

Education Committee: special educational needs and disabilities inquiry

Submission from the Sixth Form Colleges Association

Vanessa Donhowe, Policy and Research Officer, June 2018

Executive summary

- The Sixth Form Colleges Association (SFCA) is the established voice of dedicated 16 to 18 education and the hub of a national network of sixth form providers. We represent 100 dedicated sixth form providers, including all sixth form colleges and 16–19 academies, and a growing number of 16–19 schools, 16–19 free schools and FE colleges.
- An increase in the high needs budget is needed. Funding pressures are having a negative experience of students with Education, Health and Care (EHC) plans and with statements of special education needs (SEN). There is concern that decisions by local authorities (LAs) are driven by financial pressures, rather than the best interests of SEND learners.
- The lack of standardization around processes and procedures between LAs needs addressing. Many colleges have to deal with multiple local authorities, and inconsistent procedures have a huge time and resource cost. Standardized templates would help address inconsistencies.
- The transition from education to adult services can be a difficult time for students. This could be improved through better engagement of social care workers, and ensuring they always attend key transition meetings.
- There are insufficient progression opportunities such as supported internships and jobs for SEND learners when they finish post-16 education. In general, there is not enough knowledge among case workers regarding the transition of students with EHCPs into Higher Education (HE).

Assessment of and support for children and young people with SEND

1. A significant number of students who should be on an EHCP arrive at their post-16 provider without one. For some students the process takes so long that they have not been assessed by age 16, others have stayed 'under the radar' throughout their secondary education and have not had their needs identified and diagnosed. When these students start at college, it takes months of work on the college's part to get them on an EHCP.
2. The [DfE's 2018 publication on Statements of SEN and EHC plans](#) shows that the percentage of young people aged 16-19 with a statement or EHC plan has increased from 9.7% in January 2014 to 21.9% in January 2018. While this is positive as it suggests more young people with SEND are being diagnosed and supported, it also involves a significant increase in the

resources and times spent by colleges around gathering evidence for individual plans, attending meetings and filling in documentation. There is also the question of why these young people haven't been on a plan or statement before the age of 16, and whether they have been missing out on years of support.

3. There are an increasing number of learners entering post-16 education with mental health issues that have not been assessed and are not classed as having SEND. One college's experience is that *'students who apply for an EHC plan where the student has mental health needs, are regularly rejected. As the plan has health as part of the holistic approach to a student's ability to achieve in education I feel this is not entirely fair to these students.'* Sixth Form College, East region.
4. Many colleges have to deal with multiple local authorities (LAs). There should be standardization between local authorities around paperwork, applications to institutions, costings, funding decisions, support plans and annual reviews. Inconsistencies in procedures between local authorities are a huge time cost to colleges, and this lack of transparency undermines the fairness and validity of the whole process. *'Not all authorities keep to the timescales and local authorities are not consistent in their approach. As a setting that crosses over 5 local authorities it can be difficult to ensure that all our students have the same level of service.'* Sixth Form College, South West region.
5. Inconsistencies around assessment need to be eliminated to ensure the fairness and validity of the process. *'The process to obtain an EHCP is lengthy, and varies according to area. The assessment of SEND does seem quite arbitrary with no fixed process or methodology. Therefore, the threshold to attain an EHCP can be arbitrary.'* 16-19 Academy, London region.
6. Variable training and poor responsiveness of case workers is an issue. Not all case workers have the specialist skills to understand or interpret reports from the educational psychologist, and this is evident when they write up the student's EHCP. Colleges then have to request and go through the psychologist's report themselves. Case workers also move between students regularly, sometimes within a matter of weeks, and this lack of continuity can impact student progress.
7. Low funding has a negative impact on the support provided for young people with SEND. *'Increasingly, EHCPs are stating that support can be covered by higher level teaching assistants. Specialist teachers have higher levels of education and skills...this does not seem to be recognised by local authorities who seem to be more concerned about funding.'* Sixth Form College, London region.
8. EHC plans do not always mandate the right level of support. In particular, plans can be too prescriptive, which can prevent staff members exercising their professional judgement about how best to support the individual. *'Plans should not be specifying how needs should be met. The plan should identify the needs of the individual, but it should be up to the college to then use their professional judgement and experience to decide how best to meet these needs.'* Sixth Form College, South West region.

The transition from statements of special educational needs and Learning Disability Assessments to Education, Health and Care Plans

9. Not all LAs have dealt with the transition well. *'In some cases, I've yet to receive converted LDAs and statements, that impacts funding, learner placement and the ability to fully cater for an individual's needs. This has been disappointing, as the intentions of the 2014 reforms have taken much longer to implement and have resulted in poor practice for students, and in accurate information for staff.'* 16-19 academy, London region.
10. Greater clarity around the threshold needed to meet assessment for EHCPs is also needed. Colleges are concerned that thresholds are higher than for Learning Disability Assessments which makes it more difficult for students to obtain an EHCP.

11. The annual review process is hugely time consuming for colleges. Each review involves hours of preparation, meetings and administrative work per individual. For colleges with large numbers of students on an EHC plan, this is an enormous cost and time pressure.

The level and distribution of funding for SEND provision

12. The level of funding is not adequate. The central message from colleges is that *'the funding received per student does not cover the cost of doing the work'* Sixth Form College, South West region. Colleges are concerned about their continued ability to provide high standards of care and education without an increase in funding. The government is not providing LAs with sufficient funding for their high needs budgets, and at the same time there is a year on year increase in the number of EHCP requests. This puts additional pressure on high needs funding at a time when LAs are already under pressure to make savings. *'Funding hasn't increased for years, there is no match for the costs of inflation...there is constant arguing over small pots of money'*. Sixth Form College, South West region.
13. High needs students coming to sixth form colleges from SEN schools often need more support in the more independent college environment than they did in their SEN school environment. There is no recognition of this in the funding provided for post-16.
14. Even when funding has been agreed by the LA, there are issues around delayed payments. This causes delays in providing the right care and facilities for the students. *'The funding situation has increasingly got worse over the last 18 months. We have still not received funding payments from LAs for continuing students whose funding was agreed in the autumn term and have not received confirmation of funding for students with EHCPs that were new to the college in September. We have repeatedly asked for a response...the LA say they will look into it and then nothing happens.'* Sixth Form College, London region.
15. Many colleges have particular difficulties around obtaining their Element 2 (E2) funding from the LA. *'We get E1 funding, the ESFA gives us E2 for a defined number, this is meant to be lagged but in practice this doesn't work. We then have to enter into time-consuming discussions with the LA to obtain the necessary funding that the student is entitled to.'* Sixth Form College, South West region.
16. The way E1 and E2 funding for high needs places is distributed is also an issue for colleges, particularly for those with large numbers of high needs students. Post-16 places in special schools are automatically funded at £10,000 per place, but colleges have to apply on an individual student basis for E2 funding. While this system works fairly well for colleges with small numbers of high needs students, it doesn't work well for colleges with large-scale high needs provision. Colleges are disadvantaged here because unlike special schools they have to go through the time-consuming and resource intensive process of securing E2 funding.
17. Post-16 providers offering large scale high needs education face particular issues around the way funding is distributed. One sixth form college has over 150 EHCP students, but because of the way funding and Learning Support Agreements (LSAs) issued are on one-to-one basis, there is no opportunity for economies of scale.
18. The 'cliff edge' aspect of E2 funding is felt to be an unfair and arbitrary threshold, and disadvantages students whose support needs do not reach the £6000 threshold. A gradient style funding allocation, rather than an absolute threshold, would be a more suitable mechanism.

The roles of and co-operation between education, health and social care sectors

19. The majority of evidence from colleges points to poor support from the social care sector regarding the transition from college into the health and social care sector. The social care sector's engagement is inconsistent and there is poor attendance at key meetings. Further problems are caused by a lack of trained adult social workers. *'Many social care professionals have been unable to attend annual reviews, to the frustration of parents. During transition from children to adult services, often a shortfall in adult social workers has resulted in access to services being limited or slow in uptake for those learners most in need. Their lack of*

availability and engagement in the annual review process leads to poor parent/carer relationships and misconceptions.’ 16-19 academy, London region.

20. While there are pockets of good practice, colleges feel that multi-agency cooperation is not consistently good. As one college put it, *‘The SEND code of practice highlighted the importance of services working together across different sectors. The current picture shows us fighting to get professionals to attend meetings or sharing key information with us. It has been very difficult to get health professionals to engage.’ Sixth Form College, South West region.*

Provision for 19-25-year olds including support for independent living; transition to adult services; and access to education, apprenticeships and work

21. Poor multi-agency cooperation is again a main concern in this area. Colleges want to see improvements in agencies working together, not operating as isolated decision makers.
22. Social care workers are not always available for transition meetings, colleges and parents strongly feel that it is important they should be there to ease the transition. *‘With our transition students, they are all high needs students, we have invited social care to every meeting, they very rarely turn up. This raises anxiety in parents and student, and can create additional work, and time-costs, for staff.’ Sixth Form College, South West region.*
23. Colleges are extremely concerned that decisions about transitions of students from college to being supported by the adult care budget are being made as a result of budgetary pressures rather than in the best interests of students. Agencies are so cash strapped that they are not able to undertake forward thinking planning about student futures.
24. Transitioning to adult social care at the age of 19 isn’t always the most appropriate option for a young person, as the social care environment doesn’t aim to support progression and development in the same way that a college does. *‘Opportunities for progression here are really strong. We are very concerned that some students go backwards when they leave college, because we focus on promoting and supporting independence but when they go to daycare they move backwards. Care services are focused more towards support and management than development.’ Sixth Form College, South West region.*
25. One of the colleges providing evidence would like to expand their 19-25 provision, and retain more students who would benefit from staying in the college environment for more than 2 years. Because of the strength of their provision, they are in a position to offer more specialized learning and development opportunities for young people than adult services. However, there is no funding infrastructure available for this kind of expansion.
26. There are very few job or apprenticeship opportunities for SEND learners, including supported internships. For SEND learners intending to progress to HE, there is not enough support, and charities and partnerships step in to fill the gaps here. One college’s experience is that *‘without agencies such as Aim Higher, progression would not be possible. There is minimal input from LA case workers regarding the transition of students with EHCPs into HE.’ Sixth Form College, London region.*

More information

For more information about this submission, please contact Vanessa Donhowe at the Sixth Form Colleges Association: vanessa.donhowe@sixthformcolleges.org