



**Open Report on behalf of Heather Sandy, Executive Director – Children's Services**

Report to:	<b>Lincolnshire Schools' Forum</b>
Date:	<b>20 January 2022</b>
Subject:	<b>Autism and Learning Difficulties Service</b>

**Summary:**

The purpose of the report is to:

1. Provide an overview of the findings from the review of the Autism and Learning Difficulties Service.
2. Seek support from the Lincolnshire Schools' Forum on the recommendation to recommission an Autism and Learning Difficulties Service funded from the High Needs block of the Designated Schools Grant.

**Recommendation(s):**

Lincolnshire Schools' Forum is asked to note the content of the report and to support the recommendation to the Council's Executive to continue to fund an Autism and Learning Difficulties Service from the High Needs block of the Designated Schools Grant.

**Background**

Since 2015, Lincolnshire County Council's Children's Services has commissioned an Autism and Learning Difficulties (ALD) Service (also referred to as Working Together Team<sup>1</sup>) on behalf of Lincolnshire schools and academies to provide support for autistic pupils and pupils with mild, moderate and severe learning difficulties and social communication challenges which impact on their cognitive development and learning. Lincolnshire Schools' Forum previously supported the recommendation to commission an ALD Service, which would be funded through the Designated Schools Grant (DSG).

The ALD Service is a term time only service and is one of three separate but complimentary outreach support services for schools that are part of the Inclusive Lincolnshire Strategy to help build resilience across schools to support all pupils and promote a collective responsibility to reduce exclusion. In addition to direct targeted outreach support delivered within schools, the service provides training and workshops to

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<sup>1</sup> The Working Together Team is a collaborative body formed between three special school academies in Lincolnshire: Lincolnshire Wolds Federation, Spalding Special Schools Federation and Gosberton House Academy.

empower and up-skill school staff with the knowledge, tools and confidence to create inclusive autism-friendly environments and support pupils to remain in their mainstream settings.

The ALD Service commenced in September 2015, following an expression of interest process to Lincolnshire special schools and the lead provider for the current agreement, on behalf of the Working Together Team, is Gosberton House Academy. The current agreement is due to end 31<sup>st</sup> August 2022 and a commissioning review of the ALD Service commenced in February 2020. The current annual value of the agreement is £617,500.

The service has also been considered as part of a wider review of other emotional wellbeing and behaviour outreach support services available in Lincolnshire and as part of the SEND Transformation Project and the Building Communities of Specialist Provision Together in Lincolnshire in relation to SEND workforce development.

The Joint Local Area SEND Inspection (2018) identified the joint commissioning with schools as good practice to reduce fixed term and permanent exclusions of children and young people (CYP) with SEND.

A recommendation is being made to the Council's Executive on the 1<sup>st</sup> February 2022 to re-commission an ALD Service. It is considered good practice to inform the Schools Forum when key decisions are to be made on central spend to High Needs block provision.

Subject to agreement by the Council's Executive, Lincolnshire special schools and academies within the Lincolnshire SEND Alliance will be asked to put forward an expression of interest (EOI) to provide the service. The agreement would commence 1<sup>st</sup> September 2022 for three years initially, with an option to extend for up to a further two years to 31<sup>st</sup> August 2027.

Lincolnshire Schools' Forum is asked to support the recommendation to continue to fund an ALD Service from the DSG. The key findings from the review to support this recommendation are summarised below:

#### Service Performance

- The ALD Service is rated 'Good' in terms of performance and has received positive feedback from service users who have accessed it. The Service has supported the Inclusive Lincolnshire Strategy to address the previously rising and unsustainable rate of permanent exclusions in Lincolnshire schools.
- The Working Together Team has received a national commendation from the National Autistic Society (NAS) following NAS's Autism Accreditation Review and was awarded an Advanced Award. They also hold the exclusive licence to deliver Autism Education Trust (AET) accredited training in Lincolnshire.
- There is still a high demand from schools for the service to deliver interventions and hold onto cases; 83% of the CYP (840 out of 1,120) were seen actively at the start of the 2020/21 academic year and as at the end of July 2021, 62% of CYP were seen actively.

- Only schools should refer to the service and during the 2020/21 academic year 492 referrals were received (94% of which were accepted). A further 390 CYP were supported via pre-referral or planning discussions.
- 40% of the referrals were for transition support for children due to transition from early years into primary. More training needs to be offered for the early years workforce in order for them to be more confident in supporting the needs of young children with SEND, and their families and to directly support transition to school without the need for referral. In addition, clearer pathways/multi-agency partnership working is needed between Health Visitors, Early Years Specialist Teachers and Portage Workers at the point of the request for transition support to ensure children and their families are receiving the right support, at the right time and by the right professional.
- There needs to be a stronger focus on more universal training and workshops being available to Lincolnshire schools and academies, alongside parents/ carers and ensuring the training and workshop offer has been fully utilised before a referral for outreach support is considered. This includes ensuring schools are fully embedding the AET principles as part of their whole-school approach to meeting the needs of autistic pupils.
- The number of CYP transferring to in-county specialist provision whilst being supported by the Service has increased and the number of CYP with an EHCP is also increasing. In addition to maintaining a focus on driving down exclusions of pupils with SEND, there needs to be a key focus on more pupils being supported to remain in their mainstream settings (where appropriate), without the need for specialist provision and more pupils having their needs met without the need for an EHCP.

### Statutory Duties

The Council has no explicit statutory duty to provide an ALD Service, however the Service supports the Council's statutory duties outlined below. These include some statutory duties that are also relevant to academy trusts:

- The **Autism Act 2009**: to support the needs of autistic people in the community; including supporting young people move into adulthood.
- **Section 17(1)** of the **Children Act 1989**: to safeguard and promote the welfare of children in need in their area; providing a range and level of services appropriate to those children's needs.
- The **Health and Social Care Act 2012**: to address health inequalities of CYP.
- The **Children and Families Act 2014**: LAs and health bodies to work in partnership when commissioning provision for CYP, including CYP with SEND; includes supporting CYP with their development and helping them to achieve the "best possible educational and other outcomes". **Part 3** of the Children and Families Act 2014 specifically relates to CYP with SEND.
  - **Section 25**: to ensure the integration of educational provision and training provision with health and social care provision where this would promote the wellbeing of CYP with SEND and improve the quality of the provision available to CYP with SEND.
  - **Section 44**: reviews and reassessments for pupils with EHCPs, including pupils permanently excluded in order to identify the most suitable new education provision.

- The **Special Educational Needs and Disability Code of Practice: 0 to 25 years, 2015:** legal requirements that must be followed; explains Part 3 of the Children and Families Act, 2014.
- The **Education Act 1996, 2002 and 2011** to ensure the welfare and inclusion of and promoting high standards of education for children and young people. These include:
  - **Section 19** of the **Education Act 1996:** to make arrangements to provide "suitable education at school, or otherwise than at school" for compulsory school aged pupils, including pupils excluded from school. This includes making arrangements for suitable full-time education for pupils permanently excluded no later than the sixth day of the exclusion.
  - **Section 51A** of the **Education Act 2002:** LAs (or academy trusts) to arrange independent review panel hearings where parent/carers appeal against a governing body decision not to re-instate the pupil; must be arranged within 15 school days from the day the parent/carer application was made.
  - **Section 51A** of the **Education Act 2002** and the **Education (Amount to Follow Permanently Excluded Pupil) Regulations 1999:** financial statutory guidance for LAs following a permanent exclusion, including arrangements for adjusting budget shares for maintained schools and pupil referral units and arrangements LAs may wish to enter into with academy trusts.
  - The **Equality Act 2010:** all public bodies to ensure they play their part in making society fairer by tackling discrimination, promoting equality of opportunity for all and fostering good relations.

#### Needs Summary

- The general population of CYP in Lincolnshire has increased and so proportionally numbers of CYP with SEND would be expected to rise. There has been a rise in the number of CYP with an EHCP (increased by c.37% between January 2018 and January 2021) and a rise in the number of CYP attending special school in Lincolnshire (increased by c.15% between May 2016 and May 2021).
- Prevalence data suggests there could be c.1,245 autistic CYP of school age in Lincolnshire. In one year alone (2019) the Community Paediatrics Service received 1,081 referrals for an autism assessment and c.50% of CYP were diagnosed as autistic. This is a high diagnostic rate. Improved pathways have been developed to prevent misdiagnosis and provide more joined up support with CAMHS.
- The percentage of CYP with a primary need of Autism Spectrum Disorder (ASD) accessing SEN Support has slightly increased (6.7% 2018; 7.1% January 2021) but there has been a slight decrease in the percentage of CYP with a primary need of Moderate Learning Difficulty (MLD) or Severe Learning Difficulty (SLD) and despite rising EHCP numbers overall Lincolnshire has a smaller percentage of pupils in their state funded special schools with ASD and SLD than the England and regional average. This can be interpreted that despite potentially having more autistic CYP than prevalence data would suggest this isn't resulting in an over representation in special schools.

Approx % and actual number of pupils in state funded special schools with EHC/Statement with an identified primary need							
		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
Autism Spectrum Disorder	England	26% (26,041)	27% (28,790)	29% (32,276)	30% (35,627)	31% (39,471)	32% (42,965)
	East Midlands	22% (1,771)	25% (2,023)	26% (2,226)	26% (2,406)	29% (2,804)	30% (3,111)
	Lincolnshire	19% (319)	21% (360)	24% (425)	23% (426)	24% (459)	23% (461)
Moderate Learning Difficulty	England	16% (16,427)	15% (16,030)	14% (15,704)	13% (15,693)	12% (15,146)	11% (15,084)
	East Midlands	21% (1,723)	17% (1,433)	15% (1,332)	14% (1,274)	11% (1,108)	9% (988)
	Lincolnshire	(38%) (619)	28% (487)	23% (404)	18% (333)	15% (290)	12% (244)
Severe Learning Difficulty	England	24,888 (25%)	25,317 (24%)	25,832 (23%)	26,288 (22%)	26,846 (21%)	27,404 (21%)
	East Midlands	1,890 (24%)	1,969 (24%)	2,063 (24%)	1,992 (22%)	1,963 (20%)	1,981 (19%)
	Lincolnshire	15% (248)	16% (285)	17% (308)	16% (295)	14% (275)	13% (266)

\*Performance: red- worse than comparators, amber- on a par with comparators, green- better than comparators.

- In Lincolnshire the suspension and exclusion of pupils with SEND has reduced significantly, despite rising numbers of CYP with SEND. Lincolnshire is performing better than the England and regional average and most statistical neighbours.

		2015/16	2016/17	2017/18	2018/19	2019/20
% PX SEN pupils with EHCP	England	0.13	0.13	0.16	0.15	0.10
	East Midlands	0.16	0.22	0.22	0.15	0.10
	CIPFA Near Neighbours	0.28	0.32	0.23	0.21	0.16
	Lincolnshire	0.54	0.23	0.16	0.14	0.05
% PX SEN pupils without EHCP	England	0.32	0.35	0.34	0.32	0.20
	East Midlands	0.36	0.35	0.35	0.31	0.20
	CIPFA Near Neighbours	0.41	0.47	0.44	0.37	0.23
	Lincolnshire	0.62	0.36	0.35	0.36	0.16

\*Performance: red- worse than comparators, amber- on a par with comparators, green- better than comparators.

Stat Neighbours	PX rate as a % of school population for SEN pupils with an EHCP	Stat Neighbours	PX rate as a % of school population for SEN pupils without an EHCP
England	0.10		0.20
East Midlands	0.10		0.20
Derbyshire	0.34	Cornwall	0.42
Suffolk	0.31	Derbyshire	0.38
Staffordshire	0.25	Norfolk	0.37
Cornwall	0.16	Suffolk	0.32
Norfolk	0.15	N. Lincs	0.31
N. Lincs	0.14	Staffordshire	0.29
Cumbria	0.09	Worcestershire	0.23
Worcestershire	0.08	Cumbria	0.18
Lincolnshire	0.05	Lincolnshire	0.16

Nottinghamshire	Not Available	Nottinghamshire	0.07
North Northamptonshire	Not Available	North Northamptonshire	Not Available

- Children's Services is working with key partners to address the concerning trends outlined around increasing EHCPs and numbers in special school through its SEND transformation programme as well as supporting timely and appropriate assessment for ASD.
- Any ALD service in the future must continue to support autistic CYP and CYP with mild, moderate and severe learning difficulties and social communication challenges to thrive in mainstream schools with the right support from trained professionals. There must be a strong focus on supporting CYP's needs even without an EHCP.

### Evidence Summary

- CYP's experiences can have a profound impact on their emotions and behaviours and ability to learn, which can be more heightened for CYP with SEND. CYP are often perceived to have poor conduct or ADHD/ASD but are showing distress.
- Permanent exclusions can have many negative long-term consequences for all aspects of CYP's lives.
- Whole school approaches to ensure inclusive education for all CYP, including the upskilling of professionals and parents/carers, is essential to improving the lives of CYP with SEND and increasing their life-chances into adulthood.
- Any future ALD Service must continue to offer high-level training to schools to help staff understand the needs of autistic CYP and/or CYP with learning difficulties in order that schools are more confident and empowered to better support CYP within mainstream settings.
- It will be important for an ALD Service to have close/joint working with emotional wellbeing and Behaviour Outreach Support Services, SEND teams and Early Help as appropriate so that CYP and families can be supported both in school and at home.

### Stakeholder Engagement

- Case mapping and stakeholder engagement identified that service users highly valued the support provided as it helped to improve relationships between the CYP, school and family.
- Support worked best when the service, school, parents/carers and CYP worked together to plan the most appropriate support. particularly the direct intervention support, and strategies were more effective when both the school and parent/cares engaged in, and mirrored, the same approaches to supporting the CYP.
- Headteachers and Special Educational Needs Coordinators (SENCOs) considered the Service to be knowledgeable and responsive.
- There needs to be a stronger focus on supporting Lincolnshire's graduated approach to meeting the needs of Lincolnshire CYP.
- There also needs to be a stronger focus on more high-level consistent and equitable universal training and workshops being available to Lincolnshire schools and academies, alongside parents/carers and other professionals (including Early Years) which is coordinated and advertised via the Lincolnshire SEND Workforce Development offer and fully utilised before a referral for outreach support is considered.

## **Recommended Model**

The ALD Service should continue to focus on providing support to Lincolnshire schools and academies during term time to continue the positive impact on reducing the number of CYP with SEND being excluded from school. The service should continue to provide support for autistic CYP and CYP with mild, moderate and severe learning difficulties and social communication challenges and continue to participate in accredited training programmes such as NAS and AET.

### **Training and Workshops Offer**

The ALD Service will continue to offer resources and training and workshops in person, online and virtually as appropriate. The centrally held training and workshop offer will be coordinated with and offered through the Lincolnshire SEND Workforce Development Service to ensure a coordinated and inclusive offer that is part of a suite of training available via a range of different partners. The training offer will be available to mainstream settings, special schools and the wider early years workforce. It will also continue to include NAS and AET accredited training.

There will be a greater emphasis on the training and workshop offer, with core and non-core training and workshops being available to professionals and parents/carers to help better understand and support the needs of autistic children and young people and/or CYP people with mild, moderate and severe learning difficulties. There will be an expectation that education settings fully access the training and workshops available to them.

There will be a stronger emphasis on the Service supporting education settings to embed the principles of the AET training into practice alongside utilising the tools developed through the Lincolnshire SEND Transformation Project e.g. the Valuing SEND Toolkit and Inclusion Toolkit.

### **Outreach Support**

Lincolnshire schools and academies will continue to be expected to access advice and guidance via Lincolnshire's AskSALL before the need for referral for ALD Outreach Support.

The ALD Service will be expected to work in partnership with Health Visitors, Early Years Specialist Teachers and Portage Workers when receiving requests for transition support for young children transitioning from their early years settings into their Reception Year to ensure the right support, at the right time and by the right professional. Where a request for transition support is accepted by the ALD Service there will be a stronger focus on working with the receiving primary school to ensure the school is confident in meeting the child's need when they transition into their Reception Year. Early years professionals requesting support via the ALD Service will be expected to access the training and workshops available to them via the Lincolnshire SEND Workforce Development offer.

Outreach support will remain a core offer of the ALD Service for Lincolnshire schools and academies, but only once schools have fully utilised the training offer available to them (unless there is an escalation of need). There will continue to be a strong focus on further

reducing permanent exclusions of CYP with SEND, but there will also be a strong focus on providing more support and challenge to education settings to ensure that more CYP can remain in their mainstream setting without the need for more specialist provision and increase the number of CYP who have their special educational needs supported without the need for an EHCP.

There will be a stronger emphasis on delivering evidence-based interventions alongside school staff to increase the confidence of schools and reduce the reliance on long-term support. Parents/Carers will be supported alongside professionals within education settings to ensure consistent and evidence-based strategies can be utilised within the home as well as the education setting. Schools and the ALD Service must work in a coordinated way with SEND, emotional wellbeing and BOSS services. There should be a child-centred multi-disciplinary team approach.

There will be a strong focus on ensuring the appropriate level of expertise is available to better support and challenge Lincolnshire schools and academies.

#### Funding Recommendations for a future ALD Service

The current funding for the ALD Service is £617,500 per annum which is met from the High needs block of the DSG and includes funding for 9FTE of ALD Outreach Workers who are employed on teachers' pay and conditions.

There are no efficiency savings that can be made against the current model due to the majority of the cost being attributed to the ALD Outreach Workers and costs associated with teachers' pay and conditions. Whilst staffing models would be at the discretion of the chosen partner, it is anticipated that there will be no reduction to the current ALD Outreach Worker staffing resource.

However, the High Needs Block of the DSG is under significant financial pressure and a financial analysis of actual spend against the current agreement to the end of August 2021 has been undertaken and it is anticipated that any future increase in staffing costs will be able to be met from the current funding envelope due to expected efficiencies in the supporting infrastructure and sundries due to the service being fully embedded. Therefore, it is recommended that the funding commitment against the High Needs Block of the DSG for the ALD Service remains at £617,500 or £3,087,500 over the lifetime of the agreement.

#### **Conclusion**

The evidence is clear that the ALD Service is perceived positively by schools, with both SENCOs and Headteachers highly valuing the support provided. It is also clear the support provided is having a positive impact on reducing permanent exclusions of CYP with SEND in Lincolnshire, supporting more autistic CYP and CYP with moderate to severe learning difficulties to remain in their mainstream settings, thus improving the lives of these vulnerable groups of CYP and their families in Lincolnshire.

Whilst it is recognised that the Council is under significant financial pressure both as a result of Covid-19 and the pressures on the High Needs Block of the DSG, further

investment in an ALD Service will continue to reduce exclusions for CYP with SEND through this early intervention and support approach, whilst also ensuring a strong focus on supporting the Council to meet its local priorities associated with Building Communities of Specialist Provision Together and the SEND Transformation Project. This will ensure more CYP with SEND can be supported within their mainstream settings, thus reducing demand on more specialist provision and therefore protecting the finite number of places in Lincolnshire special schools to those requiring further specialist support, and also supports more CYP to have their special educational needs met without the need for an EHCP.

A recommendation is being made to the Council's Executive in February 2022 to re-commission an ALD Service from 1<sup>st</sup> September 2022 through an expression of interest process to the Lincolnshire special schools and academies within the Lincolnshire SEND Alliance. The expertise of Lincolnshire special schools should be utilised to provide support to other schools across the county to ensure a sector-led approach. The schools in the SEND Alliance, which includes the current providers, are well placed to provide this service either individually or as a group and a competitive expression of interest process will ensure the highest quality and value for money support service is put in place.

Subject to the Executive's agreement, the Council will need schools to fully engage in the training and workshops offer available to them through a future service provision in order to work collectively to reduce the financial pressure on the High Needs Block of the DSG and ensure the funding recommendation for a future ALD Service provision is sustainable and delivers best value from its deployment.

## **Consultation**

### **a) Risks and Impact Analysis**

Despite, significant financial pressure on the High Needs Block of the DSG, the evidence is clear that not to re-commission an ALD Service would likely result in significant gaps in provision and put more CYP with SEND at risk of exclusions or not having their needs met within mainstream education and add more pressure on existing services as well as increased pressure on the High Needs Block of the DSG. In addition, it would:

- Likely result in increasing exclusions and more placements to alternative provision.
- Likely result in our most vulnerable CYP not being identified quickly and further increasing pressure on the DSG in relation to increasing EHCPs.
- Be a high risk of increased pressure on the Council (reputational and financial) in relation to meeting its statutory duties.
- Be a high risk to the Inclusive Lincolnshire Strategy and SEND Workforce Development Strategy (part of the Building Communities of Specialist Provision Together in Lincolnshire; schools identified AET and NAS accredited programmes offered by the ALD Service as essential to the SEND Workforce Development offer).
- Pose a risk to Lincolnshire's SEND Transformation Project and the High Needs Strategy.

## **Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

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