inclusion into mainstream schools. The table below

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Further information on the subject of this report can be obtained from Gareth Cheal, 01793 465802, gcheal@swindon.gov.uk.

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shows the type of education provision where these children and young people have been supported over the last 2 years that could apply for the Special Capital Fund.

Type of provision	2016	2017
Mainstream school	38.8%	38.2%
Special Resource Provision (SRP) established within a mainstream school	12.1%	8.6%
Special School	35.1%	38.3%
Out of Borough placement	2.9%	1.5%
Post-16 Further Education establishment	5.9%	8.7%
Education Other than at School (EOTAS)	2.6%	1.0%
Educated Elsewhere	2.4%	3.7%

- 3.4 To support this responsibility on the 4<sup>th</sup> March 2017 the Department for Education (DfE) announced an allocation specifically for capital investment in provision for pupils with Special Educational Needs and Disability. Swindon was allocated £977,620 over three years from April 2018 (£325,873 per year).
- 3.5 The Special Provision Capital Fund is intended to support Local Authorities invest in provision for children and young people with SEND aged 0-25 to improve the quality and range of provision available to the Local Authority. It is intended for the children and young people with Education, Health and Care plans (EHCP) for whom the Local Authority is responsible.

## Consultation

- 3.6 Following the request to Cabinet in December 2017 (Cabinet Minute 64 2017/18 refers) consultation on the draft SEND Capital Investment Strategy commenced on the 19<sup>th</sup> December 2017 and ran until 26<sup>th</sup> January 2018.
- 3.7 The groups consulted included children and young people, parents, schools, colleges and independent providers. An analysis of the consultation results is attached at Appendix 2, but in summary the feedback was supportive of the draft strategy.
- 3.8 There was negative feedback regarding the proposal for 50/50 match funding and the suggested split was 25% provider funding with 75% from the SEND Capital Investment Fund. Originally, the strategy envisaged schools working together collaboratively to meet the proposed 50% provider costs, but it has been felt that the level of provider investment would be prohibitive for small schools. Therefore, the strategy has been amended following the consultation to reflect

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this feedback, although as a consequence the SEND Capital Investment Fund will deliver fewer schemes.

- 3.9 The consultation with Children and Young People was positive and suggested priorities for spend from the group on support for future careers, apprenticeships and life skills will be incorporated into the scoring criteria within the SEND Capital Investment Strategy.

## Priorities for funding

- 3.10 Therefore in summary, the SEND Capital Investment Strategy will retain £40,000 of the Special Provision Capital Fund as an access fund for the Local Authority to commission low level adjustments to schools in order to support a placement proposed in the EHCP.
- 3.11 The SEND Capital Investment Fund the Local Authority will to invest in as many schemes as possible that meet the priorities to enable a greater proportion of children with SEND to benefit from this fund.
- 3.12 Therefore, the Local Authority will open a bidding round for match funded projects in order to increase the overall level of investment in SEND provision, but also meet as wide a range of needs as possible. The bids are proposed to be considered against the following criteria, which are linked to current priorities:
- 3.12.1 Social Emotional and Mental Health by promoting inclusion in mainstream schools resulting in a reduction of fixed term exclusions and increased attendance levels, for example a nurture provision.
- 3.12.2 Physical Disability by promoting inclusion in mainstream schools so the needs of pupils with physical disabilities can be met, for example, lifts, ramps or any building adjustments.
- 3.12.3 Projects that promote greater inclusion of pupils with Education Health and Care Plans into mainstream school settings.
- 3.12.4 Early intervention with the aim to either strengthen earlier interventions on the graduated response and/or improve attainment and progress outcomes.
- 3.12.5 Greater weight within each category will be given to joint schemes of more than one provider, where the improvements can be shared across a wider base and cohort.
- 3.13 The minimum level of the bid at £2,000 and the maximum £50,000, in addition the projects should be match funded by the provider at least 25%. Bids will be invited from providers between 2<sup>nd</sup> April 2018 and 4<sup>th</sup> May 2018 in order to try
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and approve some schemes required for the September 2018 intake. However, remaining funding can be allocated outside of this initial bidding window on a rolling basis and additional windows will be communicated to education providers when available.

## Requirements to access funding

- 3.14 The DfE require the Local Authority to complete and publish a plan that sets out how they intend to invest their allocation, which is visible to parents, carers and other local groups. The plan for Local Authorities' SEND capital provision allocations should sit coherently with their wider plan. Therefore the SEND Capital Investment Strategy will be published on the Swindon local offer page.

## **4. Alternative Options**

- 4.1 No alternative options have been proposed as the investment strategy is required on order to access DfE capital funding.

## **5. Implications, Diversity Impact Assessment and Risk Management**

### Financial and Procurement Implications

- 5.1 The Government allocates each school a sum of capital to enable them to carry out minor capital works to their school premises or for the purchase of IT equipment. The funding provided through this programme will ensure that schools are able to achieve further improvements by using it as match funding for the SEND grant outlined above.

### Legal and Human Rights Implications

- 5.2 The Council has a responsibility to ensure that there are sufficient school places available. The Education and Inspections Act 2006 requires Local Authorities to promote choice and diversity when carrying out their strategic duties in relation to the provision of new school places.
- 5.3 Human rights considerations have been taken into account fully in compiling this report. It is considered that the recommendations of this report are compatible with Convention rights.

### All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.4 Implications relating to sustainability and health are included within the criteria included in the draft strategy.

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## Diversity Impact Assessment

- 5.5 A DIA for the School Place Planning Strategy was attached to the September 2016 Cabinet report, and this is applicable to the proposals in this report. A copy of the report is available on request from the report author. No implications have been identified.

## **6. Consultees**

- 6.1 The Director of Finance (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

## **7. Background Papers**

- 7.1 None

## **8. Appendices**

- 8.1 Draft SEND Capital Investment Strategy (Appendix 1)
- 8.2 Consultation Analysis (appendix 2) (*The appendix is available online at the Council's website or on request from Committee and Member Services*).

## **9. Key Decision/Decision in Cabinet Work Programme and Forward Plan**

- 9.1 This is a Key Decision and is included in the Cabinet Work Programme and Forward Plan for February 2018.