

Market Position Statement

Specialist Education

2024



Nottinghamshire
County Council

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Introduction

The purpose of this document is to provide key market intelligence, which will be useful to existing and potential providers in making business and investment decisions. It should act as a starting point for discussions between providers and the county council by highlighting the specialist education provision that the council wishes to commission.

The county and people of Nottinghamshire

The county council area (excluding the city of Nottingham) consists of 805 square miles covering both urban and rural areas. The rural areas of the county contain approximately 20% of the total population, the majority of whom live in small towns and villages.

Nottinghamshire has a two-tier structure comprising of the county council and seven district and borough councils. The council is the 10th largest local authority in the UK.



Key population data

Nottinghamshire has a population of 824,800, which is an increase of 39,000 since the 2011 census (source: Census, 2021). The total population of Nottinghamshire is expected to increase by some 67,000 persons to 895,000 from 2019 to 2031, an 8% increase. Children and young people (0-17 years old) make up 20% (168,500) of the population.

Nottinghamshire is a large diverse county, with some of the most deprived and affluent wards in the country. The levels of deprivation vary considerable across the county's seven districts. Nottinghamshire is ranked 9th most deprived out of 26 shire counties in England, and 101 out of 151 upper tier local authorities in England. Mansfield is in the top 20% of most deprived districts in the country. Rushcliffe is within the top 3% of least deprived districts in the county (Source: Indices of Deprivation, 2019)

In Nottinghamshire, localities where there are higher numbers of families on low incomes are those localities where children and young people are less healthy and do less well at school. 25,021 children in Nottinghamshire, 19.8 per cent of the whole school population, are eligible for free school meals (Source: DFE, 2022).

12.4% of pupils attending a Nottinghamshire mainstream academy or special school has a Special Educational Need or an Education, Health, and Care (EHC) Plan (Source: School Census May 2023).

Table 1: Numbers of children and young people attending a Nottinghamshire mainstream academy or special school with or without Special Educational Needs (SEN) support and those with Education, Health, and Care Plans (EHCP)

Source: School Census Data May 2023

Phase	Number on roll (1)	Pupils with no known SEN provision		Pupils with SEN support		Pupils with statements or EHC plans		All pupils with SEN	
		No.	%	No.	%	No.	%	No.	%
Primary	73,239	64,420	88.0	8,156	11.1	663	0.9	8,819	12.0
Secondary	54,289	48,404	89.2	5,369	9.9	516	1.0	5,885	10.8
Special	1,212	0	0.0	0	0.0	1,212	100.0	1,212	100.0
Nottinghamshire	128,740	112,824	87.6	13,525	10.5	2,391	1.9	15,916	12.4

The most common primary SEN needs for children and young people in Nottinghamshire are: (1) Social, emotional, and mental health (2) Autistic Spectrum Disorder (3) Speech, language, and communication needs (4) Moderate learning difficulty (Source: School Census January 2023)





Specialist education provision in Nottinghamshire

Local and national drivers

A fundamental principle of the Education Act 1996, reinforced by the Special Educational Needs and Disability Act 2001, is that the special education needs of children will normally be met in mainstream schools or settings. Nottinghamshire County Council believes in inclusion and is committed to educating children and young people in local mainstream settings with access to the necessary resources without the need for an Education, Health, and Care (EHC) Plan.

Nottinghamshire County Council provides funding and support services directly to education settings to enable children and young people to be educated alongside their siblings and friends. Where mainstream settings are unsuitable the council works together with schools and colleges to provide high quality specialist alternatives. These high-quality specialist alternative provisions are in place to ensure that every child or young person can access education at their time of need. The commitment to inclusion extends into adulthood. Nottinghamshire's post 16 further education (FE) footprint comprises mainstream, specialist, and vocational provision, which supports the successful transition into adult lives of independence, choice and control, and employment, where appropriate.

Nationally there has been a rise in the number of EHC plans and those pupils with SEN support/SEN without an EHC plan*. In the academic year 2022/23, the percentage of pupils with an EHC plan increased to 4.3% from 4% in 2022. The percentage of pupils with SEN support/SEN without an EHC Plan has increased to 13% from 12.6% in 2022. Both continue a trend of increases since 2016. The most common type of need for those with an EHC plan is autistic spectrum disorder and for those with SEN support is speech, language, and communication needs (Source: SEN2, 2023).

In Nottinghamshire, there was an increase to 2% of pupils with EHC plans from 1.7% during the 2022/23 academic year. There was an increase to 10.3% of pupils with SEN support/support with an EHC plan from 9.9% in 2022 (Source: SEN2, 2023)

***Includes state-funded nursery, primary, secondary, and special schools, non-maintained special schools, state-funded alternative provision schools and independent schools**

Key message: Numbers of children/young people with EHC plans and impact on specialist education provision in Nottinghamshire:

- Increasing numbers of requests for EHC needs assessments
- An increase in the number of mainstream schools stating they cannot meet children/young people's needs (placement at risk)
- All special schools are now full, with limited capacity for growth in Nottinghamshire and other bordering local authorities. Nottinghamshire intends to increase capacity in special schools and academies by 110 places by September 2024.
- There is a practical need for placements for children and young people with autism and those with social, emotional, and mental health needs.

Independent Non-Maintained Specialist Schools (INMSS) in Nottinghamshire

Most pupils within Nottinghamshire who experience a range of complex special educational needs are receiving their provision within maintained schools and academies in the county. There remains a small proportion of the schools' population whose needs cannot be met by this provision.

Nottinghamshire County Council has operated an approved provider list for procuring placements in non-maintained specialist providers and independent special schools since September 2012. It wishes to continue to secure contractual relationships with high quality providers of education for groups of pupils with complex needs across the spectrum of special educational need/disability.

The overall aim is to secure a provision pathway for pupils who have a range of complex educational cognitive; social, emotional, and mental health; and physical needs. This will entail commissioning a range of provision that is robust; resilient; flexible and creative and which matches the range of needs of this vulnerable cohort of pupils.

Providers are expected to be able to deliver services that meet the academic, vocational, social, emotional, physical, and psychological health needs of pupils identified by Nottinghamshire County Council.



Alternative Education Provision (AP) in Nottinghamshire

Nottinghamshire County Council commissions alternative education for those children and young people for whom it has statutory responsibility, who are without a school place; or where a maintained school or academy has been unable to fully provide an appropriate individualised educational/therapeutic package.

Nottinghamshire County Council currently commissions alternative education provision through an approved provider framework. The main objectives of alternative education provision are to:

- Ensure that children and young people placed in alternative provision have the best chances of securing positive outcomes
- Support academic attainment
- Meet specific personal, social, and academic needs, including those set out in an Education, Health, and Care Plan, where relevant
- Improve learner motivation, self-confidence, attendance, and engagement
- Ensure that clearly defined learner objectives are met, including reintegration into a school setting, where appropriate.

It is envisaged that the following groups of children and young people may require access to alternative provision, which may also include children looked after by the local authority:

- Children/young people who have been permanently excluded from mainstream schools
- Those children/young people without a school place
- Children and young people who have an education, health and care plan and whose needs cannot be met in local authority maintained or academy provision
- Children and young people who have an identified Social, Emotional and Mental Health (SEMH) need as well as complex physical health needs
- Children and young people who are disengaged from school and who are at risk of becoming NEET (Not in Education, Employment or Training)
- Juvenile, young offenders and ex-offenders
- Pregnant teenagers and teenage parents.

For children and young people with EHC plans the most prevalent groups are those whose needs cannot be met within a maintained or academy provision, those disengaged from school and at risk of becoming NEET and those with an identified social, emotional, and mental health need.



Message 2: Specialist education provision in Nottinghamshire key trends and issues in recent years

- There is currently a limited number of specialist education provision in both the north and the south of the county
- There is lack of provision in the north offering vocational courses
- A lack of provision in primary years
- Providers struggling to respond to referral or take on new placements due to capacity issues
- Lack of new independent non-maintained schools joining the Nottinghamshire Approved Provider List (NAPL)
- Large quantity of AP providers on the framework yet less than half offer placements when requests are made
- Limited transport links for provisions in the north, particularly in the Bassetlaw area
- Limited number of providers who can meet complex needs including social, mental and emotional health, and attachment and trauma difficulties
- Limited transition support and providers not set up for outreach work
- High percentage of alternative education providers that are not registered as an independent school
- Limited access to speech and language therapies, occupational therapies and sensory supports
- Mainstream schools approaching specialist education providers and make direct payments for individuals on a block purchase basis which results in reduced capacity for NCC referrals.



3

Demand

Children and Young People with EHC Plans

The Nottinghamshire County Council Children's Commissioning Team commission specialist education provision for those Children and Young People (CYP) with EHC plans.

Although there was a small decline in placements between 2020-21, which could be due to the impact of the Coronavirus pandemic, there has been a general upward trend in the number of children and young people with EHC Plans requiring specialist education provision:

Table 1: Total number of CYP on roll:

Independent non-maintained schools		Alternative education provision	
2018-19 = 321	2019-20 = 324	2018-19 = 150	2019-20 = 175
2020-21 = 315	2021-22 = 354	2020-21 = 166	2021-22 = 213

These tables show that overall there has been a rise in the number of children and young people on roll in specialist education provision

Table 2: Total number of CYP on roll by key stages:

Independent non-maintained schools			Alternative education provision		
	2020/21	2021/22		2020/21	2021/22
Key stage 1	1	1	Key stage 1	1	1
Key stage 2	27	32	Key stage 2	27	32
Key stage 3	81	104	Key stage 3	81	104
Key stage 4	107	83	Key stage 4	107	83
Post 16	91	120	Post 16	91	120
Post 19	8	12	Post 19	8	12

These tables show that key stage 3, key stage 4 and post 16 have the highest numbers of children and young people on roll

Table 3: Total number of CYP on roll by geographical location (where the child/young person lives):

Independent non-maintained schools			Alternative education provision		
	2020/21	2021/22		2020/21	2021/22
Ashfield	62	74	Ashfield	33	46
Bassetlaw	40	42	Bassetlaw	32	37
Broxtowe	36	36	Broxtowe	13	19
Gedling	46	50	Gedling	22	31
Mansfield	52	60	Mansfield	29	40
Newark	45	49	Newark	17	27
Rushcliffe	34	41	Rushcliffe	19	31
Total:	315	352	Total:	165	231

These tables show that geographically there is a reasonably even spread in terms of where the child/young person lives, although the urban areas of Ashfield and Mansfield do have the highest overall numbers.

Gender and presenting needs

There are significantly more males than females accessing specialist education provision. In 2020/21 255 males were on roll at independent non-maintained schools compared to 60 females. In 2021/22 there were 279 males and 73 females.

In alternative education provision in 2020/21 there were 125 males on roll compared to 40 females. In 2021/22 there were 162 males on roll and 69 females.

The main presenting needs for children and young people with EHC plans accessing specialist education provision are Autistic Spectrum Disorder, Social, Emotional and Mental Health, Moderate Learning Difficulty and physical disability.

Children and Young People without EHC Plans

The Nottinghamshire County Council Fair Access Team are responsible for securing and maintaining appropriate education for a range of vulnerable pupils who might otherwise be missing from education.

Table 4: Fair Access Team headline data – CYP without EHC Plans

Headline data

Total number of new referrals
2020-21 = 92
2021-22 = 106
2022-23 = 93 (to 19.10.22)

Ages
7 to 16

Reasons for placement
Permanently excluded
New in county
Elective Home Education unsuitable

Main presenting needs
Social, Emotional and Mental Health
Autistic Spectrum Condition
Cognition and learning

Geographical breakdown (where the child/young person resides)				
	2020-2021	2021-2022	2022-2023 (to 19.10.22)	Total
Ashfield	11	11	12	34
Bassetlaw	12	16	19	47
Broxtowe	16	11	12	39
Gedling	20	28	19	67
Mansfield	20	19	12	51
Newark	3	4	6	13
Rushcliffe	6	14	11	31
Out of county:	4	3	2	9

4 Supply

Independent non-maintained special schools

There are currently 27 independent non-maintained schools on Nottinghamshire's Approved Provider List (NAPL). Of these providers only eight are located within Nottinghamshire (including Nottingham City) therefore this does have an impact in terms of placing children and young people in terms of both distance and cost. Most of the Nottinghamshire based providers are based in central parts of the county. Ten providers are in neighbouring counties including Lincolnshire, Leicestershire, Derbyshire, and Doncaster, with eight others further afield.

One provider provides virtual and home-based support.

Schools mainly support children and young people with Autistic Spectrum Disorder and Social, Emotional and Mental Health needs as their primary needs. Two providers offer support specifically for children and young people with sensory impairment. All the providers offer day placements and eight providers also offer residential accommodation.

Alternative education providers

There are currently 64 providers on Nottinghamshire's provider framework. Much provision in the county is concentrated around the Nottingham City area (29%) and there are also a significant number of providers who are located out of county (10%). There is a small percentage of provision delivered in the north (Bassetlaw, Newark and Sherwood) and south of the county (Broxtowe, Gedling, and Rushcliffe).

It is important to note that primary age provision should be located no more than 45 minutes from the home address and for secondary age no more than 75 minutes, although ideally children/young

people should be accessing provision as close to their home address as possible. Some providers are in neighbouring counties to Nottinghamshire whilst others may offer localised provision even though their primary base is further afield, and this can include providers whose provision is solely online based.

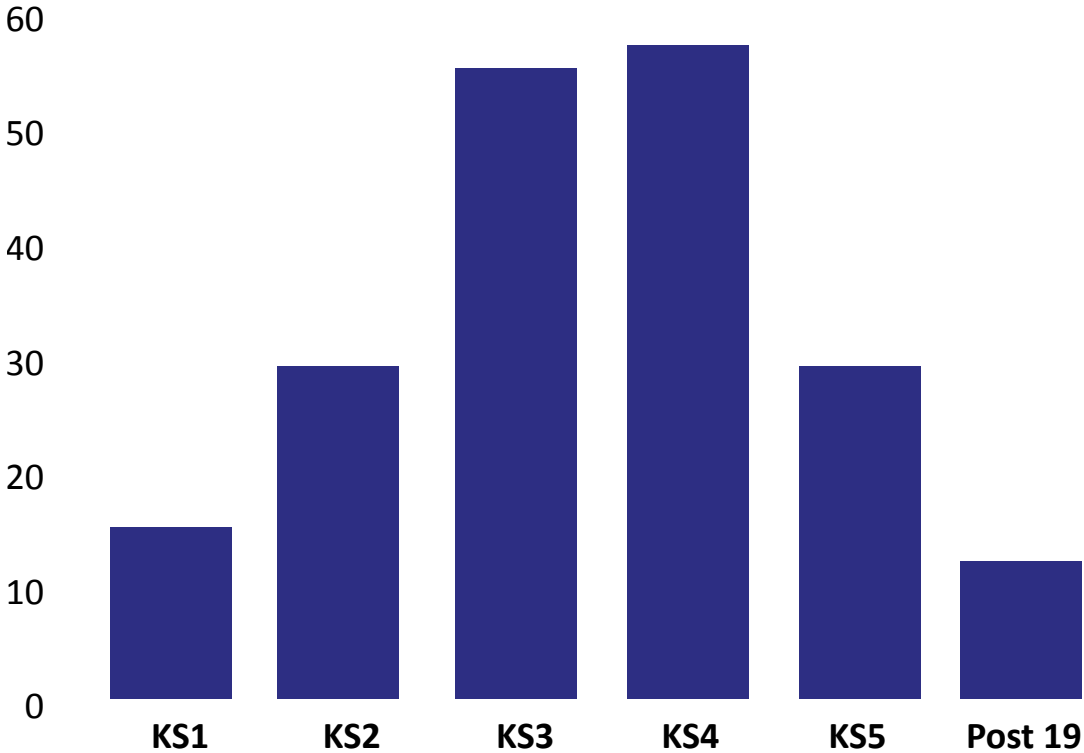
Learners requiring provision will have diverse needs and placements are made using different categories, which include location, key stage, primary SEN and learning pathway.

Fig 1: Alternative provision learning pathways

Learning pathway
Pathway One (Broad balanced curriculum, which includes math and English. GCSE's and FE mainly academic and mainstream style)
Pathway Two (Vocational provision 14-19 curriculum. FE and work placements)
Pathway Three (Foundation learning, national accreditation, key skills)
Pathway Four (A blended package including academic and vocational provision)

There is generally a good mix of provision across the four learning pathways although there can be challenges with finding provision if one to one support is required

Fig 2: Alternative education provision by key stage



Source: Children's Commissioning Team

This chart shows that provision for key stages 3 and 4 is offered by a significant number of providers but there is much less provision offered in primary years and post 16, although it is worth noting that when post 16 provision is requested this must be agreed on a case-by-case basis.

In terms of need, the most prevalent special educational needs are Autistic Spectrum Disorder and Social, Emotional and Mental Health needs.

Key message: Identified gaps and opportunities in specialist education provision in Nottinghamshire:

Independent non-maintained specialist school provision

- Increase numbers of providers located in Nottinghamshire, particularly in Bassetlaw district and in the south of the county, including Rushcliffe and Broxtowe
- Increase provision for children and young people with autism and associated challenging behaviours and those with social, emotional and mental health needs.

Alternative education provision

- Increased provision for primary years and post 16
- Increased provision in the north (Bassetlaw), and south of the county (Rushcliffe, Broxtowe) in general
- Providers who can offer accredited ICT as a core offer
- Vocational opportunities in the north of the county
- Providers with registered exam centre status
- Increased access to progression destinations e.g., college or employment
- Demand for providers who can offer sensory and therapeutic provision.

5 Quality

The quality of specialist education provision is measured through three processes:

- Quality assurance framework self-assessments and validation
- Performance indicators
- Contract management reviews.



Specialist education providers must meet Nottinghamshire County Council's Quality Assurance Framework (QAF) standard C as a minimum for all core objectives. These core objectives include assessment and support planning, health and safety, safeguarding and protection from abuse, fair access and diversity, client involvement and empowerment and management of provision. The provider will be required to self-assess against the QAF on an annual basis.

Due to the nature of some specialist education settings, if the provider has been the subject of an Ofsted inspection and has been awarded a classification of 'Good' or above, QAF validation visits will be suspended for a period of two years.

Performance indicator workbooks are to be submitted by providers on the last day of each term to facilitate analysis over the school closure period. The workbooks

capture student progress in relation to academic attainment, outcome stars and agreed targets. The outcome stars include employment, hopes and aspirations, friends' relationships and the community, good health, how a young person feels about their education and independent living and staying safe.

Where a provider has five Nottinghamshire students or above, an annual contract review will take place to facilitate an on-going dialogue between the provider and Nottinghamshire County Council to support service improvements. Providers are asked to submit a summary report covering areas of success and improvement, stakeholder feedback and student satisfaction and feedback, business continuity plans, service improvement plans, risk register and evidence of all relevant insurance.

Independent non-maintained specialist school providers

It will be a condition of acceptance on the framework that schools will need to be registered with Ofsted or the Care and Training Inspectorate for Wales and are able to supply evidence of successful relevant inspections. This must be 'good' or better and must have been produced within the previous 12 months. It should be noted that all subsequent Ofsted inspections must be rated as 'good' or above to remain on the framework. All current providers are therefore rated as good. Nottinghamshire County Council reserves the right to suspend any provider from the approved provider list if they do not receive a 'good' or better rating.

Provision must demonstrably meet the standards set out in the [Education \(Independent School Standards\) Regulations 2014](#), or any subsequent statutory requirements in relation to the quality of education; spiritual, moral, social and cultural development of pupils; welfare, health and safety of pupils; suitability of staff, supply, and proprietors; premises of and accommodation at schools; provision of information; manner in which complaints are handled; and quality of leadership and management of schools.

6 Support for providers

The council aims to develop closer working relationships with providers through different routes:

- The monitoring and reviews of the quality of provision on a regular basis including termly and annual contract review meetings and quality inspections
- Termly provider meetings covering different topics including safeguarding updates and quality assurance related process. Provider meetings will be informative and give providers the opportunity to ask questions, give feedback and highlight any issues they are experiencing. It also gives providers the opportunity to network with other specialist education providers
- Key contacts within the contracts team to build positive relationships and drive service improvements. All specialist education providers will have a designated contract officer who will carry out their contract reviews and will be their point of contact for support
- Market development discussions to help ensure that the market is responsive to changing service user needs.



What do young people want from their specialist education provision?

Co-production activities with young people in specialist education settings in Nottinghamshire highlighted trends and themes as to what is working well in their setting and areas that could be improved.

The main themes highlighted throughout:

- Interest led sessions aid focus and interaction
- Additional support is needed in transition between settings
- Learners are inspired by staff who faced similar educational obstacles in their past
- Flexibility and a relaxed atmosphere are key
- One-to-one time aids success
- Teaching staff are supportive and positive relationships with staff are important
- Buildings in some settings could be improved and most feedback from young people regarding physical aspects of the education settings was negative.

The voice of young people provided a lot of positive feedback of what they would keep the same within their provisions, which included:

- A focus on mental health and wellbeing and having access to therapy and counselling sessions
- Working with staff who used to be learners themselves
- Extra support received by staff such as structural adjustments and being able to spend time alone if necessary
- Sessions are interest led and help with focus.

The young people also voiced their views on where improvements can be made and what they would like from their provision in the future:

- Further emphasis and support from providers on preparation for adulthood so young people have a better understanding and can take control of their next steps in the education journey
- Additional staff and more one-to-one sessions
- An expansion in buddying schemes and social skills education to prevent social isolation and to encourage young people to build friendships
- Improved learning content to ensure young people are on the correct course
- Higher quality or quantity of equipment and personal access to the internet at their provision
- Reduce the stigma of the negative connotations that come with specialist education.



8

Specialist education expenditure

Table 5: Independent non-maintained schools and alternative education expenditure

Independent non-maintained schools	Alternative education provision
2018-19 = £9,778,449	2018-19 = £1,425,861
2019-20 = £10,250,353	2019-20 = £1,256,970
2020-21 = £10,879,504	2020-21 = £1,779,335
2021-22 = £15,247,716	2021-22 = £2,373,988

Source: Children’s Commissioning Team

9

Contracting arrangements and commissioning intentions

When purchasing services, Nottinghamshire County Council, as a ‘Best Value’ authority is under a duty to “make arrangements to secure continuous improvement in the way in which functions are exercised, having regard to a combination of economy, efficiency and effectiveness”. When undertaking a procurement this involves challenging how services are provided, consulting with service users, comparing the performance of suppliers and using fair and open competition wherever possible to secure efficient and effective services. Nottinghamshire County Council runs tender processes through ProContract found at www.eastmidstenders.org where organisations can apply for contract opportunities.

Alternative education provision

Nottinghamshire uses a Dynamic Purchasing System (DPS) to procure individual placements for those children and young people for whom it has statutory responsibility and for whom a bespoke package of education/ therapeutic support is required. Providers looking to join the approved provider list would need to make an application for the alternative education tender through the www.eastmidstenders.org procurement portal. The alternative education approved provider list commenced in January 2017 and will operate electronically until January 2027. The tender reference is DN112705. *Following a procurement exercise, which is currently underway for the independent non-maintained special schools, this date might be reviewed.

Alternative education provision - requirement to register as an independent school

Advice from the Department for Education (DfE), entitled 'Registration of Independent Schools' published in January 2016, stipulates that any alternative education provider (as defined by section 4 of the Education Act 1996) would need to be registered as an independent school, if it is providing:

- Full time education for five or more learners of compulsory school age or where one or more such learners have an EHC plan or statement of special educational needs
- Full time education for five or more learners of compulsory school age or where one or more learner is 'looked after' by the contracting authorities.

As a consequence of this requirement, there may be some providers who were originally categorised as alternative providers of education, but who will ultimately need to become registered as independent schools.

Independent non-maintained specialist school provision

Nottinghamshire County Council operate an approved provider list with a range of providers of specialist educational provision across all the key stages. The overall aim is to secure a provision pathway for pupils who have a range of complex educational, cognitive, social, emotional, mental health and physical needs. The provision comprises both day and residential placements and may include holiday periods for both primary and secondary phase pupils.

Providers wishing to offer provision as an independent non-maintained special school will need to register and apply through the www.eastmidstenders.org procurement portal. The tender reference is DN719545

Commissioning intentions and priorities:

- To commission a blended approach to specialist education services, developing block contracting arrangements for satellite hubs in every district and borough in Nottinghamshire (AP and INMSS) to improve parity of provision across the county, reduce travelling time and create more in-county placements. Alongside this, we will also commission a framework agreement for individual placements. The block contracts for independent non-maintained specialist schools will commence from 1 April 2024 for a period of five years to 31 March 2028

- To procure provision that offers value for money
- Secure services when and where they are needed
- To strengthen and improve outcomes for children and young people accessing specialist education provision
- Commissioning a range of provision that is robust, resilient, flexible and creative and which matches the range of needs of this vulnerable cohort of pupils
- To enable children and young people accessing specialist education provision to achieve aspirational educational outcomes and skills for independence and ensuring aspirations are at the centre of what we do
- To raise attainment and narrow the attainment gap for children and young people accessing specialist education by providing personalised learning to meet individual needs through clear learning pathways and transitions
- To prepare children and young people for the next phase in their education and preparing them for adulthood
- Ensuring access to high quality provision to narrow the gap for those at risk of under achievement.



Summary

Nottinghamshire County Council supports the inclusion of children and young people with special educational needs and disabilities (SEND) in education, within the communities in which they live. Where mainstream settings are unsuitable the council works together with schools and colleges to provide high quality specialist alternatives. The commitment to inclusion extends into adulthood.

The most prevalent primary SEN needs for both independent non-maintained specialist school and alternative education provision are those children and young people with autism and associated challenging behaviours, and those with social, emotional and mental health needs. Therefore we need to increase education provision to meet these specific needs.

For independent non-maintained specialist school provision we need to increase provision sited within Nottinghamshire so children and young people can be educated within their local communities. There is a procurement exercise underway to address this need through block contract arrangements, but the council is also looking to create a list of approved providers where a child or young person may not be a suitable match for the provision being commissioned through the block contract arrangements and/or where there is insufficient capacity.

In terms of alternative education provision, the council is currently looking at commissioning placements through providers who can meet the specific gaps in existing provision:

- Increased provision for primary years and post 16
- Increased provision in the north (Bassetlaw), and south of the county (Rushcliffe, Broxtowe) in general
- Providers who can offer accredited ICT as a core offer
- Vocational opportunities in the north of the county
- Providers with registered exam centre status
- Increased access to progression destinations e.g., college or employment
- Demand for providers who can offer sensory and therapeutic provision.

All specialist education providers must be able to offer support at key transition points such as key stage 2 to 3 or details of post 16 pathways. Information should include options for continuing in education and training, as well as routes into employment. It should also support the transition from children's to adult services.

We are seeking providers who can meet the needs of this vulnerable cohort whilst securing good outcomes and demonstrating value for money. We acknowledge that we need to work closely with all our partners to achieve our ambition of:

Right placement; right location; right time; right price.



Further information

Please contact: Commissioning.team@nottscc.gov.uk



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