

Special Educational Needs Annual Report 2011/12

National Context

The publication of the special educational needs (SEN) and disability Green Paper '*Support and Aspiration*' in March 2011 heralded a range of national developments in the arena of SEN and disabilities which are already having a significant and increasing impact on the local context. Following consultation and a 'next steps' document, the DfE published draft proposals for new legislation in the impending Children and Families Bill in September of 2012. These proposals have been out to consultation and were reviewed in a report from the Education Select Committee in December 2012. It is intended that the Children and Families Bill goes before Parliament in the Spring of 2014 with a proposed implementation date of September 2014.

In September 2011, the DfE announced the initiation of 20 SEN and Disability Pathfinder projects and Brighton and Hove became part of the South East Seven (SE7) project of seven neighbouring LAs in the south east under the leadership of East Sussex. The purpose of Pathfinders is to test the key proposals in the SEN and Disability Green Paper, as although the Green Paper had stated the current SEN system was not fit for purpose, there was little evidence available about what might work better.

On 6th November 2012, the DfE announced the extension of the Pathfinders for 18 months to run through to September 2014. Brighton and Hove is currently considering its position in relation to the invitation to the LA to extend its current project very considerably to meet a new set of performance indicators.

New SEN Partnership Strategy

On 30.11.12, Brighton and Hove launched its new SEN Partnership Strategy at an over-subscribed conference of all key stakeholders, including parents. This strategy has been steered throughout by the SEN Partnership Board made up of a range of partners from education, health and social care and also of parents, chaired by the Lead Commissioner Learning and Partnership. The new strategy replaces the former strategy which ran from 2007 to 2012 and achieved many successes in promoting better inclusion across the City and improving value for money in SEN spending.

Under the strapline 'Better outcomes, better lives' for children and young people with SEN and disabilities, the strategy sets out actions under five priority areas:

1. To improve outcomes and combat disadvantage
2. To improve the assessment and identification of SEN and disabilities across all agencies
3. To create and ensure high quality provision
4. To work proactively and collaboratively with parents, children and families
5. To improve transition arrangements post 16 and services for young people up to the age of 25

Data in this report

SEN data is collected nationally and locally in the January census. The key exception is data on pupil achievement which is based on national tests and public examinations taken in the summer term, with results becoming available over the autumn term.

All nationally reported data in this report, apart from pupil achievement data, is therefore based on the year from January 2011 to January 2012. National census data from the January 2013 census, which is still on-going, will not be published until October/ November 2013. However much has happened in the 13 months since the January 12 census and where possible this report will include internal data to January 13. This data continues to show a positive direction of travel.

The Prevalence of SEN in the city.

	School Action	School Action Plus	Non Statemented %	Statemented Pupils in B&H Mainstream Schools	B&H maintained School Population
Jan-09	4207	2421	22.00%	515	30062
Jan-10	4464	2662	23.90%	521	30250
Jan-11	4200	2773	23.40%	484	29822
Jan-12	4308	2879	21.10%	506	30035

PUPILS WITH STATEMENTS OF SPECIAL EDUCATIONAL NEEDS

As at January each year: 2009-2012

	2009	2012
ENGLAND	2.8%	2.8%
Stat Neighbours	2.7%	2.7%
B & H	3.5%	3.3%

PUPILS WITH SEN BUT WITHOUT A STATEMENT

As at January each year: 2009-2012

	2009	2012
ENGLAND	17.9%	17.0%
Stat Neighbours	19.1%	18.2%
B & H	20.1%	21.1%

As at January each year: 2009-2012

Will add local data on position in January 2013 once collated

Since 2009 there has been a decrease in the percentage of pupils with a Statement of Special Educational Needs while over the same period the equivalent for England and or statistical neighbours remained constant. However the percentage of statements of SEN in the City remained higher than the national average to Jan 12, although it needs to be noted that this percentage includes a proportionately high number of pupils with Statements from neighbouring authorities in B&H schools and particularly certain special schools such as Downs View.

**NUMBER OF PUPILS WITH A STATEMENT MAINTAINED BY BHCC
2009 - 2012 (SEN2)**

	2009	2010	2011	2012	% Change since 2009
ENGLAND	228,895	228,220	229,015	230,155	0.55%
Statistical Neighbours	11,665	11,685	11,830	11,815	1.28%
Brighton and Hove	1,065	1,050	1,010	975	-8.45%

Since 2009 we have witnessed an annual reduction in the number of statements maintained by the Local Authority year on year (i.e. excluding Statements maintained by neighbouring LAs where the child attends a B&H school). At the same time there has been a corresponding increase both nationally and amongst our statistical neighbours.

**Maintained Special School Provision
(School Census January 2012)**

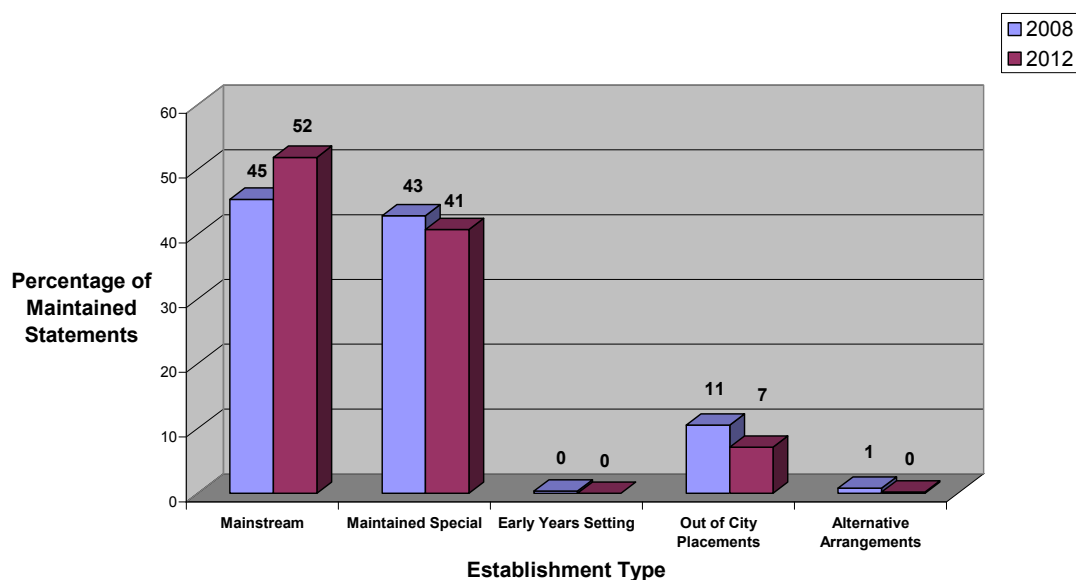
	2009	2010	2011	2012
Cedar Centre	111	94	77	78
Downs Park	88	84	70	76
Patcham House	54	48	44	46
Hillside	50	54	60	60
Downs View	115	105	106	110
ACE	56	52	44	47
total	474	437	401	417

Data for 2013 is showing a decrease and a further decrease will occur in Sept 13 as 11 places have been de-commissioned across the special school sector – to be inserted

Placement of pupils with statements of SEN (SEN2 January Census)

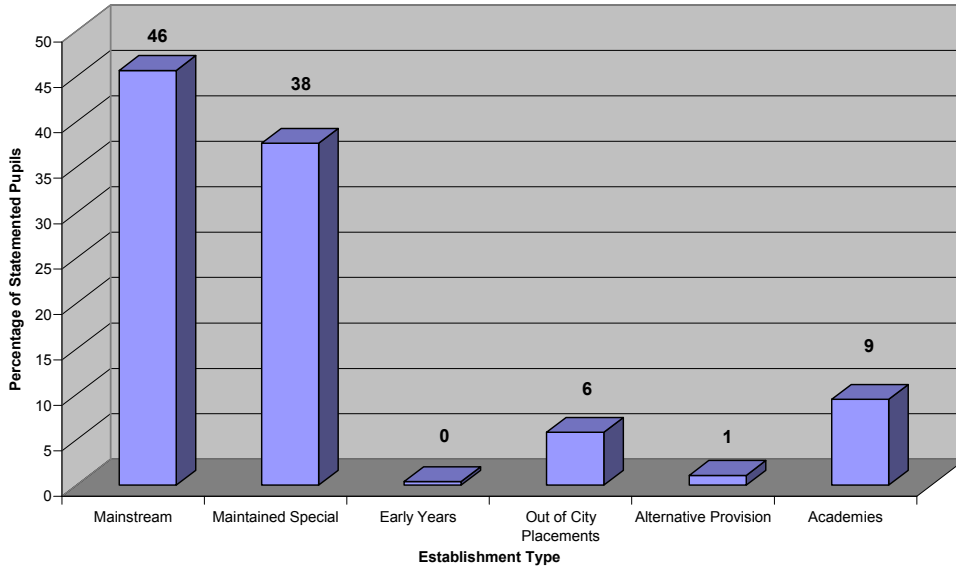
School Type	2009	2010	2011	2012
Mainstream	515 (48%)	533 (51%)	529 (52%)	507 (52%)
Maintained Special	435 (41%)	410 (39%)	386 (38%)	398 (40%)
Early Years Setting	5 (0%)	2 (0%)	0 (0%)	0 (0%)
Out of City Placements	102 (10%)	97 (9%)	88 (9%)	70 (7%)
Alternative Arrangements	10 (1%)	5 (0%)	6 (0%)	2 (0%)
Total	1067	1047	1009	977

Placement by Establishment Type



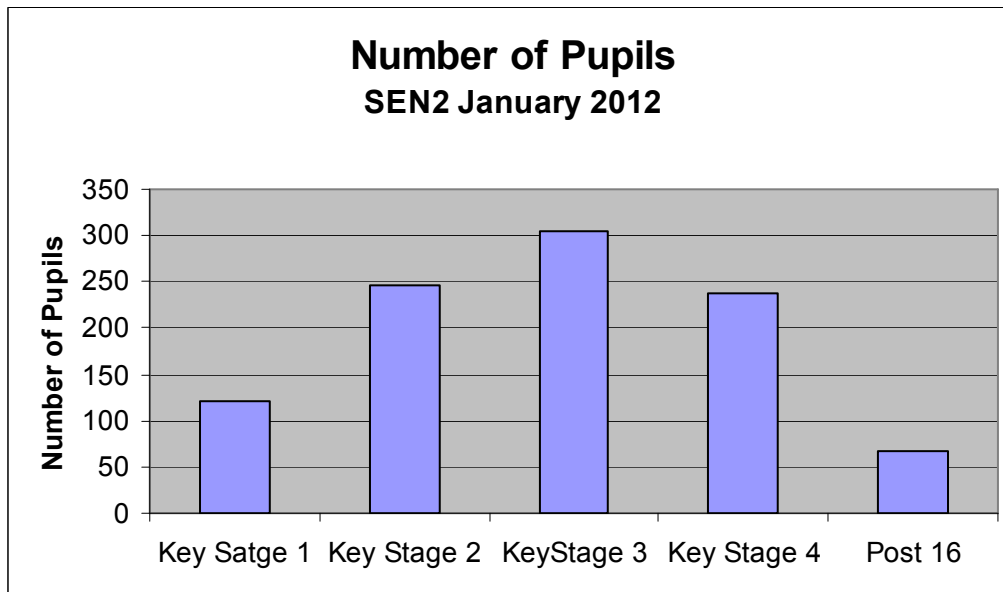
Whilst the number of statements maintained by B&H has decreased over the years the proportion of those educated in a mainstream setting has increased. This reflects the progress of our inclusion agenda and brings us significantly closer to the national profile.

Placement of Statemented Pupils By Establishment Type

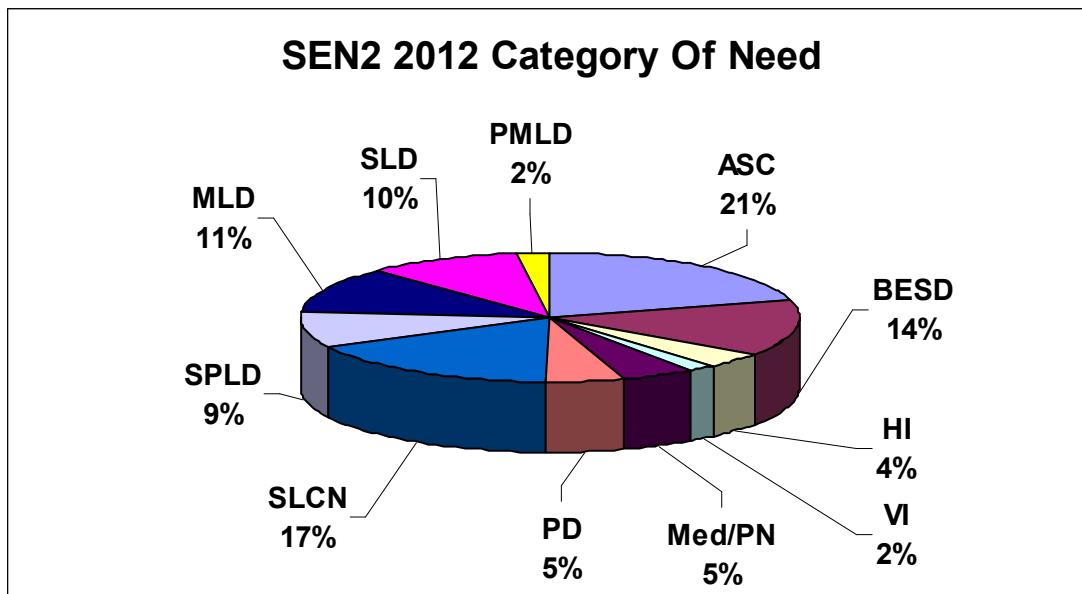


As at January 2012, the national profile for the placement of statemented pupils and that of Brighton & Hove is very similar. In the latest data release, nationally, academies were represented as a single entity (both mainstream and special); in Brighton & Hove all of our academies are mainstream and as such are incorporated in to the mainstream figure.

When looking at the age profile of pupils with Statements of SEN, almost two thirds are for secondary aged pupils.



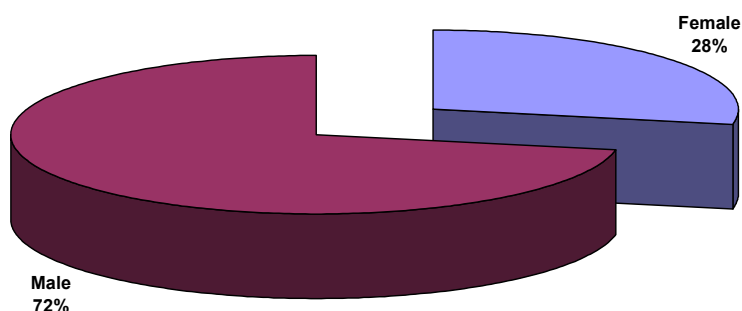
SEN Key	
ASC	Autistic Spectrum Condition.
BESD	Behaviour, Emotional & Social Difficulties
HI	Hearing Impairment
Med/PNI	Medical/Physical and Neurological Impairment
MLD	Moderate Learning Difficulty
PD	Physical Difficulties
SLCN	Speech, Language and Communication Needs
SLD	Severe Learning Difficulty
SpLD	Specific Learning Difficulties
VI	Visual Impairment



Data on category of need for pupils with SEND shows that the largest group are pupils with Autistic Spectrum Condition, with Speech, Language and Communication Needs the second largest and Behaviour, Educational and Social Needs the third.

Gender Analysis

Maintained Statements by Gender - January 2012



Boys are almost two and a half times more likely to have a statement than girls.

Social Deprivation - Links between SEN and Poverty

SEN Category Of Need	Percentage of Pupils in receipt of FSM
Autistic Spectrum Condition	22%
Behaviour, Emotional and Social Difficulties	51%
Hearing Impaired	47%
Medical	8%
Moderate Learning Difficulties	45%
Physical Difficulties	33%
Profound and Multiple Learning Difficulties	22%
Speech, Language and Communication	34%
Severe learning Difficulties	31%
Specific Learning Difficulties	36%
Visually Impaired	25%

In 2012 34.3% of pupils with SEN were also eligible for Free School Meals (FSM). However there was very significant variation in relation to this overlap between categories of need. Notably, over 50% of pupils with a BESD statement are eligible for FSM whereas only 22% of those with a statement for ASC are eligible and only 8% of those with medical needs.

Priority 1 of the SEN Partnership Strategy aims to improve outcomes and combat disadvantage for pupils with SEN. We will be working hard to combat the overlapping disadvantages of poverty and SEN by ensuring a strong initiative to narrow gaps in achievement for both the SEN and FSM groups, recognising the high percentages of pupils in both groups.

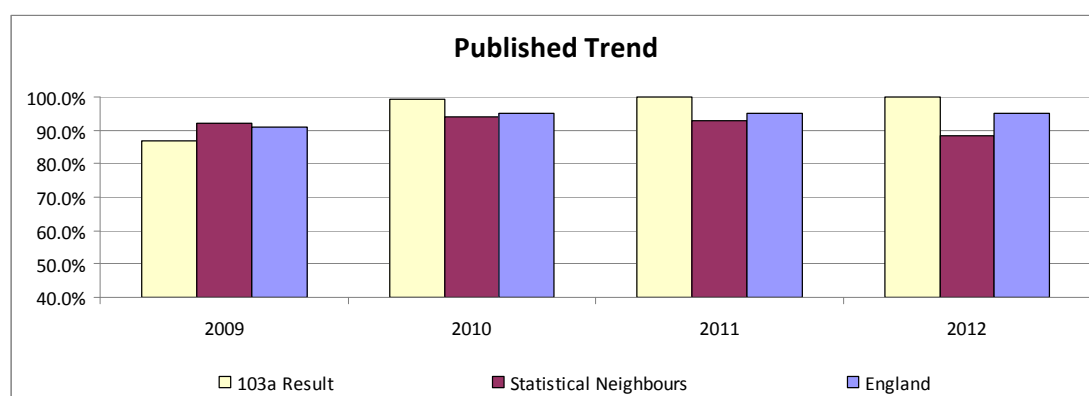
SEN Assessment

Priority 2 of the SEN Partnership Strategy looks at improving further the identification and assessment of SEN. This area of work is changing with the new Education, Health and Care Plans (EHCP) being introduced in the Children and Families Bill and which are also currently being produced in the City as part of the work of the Pathfinder.

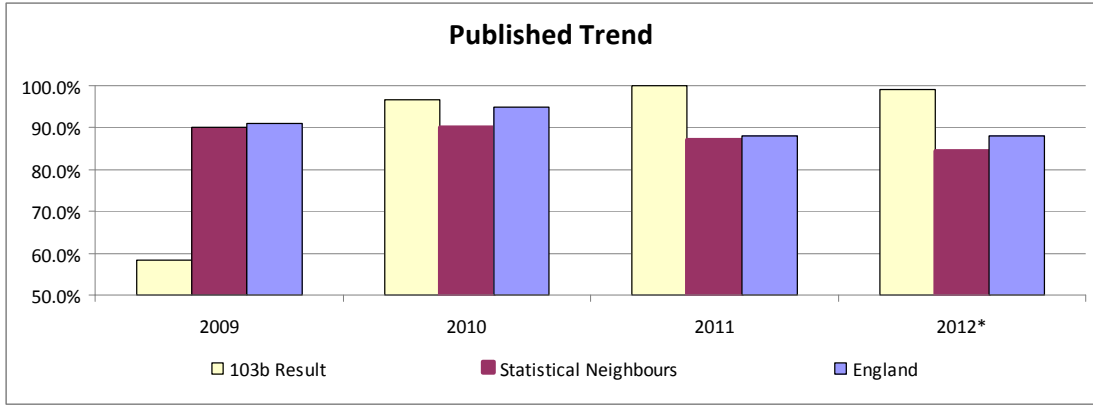
Meantime the SEN team continues its exemplary record in completing statutory assessments within national deadlines.

The Department of Education closely monitors the performance of the assessment process and this year the SEN team successfully issued all statements (both proposed and final) within the suggested guidelines. This achievement places B&H well above both our statistical neighbours and the average for England with 100% of statements issues within 26 weeks excluding exceptions.

Final Statements issued within timescales including and excluding exceptions



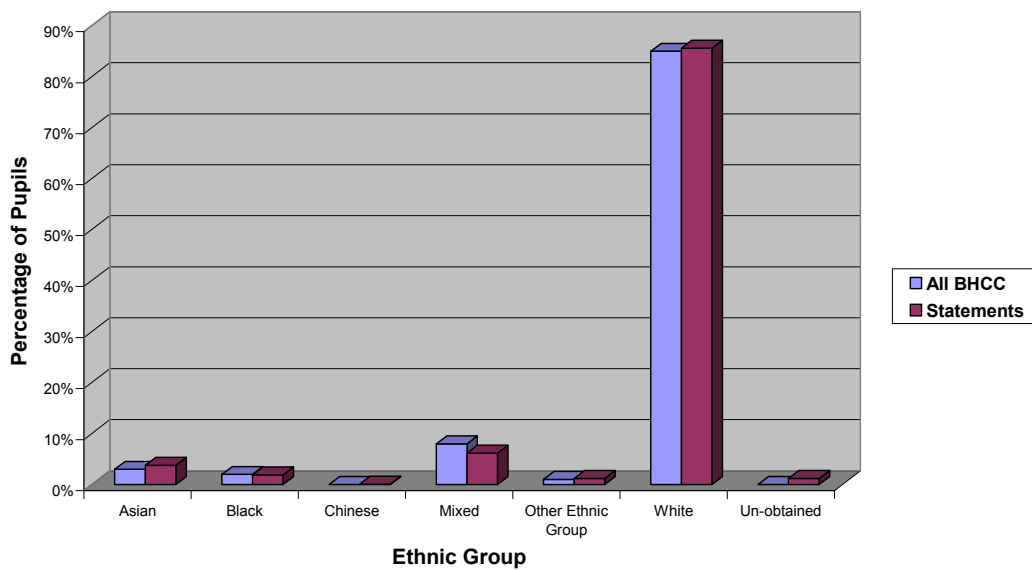
N103a: Number of final statements issued within 26 weeks excluding exceptions.



N103b: Number of final statements issued within 26 weeks including exceptions.

Ethnicity

Ethnicity Analysis



Reviewing pupils with Statements by ethnic background, the table above shows that the distribution of statements is very similar to the distribution of ethnic groups overall and shows no particular bias in this regard.

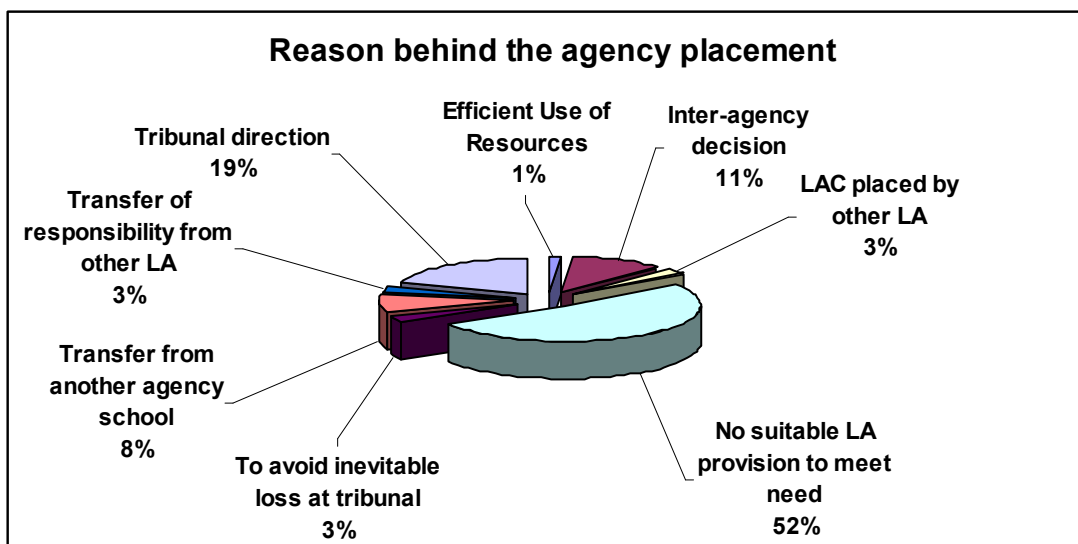
Agency/ Out of Authority Placements

In line with national trends and targets, Brighton & Hove has continued to focus on reducing the overall number of Out of Authority Placements and the table below shows the achievements over the last five years. We report on the number of Agency Placements in two different ways. From a budgetary point of view we calculate the Full Time Equivalents (FTE) and this includes all pupils placed in that particular financial year. For census statistics we use the Numbers on Roll (NOR) at a given point in time. When comparing year on year we use the SEN2 census which takes place in January each year.

	FTE	Agency Budget – Year End	unit cost
Apr-09	109	£3,761,167	£34,506
Apr-10	95	£3,452,942	£36,349
Apr-11	79	£3,002,159	£38,002
Apr-12	63	£2,422,871	£38,458

The SEN Team supported by our colleagues in schools and our partner agencies, has been very successful in bringing about this reduction and the impact on pupil numbers and the actual impact on the budget is very noticeable. The LA has worked very closely with the maintained sector, both mainstream and special, in order to bring about more appropriate local provision. We have not only been successful in our attempts to prevent pupils from going in to Out of Authority Placements, we have had some success in taking pupils out of these placements and re-integrating them in to maintained provision. One particular area of success has been in securing local provision in our mainstream schools for pupils with complex physical and medical needs.

Together ASC and BESD account for over 50% of Agency Placements, and pupils that fall in to these two categories have complex needs, including social or mental health issues, and appropriate local provision is hard to find. However, the number of placements needing to be made solely because our local school provision is at capacity has reduced this year.



- Tribunals – over 50% relate to Northeast Manor School
- The placement of some pupils in agency schools occasionally breaks down, and we take this opportunity to review whether the pupil can be returned to B & H provision.
- Looked After Children (LAC) – the majority of these placements are the result in changes in residential needs of LAC
- No Suitable LA Provision - This category includes schools like Hamilton Lodge, for pupils whose first language is British Sign Language (BSL), which we view as part of our continuum of provision, as we do not make this provision ourselves.
- Transfer from other authority – we have a responsibility to maintain the provision named in the statement for pupils that move in to the authority. It is not uncommon for families to move to Brighton & Hove to be nearer the school named in the child's statement. There are several agency schools in our area.

The LA has recognised the work done by the maintained schools and has been able to divert much of the budget savings in to local provision. In the current financial year every mainstream school has received an additional sum of money delegated via the schools funding formula as well as extra monies targeted towards behaviour support programmes.

Development of Special Schools and Special Facilities

Priority 3 of the new SEN Partnership Strategy seeks to improve further the quality of provision for children and young people with SEN in all settings.

In relation to special schools and special facilities, a commissioning report will give an overview of all developments, linked to intelligence on numbers of pupils and types of SEN in the system and also linked to the new High Needs Block funding formula which will be introduced in April 2013.

From 2013, there will be 11 fewer commissioned special school places and 18 fewer special facility places as the SEN team in response to reduced demand. However specialist places are being re-designated where necessary to increase the specialism of provision and to offer a credible alternative to out of City agency placements.

Currently all of the 6 special schools in the City have a good or outstanding judgment from their previous Ofsted inspection. However in the context of the new tougher Ofsted framework, special schools have been categorised in line with all schools according to the LA's view of the level of support they need. Three special schools have been assigned a 'low support' category, two have been assigned a 'medium support category' and one a 'high support' category. In the case of the latter 'high support' school, there is significant LA intervention currently to help the school improve the quality of provision and prepare for Ofsted inspection.

Changes to Special Needs Education post-16

Priority 5 of the new SEN Partnership Strategy aims to improve transition post 16 for young people with SEN and up to age 25 in line with proposed new legislation.

In April 2010, the local authority inherited the responsibility for providing all of the necessary education and training for special needs pupils between the ages of 16 and 25 from the Learning Skills Council (LSC). We are now responsible for the assessment and placement of all young people with learning difficulties. Central Government determined that it is the LA who is best placed to determine the needs of these young people and as such it was decided to disband the LSC. As a result, staff previously employed by the LSC have now been transferred to local authorities across the country. Here in Brighton & Hove, seven members of LSC staff are now employed by the local authority.

It is recognised that the complexity of these changes to post-16 provision will inevitably lead to a certain degree of anxiety amongst the learners and their carers. It is with this in mind that the SEN Team and Youth Employability Service (YES) staff will work closely together to ensure that all of these changes meet the needs of these young people and address any concerns of their carers. We are working with our geographical neighbours to ensure that there is a uniform approach to this provision across the region.

Proposals are out to consultation currently to merge the SEN and YES teams in the LA to support the better provision of a seamless assessment service from 0-25 for young people with SEND.

Appeals to SENDIST (Special Educational Needs and Disability Tribunal)

Priority 4 of the SEN Partnership Strategy is to work proactively with parents, children and families and one data set that gives an indication of the confidence of parents in the system is the rate of parental appeals to the SEN Tribunal.

Since the number of registered appeals peaked at 39 in 2011/12, there has been a dramatic reduction this academic year. From 1.9.12 – 31.1.13 there have only been 7 registered appeals. Of these only 3 are current at the present time. The recent fall in the number of appeals has been matched by a marked increase in the number of appeals found in favour of the LA (5 in a row) in recent months. This has been achieved within a context of careful budget management and reducing costs of out of City (agency) placements.

While some appeals are inevitable in all LAs, the approach of the SEN team over the last six months has differed productively in two key respects:

1. A new SEN Panel has been introduced of key stakeholders in all school phases and officers with the purpose of making fair, equitable and transparent decisions based on published criteria linked closely to the SEN Code of Practice
2. The SEN team has adopted a supportive and problem-solving approach where families may have issues with the support on offer – the increased flexibility and additional time spent negotiating with families has paid dividends

Tribunal figures are recorded by the academic year in which the appeal is lodged. However it is important to note that the SENDIST process can take up to 5 months from the date they are lodged so a number of the appeals for academic year 2011/12 will not be concluded until the autumn term of academic year 2012/13.

Total number of appeals in each academic year

2004/05	2007/08	2008/09	2009/10	2010/11	2011/12
15	24	18	27	25	39

Since the start of the current academic year the number of tribunals lodged has decreased significantly, so far there have been 5 appeals lodged. 3 of the appeals are still ongoing, one has been conceded and one was resolved.

SENDIST Outcomes

	2007/08	2008/09	2009/10	2010/11	2011/12
Parental upheld	5	7	4	8	3
Withdrawn by Parents	12	6	11	4	16
Parental dismissed	7	1	2	5	7
Withdrawn by LA		4	10	8	12

Achievement

The new SEN strategy has a focus on 'outcomes rather than processes' and there is a major focus within priority 1 of the strategy on increasing pupils' achievement and on narrowing the gaps between pupils with and without SEN. There is much to be done here as SEN achievement still lags way behind the achievement of other pupils. However there has been an encouraging and positive trend of improvement which is continuing in all but Key Stage 4. A key focus is thus to work with the secondary school Compact to tackle both attainment and SEN gaps as a priority for the coming year.

Data covers at least the last five years in establishing trends with latest figures from summer 2012.

Early Years

NI 92 Foundation Stage - Narrowing the Gap

Results	2007	2008	2009	2010	2011	2012
B&H	35.0%	35.9%	32.2%	27.7%	27.9%	27.8%
Target	30.9%	28.4%	28.3%	27.9%	N/A	N/A
Stat Neighbours	35.0%	34.0%	32.0%	30.7%	30.8%	30.0%
England	37.3%	35.6%	33.9%	32.7%	31.3%	30.1%

There is a positive and improving trend in Early Years Foundation Stage (EYFS). B&H has continued to narrow the gap between the median and the lowest achieving 20% of the population. The gap is narrower than our statistical neighbours and the national figure.

KS1

Key Stage 1 Reading Level 2+ (SEN gap)

Results	2008	2009	2010	2011	2012
B&H Gap	42.4%	43.4%	43.3%	40.6%	35.5%
SN Gap	47.5%	42.9%	41.8%	42.4%	40.2%
England Gap	44.2%	43.1%	42.8%	43.0%	40.1%

Key Stage 1 Writing Level 2+ (SEN gap)

Results	2008	2009	2010	2011	2012
B&H Gap	42.4%	44.7%	46.6%	44.7%	45.5%
SN Gap	51.4%	47.9%	48.3%	48.3%	47.7%
England Gap	49.6%	48.6%	48.6%	49.0%	46.9%

Key Stage 1 Maths Level 2+ (SEN Gap)

Results	2008	2009	2010	2011	2012
B&H Gap	27.4%	27.5%	29.1%	24.7%	23.4%

SN Gap	31.8%	31.1%	32.9%	31.9%	31%
England Gap	32.2%	32.5%	32.8%	33%	31%

There is a positive and improving trend at KS1 in Reading and maths. In writing, outcomes for pupils with SEN were more mixed.

For both maths and English, results in 2012 were the highest for five years and the SEN gap the lowest in five years. The gap was significantly less than the national and statistical neighbour gap.

In writing, very slightly fewer pupils (0.3%) with SEN achieved Level 2 than in 2011, and the gap increased by just under 1%. However the B&H gap is still less than the England and statistical neighbour figures.

Key Stage 2 Level 4+ (Gap in attainment for SEN pupils)

Current Performance

Results	2007	2008	2009	2010*	2011	2012
B&H SEN	41%	42%	43%	43%	37%	43%
B&H Non SEN	86%	90%	88%	93%	87%	92%
B&H Gap	45%	48%	45%	50%	50%	49%

Year Trend Data and Targets

Results	2007	2008	2009	2010*	2011	2012
B&H Gap	45%	48%	45%	50%	50%	49%
SN Gap	49%	48%	50%	52%	55%	51%
England Gap	52%	54%	53%	53%	50%	49%

There is a positive and improving trend at Key Stage 2.

Pupils with SEN achieved their best ever results in English and maths in 2012 (discounting 2010 which is the year of the SATS boycott and thus not a reliable direct comparator). There was an improvement of 6 percentage points from 2011 to 2012. The gap narrowed by one percentage point remaining equal to the national average and 2 percentage points below the statistical neighbour average.

Key Stage 4 % 5+ A*-C GCSE (Including Maths and English) and SEN gaps

Current Performance

Results	2006	2007	2008	2009	2010	2011	2012
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B&H SEN	5%	8%	15%	12%	13%	22%	19%
B&H non SEN	51%	52%	55%	56%	62%	66%	69%
B&H SEN cohort		454	560	572	649	690	585
B&H Non SEN cohort		1850	1778	1717	1718	1632	1628

Published Trend Data

Results	2006	2007	2008	2009	2010	2011	2012
B&H Gap	46%	44%	42%	44%	49%	44%	51%
SN Gap	41%	45%	47%	47%	49%	50%	50%
England Gap	43%	44%	45%	45%	46%	48%	47%

The trend here is not positive with fewer pupils with SEN achieving the national threshold and a widening gap between pupils with SEN and their peers.

After a number of years of continuous improvement in terms the number of pupils with SEN gaining 5+A*-C grades including English and maths, there was a fall of 3 percentage points from 2011 and a widening of the gap by 7 percentage points to a level above both the national and statistical neighbour averages.

B%H secondary schools conduct their own school improvement via a Compact agreed with the LA. While there are benefits to this system, the LA will be reviewing data on outcomes for pupils with SEN with secondary schools to put in place a strategy for improvement.

Appendix

Education Demographics

0-19 Population (2001 Census)	52576
Total School Population (including Independent Schools)	34760
B&H Maintained Population (PLASC returns 2011)	29822

SEN Key	
ASC	Autistic Spectrum Condition.
BESD	Behaviour, emotional & social difficulties
HI	Hearing impaired
Med/PNI	Medical/Physical and Neurological Impairment
MLD	Moderate learning difficulty
PD	Physical disability
SLCN	Speech, Language and Communication Needs
SLD	Severe learning difficulty
SpLD	Specific learning difficulties
VI	Visual Impairment

