

17 March 2017

By email to: Lenehan.Review@education.gov.uk

ADCS submission to the Lenehan review of experiences and outcomes in residential special schools and colleges

1. The Association of Directors of Children's Services Ltd (ADCS) welcomes the opportunity to respond to Dame Christine Lenehan's call for evidence on the experiences and outcomes of children and young people in residential special schools and colleges. ADCS is the professional association for directors of children's services (DCS) and their senior management teams. Under the provisions of the Children Act 2004, the DCS is the chief officer responsible for the discharge of local authority functions with regard to education and children's social care and champion for children across wider children's services.
2. ADCS members welcome the government's focus on children and young people in residential special schools and colleges. Although not large in number, this cohort of children and young people generally have very complex needs and can be extremely vulnerable. Dame Christine's recent review, *These are our children*, commissioned by the Department of Health, focuses on children and young people with learning disabilities, autism and/ or challenging behaviour who are placed in in-patient settings. Children in assessment and treatment units and those in 52 week residential special school placements have a very similar profile of need. ADCS members have repeatedly stressed to officials from both the Department for Education and the Department of Health the need for more joined up working between the two departments to ensure a holistic approach to meeting the needs of this group of children. It is therefore frustrating that the Department for Education and Department of Health did not jointly commission one review exploring the needs of, and services for, children with complex needs.
3. Children and young people currently in residential special schools and colleges generally have high levels of need which are complex in nature, comprising of an autistic spectrum condition, learning disabilities and/ or behaviour that challenges or complex social, emotional and mental health needs (referred to as complex SEND). Such children will be supported in a range of special school placements, ranging from day placements to weekly, termly and full time (52 weeks). Generally, older children with more complex needs would be placed in longer-term residential special school placements.

4. Placements in residential schools may be seen as the best option to meet the needs of a child or young person for several reasons. Most commonly, such placements are made because local community based services are unable to meet complex SEND needs and/ or there is no highly specialist education provision available locally. For some children and young people, their needs are so complex that they are unable to live at home long-term. This can be particularly true for families who are unable to access wrap around services, such as family support, respite care and behavioural support. These are essential services which enable a young person, and their family to receive additional support which may prevent a crisis in the home. A number of local authorities provide such services however in the context of continued austerity and increasing demand for services, many early help and family support services are no longer available.
5. It is crucial that education, health and care plans address the shared partnership responsibility to meeting the needs of children and young people from the point at which the need for a plan is identified. Meeting needs effectively, including the needs of parents who are also carers, is crucial to minimise the need for residential special school placements as children get older. The wider determinants that lead to children moving to residential special schools must also be given active consideration. In particular, the importance of effective support for parents, plus the inclusivity of communities and the ability to provide wider activities and support for children and families where SEND is a feature.
6. It is predominately these issues which lead to children being placed in residential special schools. In some cases, where a residential placement is not considered by a local authority to be the best way of meeting needs, parental pressure and expectations can also be a key driver. Further, there is a perception that the LAs preferred placement choice can be over-looked in SEND tribunals in favour of parental choice. While parental choice is an important aspect of the education system, any request for a placement in a particular school, college or other institution must be balanced with the efficient use of resources.
7. The pattern of provision for children with complex SEND will vary across the country. Due to the specialist nature of the provision and the small number of children at a local level who require such high levels of support, children in residential special schools are likely to be placed outside of the geographical boundaries of their home local authority. Many local authorities are considering this area of provision and examining the ways in which they can reduce out of area complex SEND placements by increasing local capacity. Dame Christine may be interested in the work completed by the East Midlands region on increasing regional sufficiency to reduce distant SEND placements. The report can be found [here](#). Oxfordshire County Council has also submitted a detailed case study to Dame Christine's review team outlining work it is doing to establish the Endeavor Academy, a local highly specialist learning disability / autistic spectrum condition school with capacity to provide flexible overnight/ extended day care.

8. The way in which LAs commission placements in residential special schools will also vary. Some LAs will be part of regional/ sub-regional frameworks for residential special school provision, others may spot purchase placements. Other parts of the sector are exploring new models of commissioning, albeit focused on children's residential care, such as the cross regional residential project led by Buckinghamshire County Council and regional commissioning pilots for residential care funded by the DfE innovation programme. Although commissioning of residential school placements is out of scope of the innovation programme work, it would be interesting to see if there is any learning which can be shared from other commissioning focused innovation programme projects. It has always been more difficult to regulate the quality and price of residential school placements via local commissioning frameworks than residential care placements and opportunities to do this more effectively would be welcomed.
9. ADCS members are absolutely committed to improving outcomes for children and young people with special educational needs and disabilities. The SEND reforms have put the voice of the child and family at the heart of the education, health and care planning process. Much has been achieved since the introduction of the Children and Families Act 2014 and many local authorities continue their work to embed the reforms made to the system, however funding remains an issue. The views of children and young people themselves must be central to any review of experiences and outcomes in residential special schools and colleges. In December 2014, the children's commissioner published research on the views and experiences of children and young people in residential special schools, the results of which can be found [here](#).
10. In addition to education services, many residential special schools provide therapy and mental health services. Whole school therapeutic approaches, including services such as physiotherapy, occupational therapy and speech and language therapy, along with specific mental health input where needed, can be a key factor in meeting the needs of children and achieving positive outcomes.
11. There is a perception that in many cases, health services do not fairly contribute to the cost of complex SEND placements. As a result, LAs are providing additional funding to meet health needs or the placement may not go ahead/ breakdown. This is an increasingly important issue as children with complex medical conditions are able to live quality lives for longer due to medical advances but the ability to meet the totality of their needs in education environments requires effective partnership commitment and resourcing. There is a need for DfE and DoH to come together to develop joint guidance on the funding arrangements for complex SEND placements. The Children and Families Act places a duty on local authorities and partner commissioning bodies to put in place joint commissioning arrangements to plan and jointly commission the education, health and care provision for disabled children or young people and those with SEN. This requirement to work jointly for this cohort of children must be replicated at a national level.

12. Transition planning must start as early as possible for children and young people with complex SEND and must interface across health, social care and education. This is essential if children and young people with complex SEND are to receive the appropriate education and support services to stay in the local community. Equally important is transition planning to adult services for those young people who are returning home after they have left residential school and require support from adult services. This is crucial in order to avoid young adults entering long-term residential placements in adulthood.
13. The proposals to introduce a national school funding formula, along with the reforms to the high needs block, represent a redistribution of insufficient funding. ADCS members are concerned that the current proposals, linked to the increased independence of schools and the intense pressure to deliver academic results, will result in less inclusivity. Potentially, this unintended consequence of the funding reforms may increase the demand for more residential placements, as children with SEND in mainstream schools could become more marginalised and those with complex SEND who were previously attending special schools could be squeezed out.
14. Although this review is focused on residential special schools, it is important to view these as part of the wider education system. In order to support children with complex SEND to stay at home and in their local communities, local authorities need both powers to direct mainstream academy schools to admit children with SEND, and levers within the system to ensure that the admissions criteria for special school academies meet local needs. Such powers would help to drive inclusivity across the system, ensuring children are educated in the setting that can best meet their needs.
15. There will always be a need for residential school settings and they deliver some high quality outcomes. Our ambition is that they work as part of an effective and fluid pathway for meeting children's needs and that they are used for those children whose needs cannot be met in any other way, for as short a time as appropriate to meet need.

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