The Audit Commission is an independent body responsible for ensuring that public money is spent economically, efficiently and effectively, to achieve high-quality local and national services for the public. Our work covers local government, health and criminal justice services.

As an independent watchdog, we provide important information on the quality of public services. As a driving force for improvement in those services, we provide practical recommendations and spread best practice. As an independent auditor, we monitor spending to ensure public services are good value for money.

For further information on the work of the Commission please contact:
Sir Andrew Foster, Audit Commission, 1 Vincent Square, London SW1P 2PN Tel: 020 7828 1212
Preface 2
Introduction 3

1 Challenge one: establishing a sound strategic base 6
   Developing a clear vision and strategy 6
   Developing effective partnerships 10
   Effective planning for delivery 14
   Self-review 17

2 Challenge two: developing the capacity of schools and early years settings 23
   Putting in place a range of provision 23
   Allocating resources 25
   Developing staff skills and confidence 31
   Self-review 36

3 Challenge three: monitoring, challenge and intervention 40
   School monitoring and ‘self-review’ 40
   Monitoring schools’ work on SEN 42
   Targeting support and intervention 45
   Self-review 47

References 50

Use of the symbol in this report indicates that further information is available in the Special Educational Needs Ideas Directory to be found at www.audit-commission.gov.uk/senideasdirectory
Preface

This handbook is intended to help local education authorities (LEAs) to review their practice in managing special educational needs (SEN) and to identify areas for development. It covers the key challenges in managing SEN that LEAs have found most difficult to cope with, drawing on evidence gathered as part of an Audit Commission research project on children with SEN, as well as evidence from inspections of LEAs. This handbook has been developed in partnership with the Office for Standards in Education (Ofsted) and Estyn.

Other publications from this research project include an online ideas directory, detailing over 60 examples of innovative practice in meeting children’s special educational needs, and two reports:

- *Special Educational Needs: A Mainstream Issue* (Ref. 1); and
- *Statutory Assessment and Statements of SEN: In Need of Review?* (Ref. 2).

The reports and the directory are available on the Audit Commission’s website at [www.audit-commission.gov.uk](http://www.audit-commission.gov.uk).

Research base

This handbook draws on a wide range of research including:

- early fieldwork in five LEAs and in-depth visits to a further five authorities, including interviews with LEA officers, elected members and school staff, structured discussions with parents, and a review of 100 case files of children with statements;
- a survey of half the LEAs in England and Wales;
- a survey of parent-partnership co-ordinators;
- evidence from inspections of LEAs carried out jointly by Ofsted and the Audit Commission in England, and by Estyn and the Audit Commission in Wales;
- analyses of national data made available by the Department for Education and Skills (DfES), the Welsh Assembly Government (WAG) and others; and
- extensive discussions with key stakeholders in central and local government and in the voluntary sector.

The Commission is grateful to all who helped, but, as always, responsibility for the contents of this handbook lies with the Commission, Ofsted and Estyn.
Introduction

1 Recent legislation expects LEAs and schools to:
   - promote equality of opportunity and access; and
   - eliminate discrimination.

Underpinning these expectations are the requirements to be proactive and inclusive in routine practice, as well as being alert to any evidence of discriminatory action, for example, in admissions, exclusions, access to services and external support. This will require rigorous evaluation by LEAs and schools to promote equality of opportunity and access, which focuses on raising the achievement of all pupils. Work on SEN needs to be set within the wider context of raising standards and the benefits of inclusive practice for all pupils.

2 Managing SEN is therefore one of the key roles for local education authorities. It encompasses a wide range of responsibilities including:
   - improving schools’ routine practice in meeting pupils’ diverse needs;
   - developing and implementing an inclusion/SEN strategy;
   - managing the process of statutory assessment, and issuing and monitoring statements;
   - planning provision to meet the needs of pupils with SEN, in mainstream schools as far as possible;
   - providing or brokering specialist advice and support to schools through learning support services and the educational psychology service;
   - distributing resources to schools to help them to meet children’s special needs;
   - monitoring and evaluating the impact of schools’ work on SEN;
   - developing partnerships with health and social services to support children with complex or emotional, learning and behavioural needs; and
   - providing advice and support to parents.

3 SEN has been identified as one of the most difficult areas of LEA responsibility – and one that many LEAs have struggled with over the years. This may be partly explained by tensions in the statutory framework, as highlighted in an earlier Audit Commission paper. But despite these difficulties, the latest inspection evidence shows that many authorities have made good progress in managing SEN over the last five years:

In the early part of the inspection cycle, LEAs’ performance in supporting pupils with SEN was much the least successful aspect of their work. By the end of the period, LEAs had...improved their SEN work significantly.

Ofsted and Audit Commission, Local education authorities and school improvement 1996–2001 (Ref. 5)
Improvements have been noted in a number of areas including:

- fulfilling statutory responsibilities towards children with SEN and, in particular, in carrying out statutory assessments and supporting pupils with statements;
- the quality of support and resources allocated to schools;
- strategic planning – although implementation remains problematic; and
- monitoring SEN spending and, in some authorities, measuring pupils’ progress.

These improvements are welcome. The challenge now is to help all authorities to move in the direction of the best, learning from each others’ experience.

**Using this handbook**

The purpose of this handbook is to help LEAs to improve their provision in meeting the diverse range of needs within schools. It is intended as a self-review tool, to help SEN managers to assess how well their arrangements compare with current ‘best practice’ identified during our research – and to identify what action is required to improve their effectiveness. In England the handbook may be used in conjunction with the SEN section\(^1\) of the Ofsted guidance on inspecting LEAs and its associated evaluation criteria. The following three chapters cover Exhibit 1:

1. establishing a sound strategic base;
2. developing the capacity of schools and early years providers; and
3. monitoring, challenge and intervention.

**Exhibit 1**

**Key challenges in managing SEN**

Source: Audit Commission

---

\(^1\) The SEN section (SEN 29-32) of the Ofsted guidance on inspecting LEAs can be found on the Ofsted website, at www.ofsted.gov.uk/leainspections.
A focus on LEAs’ responsibilities relating to statutory assessment, issuing and monitoring statements is found in *Statutory Assessment and Statements of SEN: In Need of Review* (Ref. 2).

Each section describes good practice in respect of each challenge, drawing on research and inspection evidence, before concluding with a self-review checklist. Throughout the handbook, examples of innovative practice are highlighted, further details of which are available from our online ideas directory at www.audit-commission.gov.uk/senideasdirectory.

Although this handbook may be used in a variety of ways, we suggest that a thorough review should involve the combined knowledge and expertise of the LEA’s management team for inclusion/SEN and ideally, the Lead Member with responsibility for SEN. The DfES National Performance Framework, due to be launched early next year, will provide a comprehensive set of indicators to assist LEAs in the process of self-review. Although there is no such initiative in Wales, these indicators should also be of relevance to Welsh authorities.

**Starting point: local context**

LEAs are at different starting points – not just in the effectiveness of their practice, but also in terms of the context in which they are acting. Our research reveals a picture of great variation in SEN policy and practice across LEAs in England and Wales. For example:

- spending on SEN varies from £2 million to £105 million – and ranges from 10 per cent to 23 per cent of spending on schools;¹
- LEAs delegate between 40 per cent and 80 per cent of their SEN budget;²
- the proportion of children with statements varies from less than 1 per cent in some LEAs to more than 4 per cent in others;³ and
- the proportion of children educated in special schools varies from less than 0.2 per cent to more than 2 per cent.⁴

The historic pattern of policy, provision and resourcing decisions, the needs profile of their population and numerous other factors all impact on priorities for action. These provide an important backdrop to self-review: each authority should have a clear and shared understanding of where it is starting from.

---

¹ Chartered Institute of Public Finance and Accountancy (CIPFA) Education Estimates 2001/02. These figures do not include elements of SEN funding delegated to schools in the Age Weighted Pupil Unit, so spending on SEN may in fact be higher than this.

² CIPFA Education Estimates 2001/02 (same proviso as footnote above).

³ DfES and WAG data relating to pupils aged 2–19 in 2000.

⁴ DfES and WAG data, pupils in special schools in 2000.
Challenge one: establishing a sound strategic base

Establishing a sound strategic base through...

• **Developing a clear vision and strategy** for educating children with SEN, in mainstream settings as far as possible.

• **Developing effective partnerships** with parents, schools, health and social services, voluntary organisations and other LEAs to ensure sensitive and co-ordinated planning.

• **Effective planning for delivery**, through needs-forecasting, financial planning and the creation of local incentives.

Developing a clear vision and strategy

12 The LEA’s strategy for SEN must emanate from its overall vision and values on educational inclusion. Some pupils with SEN are vulnerable, at risk of being denied access to an appropriate education and likely to under-achieve. The relationship between the strategy for SEN and the strategy for social inclusion is therefore critical in terms of securing an appropriate range of interventions, which guarantees that all pupils, including those with SEN, get the best deal possible. A clear corporate commitment to inclusion that results in co-ordinated service planning and delivery, effective partnership working and transparent funding should do much to remove barriers to learning and allow pupils’ needs to be met.

13 There are a number of ‘building-blocks’ to effective strategy development, each of which is discussed in this section:

• establishing the current position;

• managing the process; and

• leadership and management capacity.

Establishing the current position

14 Before LEAs determine where they want to be, they need to be clear about where they are starting from. This should include mapping out:

• the number and ages of children with SEN and with different needs;

• the role currently played by mainstream schools, mainstream resourced priorities and special schools;

• the decisions taken by other agencies and the SEN and Disability Tribunal;

• the availability of other specialist support;

• current funding arrangements; and
• the impact of local admissions procedures.

15 How children's needs are described and, in turn, met appears to be influenced by a number of factors, including their gender, ethnicity and family circumstances. LEAs should use their information systems to identify if any groups of children are being over- or under-represented.

16 A key recommendation made in our main report is that LEAs should analyse the changing pattern of needs locally and use this to inform their inclusion/SEN strategy. LEAs and health and social services should also share information on children with complex needs, to enable sensitive forward planning to support them through early years, primary and secondary education. There is no simple formula but the following matrix may be useful for LEAs as a starting point for analysing the overall pattern of needs and identifying priorities [Exhibit 2].

17 Each quadrant may require a different approach, depending on the current pattern of provision. For example:

• A: nearly all of these children should already be in mainstream settings. The inclusion/SEN strategy should consider what further action – such as staff training – is needed to ensure that their needs are being met.

• B and D: these children are likely to require more in the way of specialist expertise or facilities. This may require a longer-term programme of investment and training, probably beginning with a number of designated schools.

• C: in most areas, the majority of these children are currently in the special sector, with some in residential provision. Authorities should work together to ensure that their needs can be met locally as far as possible, which may require action at a regional level, and consider the scope for further inclusion in mainstream settings.

Exhibit 2
Matrix for analysing the pattern of SEN for planning purposes

Source: Audit Commission
Managing the process

18 The vision and strategy should:

- be set in the context of national legislation and local policy on inclusion – providing for children to be educated in mainstream settings as far as possible and reflecting the authority’s wider role in promoting social inclusion;
- make explicit the medium-term and long-term vision of what inclusion means for different groups of children, in particular, those with complex or high-support needs and those with emotional and behavioural difficulties;
- set out the role of mainstream, special, non-maintained and independent schools in meeting children’s needs now and in the medium and long term; and
- acknowledge the range of local perspectives on inclusion and set out the rationale for the LEA’s approach in the light of these.

19 In particular, as highlighted in the third point above, the strategy should set out clearly the future role of special schools in relation to the emerging pattern of provision in mainstream schools. LEAs should consider the changing profile of the special school population and implications for:

- training and capital developments;
- their recruitment and retention strategy;
- promoting partnership working between special and mainstream schools, LEA support services and health and social services, both to make the most of the specialist expertise available and to create opportunities for children in special schools to spend time with their mainstream peers [Case study 1]; and
- in areas where children with statements are predominantly educated in special schools, exploring the scope for further inclusion in mainstream settings.

Case study 1
Supporting the inclusion of children with severe learning difficulties in Herefordshire

Herefordshire LEA has for a long time included pupils with moderate learning difficulties in mainstream schools. In 1999 they initiated a programme to enable pupils with severe learning difficulties (SLD) to spend at least part of the week in their local mainstream school.

The programme involves all of the County’s three special schools for children with SLD, and so far, 29 mainstream schools. Staff suggest which children should be involved to the LEA’s inclusion co-ordinator, who consults their parents and the mainstream schools near to their home. Once a placement is agreed, the LEA employs a teaching assistant to support the pupil in their mainstream school, who spends time in both schools before the placement begins. The LEA also funds the child’s teachers to visit each other’s classroom, working together to develop an appropriate curriculum and targets. Staff training in ‘Signalong’ (a signing system for people with communications difficulties) has also been provided and, where relevant, whole staff training on low incidence needs.
The programme has been running for three and a half years. Fifty per cent of pupils with SLD now spend part of the week in their local mainstream school. Strong links have been built up between schools and there have also been benefits for children outside the programme, as disability awareness, staff skills and confidence have grown. Recently whole mainstream classes have also begun to spend time in their classmate’s special school.

**Source:** Audit Commission

20 Views on what inclusion is and whether it is working vary widely. Our interviews with headteachers and SENCOs (SEN co-ordinators) revealed that most had seen their LEA's policy and a clear majority agreed with the vision put forward. However, further discussions revealed differing views. School staff were generally supportive of ‘inclusion’ in principle, but they did not always fully understand or accept what it meant in practice, for example, in terms of their own admissions or exclusions policy. The pace of change will vary according to the LEA’s ability to recognise the varying stages schools’ are at and their capacity to change.

21 It is important that all opinions, in particular those of parents, should be listened to in developing an inclusion/SEN strategy – and the rationale for the LEA’s approach must be clearly set out. Colleagues in health and social services should also be actively consulted. LEAs need to strive to set a clear direction of travel for SEN which is at least understood, if not always fully supported, by schools and parents. This will involve full and frank consultation in developing the strategy with clear and consistent communications and decision-making thereafter.

**Leadership and management capacity**

*SEN strategy has emerged from inspections to date as the touchstone of effective leadership by elected members.*

Ofsted, LEA Strategy for the Inclusion of Pupils with SEN (Ref. 6)

22 SEN is an emotive policy area often attracting intensive lobbying and media interest. An inclusion/SEN strategy may involve difficult decisions – such as the closure of a special school or a reduction in reliance on statements – which require political will and courage. Our research suggested that lead members varied widely in terms of their knowledge and commitment to SEN. Ofsted recently noted (Ref. 6) that progress in defining and implementing a strategy for inclusion relies on the engagement and leadership of elected members. Members need to be closely involved in developing the overall vision and the strategy required to deliver it. This will be easier if the strategy is based on sound analysis and extensive consultation.

---

Audit Commission interviews and questionnaire of SENCOs and headteachers in fieldwork LEAs. 76 per cent of heads and 71 per cent of SENCOs said that they agreed or totally agreed with the LEA’s vision on inclusion.
23 LEAs need to have sufficient management capacity for effective strategy development and change management. Authorities vary widely in terms of the resources that they dedicate to managing SEN; in the areas we visited, one had a large management team with high-level responsibility within the LEA, while another had limited capacity to do much beyond fulfilling its statutory responsibilities for children with statements. Authorities need well-supported managers with sufficient ‘space’ to work on strategic issues, as well as meeting statutory requirements and offering operational support to schools.

Developing effective partnerships

24 While the LEA is responsible for developing the inclusion/SEN strategy, much of its delivery relies on partners, including:

• parents;
• schools;
• other statutory agencies;
• the voluntary/independent sector; and
• neighbouring LEAs.

LEAs should seek to engage all such partners in developing their vision, in implementing their strategy and in subsequent policy appraisals.

Parents

25 The new SEN Code of Practice (Refs. 7 and 8) emphasises the importance of working with parents, recognising them as partners in their child’s education who have much to contribute and a right to be involved in key decisions. Relationships with parents are often difficult – not least as authorities struggle to meet the demands placed on their budgets by their statutory responsibilities towards children with statements. When decisions are taken to close special schools or to develop special units in mainstream schools, public opinion can be provoked, particularly where communication with parents is poor.

26 A lack of printed information and inadequate translation and interpretation services limit some parents’ ability to put the case for a statutory assessment to be carried out, to contribute to that process and to participate in annual reviews. LEAs should ensure that appropriate translation and interpretation facilities are available for parents whose first language is not English. They should also seek to develop constructive relationships with parents in a number of ways:

• by involving parents in policy development;
• by helping schools to engage more effectively with parents;
• by providing all parents with accessible information on statutory assessment and other aspects of SEN provision; and
• by actively promoting parental involvement in statutory assessment, including ‘hard-to-reach’ groups.

This is discussed at greater length in Statutory Assessment and Statements of SEN: In Need of Review? (Ref. 2).
The parent-partnership service should be able to play a valuable role in this area, providing insights into parental concerns and advice on engaging effectively with parents. Many LEAs have already made good progress in this area. Our survey of parent-partnership services revealed that the vast majority (nine-tenths) are already helping to involve parents in policy-making, for example, through establishing a parents’ consultative group, nominating parents as representatives on working groups, and consulting with parents’ groups.¹

Schools

Working in partnership with local schools is absolutely key to the successful delivery of an inclusion/SEN strategy and this requires transparency and involvement in decision-making. Schools should be actively consulted in the development of the inclusion/SEN strategy to ensure their understanding and ownership of the strategic approach, for example through:

- a programme of consultation meetings;
- the secondment of a headteacher and/or SENCO to help to develop the strategy;
- a standing SEN development advisory group; and
- communicating the strategy and its implications for schools, for instance, through a programme of workshops.

Other statutory agencies

Frequent concerns were voiced during our research about the availability of health and social services for children with SEN. In some areas, social services were seen to be under severe pressure to the point that they were unable to do much more than respond to child protection cases; and NHS services – in particular therapeutic services, such as speech and language and occupational therapy – were often in short supply. On top of this, ongoing organisational change in the NHS made it difficult for school and LEA staff to know who to engage with.

Local funding arrangements for specialist and residential placements varied widely, with joint or tripartite funding available in some areas but not in others. Delays and difficulties in sharing information on individual children was another common theme to emerge.¹¹ Many LEAs have sought to develop strategies to address such problems, and seven out of ten of those responding to our survey said that they now purchase additional health services for children with statements. Some authorities have merged education and social services for children to promote joined-up planning and provision.

¹ Audit Commission survey of parent partnership co-ordinators.

¹¹ See paragraphs 34 to 39 in Special Educational Needs: A Mainstream Issue (Ref. 1).
Key areas for development, working in partnership with health and social services include:

- joining up assessment procedures for children with complex needs [Case study 2];
- joint commissioning;
- sharing information to improve planning and provision; and
- addressing gaps in provision through partnership approaches and whole school ‘preventative’ work [Case study 3].

**Case study 2**

**Multi-agency assessment in Manchester**

Manchester LEA’s pre-school special needs service provides home support from birth, to young children with disabilities. Good links with special care midwives help to ensure early referrals. The head of the pre-school service is a member of the city’s core multi-agency, multi-disciplinary Child Development Team (CDT). Babies and young children with complex needs are referred to the team. When all the necessary assessments have been completed by the relevant professionals, usually over a period of about three months, a member of the team visits the parents at home to talk with them about their child and what the results have shown.

Parents are then invited to a CDT meeting so that they and the team can plan together for any support their child may need. There is no news-breaking at the meeting. A wide range of professionals from health, education and social services can be involved, but only those directly involved with the family attend. Parents can bring a friend or relative. A ‘management and action plan’ is agreed at the meeting and the parents can choose who they want to be their ‘key worker’, who will act as their first point of contact in future. The meeting will often result in formal referral to the LEA (but not decisions about specific educational provision). Afterwards, a team member will go through the minutes of the meeting with the parents to ensure that they understand them and to answer any queries.

*Source:* Audit Commission

**Case study 3**

**‘Whole school’ initiative to promote mental health – Slough**

Slough LEA has been working in partnership with Slough Primary Care Trust (formerly Berkshire Health Authority) to promote a whole school approach to mental health – including whole staff training and preventative work with pupils. The project is funded by the PCT through their Partnership Development Fund.

A multidisciplinary team was established to develop a range of materials and training for school staff, parents and pupils. Mental health awareness is promoted through:

- training workshops for ‘whole school’ staff groups and parents;
- ‘circle time’ workshops with pupils;
• advice on curriculum materials and resources that promote children’s emotional well-being; and
• information on relevant services and organisations.

Feedback has been extremely positive. Young people have particularly valued the opportunity to discuss issues such as self-esteem, stress and anger, and to learn from each other. Staff have welcomed the whole school emphasis, raising awareness among all colleagues. The project targeted a number of secondary schools in its first year and is now being rolled out to all secondaries and piloted in primary schools.

Source: Audit Commission

The voluntary and independent sectors

The voluntary, non-maintained and independent sectors play an important role in providing services for children with SEN, for example, through playgroups, special schools or after-school clubs, and giving advice to parents. LEAs need to engage with them on both fronts by:

• working with the voluntary and independent sector where it is able to complement/supplement statutory provision for pupils with SEN [Case study 4]; and
• consulting them in developing the SEN strategy and at key stages throughout its implementation. Local voluntary organisations may be able to provide valuable insights into how parents feel about proposed changes – and potentially play a mediating role should disagreements arise.

Case study 4
Developing links with local mainstream schools – Trengweath school in Plymouth

Trengweath School in Plymouth is a DfES-approved independent special school run by SCOPE. Many parents wanted their children to be more involved in their local community, so Trengweath worked with a local mainstream primary school to enable a group of children to spend one day a week there. Some of the children involved have profound and multiple learning difficulties. Trengweath worked closely with the school’s SENCO to ensure that appropriate support was provided. Now that the children involved have reached secondary age, Trengweath is exploring links with local secondary schools.

This project found that there were benefits for all children. They interacted well and grew in their understanding of each other. Pupils with emotional and behavioural problems at the mainstream school particularly benefited from working with Trengweath pupils. It also had a positive impact on Trengweath pupil’s development more generally. Feedback from the mainstream pupils has been extremely positive. All the year three pupils said that they liked having Trengweath pupils at school and 78 per cent felt that they should be there full-time. An evaluation of the initiative found that initially 39 per cent of the mainstream pupils had positive attitudes towards Trengweath pupils and by the end, all of them did. Key to the success of the project was support from the teaching staff and their commitment to actively involving the children into their class activities.
The school has recently received a grant from the DfES to extend this initiative to other children. Trengweath School has found that in its close work with mainstream schools, a positive ‘can-do’ approach is critical, and that concerns and gaps in teacher skills have been overcome through collaborative working and support.

Source: Audit Commission

Neighbouring LEAs

Some aspects of SEN provision may be best addressed by working with neighbouring authorities. This is particularly relevant in small authorities, which can struggle to make some SEN services viable – such as specialised provision for children with low incidence needs. Co-operation and partnership at this level also offers opportunities for benchmarking and sharing frameworks and best practice.

The SEN regional partnerships established by the DfEE (as was) four years ago and the projects set up by the National Assembly for Wales, provide vehicles for this to happen. For example, the SEN regional partnerships in England are currently collecting data on children who are placed in residential schools and some have already developed strategies to enable children in ‘out-of-area’ placements to be educated nearer to home.

Effective planning for delivery

An effective strategy must be underpinned by careful planning. There are two key elements to effective planning: forecasting needs and financial planning.

Only around half of LEAs who responded to our national survey said that they forecast the numbers of pupils with different special educational needs. Those that did, reported that it helped with budgetary and financial planning, school organisation planning and service development [Case study 5].

Case study 5

Planning provision for pupils with exceptional resource requirements – Newham

Most provision for pupils (74 per cent) with exceptional resource requirements is made in mainstream schools in Newham through resourced places and ‘exceptional resource funding’. As part of LEA’s Inclusive Education Strategy 2001-2004 the expected level of such provision was forecasted and costed using a simple approach.

The number of places required within and beyond the planning period (2001-04), was forecast using current population data, health data for under-threes, estimates for unborn children and pupil movement forecasts. Cost projections were then derived using actual costs (2001/01) and rolling them forward through the planning period.

The exceptional resource funding is allocated through a three-stage moderation process that involves all schools, representatives from support services and officers.
In April 2000, Newham delegated substantial funding for SEN directly to schools retaining a core advisory service as well as low incidence services. This has allowed schools to provide flexible support as needs are identified, so supporting early intervention. With most funding for statements delegated to schools, and the delegation of funding for exceptional resources, the LEA has been better able to control its SEN budgets, develop a fairer funding model and direct funding to meet need more effectively.

Source: Audit Commission

Although many LEAs have developed detailed plans to accompany their inclusion/SEN strategy, our research found that some were vague – failing to set out clear targets, timescales or resource implications. This reflects a wider lack of rigorous financial planning for SEN, which, in some areas, appeared to depend largely on basing budgets on past spending.

As discussed in our main report, inclusion is unlikely to be achieved either rapidly or ‘on the cheap’. Rather, the integration of pupils with higher levels of needs and the redevelopment of special schools will require careful planning and targeted investment over a number of years. In the short to medium term, this may involve ‘double running-costs’, for example, when developing new provision while maintaining a special school.

It is therefore critical that the authority’s vision and strategy are underpinned by sound financial planning, addressing both capital and revenue funding implications. Priorities set out within the inclusion/SEN strategy should also be consistent with, and reflected in, other local plans, including the:

- education development plan in England and education strategic plan in Wales;
- accessibility strategy;
- behaviour support plan;
- asset management plan;
- school organisation plan;
- early years development and childcare plan; and
- Welsh education scheme in Wales.

LEAs can use the following checklist (overleaf) to evaluate their practice and to identify priorities for action.
## Checklist: establishing a sound strategic base

### Developing a clear vision and strategy

<table>
<thead>
<tr>
<th>Establishing the current position</th>
<th>Action required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Has the LEA carried out a comprehensive audit of need, enabling it to identify:</td>
<td></td>
</tr>
<tr>
<td>• current and projected pupil needs?</td>
<td>☐</td>
</tr>
<tr>
<td>• where children are currently educated (that is, in special, resourced or mainstream provision, including out of area placements, costs and numbers)?</td>
<td>☐</td>
</tr>
<tr>
<td>• shortfalls in provision for children with SEN (including provision by other agencies)?</td>
<td>☐</td>
</tr>
</tbody>
</table>

Does the LEA gather information that could enable it to analyse the pattern of needs by:

| Type?                                                                 | ☐               |
| Gender?                                                               | ☐               |
| Ethnicity?                                                            | ☐               |
| Geography?                                                            | ☐               |
| Deprivation?                                                         | ☐               |

Do the LEA and health and social services share information on children with complex and mental health needs to enable sensitive forward planning? ☐

### Managing the process

Does the LEA’s inclusion/SEN strategy:

| Fit with national legislation?                                       | ☐               |
### Action required

- fit with the authority-wide strategy to combat social exclusion?
- set out a repertoire of interventions aligned to the audit of need?
- clarify the respective roles and responsibilities of schools and the LEA?
- clarify the role of mainstream, special and non-maintained/independent schools in meeting children’s needs, both now and in the medium to long term?
- clarify the roles of partner organisations involved in SEN provision, in particular health and social services?
- acknowledge all local perspectives on inclusion and set out the rationale for the LEA’s approach?
- include realistic estimates of resource needs and timescales?

Has the LEA considered the changing profile of the special school population and the implications for:

- training and capital developments?
- its recruitment and retention strategy?
- promoting partnership working between special and mainstream schools, LEA support services and health and social services, both to make the most of the specialist expertise available and to create opportunities for children in special schools to spend time with their mainstream peers?
- in areas where children with statements are predominantly educated in special schools, exploring the scope for further inclusion in mainstream settings?

In respect of special schools, does the strategy clearly set out:

- their future partnership role in providing for children with SEN?
- their future role in supporting mainstream SEN provision?
- the scope for reducing ‘out-of-area’ placements?
Action required

- the scope for reducing surplus places?

Have the views of parents, schools, health and social services and other relevant partners been considered in developing the vision and strategy?

Does the LEA have structures and processes in place for ongoing consultation with:

- SENCOs, to engage their commitment as advocates for the strategy?
- headteachers, senior managers and governors, to enable them to contribute to the implementation of the strategy?

Do the LEA's vision and strategy reflect evidence of stakeholders' views and the commitment of other statutory agencies to partnership working and joint strategic planning?

Is the inclusion/SEN strategy understood by all relevant stakeholders and accepted by most?

Leadership and management capacity

Have elected members been actively engaged in developing the inclusion/SEN strategy, and are they provided with regular information and advice to:

- inform policy and executive decision-making on SEN?
- monitor and review the LEA's work on SEN and, in particular, the progress of the inclusion/SEN strategy?
- provide appropriate scrutiny and challenge?

Are elected members committed to seeing the strategy through?

Do the means and will to implement the strategy exist?

Do the LEA's SEN managers have sufficient time to work on strategic issues?
## Developing effective partnerships

### Parents

<table>
<thead>
<tr>
<th>Question</th>
<th>Action required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are most parents successfully engaged in the statutory assessment process?</td>
<td>☐</td>
</tr>
<tr>
<td>Are parents involved in strategy development and, if not, could the parent-partnership service help to engage them?</td>
<td>☐</td>
</tr>
<tr>
<td>Does the parent-partnership service provide advice to schools on engaging effectively with parents?</td>
<td>☐</td>
</tr>
<tr>
<td>Do parents find the information provided on statutory assessment helpful and easy to understand?</td>
<td>☐</td>
</tr>
<tr>
<td>Are there groups of parents who have remained ‘hard to reach’ and has action been taken to involve them?</td>
<td>☐</td>
</tr>
<tr>
<td>Are appropriate translation and interpreting facilities available for parents whose first language is not English?</td>
<td>☐</td>
</tr>
</tbody>
</table>

### Schools

<table>
<thead>
<tr>
<th>Question</th>
<th>Action required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Have schools – including headteachers, governors and SENCOs – been actively involved and consulted during the development of the inclusion/SEN strategy and are they able to provide feedback on its implementation?</td>
<td>☐</td>
</tr>
<tr>
<td>Do schools fully understand and accept the implications of the strategy for them?</td>
<td>☐</td>
</tr>
</tbody>
</table>

### Other statutory services

<table>
<thead>
<tr>
<th>Question</th>
<th>Action required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are there shortfalls in support and advice from local health providers for children with SEN and if so, has the LEA considered how these might be addressed?</td>
<td>☐</td>
</tr>
<tr>
<td>Are there shortfalls in support and advice from social services for children with SEN and, if so, has the LEA considered how these might be addressed?</td>
<td>☐</td>
</tr>
<tr>
<td>Are assessment procedures for children with complex and mental health needs co-ordinated in order to provide a ‘joined-up’ service?</td>
<td>☐</td>
</tr>
</tbody>
</table>
### Action required

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is information on children with complex needs and mental health difficulties shared by and with health and social services, for the purposes of planning and provision?</td>
<td>☐</td>
</tr>
</tbody>
</table>

### Voluntary and independent sector

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does the LEA know how many children with SEN are educated in the voluntary and independent sector, in particular, in residential provision, and what their needs are?</td>
<td>☐</td>
</tr>
<tr>
<td>Has the LEA consulted voluntary and independent providers, in developing the spectrum of provision and in their role in providing advice and support to parents?</td>
<td>☐</td>
</tr>
</tbody>
</table>

### Neighbouring LEAs

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does the LEA undertake joint planning with neighbouring authorities, for example, to provide services for children with low incidence needs?</td>
<td>☐</td>
</tr>
<tr>
<td>Is the LEA involved in joint planning through the SEN regional partnership?</td>
<td>☐</td>
</tr>
<tr>
<td>Is the LEA involved in benchmarking and sharing frameworks and good practice through the SEN regional partnership?</td>
<td>☐</td>
</tr>
</tbody>
</table>

### Planning for delivery

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does the LEA have a comprehensive management information system to inform forward-planning? In particular, does the LEA forecast the number of pupils with SEN to identify future service requirements?</td>
<td>☐</td>
</tr>
<tr>
<td>Has the LEA developed a detailed implementation plan to accompany its inclusion/SEN strategy?</td>
<td>☐</td>
</tr>
<tr>
<td>Does this plan set out SMART (specific, measurable, achievable, relevant and timed) targets?</td>
<td>☐</td>
</tr>
<tr>
<td>Has the plan been approved by members and incorporated into the LEA's service planning arrangements?</td>
<td>☐</td>
</tr>
</tbody>
</table>
### Action required

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Do the LEA’s corporate priorities reflect and reinforce the key objectives contained in the SEN plan?</td>
<td>☐</td>
</tr>
<tr>
<td>Is the LEA satisfied that the principles of best value have informed the strategy?</td>
<td>☐</td>
</tr>
<tr>
<td>Has the LEA benchmarked key areas of expenditure with other LEAs?</td>
<td>☐</td>
</tr>
<tr>
<td>Are the LEA’s vision and strategy underpinned by a sound financial plan that addresses both revenue and capital funding implications?</td>
<td>☐</td>
</tr>
<tr>
<td>Is the LEA satisfied that realistic decisions have been adopted, in consultation with schools, based on the availability of resources?</td>
<td>☐</td>
</tr>
<tr>
<td>Has the LEA reached agreement with schools on which aspects of funding need to be centrally retained?</td>
<td>☐</td>
</tr>
<tr>
<td>Has the LEA determined the cost of different models for delivering aspects of the strategy?</td>
<td>☐</td>
</tr>
<tr>
<td>Does it take into account the cost of developing local provision (for example, resource-based units, outreach and staff training)?</td>
<td>☐</td>
</tr>
<tr>
<td>Does the financial plan take into account:</td>
<td>☐</td>
</tr>
<tr>
<td>• delegated funding?</td>
<td>☐</td>
</tr>
<tr>
<td>• infrastructure needs to support and maintain the strategy?</td>
<td>☐</td>
</tr>
<tr>
<td>• maintenance costs of retained central SEN support services?</td>
<td>☐</td>
</tr>
<tr>
<td>• development costs of action plans?</td>
<td>☐</td>
</tr>
<tr>
<td>• scope for redeploying resources, and in particular, for reducing out-of-area placements?</td>
<td>☐</td>
</tr>
<tr>
<td>Are the strategy and plan consistent with and integral to the:</td>
<td>☐</td>
</tr>
<tr>
<td>• education development plan in England and education strategic plan in Wales?</td>
<td>☐</td>
</tr>
<tr>
<td>• accessibility strategy?</td>
<td>☐</td>
</tr>
</tbody>
</table>
Action required

- behaviour support plan? □
- asset management plan? □
- school organisation plan? □
- early years development and childcare plan? □
- Welsh education scheme in Wales? □
Challenge two: developing the capacity of schools and early years settings

Developing the capacity of schools and early years settings through...

- **Putting in place a range of provision** to ensure that all children may be educated locally, in mainstream settings as far as possible.
- **Allocating resources** to ensure that they match need and promote inclusive practice.
- **Developing staff skills and confidence** through targeted training opportunities and fostering links between mainstream and special schools, and health and social services and other agencies.

Putting in place a range of provision

_The most difficult area for LEAs continues to be the implementation of a clear and coherent strategy for SEN that demonstrates how the inclusion of pupils will be developed._

Ofsted and Audit Commission, *Local Education Authorities and School Improvement 1996-2001* (Ref. 5)

41 The key aim of an inclusion/SEN strategy should be to deliver a spectrum of provision to ensure that all children with special needs may be educated locally, in mainstream settings as far as possible. This will involve:

- matching provision to the pattern of identified and projected needs; and
- addressing gaps in provision.

Matching provision to identified needs

42 The inclusion/SEN strategy should be underpinned by an analysis of the current and projected pattern of needs. LEAs should seek to develop a spectrum of provision in the light of this, ranging from provision in mainstream schools to, in some cases, specialist residential provision.

43 The strategy should include a timetable to develop the capacity of early years settings and mainstream schools to meet the needs of those children who are currently educated in the special sector. It should clarify the role of mainstream schools [Case study 6, overleaf], special schools and non-maintained and independent providers in meeting children’s needs – at present and in the future.
Achieving greater consistency in practice in schools and early years settings in Slough

The Headteachers’/LEA Officers’ SEN Monitoring Group and SENCo networks expressed their desire for a more equitable means of funding for special educational needs in mainstream schools. Consequently, a moderation process was introduced to ensure the equitable and efficient allocation of SEN resources, with fair and transparent arrangements for support and greater consistency in practice between schools.

Drawing on models implemented in Oxfordshire and Ealing, Slough’s Learning Support Service developed a SEN handbook, which it distributed to all maintained schools and early years settings. Amongst other information related to SEN practice, the handbook contains detailed ‘descriptors’ of actions that schools and early years settings should consider for children with different types of needs, by Key Stage and in relation to the SEN Code of Practice. These provide useful guidance to schools and also help to ensure greater consistency in practice and clarity in the respective roles and responsibilities of schools and the LEA.

In addition to being a tool for school staff to use, the descriptors are also referred to by the LEA’s SEN Panel, who consider all applications for statutory assessment across the borough. They are used in SENCO moderation, a process whereby SENCOs review practice and share learning on how schools are supporting children with SEN. SENCOs, in particular, have found them useful in their discussions with teachers, and more generally the descriptors have encouraged schools to think about the support that they provide. The handbook has been in use for three years and the LEA is now considering reviewing the descriptors together with schools to bring them up-to-date with current guidance and practice.

Source: Audit Commission

While some schools have placed great emphasis on developing an inclusive ethos and on welcoming children with SEN, it was also clear from our research that others are less than willing to admit pupils with certain needs. However, some of the more inclusive schools that we visited expressed concern about the ‘magnet effect’ created by their reputation and, in some cases, specialist facilities. There are benefits from having a ‘critical mass’ of children with particular needs attending a school, in terms of planning provision and developing staff expertise. But there is also a risk that individual schools may be overstretched and a polarised pattern of provision develop – restricting parental choice and effectively letting other schools off the hook.

LEAs need to consider how they can ensure that school admissions are fair. New regulations require LEAs to publish their arrangements for monitoring admissions of children with SEN, both with and without statements. We recommend that this information should be discussed at least annually by the Local Admissions Forum with a view to encouraging a more even distribution of children with SEN across local schools. This should include a separate analysis of the pattern of admissions for

See paragraphs 42 to 46 in Special Educational Needs: A Mainstream Issue (Ref. 1).

The Special Educational Needs (Provision of Information by LEAs) (England) Regulations, (Ref. 12) and The Special Educational Needs (Provision of Information by LEAs) (Wales) Regulations (Ref. 13).

Local Admissions Forums involve the LEA, heads, governors and other interested parties involved in admissions to maintained schools in the area. They are established under the Education Act 2002, building on good practice in many areas. In Wales they are established voluntarily at present. We acknowledge the constraints within which LEAs are working in seeking to influence school admissions.

44 While some schools have placed great emphasis on developing an inclusive ethos and on welcoming children with SEN, it was also clear from our research that others are less than willing to admit pupils with certain needs. However, some of the more inclusive schools that we visited expressed concern about the ‘magnet effect’ created by their reputation and, in some cases, specialist facilities. There are benefits from having a ‘critical mass’ of children with particular needs attending a school, in terms of planning provision and developing staff expertise. But there is also a risk that individual schools may be overstretched and a polarised pattern of provision develop – restricting parental choice and effectively letting other schools off the hook.

45 LEAs need to consider how they can ensure that school admissions are fair. New regulations require LEAs to publish their arrangements for monitoring admissions of children with SEN, both with and without statements. We recommend that this information should be discussed at least annually by the Local Admissions Forum with a view to encouraging a more even distribution of children with SEN across local schools. This should include a separate analysis of the pattern of admissions for
Addressing gaps in provision

Evidence gathered during the course of the project showed gaps in services for children with SEN. Concerns about shortfalls in specialist support from the LEA and health and social services have already been discussed (paragraphs 18 to 20). A lack (or perceived lack) of suitable provision locally can prompt parents to seek a place in a special school, in some cases residential, possibly supported by a ruling from the SEN and Disability Tribunal.

Nationally, LEAs are spending in excess of £310 million on non-maintained and independent placements for pupils with SEN. In spite of the policy on inclusion, this figure has remained broadly constant in recent years. LEA spending on such placements varies more than sixfold between different LEA areas (as a percentage of spending on schools). The high cost of such placements can have a considerable impact on other areas of SEN spending.

Most LEAs responding to our national survey said that they do monitor out-of-area placements by type of need in order to shed light on local service gaps, and some are working in partnership with neighbouring LEAs in order to develop a regional response.

Allocating resources

LEAs need to ensure that sufficient resources – both funding and support services – are available to enable schools to respond to the wide range of needs in today’s classrooms. This is a key role for the LEA.

The establishment of Schools Forums from October 2002 in England, and from April 2004 in Wales, coupled with the imminent introduction of new funding arrangements for LEAs and schools, offer a unique opportunity to review local funding and accountability arrangements. LEAs are required to establish Schools Forums made up of local headteachers and governors, which will advise on the way that the schools’ budget is allocated. Regulations have yet to be published but it is envisaged that the Forums will:

- be consulted on the funding formula used to distribute resources between schools;
- give a ‘schools view’ on policy issues that affect their funding, such as the inclusion of pupils into mainstream settings; and
- agree or impose conditions on the retention by the LEA of certain categories of expenditure.
An early task for the Schools Forum will be to consider how SEN resources are used. Key issues for discussion should include:

- striking the right balance, in terms of maintaining appropriate central support services and delegating funding to schools;
- the delegation formula used to distribute SEN and Additional Educational Needs (AEN) resources to schools; and
- how far funding arrangements align with the agreed strategic approach (for example, do they encourage early intervention?).

Discussion at the School Forums could lead to much greater transparency in terms of the resources available for SEN, how they are distributed and, crucially, their expected purpose. This could provide a much clearer basis for holding schools to account for their work on SEN – a key area for development in many LEAs, as discussed in chapter 3. Funding incentives may also be a powerful lever for change. Three aspects of resource allocation are discussed below:

- creating incentives;
- tailoring support and funding to meet needs; and
- delegating SEN resources.

Creating incentives

LEAs should use a range of strategies to encourage schools and early years providers to move in the desired direction. They should consider how they might create a pattern of incentives [Box A, overleaf]. For example, financial incentives may be built into the delegation formula to encourage schools to intervene early, to admit and retain children with SEN, and to make best use of the available resources for SEN.

Financial incentives may be built into the delegation formula, or through targeted funding to support progress on certain fronts (for example, actions arising from school self-review). Other incentives include recognition systems, such as ‘kitemarks’ for inclusive practice, awarding good programmes of training and advice, and performance measures incorporated in the framework for school self-review, discussed later (see paragraphs 65-67) [Case study 7].
Case study 7
Celebrating inclusive schools in Manchester

The consultation on Manchester’s Inclusion/SEN strategy revealed the tension felt by schools between the standards agenda and policy on inclusion. In response, the LEA is developing an inclusion kitemark to recognise and celebrate inclusive practice. A working group was set up to develop an easy-to-use but robust self-evaluation model. They drew on existing materials, including the Index for Inclusion, Ofsted guidance on *Evaluating Educational Inclusion* and the Healthy Schools Award, developing criteria and examples of evidence of inclusive practice.

Schools review their own practice and their judgements are moderated by their peers. The evidence is then validated by an external party, possibly the LEA. If successful, the school receives the ‘Manchester Inclusion Award’, which in future will be published alongside school performance tables. The award goes beyond SEN, also considering schools’ work with minority groups and looked after children.

The award is being piloted and has been well received. Schools have welcomed the increased recognition of their work on SEN within the self-review framework. Following wider piloting, the LEA hopes to roll out the award in autumn 2003.

*Source:* Audit Commission

Tailoring support and funding to meet needs

LEAs have an important role to play in providing specialist advice to schools, through the educational psychology service (EPS) and through a variety of learning support services (LSS). Arrangements for central support services vary greatly between areas. Nonetheless, a number of common themes emerge:

- a strong sense of unmet demand for specialist advice and support, across all types of setting and in all areas (most acute among early years providers, who often have little, if any, systematic access to LSS or to the EPS; and for children at ‘School Action’ and ‘School Action Plus’ as resources are focused overwhelmingly on children with statements);
- concerns about the future of centrally-provided learning support services in the context of increased delegation;
- a feeling that the distribution of the available support was unfair and did not reflect the profile of pupils’ needs in each school; and
- inadequate availability of LSS and EPS in minority languages, and in Wales, in Welsh.
LEAs should review their arrangements for funding SEN provision in early years settings, in consultation with the Early Years Development and Childcare Partnership (EYDCP), in particular the availability of advice and support for children without statements and for those in non-maintained settings. LEAs also need to allocate EPS and LSS time to schools to fairly reflect pupils’ needs within the school, including those at ‘School Action’ and ‘School Action Plus’; and extend such support to early years settings, working in partnership with the new early years ‘area specialists’.

They should, in agreement with local schools, also set targets to increase the proportion of time spent by LSS and EPS working on ‘whole school’ or ‘whole class’ approaches to support inclusive practice, and in the light of moves towards increased delegation, carefully plan the ongoing role of central advisory and support services, in particular, for children with low incidence needs.

In areas with significant minority populations, LEAs should increase the availability of learning support and educational psychology services in minority languages or, at least, ensure that adequate translation and interpreting facilities are available. In Wales, LEAs should take steps to extend the availability of these services in Welsh.

LEAs use a variety of formulae to distribute SEN funding. These differ from area to area, but most take into account factors such as pupil numbers and turnover, deprivation ratings and test results. Table 1 summarises the strengths and weaknesses of the main approaches currently in use. Whichever approach is used, LEAs need to tailor funding to the pattern of pupils needs. From 2003/04, Pupil Level Annual School Census (PLASC) data, combined with new census data, should enable LEAs to analyse the needs of their pupil population more sensitively and thereby target resources more effectively.

LEAs may find the list of questions useful [Box A] in evaluating the effectiveness of their funding arrangements. Many of these principles could also be applied to the distribution of LSS and EPS, in particular, those questions relating to promoting inclusive practice and fairly reflecting the pattern of needs.

### Box A

**SEN funding principles**

Do our funding arrangements...

...promote inclusive practice?

- do they promote early identification and intervention?
- do they encourage mainstream schools to admit and retain children with high levels of need or challenging behaviour?
- do they encourage special schools to involve pupils in mainstream school activities?
- do they encourage schools to work together to share their skills and experience on SEN?
• do they minimise perverse incentives for schools to seek additional resources by identifying more SEN or overemphasising children’s difficulties?

...fairly reflect the pattern of needs across local schools?

• do they target more resources to schools with a higher needs profile?
• do they relate the level of funding clearly to the level of support needed?
• do they allow flexibility to meet changing patterns of needs from year to year, or even term to term, particularly for small schools and in relation to lower incidence needs?

...and are they transparent, providing a sound basis for accountability?

• make clear to schools what funding they have available for SEN and for what purpose?
• set out clearly how schools are expected to account for their spending on SEN?

Source: Audit Commission

Table 1
Main approaches for allocating SEN resources to schools

<table>
<thead>
<tr>
<th>Approach</th>
<th>Advantages</th>
<th>Disadvantages</th>
<th>How to minimise disadvantages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of pupils at ‘School Action Plus’ and/or with statements</td>
<td>Good match of resources to identified needs.</td>
<td>Incentive for schools to identify pupils at ‘School Action Plus’ and to request statutory assessments. Unstable funding for schools.</td>
<td>Moderation by heads/SENCOs of neighbouring schools. LEA analysis of identified needs in individual schools compared to attainment data, to enable challenge to be made where appropriate.</td>
</tr>
<tr>
<td>Audit of pupil needs – based on type of need and/or attainment levels</td>
<td>Enables a close fit of resources to need. Good transparency.</td>
<td>Can be bureaucratic; incentive remains for schools to identify pupils as having higher levels of need. Potentially unstable funding depending on frequency of audit.</td>
<td>If the audit is based primarily on pupil attainment, using data that schools are required to report anyway, this would reduce the bureaucratic burden and limit scope for exaggerating pupils’ needs. Moderation – as above. A rolling programme of audits – for example, over three years – could reduce the burden on schools and allow for more stable funding.</td>
</tr>
</tbody>
</table>
### Delegating SEN resources

In our interim report, we recommended that LEAs should increasingly delegate SEN resources to schools, to support early intervention and ‘whole school’ approaches to meeting individuals’ needs. The report also emphasised that this should go hand in hand with the development of rigorous accountability arrangements, to ensure that resources are used as intended.\(^1\) This recommendation reflected the local practice in many areas, and in England, national delegation targets and recent DfES guidance.\(^2\)

Already, roughly two-thirds of SEN resources are delegated to schools. But LEAs are at differing stages – with delegation ranging from 4 to 18 per cent of the local schools budget, and from less than 40 per cent to more than 80 per cent of SEN expenditure.\(^3\)

Delegation must be carefully approached, in consultation with local schools and parents’ groups, to ensure that the new arrangements are fully understood and that there is clarity about who will be accountable for what. LEAs should adopt an approach that allows sufficient time to learn lessons, before rolling it out more widely. Some services – most obviously, support services for children with low incidence needs – may need to be retained centrally to ensure efficient and equitable access and their continued viability.

---

\(^1\) See Statutory Assessment and Statements of SEN: In Need of Review (Ref. 2), paragraphs 112-118.

\(^2\) Current targets require LEAs in England to delegate at least 87 per cent of their school budgets. See also DfES, The Distribution of Resources to Support Inclusion, (Ref. 11). Delegation targets have not been set for LEAs in Wales, nor has guidance been issued to them on this.

\(^3\) CIPFA Education estimates 2001/02.
Developing staff skills and confidence

Developing the skills and confidence of staff in early years settings and schools is arguably the key element to making a reality of inclusion. This requires action on a number of fronts:

- school and early years staff training;
- LEA support staff training;
- support on working with parents and children; and
- accessing specialist expertise.

School and early years staff training

All LEAs should seek to ensure that staff training needs are addressed by gathering information from schools on their priorities for professional development, and by establishing a coherent programme of training opportunities in the light of this. LEAs should also work in partnership with the EYDCP to ensure that relevant training opportunities are available to early years staff and should monitor the take-up of training across different sectors. They should also explore the scope for involving health and social services in delivering aspects of the training, although we acknowledge that resource constraints may inhibit this.

Our national survey of LEAs suggests that there has already been much focused training activity. Over three-quarters of LEAs reported that the SEN-related training needs of early years staff had been clearly identified in the Early Years Development and Childcare Plan; and three-fifths of LEAs said that they had undertaken an analysis of the training and development needs of school staff in relation to SEN in the last two years. This was most likely to have included SENCOs, followed by mainstream teachers and special school teachers. Learning support assistants were a little less likely to have been included. Almost two-thirds of LEAs said that their analysis of staff training needs had included all staff groups.¹

In spite of this, our research suggests that many class teachers feel ill-equipped to respond to the wide range of needs in today’s classrooms. We questioned over 40 SENCOs during our research, many of whom felt that class teachers in their schools lacked confidence in working with children with SEN. They identified a number of training priorities for school staff [Exhibit 3, overleaf].

¹ Audit Commission LEA survey.
The top priorities identified by SENCOs relate to core classroom skills.

<table>
<thead>
<tr>
<th>Staff training needs</th>
<th>Priority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Curriculum differentiation</td>
<td>★★★</td>
</tr>
<tr>
<td>Behaviour management</td>
<td>★★★</td>
</tr>
<tr>
<td>Target-setting/writing and using IEPs</td>
<td>★★★</td>
</tr>
<tr>
<td>New SEN Code of Practice</td>
<td>★★★</td>
</tr>
<tr>
<td>Teaching literacy</td>
<td>★★</td>
</tr>
<tr>
<td>Working with assistants/inclusive classrooms</td>
<td>★★</td>
</tr>
<tr>
<td>Dyslexia/specific learning difficulties</td>
<td>★★</td>
</tr>
<tr>
<td>Identifying needs/early identification</td>
<td>★★</td>
</tr>
<tr>
<td>General understanding of SEN</td>
<td>★</td>
</tr>
<tr>
<td>Speech and language difficulties</td>
<td>★</td>
</tr>
<tr>
<td>Working with other agencies</td>
<td>★</td>
</tr>
</tbody>
</table>

Source: Audit Commission questionnaire of SENCOs (41 respondents)

The SENCO plays a key role in the day-to-day management of SEN – a task that is becoming increasingly demanding and complex as more resources are delegated to schools. A number of concerns were raised in our research about how effectively SENCOs were able to fulfil their role, including whether they have sufficient authority and influence over school policy, decision-making and resource use; and whether they have sufficient time to do their job adequately. LEAs should target SENCOs with training in the effective management of SEN – including resource management and record-keeping.

LEA support staff training

Support services provide valuable back-up to schools and early years settings, and it is important to ensure that staff skills and knowledge are up to date. Our survey indicated that less than half of authorities had undertaken an analysis of the training and development needs of SEN support staff in the last two years, although one in seven indicated that this was underway. Authorities that had, highlighted a wide range
of priorities for LEA support staff training, including:

- the new SEN Code of Practice;
- dealing with parents on difficult issues;
- information and communications technology;
- new legislation (in particular, the SEN and Disability Act 2001); and
- specialist areas, such as autistic spectrum disorders, emotional literacy, speech and language difficulties, specific learning difficulties and behavioural difficulties.

**Support on working with parents and children**

68 Our review of case files suggested that an important area for development for many school and LEA staff was the involvement of young people and parents in statutory assessment, target setting and review. This is also emphasised by the new SEN Code of Practice (Refs. 7 and 8). The number of parents contributing written evidence on their child’s needs ranged from four in ten in one area to nine in ten in another. There was scant evidence of young people’s views being sought or recorded during statutory assessment – with no evidence of this in files in one area, but evidence that one in four children had been consulted in another.

69 LEAs should consider what training is needed to ensure that the expectations of the new Code of Practice are met. This should take into account the views of young people during statutory assessment and in subsequent decision-making. Only a very small number of LEAs identified involving pupils or obtaining pupil views as a training priority, despite the emphasis placed on this area in the new Code (Refs. 7 and 8).

**Accessing specialist expertise**

70 Special schools have much potential to support mainstream schools in responding to some children’s needs as has been demonstrated by successful outreach arrangements in a number of areas [Case study 8, overleaf]. This may involve staff training initiatives or information sharing on effective strategies for working with children with particular needs. LEAs should explore the scope for developing their special schools, where appropriate, as resource centres to support their mainstream counterparts. If, on the other hand, an LEA’s inclusion policy deems that special schools should be closed, LEAs will need to consider how they might retain and redeploy staff expertise and resources.

---

1 Audit Commission review of 100 case files of children with statements.
Case study 8

Accessing specialist expertise through outreach arrangements in Slough

Arbour Vale Special School provides outreach support to both primary and secondary schools in Slough. The LEA funds the school on the basis of the maximum number of places, and with fewer pupils attending the school as more have been included in mainstream schools, resources have been released to redeploy some of the teachers to provide outreach support. They are highly skilled practising teachers who are well placed to support their mainstream colleagues with curriculum development and differentiation.

A senior member of staff from Arbour Vale has delivered the local SENCO accredited training run in partnership with SENJIT. This programme has run for the past three years and is being extended to support SENCOs in neighbouring authorities. Another staff member has been released to support with the development and delivery of accredited training programmes for teaching assistants. These training modules have been effective in raising staff expertise, while promoting a closer working relationship between mainstream and special schools. Many of these modules are provided for staff at Arbour Vale School, which facilitates the continuous dialogue necessary for successful outreach.

A third member of staff spends two days a week working with the LEA’s Pre-5 teacher counsellor team – supporting young children with significant developmental needs and their families and easing their transition into mainstream nurseries.

The school and LEA are keen to expand these activities. The school is preparing to become a Communication Aids Project (CAP) centre, providing a service across the borough to assist children with very complex communication needs; they are also exploring the scope to become an information centre for SEN by providing support to mainstream schools via the web and video-conferencing.

Source: Audit Commission

LEAs should also try to develop the role of pupil referral units (PRUs) to provide short-term placements and outreach support to children who are at risk of exclusion. This has been developed in Denbighshire and has resulted in a significant reduction in exclusion levels [Case study 9].

Our research also raised concerns about skill levels in the special sector and in particular the ageing profile of the special school workforce – at a time when pupil needs are becoming increasingly complex and diverse. LEAs should seek to develop the training role of special schools where they have relevant expertise – both in terms of outreach work and on-site training – and foster learning opportunities between mainstream and special schools.
Case study 9

Behavioural support in Denbighshire

Denbighshire LEA redeveloped its pupil referral unit to offer short-term, flexible placements to pupils at risk of exclusion. They did this in response to concerns that many young people were spending long periods in the PRU – and as a consequence, that growing numbers were having to receive home tuition.

They developed a six-week rolling programme, enabling young people to come out of school for respite and intensive support. Primary school children attend for half-day sessions only. At the end of this period, specialist teachers and learning support assistants from the PRU support their re-integration. Schools pay for provision in the PRU by the day.

The system was developed in consultation with local schools – on the understanding that they should be able to access short-term support more readily, but in return, they should be less ready to exclude pupils. Its success relies on the strong relationship between the behavioural support service (based at the PRU) and schools. Exclusions fell dramatically at first and, although they have since risen, a much lower rate of exclusion has been maintained. The LEA no longer issues statements for children with emotional and behavioural difficulties (EBD), but supports children at School Action and School Action Plus. Only children with statements requiring special EBD provision (issued by other LEAs) now spend prolonged periods in the PRU.

Source: Audit Commission

LEAs can use the following checklist (overleaf) to identify strengths and any weaknesses and priorities for action.
# Checklist: developing the capacity of schools and early years settings

## Putting in place a range of provision

### Matching provision to identified needs

<table>
<thead>
<tr>
<th>Question</th>
<th>Action Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the LEA able to provide a detailed picture of school admissions of</td>
<td></td>
</tr>
<tr>
<td>children with SEN for discussion at the Local Admissions Forum?</td>
<td></td>
</tr>
<tr>
<td>In particular, is it able to identify the pattern of admissions for</td>
<td></td>
</tr>
<tr>
<td>children with behavioural difficulties?</td>
<td></td>
</tr>
</tbody>
</table>

### Addressing gaps in provision

<table>
<thead>
<tr>
<th>Question</th>
<th>Action Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does the LEA monitor the profile of out-of-area placements in terms of</td>
<td></td>
</tr>
<tr>
<td>the number of children involved and their needs?</td>
<td></td>
</tr>
<tr>
<td>Does the inclusion/SEN strategy set out a timetable for reducing</td>
<td></td>
</tr>
<tr>
<td>‘out-of-area’ placements by developing suitable provision</td>
<td></td>
</tr>
<tr>
<td>locally, possibly in partnership with neighbouring LEAs and other</td>
<td></td>
</tr>
<tr>
<td>agencies?</td>
<td></td>
</tr>
</tbody>
</table>

### Allocating resources

<table>
<thead>
<tr>
<th>Question</th>
<th>Action Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Do schools know and clearly understand the funding that is available</td>
<td></td>
</tr>
<tr>
<td>to them for SEN and the full extent of their responsibilities?</td>
<td></td>
</tr>
<tr>
<td>Could discussion at the Schools Forum provide for greater transparency</td>
<td></td>
</tr>
<tr>
<td>and a clearer basis for accountability?</td>
<td></td>
</tr>
<tr>
<td>Is this planned?</td>
<td></td>
</tr>
</tbody>
</table>

| Did, or will, discussions cover:                                          |                 |
| • striking the right balance between maintaining central support         |                 |
|   services and delegating funding to schools?                            |                 |
| • the delegation formula used to distribute SEN and AEN resources to    |                 |
|   schools?                                                               |                 |
| • how far arrangements align with the LEA’s strategic approach          |                 |
|   (for example, by encouraging early intervention)?                     |                 |
Creating incentives

Are incentives to encourage change in line with the inclusion/SEN strategy built into the delegation formula?  

Does the LEA have systems to recognise and reward inclusive practice in schools/early years settings?  

Tailoring support and funding to meet needs

Is sufficient support available to schools and early years providers from central support services and the educational psychology service?  

Has the LEA reviewed its arrangements for funding SEN provision in early years settings, in consultation with the Early Years Development and Childcare Partnership, in particular, the availability of advice and support for children without statements and for those in non-maintained settings?  

Has the LEA planned the ongoing role of central advisory and support services, in particular, for children with low incidence needs?  

Is support available for ‘whole school approaches’ and staff training as well as for work with individual children?  

Is adequate support and advice available in Welsh (Wales only) and in minority languages?  

Do the LEA’s funding arrangements:

(a) promote inclusive practice by:

- promoting early intervention and alternatives to statements for pupils who do not have severe, complex or lifelong needs?  

- encouraging mainstream schools to admit and retain children with high levels of need or challenging behaviour?  

- encouraging special schools to enable pupils to take part in some mainstream school activities?  

- encouraging schools (special and mainstream) to work together to share their skills and experience on SEN?  

- minimising the incentives for schools to seek additional resources by identifying more SEN or overemphasising children’s difficulties?
Action required

(b) fairly reflect the pattern of needs across local schools by:

- targeting more resources to schools with a higher needs profile?  
- relating the level of funding clearly to the level of support needed?  
- allowing flexibility to meet the changing pattern of needs from year to year, or even term to term, particularly for small schools and in relation to lower incidence needs?

(c) and are they transparent, providing a sound basis for accountability, by:

- making clear to schools what funding they have available for SEN and for what purpose?  
- setting out clearly how schools are expected to account for their spending on SEN?

Delegating SEN resources

Are there effective systems to ensure that parents and schools understand the arrangements for delegating SEN funding?  

Is evidence being collected on the level of understanding of parents and schools on these arrangements?  

Do appropriate monitoring structures exist to ensure that delegated funds are used for SEN?  

Is the impact on central support services being closely monitored and evaluated to ensure their continued viability?

Developing staff skills and confidence

School and early years’ staff training

Has the LEA recently asked schools and early years settings to identify staff training needs in relation to SEN?  

Does the LEA provide or broker a coherent programme of training for staff, including:

- early years staff?
### Action required

<table>
<thead>
<tr>
<th>Question</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>• SENCOs?</td>
<td></td>
</tr>
<tr>
<td>• classroom teachers?</td>
<td></td>
</tr>
<tr>
<td>• learning support assistants?</td>
<td></td>
</tr>
<tr>
<td>• governors?</td>
<td></td>
</tr>
<tr>
<td>Is the LEA working in partnership with the EYDCP to ensure that relevant training opportunities are available to early years staff and is it monitoring the take-up of training across different sectors?</td>
<td></td>
</tr>
<tr>
<td>Is the LEA engaged in multi-agency training programmes, if not, has it explored the scope for doing so?</td>
<td></td>
</tr>
</tbody>
</table>

### LEA support staff training

Has the LEA recently reviewed the training needs of SEN support staff and the educational psychology service and taken action to meet them?  

### Support on working with parents and children

Do school and LEA staff feel confident about involving young people and their parents in statutory assessment, target setting and annual reviews?  

Is training needed on this front, to ensure that the expectations of the new Code of Practice are met?  

### Accessing specialist expertise

What scope is there for developing outreach so that special school staff can advise and support their mainstream colleagues?  

Has the LEA sought to develop the training role of special schools where they have relevant expertise – both in terms of outreach work and on-site training – and to foster learning opportunities between mainstream and special schools?  

Are there plans to re-distribute resources and staff expertise to pursue the inclusion strategy?  

Otherwise, has the LEA considered accessing expertise from other local authorities or regionally?
Developing effective accountability arrangements by...

- **School monitoring and ‘self-review’** — supporting schools to review their own policies, practice and outcomes within a framework agreed with the LEA.
- **Monitoring schools’ work on SEN**, using indicators and other evidence.
- **Targeting support and intervention**, using ‘triggers’ that have been clearly identified and agreed with schools.

**School monitoring and ‘self-review’**

74 Government policy, as developed in the White Papers *Excellence in Schools (England)* (Ref. 14) and *Building Excellent Schools Together (Wales)* (Ref. 15), the School Standards and Framework Act 1998 (Ref. 16) and the Code of Practice on LEA-School Relations (Refs. 17 and 18), states that the main responsibility for improving schools lies with schools themselves. LEAs have a duty to promote high standards for all pupils in schools. Their key role is to challenge and support schools and to intervene only to avoid failure. Support and intervention should be preventative, early and in inverse proportion to success.

75 To be able to do this effectively, LEAs are expected to monitor the performance of schools using the extensive performance data that are now readily available, and other evidence gathered by LEA services. LEAs are expected to carry out an annual audit of schools’ performance to inform their dialogue with individual schools and assist with self-review and development planning (Case studies 10 and 11). Where officers believe that a school is under-performing in any respect, including its provision for children with SEN, the LEA is expected to exert challenge. It is also essential that LEA monitoring provides sufficient information to enable SEN advice and support to be targeted effectively.
Case study 10
School self-review in North Yorkshire
An LEA review 18 months ago identified inconsistencies in schools’ accountability for their work on SEN, both in terms of reporting to governors and LEA monitoring, support and challenge. This was seen as a priority for development as the LEA is delegating more resources to schools from April 2003. The LEA developed a short self-review form (only two pages), asking schools to rate their own practice on a scale of one to three, against a range of criteria. These cover four key areas:

- the ‘continuum of provision’ for children with SEN, in particular, in relation to literacy, numeracy and emotional and behavioural difficulties;
- management of SEN resources and accountability arrangements;
- assessment and monitoring of pupils’ progress; and
- monitoring and evaluation by the SENCO.

Schools that complete the self-review and meet key criteria will be awarded an ‘SEN Quality Mark’ and receive Standards Fund grant for use with complete local discretion. Schools failing to meet the criteria receive support from the LEA to improve their provision, including more guided use of Standards Fund SEN allocations. The qualifying criteria will change over time to reflect new priorities for development. Validation visits will take place to evaluate the quality of responses.

Of all the schools in the area, 396 completed the review and only 11 did not. Feedback has been positive: most have said that they found it a useful exercise that has helped them to identify their own strengths and weaknesses. Schools are very pleased with the Quality Mark awards. The review forms one element of a wider framework for school self-review. LEA analysis of the information provided will be used to produce an annual report to governors, together with evidence from link advisers, the Parent-Partnership Service, PLASC and annual reviews, and so on. It has also enabled the LEA to review its training programmes and to identify schools requiring support.

Source: Audit Commission

Case Study 11
Monitoring and intervention of schools in Bristol
Bristol City LEA has defined a range of objective measures on SEN as part of their overall system for monitoring schools. These can provide ‘triggers’ for a visit by an SEN adviser. Key measures include:

- a high proportion of very low attaining pupils (that is, children who are performing significantly below age-related expectations), in comparison to similar schools;
- Ofsted judgements on the effectiveness of the school’s SEN provision; and
- if more than 60 per cent of the school’s applications for individual child SEN funding were turned down by the LEA in its annual audit (as an indicator that the school may have poor systems in place).
LEA officers also consider the level of exclusions in each school and the extent of their SEN provision. In interpreting the data, they take into account two important contextual factors:

- the percentage of children for whom English is an additional language; and
- the percentage of children with ‘complex special needs’, as a measure of how inclusive the school is (indicated by the number of children receiving additional LEA-funded support above a certain level).

If potential concerns are highlighted, this triggers a visit from an SEN adviser. Working with the school, they explore how far the concerns are borne out in practice – and how they might work together to make any improvements. The system was developed in consultation with local schools and is used in conjunction with a school self-evaluation framework.

Source: Audit Commission

**Monitoring schools’ work on SEN**

Our survey of LEAs suggested that barely half were systematically monitoring schools’ performance on SEN, although a further third reported that they were developing systems to do so. Most LEAs have well-established systems for monitoring school performance, often based on school-self review processes. Evidence from LEA inspections, however, shows that SEN is an under-developed element within such frameworks, and that there is often a lack of clarity about when, or if, an LEA should intervene regarding weaknesses in SEN provision. We found that links between LEAs’ SEN services and those for school improvement were generally weak, with relatively little sharing of expertise and information.

We recommend that LEAs should strengthen the links between their SEN and inspection and advisory functions, in the first instance, by further developing the expertise of school improvement officers/link advisers in relation to SEN. In addition, there should be a greater sharing of data on SEN between the two functions, and of qualitative information arising from section 10 inspections, monitoring visits, annual reviews and feedback from the parent partnership service.

LEAs should review their monitoring framework for schools to ensure that appropriate SEN indicators are included; in particular, data on the achievement and inclusion of pupils with SEN, including those in special schools. A number of developments at the regional and national level may support progress on this front. Some of the SEN regional partnerships, including the North East Regional SEN Partnership, have devoted much effort to developing effective performance frameworks. Meanwhile, work underway at the DfES to develop a suite of inclusion indicators may yield useful performance measures that could be used locally.
LEA monitoring should also encompass closer scrutiny of attendance and exclusion of children with SEN. They are significantly over-represented in national statistics on exclusion and unauthorised absence. Children with behavioural difficulties are far more likely to be excluded, but little is known about the link between other needs and exclusion. Less than one in five LEAs reported that they collect data on permanent exclusions of children with statements by type of need. Such information could yield valuable insights into why children are being excluded and could enable the development of strategies to reduce exclusions. All LEAs should collect data on the permanent exclusion of pupils with statements of SEN, by type of need. We also recommend that LEAs collect attendance data on pupils with SEN, both with and without a statement.

As resources for SEN are increasingly delegated to schools, it is critical that there are appropriate accountability structures in place so that parents can be confident that their child’s needs are being met. Providing parents with assurance is a key role for the LEA but it also requires action at the school level. We found that the monitoring by governors of SEN provision and pupil outcomes was variable. This depended on governors’ knowledge and understanding of SEN issues, as well as on their expectations of their role, the expectations of the headteacher, and critically, on the quality of the information made available to them.

We recommend that school self-review should form the foundation of the SEN accountability framework for schools. This should involve schools in reviewing their own performance within a framework agreed with the LEA. By using the same framework and a common set of criteria, schools will be able to compare their performance against each other, and identify their own strengths and weaknesses. The performance framework should incorporate a range of information, including expenditure, inclusion indicators and pupil outcomes and there should be a clear focus on how much progress children with SEN are making. The London Regional SEN Partnership (North Central Group) is developing a framework along these lines [Exhibit 4, overleaf].
Exhibit 4
LEA and school responsibilities within a framework for monitoring and accountability

LEAs
- Work in partnership with schools to establish the framework and mechanisms for self-review
- Provide schools with external support and challenge where required
- Facilitate the sharing of good practice
- Maintain robust data on performance
- Ensure that data on performance (including benchmarking information) is readily available to schools, preferably by means of a secure intranet
- When supporting self-review in schools, ensure that data and information from all relevant services are gathered
- Are responsible for the open review of their own performance in partnership with schools including policies and strategies
- Translate the outcomes of review into actions through service planning and the Education Development Plan
- Ensure that parents are aware of, and have confidence in, arrangements

Schools
- Are responsible for self-review
- Systematically gather data and evidence of performance including the views of children and their parents/carers
- Engage groups of staff with the assessment and review of performance against Ofsted and other good practice criteria
- Ensure that inclusion/pupils with AEN/SEN are a focus for periodic review within a wider framework that assesses whole school performance
- Include external support and challenge as part of self-review
- Translate the outcomes of review into actions through the School Development Plan and share elements with stakeholders
- Share information on good practice and performance internally and externally with other schools
- Actively contribute to LEA self-review and to the corporate drive to raise standards

Source: Chris Beek, Capita Strategic Education Services for the London Regional SEN Partnership (North Central Group)
Targeting support and intervention

School managers face an increasingly complex task in making effective arrangements for meeting the needs of children with different SEN. The impact of recent Government policy and legislation is such that almost all LEAs, and most mainstream schools, are seeking to increase their capacity and extend access to support the education of children with SEN. School managers, therefore, need to implement arrangements that reflect the changing balance of needs as greater inclusion takes place and ensure that all pupils are able to access and participate in the full range of learning opportunities. These arrangements need to be consistent with the school’s inclusive values and ethos, and they should also reflect local, regional and national policy.

The SEN and Disability Act 2001 (Ref. 19) establishes new duties for schools and LEAs. Part I of the Act amends Part IV of the Education Act 1996 to:

- strengthen the right of children with SEN to be educated in mainstream schools;
- require LEAs to arrange for parents of children with SEN to be given advice and information on SEN matters, and to provide a means of resolving parental disagreements with schools and LEAs; and
- require schools to tell parents when they make SEN provision for their child; and allow schools and early education settings to request a statutory assessment and to have the right to appeal to the SEN and Disability Tribunal.

Guidance on these duties is contained in the SEN Code of Practice (Refs. 7 and 8) and also in Inclusive Schooling – Children with Special Educational Needs (Ref. 20).

Part II of the SEN and Disability Act 2001 amends Part IV of the Disability Discrimination Act 1995 to place important new anti-discriminatory duties on schools; schools will no longer be permitted to treat disabled pupils less favourably than their peers but will need to make reasonable adjustments for them. Schools will no longer be able to discriminate against disabled children in their admissions or exclusion arrangements. The Act also requires LEAs and schools to plan strategically to increase the extent to which disabled pupils have full access to the school curriculum, and to make information available in formats that suit all pupils. With effect from April 2003, each school is required to draw up and implement an Accessibility Plan; these plans will be inspected by Ofsted and by Estyn.

These developments show that a new chapter has begun in Government policy towards inclusive schooling. These new duties for LEAs and schools must be reflected in the monitoring and review arrangements for SEN. LEAs should use the information arising from their monitoring, together with the outcomes of schools’ own self-review, to target support and intervention where necessary. This may take a number of forms, ranging from advisory visits by SEN officers and specialist staff to targeted support, such as training and development for staff and governors.
SEN officers in a number of LEAs involved in this study were unsure of their role in following-up SEN issues of concern, particularly where these related to a high-performing school. Some felt that their scope for doing so was limited by the Code of Practice on LEA – School Relations (Refs. 16 and 17) which sets out the expectation that intervention in school should be in inverse proportion to success – and where ‘success’ has been interpreted narrowly as academic success. However, LEAs’ responsibilities under the SEN Code of Practice take precedence over the Code of Practice on LEA-School Relations. Given the varying relationships that LEAs have with schools, it is important that triggers for intervention in relation to SEN provision are developed in collaboration with schools, as part of the monitoring and review framework. This should enable prompt action to be taken where problems occur and help to ensure a constructive dialogue.

LEAs can use the following checklist to review their own arrangements for monitoring, challenge and intervention, and to identify strengths, weaknesses and priorities for action.
Checklist: monitoring, challenging and intervention

School monitoring and ‘self-review’

Has the LEA developed (or otherwise instituted) a framework to help schools to review their practice on SEN and to identify areas for improvement? □

If not, are schools using other frameworks to review their practice on SEN? Could these provide the basis for a common self-review framework to be used across all local schools? □

Monitoring schools work on SEN

Does the LEA’s annual review process and agreed procedures for monitoring, challenge and intervention in schools include:

- a clear focus on outcomes for pupils with SEN? □
- agreed indicators for SEN? □
- thresholds for intervention? □

Are these procedures clearly understood by schools and their governing bodies? □

Do school improvement officers/advisers and SEN staff receive joint training in the use of SEN data and the implications of SEN legislation for schools? Are they confident and competent in monitoring academic and social outcomes for pupils with SEN? □

Do SEN services and the school improvement service share information and work together to support continuous improvement in SEN provision? Is this joint working reflected in service planning? □

Does the LEA’s monitoring of SEN incorporate:

- evidence from annual reviews? □
### Action required

- visits by LEA officers and advisers?
- feedback from the Parent Partnership Service?
- an analysis of resource use?

**Does the LEA monitor the unauthorised absence of pupils with SEN (including those without statements)?**

**Does the LEA’s monitoring of exclusions:**

- identify pupils with SEN (including those without statements)?
- incorporate a needs profile of excluded pupils?

**Does the LEA monitor schools’ progress in responding to the requirements of the SEN and Disability Act 2001; in particular, in relation to:**

- the anti-discriminatory duties placed on schools?
- strategic planning to provide greater accessibility for disabled pupils to the curriculum?

### Targeting support and intervention

**Have clear triggers for intervention been agreed with schools to enable prompt action where problems occur?**

**Are the outcomes of LEA monitoring used to:**

- target LEA support for SEN in schools and where necessary, to intervene?
- measure progress on the LEA’s strategy for SEN and inclusion?
- inform future strategic planning for SEN, together with other sources of intelligence on SEN?

**Has the LEA, in collaboration with schools, established school self-evaluation processes that incorporate criteria for SEN?**
### Action required

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the LEA developing the capacity of schools and their governing bodies to review and evaluate their provision for SEN?</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>Does the LEA monitor the quality of a school’s work, in relation to its stage of development, with regard to:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• the provision of a broad range of opportunities that meets the specific interests, aptitudes and particular needs of pupils?</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>• provision for extra-curricular enrichment activities to which pupils with SEN have full access?</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>• provision of effective personal and social education, involving health, sex and drug education, with pupils’ particular SEN in mind?</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>• teaching that is organised to engage and motivate all pupils irrespective of their SEN?</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>• effective assessment arrangements to monitor and evaluate pupils’ progress and attainment that incorporate pupils’ different learning styles and rates of progression?</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>• the availability of support and advice targeted to ensure that all pupils make the best progress they can in terms of academic and personal development, including behaviour and attendance?</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>Does the LEA have systematic monitoring procedures for incidents of sexual and racial harassment, bullying and hostile behaviour?</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>Does the LEA routinely monitor the extent to which the schools’ leadership and management create an inclusive ethos where pupils with SEN are valued and contribute equally?</td>
<td>☐</td>
<td></td>
</tr>
</tbody>
</table>
References

Statutory Assessment and Statements of SEN: In Need of Review? This paper from the Audit Commission looks at how well the statutory framework for identifying and meeting children’s special educational needs (SEN) is working – and makes recommendations to local authorities, schools and government about how they might meet children’s needs more effectively.

Policy Paper, 2002
ISBN 1862403600, £18, stock code LMP2756

Getting in on the Act: A Review of Progress on Special Educational Needs. The Commission’s report Getting In On The Act made a number of recommendations, including clearly defining levels of disability and offering the choice of mainstream school education for children with special needs. This update reviews the progress made by LEAs in improving their support for children with SEN.

Update, 1998
ISBN 1862401217, £5, stock code LUP1280

Improving Transport for Children with Special Educational Needs: A Practical Handbook for Managers. This handbook provides guidance aimed at assisting councils to improve the management and delivery of their SEN transport services. It examines current service delivery and sets out ways in which standards of user focus, service quality, budgeting and use of resources can be raised.

Management Handbook, 2001
ISBN 1862403325, £25, stock code LMH2652
To order a printed copy of *Managing Special Educational Needs: A self-review handbook for local educational authorities* please contact Audit Commission Publications, PO Box 99, Wetherby, LS23 7JA, 0800 502030.

This publication is also available on our website at www.audit-commission.gov.uk