

# **Good intentions, good enough?**

**A review of the experiences and outcomes of children and young people in residential special schools and colleges**

**November 2017**

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## Foreword

There are over 6,000 children who spend much of their childhood in residential special schools and colleges. Some receive an excellent education in placements that have been carefully considered to meet their needs; many do not, and are placed as a last resort from a failing local authority system and then often ignored.

We have worked with these children and their families for much of our working lives and so were delighted to be asked by the government to review their experiences and outcomes. These are some of the most vulnerable children and young people in the education system, with needs greater than almost all of their peers. There's no group for which it is more important that the system gets this support right.

The review takes place in the context of the implementation of the Children and Families Act 2014, which sought to give greater control to families and improve outcomes for children and young people by improving the identification and assessment of special educational needs and disabilities (SEND), and by getting agencies to work together to meet them. These were unquestionably the right aims, and – thanks to a great deal of hard work at a local level – good progress has been made. With transition to the new SEND system ending in March 2018, we believe now is the right time to increase our focus on the support, and provision, for children and young people with SEND.

We've been encouraged to see examples of services doing this throughout the review. Whether for a traumatised child supported to overcome their experiences, an autistic child struggling with anxiety but transformed by positive behaviour support, or a child with profound and multiple learning difficulties providing valuable skills to their community while on work experience, we know that the right support can be life-changing for these children and young people.

However, these examples are not yet as widespread as they should be. We found that too many children and young people are having negative experiences in mainstream schools; too many families have to fight to access the support they feel their child needs; and too many schools and colleges are not ambitious enough about the outcomes their children and young people can achieve.

The vision we've set out in this report, and the recommendations to achieve it, seek to address these problems. Many are not new, and a number of reports have tried to address them over the years. That they still exist demonstrates that there are few easy solutions. However, our hope is that this report will be a springboard for

change, providing the impetus for solving these problems and putting in place ongoing oversight that will ensure these children and young people remain a priority.

It has been a privilege to carry out this review. We would like to thank ministers at the Department for Education for the opportunity to do so, and civil servants who supported us throughout. We would also like to thank everyone that took the time to write to us, to meet us and to share their experiences. In particular, we are enormously grateful to the children, young people and their families who told us their stories throughout this review – we hope that through this work, there will be many more positive stories in future.

***Dame Christine Lenehan and Mark Geraghty, November 2017***

## Executive summary

The vast majority of children and young people with education, health and care (EHC) plans are educated in mainstream and special schools and colleges in their local communities. A small number, around 6,000, are educated in 334 residential special schools and colleges, in the state, non-maintained and independent sectors. These placements cost an estimated £500m per annum and typically cater for those with the highest needs, including those with autism, communication difficulties, severe learning difficulties and challenging behaviour, those with social, emotional and mental health needs, and those with profound and multiple learning difficulties. They also cater for some children and young people with a special educational need or disability but moderate or no learning difficulties, some of whom may have mental health conditions.

Many of the children and young people currently in residential special schools and colleges could be educated in their local communities if better support was available. To achieve this, local authorities (LAs) should in future work more closely with parents, clinical commissioning groups (CCGs) and all providers to develop a range of flexible, local solutions for these children and young people. Our vision is that LAs and CCGs would offer a range of services, including mental health and social care support, to ensure children and young people could be educated locally as far as possible, and local schools and colleges would ensure these children and young people felt welcome there. Where appropriate, LAs would consider residential placements, and parents wouldn't feel they have to fight to access these. Residential special schools and colleges would work more collaboratively with LAs to provide the services they require, be open and flexible about their fees, and give educational progress the same priority as wellbeing.

Currently, children, young people and their families seek a residential placement when local schools have struggled to meet the needs of children and young people with challenging behaviour, when children and young people have had negative experiences in local mainstream and day special schools, and/or when there's been an absence of support across education, health and social care services. At post-16, some seek a residential placement to learn the functional skills that enable them to live independently.

When needs go unmet in local schools, they intensify in many cases, and behaviours can become ingrained. The search for more appropriate provision leads families to residential special schools and colleges, but some LAs can be reluctant to place here, due to the importance of managing their high needs budget, their desire to

keep children and young people in their local communities and, occasionally, a dislike of the independent/non-maintained sector. Many LAs remain reluctant to use residential provision even when they lack a viable alternative placement, which is generally because they have not created provision proactively to meet demand for such places. The lack of an alternative placement inhibits LAs in discussions with providers and, combined with the power of parental preference, can contribute to fees sometimes seeming excessive.

Often because of this reluctance to place, the process of getting a residential placement causes much frustration for some families. Once they access placements, experiences for children and young people are generally very good, reflecting the focus from providers on wellbeing and therapeutic support. However, some seem to focus on this at the expense of educational progress, when both should be the aim, and some young people can be held back by a lack of ambition for what they can achieve. Preparation for adulthood can suffer because of this, and some LAs feel outcomes are not as good as they should be.

This lack of ambition can remain unchallenged thanks to inadequate monitoring of placements by some LAs, with annual reviews regularly going unattended. Some residential special schools seemed professionally isolated, with weak networks inhibiting the sharing of good practice and learning from bad practice.

While some of these findings were negative, we have seen enough examples of good practice to know that the vision set out in this report can be achieved. Our recommendations seek to embed and spread this good practice, by:

- ensuring children and young people with SEND get the services and support they need in their local community (in mainstream or special provision)
- ensuring that local areas have planned and commissioned provision strategically, so that it is available when required
- ensuring the accountability and school improvement systems enable children and young people to achieve the best possible outcomes

To take forward these recommendations, and provide broader, strategic oversight of provision for these children and young people, we also recommend that the Department for Education creates a national leadership board for children and young people with high needs, reporting to the Minister for Children and Families.

## Context

In December 2016, the then Minister for Vulnerable Children and Families, Edward Timpson, commissioned Dame Christine Lenehan to lead an independent review of the experiences and outcomes of children and young people in residential special schools and colleges. Dame Christine, a social worker by background, asked Mark Geraghty, chief executive of the Seashell Trust, which runs an outstanding residential special school and college, to co-chair the review.

To inform the review, we ran a call for evidence from January to March 2017, receiving 221 responses, 43% of which were from parent/carers<sup>1</sup>. We conducted fieldwork from March to July 2017, speaking to over 30 schools and colleges and over 20 LAs across all regions of the country. We've also met with officials from Ofsted and CQC, as well as the judiciary for the SEND Tribunal and two of the representative bodies of schools and colleges in the sector – the National Association of Independent & Non-Maintained Special Schools (NASS) and the National Association of Specialist Colleges (Natspec). Unless otherwise cited, the evidence in this report comes from either the visits and meetings we undertook or the call for evidence responses we received.

### How many residential special schools and colleges are there?

There are 334 residential special schools<sup>2</sup> and colleges<sup>3</sup> in the country. 142 of these are independent schools, 50 non-maintained special schools, 91 maintained or academy schools, 50 specialist post-16 institutions (SPIs) and 1 general further education (FE) college with a specialist remit. These different types are defined as follows:

- maintained special schools are those run by local authorities, while special academies are run by academy trusts rather than local authorities
- independent special schools and SPIs are independent of local authority control and run by private companies (which are allowed to make a profit) or

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<sup>1</sup> 221 responses in total, with 94 from parent/carers, 50 from schools or colleges and their staff, 25 from local authorities, 21 from charities and 31 others.

<sup>2</sup> Throughout the report, we have used the term “residential special school” to refer to both those registered as residential special schools, and special schools dual-registered as children’s homes.

<sup>3</sup> By residential special colleges, we mean independent specialist colleges or specialist post-16 institutions with boarding provision.

charities (which cannot make a profit); SPIs may also be run as community interest companies

- a non-maintained special school is an independent special school which cannot be run for profit
- a general FE college is a post-16 education provider run by an independent corporation that cannot be run for profit

Residential special schools and colleges generally offer three types of residential placement to their pupils and students: weekly (where the pupil or student boards during the weeks they attend), term time (where the pupil or student boards for 38 weeks per year, including weekends), and 52 weekly (where the pupil or student can live at the school or college all year round). Schools offering 52-week provision must be registered as children's homes, which carries with it more stringent accountability (they are accountable to the children's home quality standards, rather than the less demanding residential special school minimum standards). Colleges offering student accommodation for young people aged 16-19 or adults with care needs must be registered with the Care Quality Commission (CQC) for inspection.

Currently, there are 4,878 children boarding in residential special schools<sup>4</sup>, and a further 1,268 boarding in specialist post-16 institutions<sup>5</sup>; a total of 6,146. With residential placements costing between £35k and £350k per annum, expenditure on this sector is estimated to be in the region of £500m<sup>6</sup> per annum.

As the chart below demonstrates, the number of children and young people boarding in residential special schools has declined significantly since 2010, falling from around 7,600 to 4,878. This is driven mostly by a substantial fall in the number of boarders in independent/non-maintained special schools (from around 5,300 in 2010 to 2,987 in 2017), which contrasts with the increase in the overall number of children with EHC plans or statements of SEN placed in independent/non-maintained special schools (from 10,840 to 14,942 over the same period)<sup>7</sup>.

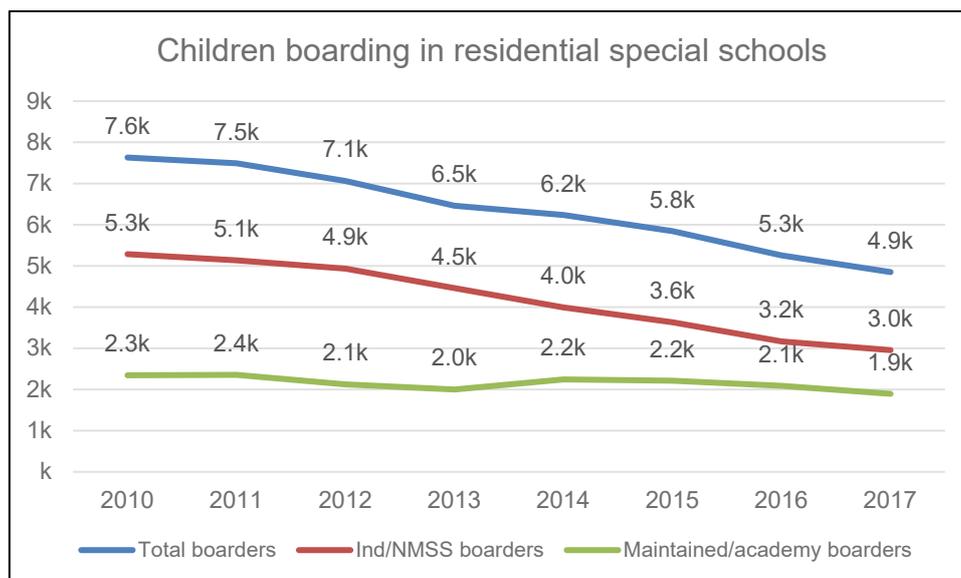
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<sup>4</sup> Schools, pupils and their characteristics: January 2017, Department for Education (DfE)

<sup>5</sup> Internal Education and Skills Funding Agency data, from Individualised Learner Record returns

<sup>6</sup> Based on the costs set out in "Comparative cost review of non-maintained and independent special schools with local authority maintained special schools", Clifford, J, and Theobald, C., 2012, and evidence collected about fees during the review.

<sup>7</sup> Special educational needs in England: January 2010 & Statements of SEN and EHC plans: England 2017, DfE



## Who are the children and young people in residential special schools and colleges?

The children and young people in residential special schools and colleges can be broken into four broad groups:

### 1. Those with autism, communication difficulties, severe learning difficulties<sup>8</sup> and challenging behaviour<sup>9</sup>

These children and young people will, in combination with their autism, have little to no verbal communication. When they find themselves becoming anxious, often linked to their autism, this can be difficult to communicate. The frustration and mounting anxiety that results from this can then lead to challenging behaviour.

### 2. Those with social, emotional and mental health needs (SEMH) and challenging behaviour

These will be children and young people who experience a wide range of social and emotional difficulties. Many of these children and young people will either be in or on the edge of care, will have endured significant adverse childhood experiences such as neglect or abuse, and suffer from attachment

<sup>8</sup> This report uses the term “learning difficulties” rather than “learning disability”, as this is consistent with the SEND Code of Practice.

<sup>9</sup> By challenging behaviour, we mean behaviour (as defined by Emerson et al in *Developing services for people with severe learning difficulties and challenging behaviours*) that is “of such an intensity, frequency or duration that the physical safety of the person or others is likely to be placed in serious jeopardy, or behaviour which is likely to seriously limit or delay access to and use of ordinary community facilities.”

disorder. Their behaviour can be impulsive, confrontational and sexualised, and involve verbal and physical aggression. These behaviours may reflect underlying mental health difficulties such as anxiety or depression, self-harming or substance misuse. Many will have no learning difficulties, but their placements in mainstream or day special schools fail due to challenging behaviour.

**3. Those with profound and multiple learning difficulties (PMLD) and health needs that require intensive specialist support**

Children and young people with PMLD are likely to have severe or profound learning difficulties as well as a physical disability or sensory impairment, and almost all will have significant difficulty communicating. With 80% attending special schools, they are, alongside those with severe learning difficulties, the least likely to attend a mainstream school, indicating the high level of support their needs can require. Some, particularly in residential schools and colleges, will have life-limiting health conditions and require specialised health support to help to manage these conditions.

**4. Those with a special educational need or disability but moderate or no learning difficulties**

Children and young people in this group tend to be those with a hearing or visual impairment, those with Asperger's syndrome, or those with a physical disability. They often have no or moderate learning difficulties, but seek residential placements following negative experiences in mainstream schools, and some may have developed mental health conditions.

The needs of the first three groups cross the boundaries of education, health and care, and they generally require the most intensive support of any children or young people in the system. In schools, the first two groups are the largest, making up an estimated 70% of all children and young people in residential special schools.

## How should services operate for these children and young people?

Residential special education has an important role to play for a small number of children and young people. Our vision for this sector, and for how services should operate to support the kind of children and young people currently in these schools and colleges, is set out below.

In a future where provision for children and young people with SEND was working optimally, residential special schools and colleges would provide specialist support and expertise to a small number of pupils with particularly high needs. The price of these placements would be linked clearly to the services provided, and parents would not feel they have to fight to access them. Some of those currently in residential schools and colleges would instead have their needs met in mainstream schools or non-residential special schools close to their homes.

LAs would use data to forecast demand for places, and work with providers, parents and CCGs to develop and commission a range of services to meet these needs locally. All schools would work with LAs to recognise those likely to develop high needs early in their schooling, and support them proactively to reduce the severity of these needs. Local areas would provide holistic support that crosses the boundaries of education, health and care, and use residential placements where appropriate. They would set stretching outcomes for these children and young people, hold schools and colleges to account for achieving them, develop adult services based on identified needs and support young people to transition to those services.

CCGs and social care teams would provide better support to children, young people and their families, particularly through mental health services, short breaks and building parental capacity, enabling them to remain in local provision as far as possible.

Residential special schools and colleges would be open and flexible about their fees, and work collaboratively with LAs on both individual placements and the services they will provide in future. They would give educational progress the same priority as wellbeing, and work to return children to local provision where they had made sufficient progress. They would establish links with other schools to share expertise and provide outreach services, and support one another to improve. Preparation for adulthood would be embedded throughout the education children receive, not just at post-16, with a particular focus from year 9 onwards. At post-16, residential special colleges would offer support that enables students to make positive progression from

college and equip them with the skills to lead their lives as independently as possible. Mainstream schools would ensure that children and young people with SEND feel welcome, and would know where to get support that enables them to meet their needs.

The following sections set out in greater detail how schools, colleges and services should operate to achieve this vision, the obstacles to achieving it currently, and recommendations to address these.

## Support for these children and young people in their local communities

### What do good local services look like for these children and young people?

The vast majority of children and young people with SEND should be supported in their local communities. For this to happen, mainstream schools and colleges would ensure that children and young people with SEND feel welcome, would have strong anti-bullying policies and knowledge of the reasonable adjustments children and young people require. There would be good links between mainstream and special providers, enabling the sharing of expertise, promoting better understanding of SEND and ensuring educational progress remains a priority. Schools and colleges would understand that challenging behaviour often communicates an unmet need, and have effective strategies in place to manage this both proactively and reactively.

Local areas would provide specialist support, and particularly mental health services, to enable children and young people to attend their local school or colleges. Regular short breaks would be available to families to give them a rest from the demands of caring for their child, and to enable children to develop friendships in their local communities. Local authorities and CCGs would design holistic offers of education, health and care support personalised to each child's needs. The local offer and SEND Information, Advice and Support Service would enable children, young people and their families to make informed choices about the support they receive.

### Why do some families, children and young people seek residential placements currently?

Where services were not working as described above, we found this could lead to the breakdown of local placements and children and young people moving into residential provision. In general, this tended to happen when local schools struggled to meet the needs of children and young people with challenging behaviour, when children and young people had negative experiences in local mainstream and day special schools, and when there was an absence of support across education, health and social care services. These are discussed in turn below.

## Challenging behaviour

We estimate that around 70% of children and young people in residential special schools are there largely because of their challenging behaviour. This behaviour can be aggressive, disruptive and difficult to predict, and many schools less specialist than those with residential provision can struggle to know how to cope with it. This can lead to the behaviour worsening, and if its causes continue to go unaddressed, it can, for many children and young people, lead to negative experiences, failed placements and moves through increasingly specialist and higher cost provision.

It may be understandable that some schools and colleges struggle with such behaviour, but much of this seems to be driven by a misunderstanding of what causes it, and a lack of knowledge about the steps they can take proactively to prevent it. For those with autism and those with SEMH, the causes of the challenging behaviour can be quite different.

### **Autism, communication difficulties, severe learning difficulties and challenging behaviour**

Children and young people with autism can experience intense anxiety due to difficulties understanding communication, sensory over- and/or under-stimulation or unexpected changes in routines. This anxiety, when combined with communication difficulties, can cause a desperation that leads to them communicating this through challenging behaviour. Failing to manage the anxiety that often triggers this behaviour can mean it continues and often worsens. These children and young people have a large overlap with those covered by the NHS Transforming Care programme, and one LA officer noted that:

There can be a vicious circle occurring within the ASD cohort. A poor provider triggers challenging behaviour or physical meltdowns (or fails to prevent such events), often exacerbating this with their reactions e.g. restraint, punishment or confinement. Good providers in whose care this behaviour may not have occurred will now not accept the child due to their history and pattern of risk. Therefore, the child is placed in a more restrictive or secure setting which can result in a worsening situation. Eventually, the child reaches a secure NHS setting which often is wholly inappropriate for their ASD needs. In different circumstances, a good specialist day placement could have worked for this child.

As set out in the 2007 Mansell report<sup>10</sup>, for many children and young people in this group, “challenging behaviour is *socially constructed*; it is the product of individual and environmental factors interacting together... [where] individuals with problems are cared for in environments which do not respond well to their needs, challenging behaviour is likely to develop and then to remain in the person’s repertoire.”

Currently, pupils with autism are three times more likely to be excluded permanently than children and young people with no SEND, and permanent exclusions for them increased by 36% between 2014-15 and 2015-16<sup>11</sup>.

### What does good support for these children and young people look like?

Much can be done to manage anxiety for this group through relatively straightforward adjustments such as using visual timetables, establishing routines and support for transitions, developing communication strategies (with speech and language therapy input) and limiting time spent in noisy environments. Strategies such as positive behaviour support (PBS) can also be effective for managing challenging behaviour. PBS assesses the relationship between environmental events and behaviour, identifies what can cause the behaviour and uses proactive strategies to prevent it. One respondent to our call for evidence noted that using a PBS-informed strategy had coincided with an almost 90% reduction in the use of physical restraints. Some LAs have introduced their own positive behaviour support services, with one estimating a saving of £1.8m over 4 years by enabling children and young people to stay within their family homes and at local special schools.

For some children and young people, even strategies like PBS can be insufficient. In the most extreme instances, this can eventually result in them being admitted to mental health hospitals, having been sectioned under the Mental Health Act 1983. However, viewing their problems purely as mental health needs can indicate a misunderstanding of their autism (although mental health needs can also be present).

We visited Alderwood LLA, an excellent independent residential care provider for young people and adults with autism, learning difficulties and challenging behaviour, which takes a number of young people directly from inpatient mental health hospitals. Despite many of these young people having been sectioned, Alderwood

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<sup>10</sup> Services for people with learning disability and challenging behaviour or mental health needs, Jim Mansell, Department of Health, 2007

<sup>11</sup> Permanent and fixed-period exclusions in England: 2015 to 2016, DfE, 2017 & Permanent and fixed-period exclusions in England: 2014 to 2015, DfE, 2016

queried whether the mental health diagnoses were appropriate – they felt the mental health needs, manifested in their challenging behaviour, were symptoms of untreated autism, exacerbated by their inability to communicate. By focusing on how their autism caused anxiety, and giving them systems through which to communicate, their young people began to make excellent progress, with each of their 31 residents in voluntary or paid employment.

The headteacher of a residential special school for children and young people with autism and communication difficulties told us she felt many more autistic children should be educated in mainstream schools, and believed they could be easily because "they're not that difficult – that's what's frustrating." By promoting better understanding of how autism affects anxiety, and how to improve communication, progress for these children and young people should be eminently achievable.

### **Challenging behaviour for children and young people with SEMH**

Schools for SEMH told us that challenging behaviour for their children and young people is often linked to the trauma they have endured, generally from neglect or abuse. We've visited schools where, for example, children have endured incestuous abuse, and witnessed domestic violence or parental prostitution. Some children have also developed challenging behaviour following bereavement. Many will be suffering from attachment disorder, and some will be children in care.

#### What does good support for these children and young people look like?

Those we spoke to with the clearest vision for how services for children and young people with SEMH should work believed that there should be a wraparound offer for the child, with trauma-informed practice in schools as well as both mental health and social care support outside of them. Gloucestershire LA, for example, were attempting to build a "whole system around the child" for children and young people with SEMH through their intensive recovery intervention service. Similar to North Yorkshire's No Wrong Door service, it provides local dedicated short term and emergency residential placements, specialist foster care support, integrated mental health, physical and sexual health support, education, employment and training activities through day provision, and support for parents and carers.

The benefits of a holistic approach were also demonstrated by one of the pupils who showed us around the excellent William Henry Smith School, a 38-week residential school for children and young people with SEMH. This child was referred to William Henry Smith having assaulted a police officer and been warned that he faced arrest if the police were called to his previous school again. At this previous school he was

being restrained an average of four times per day, and it had been suggested he come to William Henry Smith wearing a spitguard (they refused). He was 12.

And yet following a year at his new school, he was down to an average of two restraints a term, was making significant progress in class and took pride in taking a group of strangers around his school. Showing us the school's farm, he warned us to be careful around the donkeys he looked after, who had a tendency to kick out. "They don't like it when people are anxious around them," he told us. "They can tell, and it makes them anxious, and they lash out."

To display such self-awareness and have made such progress is testament to the transformative potential of residential schooling. It shows that with the right support, the future for these young people can improve significantly.

But that kind of success story is unusual as, for many, the education system struggles to understand and meet their needs, demonstrated by the level of exclusions experienced by children and young people with SEMH. Despite representing only 2.2% of the total pupil population, they made up 28% of all pupils permanently excluded in 2015-16, and the number excluded increased by 42% from last year alone<sup>12</sup>. They were almost 20 times more likely to be excluded than children and young people with no SEND.

**Recommendation:** The Department for Education (DfE) should consider how the mainstream school and college workforce can improve their understanding of the reasons for challenging behaviour, and the proactive steps they can take to reduce it for children with autism and SEMH.

The importance of adequate mental health support as part of this holistic offer is difficult to overstate, but for many this seemed to be lacking. An SEMH maintained residential special school told us that despite the abundant and clear mental health needs of their pupils, mental health services were almost impossible to access, and they could not afford to employ any mental health professionals of their own. Another maintained residential special school told us that they had never had a positive intervention from Child and Adolescent Mental Health Services (CAMHS) for any of their pupils. One of their pupils had attempted suicide a few days prior to our visit, and still no mental health support was available. When they raised the attempted suicide with the child's social worker, they were told to bring the child to

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<sup>12</sup> Permanent and fixed-period exclusions in England: 2015 to 2016, DfE, 2017 & Permanent and fixed-period exclusions in England: 2014 to 2015, DfE, 2016

A&E. The school will now only approach CAMHS when they have exhausted all other options, but even then, it's a cursory effort – they know what they're going to hear, but feel they owe it to the child to try. These schools were trying their best to meet mental health needs, but admitted they lacked the expertise to do so as well as they'd like, and were desperate for additional support.

**Recommendation:** The DfE and Department of Health (DH) should, in response to the upcoming green paper on children and young people's mental health, set out how mental health support will be delivered for children and young people with SEND.

### Experiences in mainstream provision

The vast majority of children and young people boarding in residential special schools and colleges began their schooling in mainstream schools. For the two groups discussed above, as discussed, a lack of understanding of their challenging behaviour can lead to exclusion from their school or the failure of placements. But throughout the review we also heard from children and young people having SEND but with moderate or no learning difficulties, who could and should be flourishing in mainstream education. They told us that the reason they were no longer in mainstream provision is that they felt so unwelcome there that they sought an alternative placement for the sake of their own wellbeing.

Prior to discussing their experiences, it's important to qualify these comments by noting that there are many mainstream schools and colleges with inspirational leaders who are committed to children and young people with SEND, and support them to make excellent progress. The children and young people in such schools and colleges are likely to stay there, and as such, we were not likely to hear those success stories in the course of this review. Around half of all children and young people with statements of SEN or EHC plans are educated in mainstream schools and colleges, and the vast majority will be supported well. Only around 2% of all children and young people with statements/plans are educated in residential special schools and colleges<sup>13</sup>, and these experiences are unlikely to be representative of the broader group.

However, the experiences of some children and young people were troubling, and their voices deserve to be heard. Throughout the course of the review, they told us:

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<sup>13</sup> Schools, pupils and their characteristics: January 2017, DfE, 2017

- their mainstream schools had made them feel stupid, and guilty about having a disability
- support for their SEN would often not extend beyond being left with a well-intentioned but sometimes ineffective teaching assistant
- their school's refusal, despite often repeated requests, to make reasonable adjustments made them feel unwelcome, burdensome and ashamed of their disability
- bullying was common, and some young people we spoke to had been the victims of serious assaults by other pupils

The cumulative effect that this had on some children and young people's mental health was concerning. Many spoke of intense loneliness and increasing anxiety, and for some this had led to school refusal and long periods out of education. At one college, all young people we spoke to had experienced depression, anxiety or psychosis. At one school, the anxiety manifested physically on a pupil, her body shaking as she recounted her experiences and spoke of how common anxiety and depression were among her peers. Most attributed these problems directly to their experiences in mainstream schools. In response, they sought out specialist provision, with parent/carers often seeking a residential solution where this was not available in their area.

Many also spoke of feeling they were forced to fail in schools to access the support they needed, and some seemed to internalise the failure of schools and services to provide them with sufficient support as their own. One student told us that his educational experience was "like playing snakes and ladders – we have to go down so many times before we reach 100." Another said she felt "other people get to take the motorway straight to their destination. We have to take the backroads."

Much of what we heard was about what should be straightforward reasonable adjustments – increasing font sizes on documents for a pupil with visual impairment, making sure that a pupil with a hearing impairment could hear what was being discussed in class, ensuring equal access for exams. Many of the stories told to us by children and young people would put their schools in breach of their duties under the Equality Act 2010, and potentially leave them vulnerable to disability discrimination claims. Some schools seem to be unaware of the extent of their duties under the Equality Act, and particularly that all school policies should be drawn up taking account of the need to make reasonable adjustments reflecting the needs of individual pupils.

For some children and young people, it wasn't as much the absence of reasonable adjustments as what they felt that represented. These often weren't children or young people whose needs required substantial specialist support – they needed to feel reassured that their school wanted them to be there, and was committed to helping them. Those we spoke to often felt like outsiders, imposing on their school's community.

Many of the mainstream schools and colleges concerned will be unaware of the damage they'd done to these young people's self-esteem, and would be appalled to hear such stories. While this damage can be easy to inflict, it can also be difficult to heal. The young people we spoke to all said their experiences had improved in their residential special schools and colleges, but they also felt emotionally unprepared to return to mainstream settings, which risks leaving them unprepared for adult life.

While this group of children is relatively small in number (we estimate nationally little more than 1,000), the consistency of what we heard from them was striking. It also correlates with a decline over the past 10 years in the proportion of children with statements of SEN or EHC plans educated in mainstream schools, which suggests that some schools may have become less welcoming for children and young people with SEND. This is corroborated by some of what we heard from LAs. They told us that how welcoming a school was for children and young people with SEND depended almost entirely on the leadership of the headteacher, and that while there were many mainstream headteachers who were completely committed to these children and young people, others could be unhelpful. One former LA officer told us of trying to name a mainstream primary school on the EHC plan for an autistic child, only for the headteacher to tell him "that child is coming here over my dead body". Another LA lamented that one of the least inclusive schools in their area, which resisted being named on EHC plans, had just been awarded an outstanding grade by Ofsted, which seemed implicitly to endorse and reward its approach.

Educating more children and young people in specialist provision is generally more expensive than supporting them in mainstream schools, meaning there are both moral and economic reasons for mainstream schools and colleges to become better at meeting the needs of these children and young people. Direction from government will be crucial to achieving this. This should include looking across standards and school improvement, teaching and leadership, accountability, and the financial landscape for schools. Alongside, mainstream schools and colleges need to feel well-supported to cater for a range of SEND, through advice, support, continuous professional development and practice-sharing.

**Recommendation:** The DfE should develop a strategy to ensure mainstream schools and colleges can meet the needs of children and young people with SEND. This should include providing greater incentives to schools and colleges to do their best for this cohort, and ensuring that leaders in mainstream have the skills and vision to meet these children and young people's needs.

### Support across education, health and social care services

Part of the reason that many children and young people in residential special schools and colleges are in such specialist services is that their needs cross the boundaries of education, health and care services, but services often don't cross boundaries to meet them.

In particular, mental health services were raised repeatedly throughout the review as being difficult to access. As discussed above, despite the clear mental health needs of many of these children and young people, thresholds for accessing mental health services seem to deny them access. Many LAs felt that increased availability of Tier 2 and 3 mental health services could keep children and young people in local schools.

Parents also lamented the absence of social care support, and particularly short breaks, feeling this led to a deterioration in their child and placed too much pressure on their families. Some wrote movingly about the effect that challenging behaviour had on their children's siblings, noting some developed mental health difficulties or were forced to move out as a result. Many felt that when the mounting pressure to care for a child with high needs became too much to bear, they had no option other than to seek a residential solution. In the words of one parent, "families need respite desperately and have to fight so hard with social workers to get it, even for just one day a month. It gives us time with our other children, and without it, families go into crisis." There is significant research detailing the benefits of short breaks services for families of disabled children, and some studies also report that short breaks can enable parents to continue caring for their child at home, rather than seeking a residential placement<sup>14</sup>. This was echoed by both the parents and LAs we heard from.

**Recommendation:** The DfE should ensure that LAs are offering sufficient short breaks to the families of children and young people with SEND.

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<sup>14</sup> The Impacts of short break provision on families with a disabled child: an international literature review, Robertson et al, 2010

Some local areas are working proactively to provide holistic services that prevent the need for residential placements. Ealing's Intensive Therapeutic Short Breaks Service, for example, combines clinical psychology and social care support for families, with the aim of improving outcomes for children and young people with autism and challenging behaviour, and keeping them with their families. It provides intensive behavioural support tailored to the child or young person and their family, and brings together all of the professionals working with a child once every three months to work on the child's positive behaviour support plan. The results achieved by the service are exceptional, with research showing improved outcomes for children and their families, as well as substantial savings for the local authority<sup>15</sup> by avoiding the need for residential placements. This demonstrates that with the right approach, many of those with even the highest needs can be supported locally.

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<sup>15</sup> Valentina Lemmi, Martin Knapp, Caroline Reid, Catherine Sholl, Monique Ferdinand, Ariane Buescher, Marija Trachtenberg, (2016) "Positive behavioural support for children and adolescents with learning disabilities and behaviour that challenges: an initial exploration of service use and costs", Tizard Learning Disability Review, Vol. 21 Issue: 4, pp.169-180,

## Placement and planning for these children and young people

### What does good placement and planning look like?

While predicting demand for local services that support low incidence needs can be difficult, this, together with high-quality services to meet needs, is essential to ensuring that children and young people are supported close to home. Local areas need to plan both proactively in anticipation of demand, and reactively for individual children and young people in the system. To achieve this, LAs would use data to forecast the services required to support children and young people locally, and work with providers, parents and CCGs to develop them. This would include working with neighbouring authorities where appropriate, with services crossing the boundaries of education, health and care.

All schools would work with LAs to recognise those likely to develop high needs early in their schooling, and support them proactively to reduce the severity of their needs. Special schools and colleges, both residential and day, would share practice to support mainstream settings to meet children and young people's needs, thus enabling more to stay closer to home. Conversely, mainstream settings would share practice and improvement strategies with special schools and colleges, to promote mutual improvement.

Where high-quality services are not available locally, parents and carers should not feel they have to fight to get the support their children need, and LAs should use residential placements where appropriate. To enable a simpler placement process for families, providers should be transparent and flexible about their costs and fees.

### How do local areas plan services currently?

As commissioners of places for SEN, LAs have a duty to consider how local provision can be shaped to best meet the needs and preferences of children and young people and their parents. Unfortunately, many LAs, facing capacity issues, seem not to have been able to commit the resource to this strategic, long term planning. Rather than stepping back, analysing the weaknesses in their local offer, recognising trends in demand and working with providers to create the provision to meet it, some seem instead to be buying places from schools and colleges as the need arises.

We believe this failure to develop provision proactively is contributing to many of the problems identified in this review. It causes negative experiences for families who, seeking holistic support for their child, turn to the independent/non-maintained sector but find access restricted. It contributes to a scarcity of local places for these children and young people that can increase prices, putting more pressure on budgets. And it means some children and young people move out of county and away from their families and friends.

Some LAs were working proactively to meet the rising demand for services in their area. Examples of good practice that we saw included:

- in Essex, they have dealt with the increasing demand for autism-specific provision by embedding autism provision in 8 mainstream schools, and are considering doing the same for SEMH. They have also agreed with their schools forum to topslice funding from the dedicated schools grant to develop hundreds of new SEND places, over 100 of which will be flexible boarding provision.
- in response to frustration at the number of children and young people with autism and severe learning difficulties being placed in residential provision around the country, Oxfordshire County Council partnered with MacIntyre to develop Endeavour Academy, a special school for autism that also offers extended day activities, short breaks and residential care. The school has been rated good by Ofsted and received highly positive feedback from parents, and the LA say it has prevented the need for out of county placements for this group of children.
- Hertfordshire LA felt that many of the pupils going into out-of-county provision weren't leaving because they needed particularly specialist support, but because some local schools didn't want to meet their needs. In response, they worked with schools to improve their SEND expertise, and generated commitment to educating more children and young people with SEND locally by pointing out the amount of dedicated schools grant that was being spent on out-of-county placements. This strategy has successfully decreased expenditure on out-of-county placements from £15m to £6m, at a time when expenditure on out-of-county placements has increased significantly nationally, due to more placements being made.

But for many other LAs, a common refrain was that they don't commission places, they shop for them. A lack of strategic commissioning, combined with a reluctance to place in independent/non-maintained provision, meant that some LAs routinely

challenged parental requests for independent/non-maintained provision, even when they lacked a reasonable alternative. This was corroborated by judges from the SEND Tribunal, who said the main reason LAs lose appeals is their inability to offer this alternative. Combined with the limited capacity in the market and the power of parental preference, the inability to offer an alternative could also inhibit LAs in discussions with providers – if LAs don't have meaningful choice when making placement decisions, providers could set higher fees, safe in the knowledge that if the LA challenges the placement, the parent or young person is still likely to win the case at tribunal.

### Improving LA commissioning

LAs told us that increasing demand meant their maintained special schools were often operating at or close to capacity. This pressure seemed to be telling on the maintained special schools we spoke to, and their staff seemed more beleaguered than those in any other schools in the sector. It's also leading to increased use of the independent/non-maintained sector, with placements there increasing by 38% between 2010 and 2017.

We believe decreasing the pressure on places would enable more children and young people to be supported close to home. This should happen in two ways. The first is by increasing the capability and willingness of mainstream schools to educate children and young people with SEND, through the recommendations above.

The second is to increase the number of flexible local solutions available. These solutions need not be residential, as we've seen excellent examples of services without residential components that meet the needs of children who present the system with the highest levels of challenge by ensuring commitment from education, health and care services. As well as better meeting children and young people's needs locally, these approaches have potential to reduce costs through a reduced reliance on residential placements.

**Recommendation:** LAs, working regionally with CCGs, parents and young people, should plan and commission provision strategically to meet upcoming patterns of demand, locally where possible. To support this, LAs should build understanding and data on local and regional trends in SEND.

**Recommendation:** The DfE should support LAs, working with CCGs as necessary, to make the best use of data and forecast need effectively, and give them an avenue through which to create new provision where a requirement is identified. Providers should also be involved in these discussions.

## Why are some LAs reluctant to place in non-maintained and independent provision?

Of the LAs we spoke to who admitted they tried to avoid using independent/non-maintained placements, this was generally because:

- they have a duty to manage their high needs budget, which makes them more cautious about committing to the highest cost placements
- some as a matter of principle do not want to use the independent/non-maintained sector
- some were disappointed by the outcomes of residential placements, and felt residential special schools and colleges didn't aim to return children and young people to their home communities

Clearly, it's vital that LAs manage high needs expenditure effectively, and it's challenging to balance this against providing the most appropriate provision to meet the child or young person's needs, while accommodating parental or the young person's preference. But it's clear from our discussions with parents (see below) that at the very least LAs are not communicating well with some families, or offering them alternative placements that parents or young people believe can meet their needs.

For many LAs, reluctance to place also stemmed from hostility towards the independent and non-maintained sector. We heard a number of reasons for this. Some LAs believe that independent/non-maintained fees are expensive, inflexible and unjustified, and dislike what they claim is their aggressive pupil recruitment. Some also have a philosophical objection to private providers – one LA told us bluntly that they “don't support a profit being made on children”. It should be noted that non-maintained special schools cannot be run for profit, and neither can the many independent residential special schools that are registered as charities.

Not all LAs we've spoken to have this hostility, but even those that do not say they will almost always try placements in their own provision or local academies before looking to the independent/non-maintained sector. Partly, this is down to LAs' understandable belief in the quality of their local provision, something supported by Ofsted ratings – 90% of LA maintained and academy residential special schools are good or outstanding, compared to 86% of non-maintained and 74% of

independent<sup>16</sup>. But this is also driven by cost, and here independent and non-maintained providers need to take responsibility. Throughout the review, we saw huge variation in fees that was rarely linked to the quality of provision or the services provided. This was illustrated by the fees charged by two providers we spoke to. Both were excellent non-maintained residential special schools, offering 38-week residential provision to a very similar group of SEMH pupils, and both schools were approaching capacity. One charged an average of almost £60k per place per annum, the other almost £200k.

As well as this huge variation, there were also examples of fees that appeared to be inexplicably high. One independent school with mainly day pupils told us it charged £60k per day place per annum. Its pupils worked in classes of five, with one teacher and one teaching assistant (TA) to each class. Including on-costs, it is highly unlikely that the teacher and TA were costing the school more than £75k p/a, yet the school was receiving £300k p/a per class. While there will of course be overhead costs for running the school, and students also received some therapeutic support from the school's speech and language therapist, it's difficult to see how such a fee is justifiable.

While independent providers are free to set fees at whatever level they'd like, high fees are contributing to LA reluctance to place which, as we will come to discuss, is helping to cause negative experiences for families. It's also causing conflict with LAs. One provider we spoke to seemed to revel in this, telling us they were happy to name their price without justifying it, refuse to negotiate, and support the parents to bring the LA to tribunal. Such open belligerence was rare, and the best providers we spoke to made great efforts to maintain positive relationships with LAs. More transparency and flexibility on fees would boost these relationships significantly, and defuse much of the hostility and mistrust we saw during the review.

**Recommendation:** To provide an evidence base on which discussions about fees can be based, the DfE and DH should, through research, establish the average costs of services provided to children and young people with high needs.

**Recommendation:** NASS and Natspec should encourage their members to be flexible on the fees they charge, and work with them to develop open-book accounting.

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<sup>16</sup> Taken from Ofsted's "School inspections and outcomes: management information", as of 30 September 2017, and Non-association independent schools inspections and outcomes official statistics as at 31 March 2017

Many LAs are not helped in this scenario by the difficulty they reported in getting health and social care to commit funding for residential placements. One LA, for example, said that health colleagues will work with them up until the point they asked them for any money. Too often currently, high needs funding, as by far the biggest budget for these children and young people, seems to be used to cover costs that should be met by health and social care. Parents also cited this as a cause of frustration, saying that funding disputes between LAs and CCGs, and even between education and social care teams in LAs, were delaying their children receiving the support they felt they needed.

**Recommendation:** The DfE and DH should explore, with a view to piloting, how accountable care systems can lead to more coherence across education, health and care for children and young people with SEND.

### What are the experiences of families trying to get a residential placement?

Family feedback to the review was almost unanimous about feeling they had to fight to get the provision they felt their child needed. This was the source of much frustration and anger, expressed most vividly in their own words:

- “It has been very difficult for us to write this submission because the whole process of applying for specialist provision and funding was so traumatic. We cannot express strongly enough the stress and trauma our family went through. We recently went through a very difficult family bereavement and that was not as stressful as the process for applying for a specialist college.”
- “It was very clear from the outset that our son needed a residential placement and having to watch him fail in mainstream provisions to prove a point to the LA was heartbreaking and extremely damaging.”
- “[Going to tribunal] nearly cost us our mental health due to the stress and poor conduct [of] the council.”
- “I just want to be mum, he just wants to be a young man but the system builds ever taller barriers.”
- “It’s cruel, he didn’t ask to have all of his issues and it’s not my fault so why are we being denied and punished.”
- “He is thriving in his new college and after only six months is already doing voluntary work in a shop in his local community. To think the Local Authority tried to deny him this is disgusting.”

- “It took us 18 months of fighting to get him there, affecting all our mental health, [contributing to] the breakup of our marriage and my son became anorexic.”
- “The families of children with complex and expensive SEN are put through psychological torture by LAs, in their fight to get their children the education they need and are legally entitled to.”
- “I hate the life [my son] has been given.”

Children and young people are aware of this struggle too. One told us that the process was “so overwhelming. Once you say you want to go [to a residential college], you have to say it 500 times. You can’t ever give up. It’s a fight, and not a fair one.” When we asked young people what they would like the review to recommend, the first response was always some variation of “please tell local authorities not to take away our funding.”

Many parents lamented the cost of going to tribunal. However, this should not require expenditure, as tribunal judges are clear that they aim for the process to be facilitative and accessible, so that legal support should not be needed when making or defending an appeal. We have heard of judges going to significant lengths to enable this, and no additional weight is given to evidence because it is presented by a lawyer. Many parents pursue their case successfully without legal representation. Local SEND Information, Advice and Support Services can also help parents to prepare for tribunal with free and impartial advice.

**Recommendation:** The DfE and should work with LAs to improve understanding of when is and isn’t appropriate to contest a parents’ or young person’s choice of placement, and the SEND Tribunal should produce a regular digest of significant cases to reinforce this learning.

## Quality, accountability and outcomes in residential special schools and colleges

In a high quality residential sector, residential special schools and colleges would have ambitious aspirations and expectations for children and young people with SEND, and give educational progress and preparation for adulthood the same priority as promoting wellbeing and providing therapeutic support. Transitional arrangements into other provision, and into work, would be clear and well-planned for.

Safeguarding roles would be clear, and Ofsted and CQC would be able to monitor performance against ambitious standards. Supportive school improvement systems would enable struggling schools and colleges to improve quickly, and the sector would have a supply of committed and ambitious leaders to turn schools and colleges around and ensure it remains outward-looking.

The overwhelming majority of children and young people with SEND would progress into paid employment, receiving support from their school or college that enabled them to do so. LAs would set stretching outcomes for all these children and young people in their EHC plans, and hold schools and colleges to account for achieving outcomes through regular monitoring and attendance at reviews. Parents and friends would be supported and enabled to stay in touch with children and young people in residential settings. Where agreed with the young people or children's families, some children and young people would be supported to return to be educated in their local communities.

### What are experiences like once in residential special schools and colleges?

Generally, our findings on the experiences of children and young people once they attended residential special schools and colleges were consistent with those in the Children's Commissioner's 2014 research<sup>17</sup> – namely, that most children and young people seemed to be very satisfied with their school or college, and much preferred it to their previous schools. Parents were generally equally pleased with their residential provision, telling us:

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<sup>17</sup> My Life at School: Understanding the experiences of children and young people with special educational needs in residential special schools, Office for the Children's Commissioner (2014)

- "My daughter has progressed more in the last two years than she had done in the previous eight years."
- "[Our son] runs into school very happily on a Monday morning and we pick up a very happy boy on a Friday."
- "I for the first time feel my son has a future."
- "Without this school our family would be broken up as it became more dangerous to have them at home."
- "It was such a relief to know that our daughter was safe, and looked after by people who understood her. It was the happiest time of her life. She had a normal childhood for the first time."

For those children and young people that had negative experiences in mainstream schooling, many seemed to regard their residential special school or college as a sanctuary, and spoke of it with grateful relief. One told us that the best thing about his residential school was that "the teachers here actually give a damn." Another said "I finally have a voice here... I'm no longer scared of the future."

This is not just indicative of the negative experiences some endured in their previous schools, but of the commendable focus on therapies and pastoral support in many residential special schools and colleges. However, as we will come to discuss, some seem to focus on this at the expense of educational progress, when both should be the aim.

While in the minority, some families also told us of negative experiences for their children. Particular sources of concern were that communication could be poor, there was little effort to maintain links with local communities, that quality of specialist care staff could be low, that (particularly for PMLD provision) there could be an institutional culture, and, as mentioned above, that some schools and colleges could lack focus on educational progress. One parent told us "Our daughter has not benefitted by attending [a residential special school], in fact I would go so far as to say she has returned home with her confidence and self esteem shattered. It saddens us to think we have missed 7 years of our daughters' life... we would not make the residential choice again and would advise any other parents to seriously consider the impact it could have on their child. [The school has] become institutional and invincible with their own routines and agendas and really need a big wake up call."

## Monitoring, accountability and safeguarding

LAs are required to hold annual reviews for all the children and young people for whom they maintain a statement of SEN or EHC plan, and these reviews must focus on the child or young person's progress towards achieving the outcomes specified in the EHC plan. While LAs are not required to attend, it's important that they do so to monitor progress and outcomes.

However, schools and colleges told us consistently that LAs would rarely attend annual reviews, and most LAs admitted they struggled with this, due to capacity issues. While it's clear that many LAs we spoke to are experiencing significant resource pressure, particularly during the period of transition to the reformed SEND system, these children and young people often have the most significant needs of any they deal with. Without this monitoring, performance in schools and colleges can dip, letting these children and young people down. Interestingly, some schools told us that LAs will always attend reviews for looked after children, but that the use of looked-after status for children and young people with SEND was variable – some LAs used it for all children placed out of authority in 52-week provision, while others did not.

One LA officer responding to our call for evidence felt that schools and colleges “have become used to a process of place, pay and forget and so have become complacent.” They listed the following as some examples of the complacency they had witnessed from schools and colleges:

- failed to notify the LA that the young person has not attended school and remained in their room, in one case they had not attended for over a year
- failed to notify the LA the young person was attending FE College for their education provision
- failed to notify the LA that the young person was not likely to achieve any accredited qualifications by year 11 (despite having the capability to do so) due to failure of the school to find an appropriate exam centre
- failed to notify the LA that they were closing school a week early because pupils were 'tired' or that pupils were leaving 3 weeks before the end of term in year 11 once they have completed exams (no price reduction was offered)

Effective monitoring and accountability could help to prevent such poor performance. Given the size of some of the fees that LAs are paying, this is also vital for ensuring value for large sums of public money.

**Recommendation:** The DfE publishes LA visiting guidance, setting out expectations for when LAs should visit children and young people in residential special schools and colleges.

Many schools and colleges were keen for LAs to attend annual reviews, and some contrasted their non-attendance with the increased focus they felt some LAs have on contract compliance. This, they said, is a result of some LAs increasingly using formal procurement practices to purchase places in independent/non-maintained schools and colleges, following the revision of the Public Contracts Regulations in 2015. Some in the sector felt it was unfair that independent and non-maintained providers had to go through formal practices while others did not, that these increased focus on costs rather than on the needs of the child, and that some LAs capped fees at unrealistic levels as part of these frameworks.

**Recommendation:** The DfE should clarify how the Public Contracts Regulations apply to independent/non-maintained special schools.

Accountability, of course, also comes from Ofsted. Ofsted told us that they felt the national minimum standards for residential special schools meant they were less able to set exacting standards and drive improvement than they would be were quality standards in place. They felt that introducing quality standards would see residential special schools improve their quality of care to meet them, as had happened for children's homes. We agree with this assessment, and believe quality standards could help to remove much of the complacency written about above. It could also bring consistency with the children's homes quality standards, meaning that all children with SEND placed away from home could expect the same level of support.

**Recommendation:** The DfE should replace the national minimum standards for residential special schools with national quality standards.

Safeguarding is and will remain of the utmost importance for children placed away from home. This is particularly true for children and young people with SEND, and we know that the Independent Inquiry into Child Sexual Abuse is investigating historical abuse in residential schools as part of its work. Throughout our review, we found that providers were generally very aware of their safeguarding responsibilities, and Ofsted were assiduous in monitoring how they carried these out – nothing was a

greater guarantee of a judgment of inadequate than failings on safeguarding. However, some schools and colleges expressed confusion over reporting arrangements to local safeguarding children boards (LSCBs), and whether they should make children's social care referrals to the child's home LA or their local LSCB.

**Recommendation:** The DfE should clarify who is responsible for the safeguarding of children placed within area by another LA.

## Professional isolation and school improvement

Ofsted also warned us that schools most at risk of poor performance were those that were geographically and professionally isolated. Unfortunately, this professional isolation was worryingly prevalent among some schools that we visited.

The best schools and colleges we spoke to were outward facing, and sought to establish links not only with similar schools or colleges, but also with mainstream providers, local authorities and local employers. Other good providers spoke of wanting greater links and networks with other schools, but admitted they found this difficult to achieve, and would like greater support in doing so. The more concerning providers expressed little interest in the rest of the education sector. We often heard from these providers that they were unique, and that no other provider offered what they did. Yet we had invariably spoken to very similar providers.

We believe this isolation is partly because networks between residential special schools seem weak. This hinders the sharing of good practice, and learning from bad practice, which could lead to substantial improvement for a number of schools. It also leads to a lack of external scrutiny that further contributes to their occasional complacency and lack of ambition.

One promising way we heard providers and LAs address this isolation was through clusters of schools, where special schools work with 4-5 mainstream schools in their area. Pete Chilvers' "Reducing distant SEND placements – increasing regional sufficiency" work for LAs in the East Midlands region notes the success of a model wherein a special school operates as a hub of support for local mainstream schools:

In one of the region's market towns the special school has formally extended its support across all mainstream schools in the town. Their support, training and elements of their staffing are becoming embedded in all other local schools in the area. Anecdotally this policy is helping parents to have greater confidence in the mainstream schools to educate and support their children

and the mainstream schools to better understand and meet their needs. This is contributing to the mind-shift in mainstream school leaders from 'can't cope so place elsewhere' to 'where can we obtain the support we need to meet these needs?'

As well as helping to remove some of the professional isolation we've seen, this model could be enhanced by promoting staff movement between special and mainstream schools, with teachers from mainstream bringing more academic drive into special schools, and teachers from special schools helping mainstream become more inclusive.

**Recommendation:** The DfE should consider what more can be done to promote and support school improvement in special schools. This should include promoting and facilitating greater links between mainstream and special schools.

While Ofsted cited professional isolation as a cause of poor performance, it also makes it difficult for schools to improve once Ofsted judges them to be either 'requires improvement' or 'inadequate'. Support networks do not seem strong enough across the special school sector, but particularly for independent or non-maintained schools. When we visited 'inadequate' schools, we were struck by how much school improvement they were trying to achieve unsupported by anyone – one headteacher described taking over at an inadequate school as like being dropped into the middle of a whitewater rafting slalom and expected to survive with no support. As independent schools, it is incumbent on the governing bodies to obtain this support, but some don't seem to be doing so currently.

Following an 'inadequate' judgment, LAs may withdraw pupils, threatening the school or college's financial viability. To remain attractive to LAs, schools we spoke to had cut their fees, and with them many of the therapies they offered children. This creates a vicious cycle, where 'inadequate' schools are forced to cut back on the services they offer to remain viable, potentially decreasing the quality of support they provide, making improvement for their children and young people more difficult. This can also result in them taking emergency placements, or children and young people who have been rejected by other settings due to the severity of their needs – meaning that the children and young people who need access to the best support can end up in struggling schools.

**Recommendation:** NASS and Natspec should ensure their members know where to access school improvement expertise.

Others expressed that school improvement was difficult due to a shortage of leaders in the sector, and some schools mentioned that they found it difficult to recruit for senior leaders, advertising multiple times. This is consistent with DfE statistics, which show that in the state-funded special/Pupil Referral Unit (PRU)/Alternative Provision (AP) sector, leadership vacancies more than doubled between 2011 and 2016, and vacancy rates are substantially higher than in maintained and academy primary and secondary schools<sup>18</sup>.

Ensuring a supply of quality leaders is vital to raising and maintaining standards. Where we saw excellent practice, it was generally because excellent individuals were able to overcome the problems discussed in this report. This strengthens the importance of ensuring that the best possible people work with the children requiring the best support. Working with and supporting these children is one of the most rewarding careers possible; as one headteacher told us, there are few better places in the world than good special schools. Developing a supply of inspiring leaders will go a long way to ensuring that, when this sector is next reviewed perhaps 15-20 years from now, the vision articulated in this report will have been achieved.

**Recommendation:** The DfE should improve the supply of quality school leaders to the special schools and colleges sector.

## What constitutes good progress and outcomes for these children and young people?

Outcomes data is limited for these children and young people, for two reasons. The first is that independent special schools are not required to complete the school census, which means that their pupils cannot be linked to DfE's outcomes data. The result of this is that the government cannot currently monitor outcomes for many of its most vulnerable children and young people, and many of its most expensive placements. Our discussions with NASS indicated that independent special schools were keen to complete the census, and we believe it's important that this data gap is now addressed.

**Recommendation:** The DfE should require independent schools with state-funded pupils to complete the school census for those pupils.

The second reason that outcomes data is limited is that DfE have not previously been able to look at long-term outcomes of those of those in residential special

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<sup>18</sup> School workforce in England: November 2016, Department for Education, 2017

schools and colleges. However, we are aware that they have begun to address this by developing the longitudinal educational outcomes dataset, which links data on employment, earnings, benefits and academic outcomes, to provide a fuller picture of the outcomes attained by individuals in later life. Publishing this data for children and young people that have attended residential special schools and colleges would enable much more informed discussions about commissioning, and give a much fuller picture of outcomes achieved by the sector.

**Recommendation:** The DfE should publish destinations data for children and young people that have attended residential special schools and colleges, taken from the longitudinal educational outcomes dataset.

Without the illumination of this national data, discussions about outcomes often generated more heat than light. Many schools and colleges we spoke to were frustrated by what they felt was a lack of understanding of what constituted progress for these children and young people. Specifically, they felt that LAs, Ofsted, the DfE and other agencies place too much emphasis on academic outcomes, and don't reward non-academic success.

While there are broader and legitimate concerns about how best to measure academic progress for children and young people with SEND, some schools and colleges occasionally sought to excuse a lack of tangible progress by claiming that they can't measure the progress that's been made, and that those who seek to do so are misunderstanding their pupils or students. Some even seemed to believe that pupil wellbeing and academic success are contradictory aims, and pursued the former while downplaying the importance of the latter. However, the best schools and colleges in the sector achieve both. While other progress is also vital, outcomes such as qualifications can also be extremely important, as the briefest perusal of any jobs listing will demonstrate. Achieving them can expand the opportunities available to a young person vastly, and be a significant enabler of independence in adulthood. In addition, the relationship between employment and improved health and wellbeing is well established<sup>19</sup>.

Ultimately, progress and outcomes will be individual for each child or young person. With proper use of EHC plans, there needn't be a debate about what constitutes good progress and outcomes, as these should be clear in each individual's plan. This re-emphasises the importance of all involved in the drafting and reviewing of an EHC plan using the process to agree SMART outcomes for the child or young

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<sup>19</sup> Is work good for your health and well-being?, Waddell, G. and Burton, A. (2006)

person, setting out the steps through which to achieve them, and LAs holding providers to account for whether they have achieved them.

## A lack of ambition

The debate about progress and outcomes contains within it a more troubling finding of the review, which is that, occasionally, some children and young people seem to be let down by their school or college's lack of ambition for what they can achieve. Much of this is symptomatic of broader concerns with the special schools sector, which one parent summarised as "[in] mainstream you have to push for inclusive practice, social groups etc, and at special school you have to push for academic qualifications." Similarly, one LA said that when it comes to residential placements, "pupils are generally happy and safe but there seems little measurable progress is being made." While the best providers have a relentless focus on education and outcomes for their children and young people, some seemed to prioritise their therapeutic or pastoral support at the expense of this.

This lack of ambition is consistent with what we've seen in some schools and colleges. Too often, we spoke to articulate young people with moderate or no learning difficulties who, when asked what they wanted to do when they leave school or college, expressed disappointingly limited ambitions. They are often capable of much more, and should be supported and inspired by their schools and colleges to achieve this. Instead, some seem to be limited by their school or college's low expectations for them.

In an example of the level of fatalism some schools seem to have about their children and young people, one told us that employment was not a realistic outcome for their children and young people. Yet we saw other schools, whose pupils had more severe learning difficulties, achieve excellent employment outcomes, thanks to their use of supported internships and work to build links with local employers. At one school, the teacher standing in front of her class of pupils announced to us that they were in that class because of their "very low reading age." While this may have been the case, it's not the kind of language that gives children the confidence with which to progress, and is indicative of the lack of faith many special schools seem to have in their pupils' academic ability.

One parent told us how her daughter, attending weekly boarding provision at key stage 4, was predicted Es and Fs for her 3 timetabled subjects. Unsatisfied with this (and other elements of the school), she withdrew her child, and 18 months later she attained 4 Bs and a C at GCSE, including English and maths.

The combination of inadequate monitoring from some LAs and a lack of ambition from some schools and colleges means that currently, progress for some children and young people can be reliant on how much their parents push for it. This places too much pressure on parents or carers who are often under significant strain already. It could also make children's outcomes dependent on the resilience or resources of their parents or carers, potentially acting against the DfE's social mobility agenda.

**Recommendation:** The quality standards recommended above should require that schools demonstrate how they are achieving ambitious outcomes for children and young people, particularly those set out in EHC plans.

## Preparing for adulthood

The overwhelming majority of young people with SEND can progress into paid employment with the right preparation, opportunities and support, and residential special schools and colleges should be exploring all employment avenues with their students. For some this may be conventional employment – possibly with initial support from a job coach. For others, it may mean job carving, entry into employment by means of a work trial/working interview, and longer-term help to stay in the workplace through supported employment. And for some, it may mean self-employment (a much higher proportion of disabled people are self-employed than are in other types of employment). For all of this, Access to Work can help. Providers should also be providing high quality and aspirational careers advice and vocational profiling, as well as (supported) work experience and contacts with employers in different sectors to enable young people to identify the career paths they are interested in pursuing. Preparation for adulthood is not solely the responsibility of post-16 providers, and the SEND Code of Practice is clear that schools and LAs should focus on this in annual reviews from year 9 onwards.

Some providers, and particularly some colleges, have made preparation for employment central to their ethos. Derwen College, for example, have used their relationship with Premier Inn to build the Premier Inn Training Centre onsite, consisting of replicas of a reception area, three en-suite bedrooms and a linen room. This simulates a real-life work setting for their students, enabling them to learn housekeeping skills and access work experience placements at local Premier Inn hotels. Along similar lines, St John's Specialist School and College operates a work-based curriculum, linking the curriculum with the central functions and services of the organisation, with learners preparing meals for sale in their cafe, building shelves for their maintenance team, and producing designs for their printing enterprise.

However, others are not focusing sufficiently on this. Some LAs mentioned that some specialist colleges will support parents to appeal the LA's offer of a place in an FE college, that parents will win the appeal and the young person will then attend a 3-year course in the specialist college. On completion, they will return to the LA to attend another 3-year course at the FE college they appealed against in the first place – often, LAs claim, having made little discernible progress. Colleges counter this by saying that their students are not prepared emotionally to attend a mainstream college at 16, but with their support can be ready at 19.

Transition for young people, both to adult services and back into their home community, was also raised as an issue. We know from the review that this could be done well. For example, at Derwen College in 2015, one of their students was due to move home from the college. To facilitate this transition, the college transferred her Premier Inn work experience placement to her home town. Within months she had been offered a formal contract with Premier Inn, working two paid days a week.

Where transition was raised as an issue, parents were particularly concerned by inadequate and often last minute transition planning by LAs, the absence of a multi-agency approach to this, and the lack of local services for their children to return home to. Some LAs, on the other hand, felt that some schools and colleges seemed to have little desire to return children and young people to their home communities, retaining them in specialist education when it may not be in the child or young person's interest.

**Recommendation:** The quality standards recommended above should include significant focus on how schools and colleges are ensuring progress against the four Preparing for Adulthood domains in the code of practice.

## Conclusions

With its ability to provide an extended day curriculum, and access to holistic therapeutic support, there is huge potential for the residential special sector to transform the lives of some of the country's most vulnerable children and young people, and we saw some excellent practice that confirmed this was the case. However, despite this excellent practice, and the almost universally positive intentions from those we spoke to, experiences and outcomes for these children and young people are too often not as good as they should be.

Experiences in local services are leading many to seek residential placements, and in future we hope this is not the case for so many families. This is not about ensuring all children and young people are educated locally, as there will be some children and young people whose needs are so low-incidence that regional provision is the most appropriate. Nor is it about denying the value of residential care, which can offer extended learning opportunities, respite for families, opportunities to learn independence skills and accommodation for those with social care needs or who it would be unreasonable to expect to travel given the distance from their homes. But too many children and young people currently feel the need to leave home to get the support they need, when they could and should be supported well in their local communities. If this happened, experiences would improve significantly.

A significant contributor to negative experiences and outcomes is the striking level of mistrust within the sector. Throughout the review, we were consistently concerned by how the conflict that flows from this is affecting children and young people. Adversarial relationships between LAs and providers leave children and young people caught in the middle and can cause delays in them receiving the right support, frustrating their families and exacerbating their needs.

Much of this mistrust seemed to stem from a lack of understanding about the conflicting pressures that other parties are experiencing. LAs, for example, are under significant financial pressure, and are faced with a high needs cohort increasing in number at a time when they may lack the capacity to plan strategically for them. Health and social care teams deal with similar pressures and have competing priorities for resource and funding. Residential special schools and colleges need to fill places, feel that children and young people are only referred to them at crisis point, when behaviours are ingrained, and can feel isolated from or excluded by the rest of the education sector.

Our hope is that the recommendations in this report will help to ease some of these pressures, and enable the achievement of the vision we set out. But better attitudes will also be critical to this, and better understanding of these pressures, and a more mature and collaborative approach from all involved, would be as significant an enabler of improvement as any policy change.

Throughout the review, the most effective people we spoke to, whether in a school, college, LA or elsewhere, focused on solutions rather than problems, and were resourceful enough to overcome any obstacles put in their way. The good practice they demonstrated shows that a better future is possible for these children and young people, and that the vision set out in this report can be achieved. Similar to Sir Martin Narey's review of residential care in England, to ensure that all involved are progressing towards this, our final recommendation seeks to provide an ongoing focus on these children and young people, and strategic oversight and leadership of the sector.

**Recommendation:** The DfE should create a national leadership board for children and young people with high needs, reporting to the Minister for Children and Families, to take forward the recommendations of this review, provide strategic oversight to the services they need, and support collaborative working between LAs, CCGs and providers. Links should be made with other boards for vulnerable children as appropriate.

## List of recommendations

### Recommendations for DfE

- The DfE should consider how the mainstream school and college workforce can improve their understanding of the reasons for challenging behaviour, and the proactive steps they can take to reduce it for children with autism and SEMH.
- The DfE should develop a strategy to ensure mainstream schools and colleges can meet the needs of children and young people with SEND. This should include providing greater incentives to schools and colleges to do their best for this cohort, and ensuring that leaders in mainstream have the skills and vision to meet these children and young people's needs.
- The DfE should ensure that LAs are offering sufficient short breaks to the families of children and young people with SEND.
- The DfE should support LAs, working with CCGs as necessary, to make the best use of data and forecast need effectively, and give them an avenue through which to create new provision where a requirement is identified. Providers should also be involved in these discussions.
- The DfE and should work with LAs to improve understanding of when is and isn't appropriate to contest a parents' or young person's choice of placement, and the SEND Tribunal should produce a regular digest of significant cases to reinforce this learning.
- The DfE publishes LA visiting guidance, setting out expectations for when LAs should visit children and young people in residential special schools and colleges.
- The DfE should clarify how the Public Contracts Regulations apply to independent/non-maintained special schools.
- The DfE should replace the national minimum standards for residential special schools with national quality standards.
- The DfE should clarify who is responsible for the safeguarding of children placed within area by another LA.
- The DfE should consider what more can be done to promote and support school improvement in special schools. This should include promoting and facilitating greater links between mainstream and special schools.

- The DfE should improve the supply of quality school leaders to the special schools and colleges sector.
- The DfE should require independent schools with state-funded pupils to complete the school census for those pupils.
- The DfE should publish destinations data for children and young people that have attended residential special schools and colleges, taken from the longitudinal educational outcomes dataset.
- The quality standards recommended above should require that schools demonstrate how they are achieving ambitious outcomes for children and young people, particularly those set out in EHC plans.
- The quality standards recommended above should include significant focus on how schools and colleges are ensuring progress against the four PfA domains.
- The DfE should create a national leadership board for children and young people with high needs, reporting to the Minister for Children and Families, to take forward the recommendations of this review, provide strategic oversight to the services they need, and support collaborative working between LAs, CCGs and providers. Links should be made with other boards for vulnerable children as appropriate.

### **Recommendations for DfE and DH**

- The DfE and DH should, in response to the upcoming green paper on children and young people's mental health, set out how mental health support will be delivered for children and young people with SEND.
- The DfE and DH should explore, with a view to piloting, how accountable care systems can lead to more coherence across education, health and care for children and young people with SEND.
- To provide an evidence base on which discussions about fees can be based, the DfE and DH should, through research, establish the average costs of services provided to children and young people with high needs.

### **Recommendations for local authorities**

- Local authorities, working regionally with CCGs, parents and young people, should plan and commission provision strategically to meet upcoming patterns of demand, locally where possible. To support this, local authorities should build understanding and data about local and regional trends in SEND needs.

## **Recommendations for NASS and Natspec**

- NASS and Natspec should encourage their members to be flexible on the fees they charge, and work with them to develop open-book accounting.
- NASS and Natspec should ensure their members know where to access school improvement expertise.

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