

OPEN – Report

NOT FOR PUBLICATION - Appendix 1

By virtue of paragraphs 2 and 3 of Part 1 Schedule 1 of the Local Government Act 1972.

Children and Families Committee

09 June 2025

**SEND Sufficiency Statement for
children and young people with an
education, health, care plan (EHCP)**

Report of: Dawn Godfrey, Executive Director of Children’s Services

Report Reference No: CF/11/25-26

Ward(s) Affected: All

Decision and Scrutiny

Purpose of Report

- 1 To provide Children and Families Committee members with an outline of the SEND landscape in Cheshire East to:
 - (a) provide a greater understanding of the demographic of the SEND cohort
 - (b) to describe the position of the Council’s existing SEND provision
 - (c) to provide evidence that can support the Council’s decision making as it seeks to fulfil its sufficiency duty investing in and maintaining its educational estate
- 2 Appendix 1 of this report provides our SEND Sufficiency Statement which details educational provision for children and young people with special educational needs.
- 3 The report contributes to the commitments of the Corporate Plan 2025-2029:
 - (a) Unlocking prosperity for all; Education, skills and life-long learning leads to employment and roles in the community.

- (b) Improving health and wellbeing; Children and young people thrive and reach their potential with targeted support when and where they need it
- (c) An effective and enabling council.

Executive Summary

- 4 The overall aim of this SEND Sufficiency Statement is to inform and support the local authority in its development of strategic place planning for SEND educational provision in the medium and long term. There are 4 key aims for the Cheshire East SEND Sufficiency Statement
 - 1. Inform medium to longer term commissioning/decommissioning of places for children and young people with an EHCP
 - 2. Inform capital investment planning and future bids to DfE initiatives
 - 3. Inform discussions with providers around required change to current provision to meet future needs
 - 4. Support the delivery of the DSG management plan to become financially stable.
- 5 The SEND Sufficiency Statement at Appendix 1 provides
 - (a) A detailed overview of the existing SEND cohort – year group and age range, type of provision, area of need and location
 - (b) The analysis has been broken down into 4 localities:
 - (i) South S1: Nantwich and Crewe South
 - (ii) South S2: Sandbach, Alsager, Middlewich and Crewe North
 - (iii) North N1: Wilmslow, Knutsford, Congleton and Holmes Chapel
 - (iv) North N2: Macclesfield and Poynton
 - (c) List of existing specialist provision
 - (d) List of approved schemes
 - (e) EHCP forecasts
 - (f) Proposals for future provision
 - (g) Proposal for the decommission of provision

- 6 **Appendix 1 is not for publication.** Appendix 1 contains exempt information pursuant to schedule 12A of The Local Government Act 1972 and is therefore withheld from public inspection. The exempt information falls within paragraphs 2 and 3 of the exempt information categories contained within paragraph 24 of the Access to Information Procedure Rules in the Council's Constitution and contains information relating to an individual, information which is likely to reveal the identity of an individual, information relating to the financial or business affairs of any particular person (including the authority holding that information).

The public interest has been applied and it is concluded that the public interest in maintaining the exemption outweighs the public interest in disclosure at this time. It is therefore recommended that the Decision Record is withheld from publication from the Council website.

The paragraphs below set out the relevant public interest issues in this case.

Factors for withholding;

- The report provides information which is likely to reveal the identity of schools who operate provisions which may be affected by the proposals
- The report provides information relating to the financial or business affairs of any particular person (including the authority holding that information).
- Where applicable, officers will follow, the School Organisation Process which includes public consultation for both commissioned and decommissioned specialist provision

Factors for disclosure;

There is a public interest.

- in transparency and accountability,
- in securing the best use of public resources

Reasons why the public interest favours withholding the information:

- It is considered that the disclosure of this information would prejudice the interests of the council and school as it relates to the finances of the council (DSG deficit position) and the school.
- Where applicable, officers will follow, the School Organisation Process which includes public consultation in relation to the proposals.

- 7 Although exempt at this stage, Appendix 1 will be available online on our website following the consultation process, where applicable, on the

proposals and relevant actions in line with the school organisation process, and future Children and Families Committee approval.

- 8 The SEND Sufficiency Statement and proposals within the document align with the DSG management plan (formally approved at Childrens and Families Committee on 29 April 2024). Growing our own specialist provision and enhancing inclusion within our mainstream schools and setting are key mitigations within the DSG management plan and therefore integral to our journey of achieving financial sustainability and the strategic direction of Right Time, Right Support, Right Place.
- 9 The SEND Code of Practice sets out that for most children with SEND, there is a presumption that their education will be within a mainstream setting and CEC's ambition is that most children and young people with an EHCP will also be able to access appropriate provision within or within a reasonable distance of their local community.
- 10 The Council has a statutory duty under section 14 of the Education Act 1996, to ensure there is a sufficiency of school places available to meet the needs of all children and young people living within our authority. This includes the need to secure provision for children with special educational needs and disabilities.
- 11 This report and appendix should be read alongside the SEND and AP Strategy and Improvement Plan 2025-2028.

RECOMMENDATIONS

The Children and Families Committee is recommended to:

1. Review the information as presented within the SEND Sufficiency Statement academic year 2024/25 to 2030/31 (Appendix 1)
2. To note the proposals detailed in the SEND Sufficiency Statement at Appendix 1 of the report (not for publication)
3. Delegate authority to the Executive Director of Childrens Services to proceed with consultation on the proposals in Appendix 1 and undertake relevant actions in line with the school organisation process, with a report back to committee on the outcome in due course for consideration and decision.

Background

The Cheshire East Special Educational Needs and Disability (SEND) and Alternative Provision (AP) Strategy and Development Plan 2025 – 2028

- 12 The Cheshire East Special Educational Needs and Disability (SEND) and Alternative Provision (AP) Strategy and Development Plan 2025 – 2028 outlines in a single document all the work to be carried out by the Cheshire East SEND Partnership to develop and improve local support for children and young people that have SEND and / or attend alternative provision. It is referred to as our Cheshire East SEND and AP ‘One Plan’.
- 13 The SEND and AP Strategy and Development Plan incorporates all mitigations identified in the Dedicated Schools Grant (DSG) Management Plan as required during 2025-2028 (noting that the DSG Management Plan is a 7 year plan 2024/25-2030/31) and clearly pulls together and outlines in a single document all of the improvement work to be carried out by the SEND Partnership up to and including the calendar year 2028.
- 14 The plans to improve services and outcomes for children and young people with SEND across our area including a review of all our existing SEND provision and identifying gaps in provision to support our children and young people with SEND is ambitious.
- 15 Our vision for children and young people with special educational needs and disabilities (SEND) is the same as for all children and young people - that they achieve well in all aspects of their lives and are happy, fulfilled and play an active role in their communities. **“Together we will make Cheshire East a great place to be young”**.
- 16 We believe that children and young people are best supported within their families and their communities, all children and young people should enjoy the best education which prepares them to thrive in adulthood and Cheshire East families and communities are strong and resilient, with the right help, by the right people, at the right time.
- 17 As a SEND Partnership, all relevant organisations in Cheshire East are committed to providing the best quality education and support for all children and young people to ensure they achieve the best possible outcomes.
- 18 We want all our children and young people with special educational needs and/or disabilities to be **HAPI: Happy and healthy, Achieving their potential, Part of their communities and Independent** as possible, making choices about their future.
- 19 In order to achieve our shared partnership vision and commitment, our priorities for all our children and young people with special educational

needs and/or disabilities to have the Right Support in the Right Place at the Right Time.

The Dedicated Schools Grant Management Plan

- 20 As a requirement of the DSG grant conditions, local authorities must have a DSG management plan in place. As at April 2024, our 7-year DSG management plan details a forecast unmitigated deficit position for 2030-31 of £1.2 billion, reducing to £285 million mitigated deficit position by the end of 2030/31 (where we should also be spending within the forecast available grant in-year) if the plan is implemented successfully, with mitigations focusing on providing the right support in the right place at the right time.
- 21 The DSG management plan was reprofiled following the outturn position at 31 March 2024 which was lower than planned, resulting in a reduced forecast deficit reserve position of £1.07 billion unmitigated and £236.7 million mitigated by the end of March 2031.
- 22 The DSG management plan will be updated and reprofiled during the summer months to reflect the actual outturn position as at 31 March 2025.
- 23 The DSG management plan includes mitigations of increasing SEND provision across Cheshire East. In March 2024, Cheshire East were successful in a capital bid (linked to the Safety Valve Programme) and awarded £16.6m to support SEND provision expansions which are integral to the delivery of the DSG management plan. These expansions have been included within the SEND Sufficiency Statement (Appendix 1).
- 24 In addition to the capital bid Cheshire East have been awarded via the free school presumption process a new free special school, which is to be delivered by the DfE. This new provision has also been included within the SEND Sufficiency Statement (Appendix 1). Please note at the time of writing this report, it is unknown whether the new government will continue to deliver any awarded free schools. A separate report will be prepared for Children and Families Committee to provide an update.

Development of the SEND Sufficiency Statement

- 25 To create the SEND Sufficiency Statement areas such as capacity and designated numbers in Cheshire East provisions, pupil travel patterns, destination, alongside forecast pupil data to identify gaps in both the capacity, type and geographical location of specialist provision have been used.
- 26 Multiple data sources were available to inform the gap analysis. This included Special School and Resource Provision (RP) capacity, school census information, live SEND data through Power BI, SEN2 return, the

DSG management plan 2024/25 to 2030/31, which includes EHCP forecasts, stakeholder views (conducted via the SEND & AP strategy plan) and information from interdependent projects.

- 27 The data modelling, gap analysis and initial conclusions have informed the sufficiency planning proposals. Consultation with all stakeholders, including parents, carers and young people will take place to discuss and evaluate the proposals. Feedback from the consultations will inform any revision to the commissioning proposals in this and future iterations of the SEND Sufficiency Statement.
- 28 The SEND sufficiency Statement has been produced to reflect 4 potential locality areas; South 1: Nantwich and Crewe South, South 2: Alsager, Sandbach, Middlewich and Crewe North, North 1: Wilmslow, Knutsford, Congleton and Holmes Chapel, North 2: Macclesfield and Poynton.
- 29 The proposed localities reflect the Family Hubs collaborative partnership work. There are 4 collaboratives in the north and 4 collaboratives in the south of Cheshire East. The 8 collaborative areas were formed to establish local targeted action plans informed by data and intelligence to improve the way that we work together, prevent duplication and identify key areas of focus to have a positive impact on the outcomes of children and families.

Department of Education (DfE) Announcement [New specialist places to be created in mainstream schools - GOV.UK](#)

- 30 In December 2024, the DfE announced £740m of funding to increase the number of places available for SEND pupils to achieve and thrive in mainstream schools.
- 31 This new funding can be used to adapt classrooms to be more accessible for children with SEND, and to create specialist facilities within mainstream schools that can deliver more intensive support adapted to suit the pupils' needs.
- 32 Secretary of State for Education, Bridget Phillipson "We are determined to break down barriers to opportunity for all children and will work closely with local authorities, schools and families to ensure inclusion is at the heart of learning and that all pupils are getting the support they need to achieve and thrive".

Consultation and Engagement

- 33 No consultation or engagement has taken place directly relating to the SEND Sufficiency Statement but stakeholder views conducted via the co-production sessions held during the development of the SEND and AP

strategy plan have taken place of which SEND Provision was a key priority.

- 34 Any applicable consultation in line with statutory regulations concerning SEND places will be conducted accordingly.

Reasons for Recommendations

- 35 To assess the needs of our children and young people in Cheshire East and to evaluate how well our current provision meets young people's needs and identify any gaps, which will support us to plan how we will continue to develop our provision so that we can achieve the best outcomes for our children and young people.
- 36 To achieve the best possible outcomes for children and young people by ensuring there are the right number and type of places to meet children and young people's needs and having their needs met within their local community wherever possible.
- 37 To ensure the right decisions are made to make the best use of our resources.
- 38 To progress and inform our DSG management plan and to reduce the over reliance on independent special schools to meet the needs of our children and young people.

Other Options Considered

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Option	Impact	Risk
Do nothing	<p>Lack of understanding of data and of SEND provision requirements.</p> <p>Lack of information to inform the SEND provision plan to address the gaps in specialist provision in Cheshire East.</p> <p>CYP are educated outside of Cheshire East.</p>	<p>Continued over reliance on Independent/Non-maintained specialist providers, resulting in increased expenditure of placements, impacting on the overall Dedicated Schools Grant deficit reserve position</p>

Implications and Comments

Monitoring Officer/Legal

- 40 The proposals outlined in this report fall within the remit of the committee and will assist the Local Authority in meeting its statutory duty to secure sufficient mainstream and SEND education places pursuant to section 14 of the Education Act 1996('EA1996'). In addition Section 315 of the EA1996 requires that arrangements for children with SEND be kept under review including its sufficiency.
- 41 The exemption of material in Appendix 1 is appropriate at this time.
- 42 To minimise the risk of legal challenge, the Local Authority should ensure that it is fully compliant with all relevant legislation in this area and that it continues to satisfy its statutory duties through its decision making. Proposals outlined in this report, where applicable, would be subject to consultation and would follow the relevant statutory processes and approval route. Any further legal implications will be considered at the time.

Section 151 Officer/Finance

- 43 There are no financial implications that require an amendment to the Medium-Term Financial Strategy as a result of the proposals in this report to increase places by 230 and decommission places by 24, resulting in a total 1,497 places.
- 44 SEND service continues to see a significant increase in the number of pupils with Educational and Health Care Plans, and the associated school placement costs.
- 45 The forecast pressure on the Dedicated Schools Grant in the Management Plan reported April 2024 following the update of the Safety Valve Capital bid, referenced in paragraph 19, of £1.2billion 2030-31 reducing to £285million continues to be a pressure.
- 46 The 2024-25 draft total DSG outturn deficit in year of £33.5m, High Needs is £35.1m overspend and £1.6m underspend on Early Years, creating an overall deficit to date of £112.1m, is an improvement against the management plan (original £140.9m). The DSG deficit continues to be managed by an accounting override until 31st March 2026.
- 47 Capital Grant Funding bid in paragraph 20, £16.6m, in this report are confirmed and resulted from the Safety Valve Capital Funding application. The bid included 2x60 SEND primary schools,20 place expansion of Springfield (Wilmslow) 14 place SEN unit and additional

funding for new SEND satellite schools SEND school places, SEN units and Resource provisions within mainstream settings across the borough.

- 48 On 26 March 2024, the DfE confirmed the 2023 to 2025 High Needs Provision Capital Fund Allocation was confirmed as £5.8m. The DfE have now published LA allocations for over £1 billion of new capital investment to support local authorities to create mainstream school places needed by September 2028, and for £740 million of capital funding for the 2025-26 financial year to support the creation of school places for children and young people with Special Educational Needs and Disabilities (SEND) or who require Alternative Provision (AP).
- 49 As part of this announcement on the 27 March 2025, the DfE confirmed High Needs Capital Fund allocation of £5.955m, which is additional capital grant coming in to support the provision of High Needs places.

Policy

- 50 The SEND Code of Practice sets out that for most children with SEND, there is a presumption that their education will be within a mainstream setting and CEC's ambition is that most children and young people with an EHCP will also be able to access appropriate provision within or within a reasonable distance of their local community.
- 51 The Council has a statutory duty under section 14 of the Education Act 1996, to ensure there is a sufficiency of school places available to meet the needs of all children and young people living within our authority. This includes the need to secure provision for children with special educational needs and disabilities (SEND).
- 52 In addition, section 315 of the Education Act 1996 requires that arrangements for children with SEND be kept under review. 'Special educational needs' is a legal definition and refers to children with learning problems or disabilities that make it harder for them to learn than most children of the same age.
- 53 Those with more complex needs will have an integrated assessment and, where appropriate, a single Education, Health and Care plan for their support.
- 54 In March 2022, the government published its SEND review: right support, right place, right time. "The SEND Review sets out government's proposals for a system that offers children and young people the opportunity to thrive, with access to the right support, in the right place, and at the right time, so they can fulfil their potential and lead happy, healthy and productive adult lives.

<p>Commitment 1: Unlocking prosperity for all</p> <p>Education, skills and life-long learning leads to employment and roles in the community.</p>	<p>Commitment 2: Improving health and wellbeing</p> <p>Children and young people thrive and reach their potential with targeted support when and where they need it</p>	<p>Commitment 3: An effective and enabling council</p> <p>Financially sustainable council, enabled by council-wide service transformation and improvement.</p>
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Equality, Diversity and Inclusion

- 55 An EIA will be completed for each individual proposal, where applicable, listed within the report and appendix.

Human Resources

- 56 There are no direct human resource implications for the council, but if any additional school provision forms part of a current maintained school, the local authority will work with the school in the appointment of additional specialist staffing to ensure high quality staffing is achieved, both teaching and non-teaching.

Risk Management

- 57 There is an overall risk that the council does not meet its statutory requirements to best support SEND learners due to a lack of specialist SEND placements.
- 58 Due to capacity constraints within our RPs, SEND units and special schools, the reliance on placements within non-maintained special schools, independent special schools and specialist post 16 institutes is growing considerably, which causes significant financial impact as this type of provision is a higher cost.
- 59 Once specific schemes are identified, approved to feasibility stage and then beyond, all risks will be monitored as part of the staged process utilising the agreed Project Management Office (PMO) methodology.

Rural Communities

- 60 The creation of additional places across the borough will potentially bring benefits to rural communities by providing settings within more reasonable travel distances if a local school place cannot be met.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 61 The council has approved its Children’s Vision which contains a priority around children with additional needs.
- 62 The SEND & AP Strategy and Development Plan sets out the Partnership vision for meeting the needs of children and young people with SEND.

Public Health

- 63 Any increase in SEND provision will require strategic joint commissioning of specialist health services to ensure resources for such services as physiotherapy and speech language and communication therapy are sufficient to meet increased demand as more localised school places are generated. This will be done through the 0-25 SEND Partnership Board.
- 64 By providing local school places and reducing the distances which some children may have to travel to attend school will help to reduce congestion on the roads and therefore reduce emissions, improving the air quality and making a better environment to live in.

Climate Change

- 65 Providing additional school places will enable Cheshire East Children and Young People the ability to secure at place at their local school thus reducing the need to travel outside of the area which will reduce energy consumption.
- 66 Cheshire East Council are very aware of their environmental education and stewardship role and are very interested in promoting sustainability in general.

Consultation

Name of Consultee	Post held	Date sent	Date returned
<i>Statutory Officer (or deputy) :</i>			
Sal Khan	Deputy S151 Officer	19/05/25	19/05/25
Janet Witkowski	Acting Monitoring Officer	19/05/25	27/05/25

<i>Legal and Finance</i>			
Roisin Beressi	Principle Lawyer	29/04/25	20/05/25
<i>Other Consultees:</i>			
<i>Executive Directors/Directors</i>			
Claire Williamson	Director of Strong Start, Family Help and Integration and SEND	23/04/25	26/04/25

Access to Information	
Contact Officer:	Claire Williamson, Director of Strong Start, Family Help and Integration and SEND Claire.williamson@cheshireeast.gov.uk
Appendices:	Appendix 1 – NOT FOR PUBLICATION
Background Papers:	SEND and AP Strategy and Development Plan “One Plan” 2025 to 2028 – June 25 C&F Committee DSG management plan 2024/25 to 2030/31 Report and Appendix – November 24 C&F Committee https://moderngov.cheshireeast.gov.uk/ecminutes/documents/s120768/DSG%20Update%20Report.pdf https://moderngov.cheshireeast.gov.uk/ecminutes/documents/s120769/Appendix%201%20-%20DSG%20Management%20Plan%20Update.pdf DSG management plan 2024/25 to 2030/31 Report and Appendix – April 24 C&F Committee https://moderngov.cheshireeast.gov.uk/ecminutes/documents/s116728/DSG%20Report.pdf

	https://modern.gov.cheshireeast.gov.uk/ecminutes/documents/s116729/Appendix%201%20-%20Safety%20Valve%20DSG%20Management%20Plan.pdf
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