

New post-16 specialist further education

The 2014 Children's and Families Act introduced a 0-25 SEND system and incorporated the principle of preparing for adulthood from an early stage.

The implementation of the Act has led to [increasing numbers of young people aged 19-25 with Education Health and Care Plans](#), and partly as a response to this, the number of specialist colleges (categorised as Special Post-16 Institutions or SPIs by DfE) has also increased, with local authorities looking to organisations within their area to open new post-19 SEND provision.

A review undertaken by Natspec of new SPIs approved by ESFA in 2017 and 2018 shows there are five distinct categories of organisations developing SEND provision.

1. Special schools/ academies establishing separate colleges to extend provision post 16 and post 19.
2. Organisations such as Community Interest Companies / social enterprises previously funded by LAs.
3. Charities offering day care, diversifying into education and applying for post 19 funding for students who previously accessed day care.
4. Independent Learning Providers (ILPs), including those offering vocational qualifications up to Level 2 and apprenticeships, expanding to include SEND
5. ILPs acting as a broker so that students can have taster access to provision in other local organisations.

We support any of these organisations entering the market, but only where there is an established need for new provision and where those setting up the provision have an understanding of FE in terms of its approach, its culture, leadership and governance. The focus needs to be on creating an appropriate, adult learning environment that prepares young people for the next stage in their lives.

Principles to underpin all new provision

The principles we advocate relating to new provision are:

1. There needs to be careful consideration of the optimum number of specialist FE providers and their geographical spread.
2. New provision should be planned to fill gaps rather than duplicate existing colleges. A comprehensive supply and demand analysis should be undertaken to determine if, and why, new provision is necessary. In some cases, a full options appraisal might conclude that new provision is not needed, and instead the need can be met through using satellites of and partnerships with existing GFE or specialist colleges.
3. New provision should be age appropriate and of high quality. There should be a philosophy of a curriculum based on preparing for adulthood, and provision should be focussed on the desired outcomes of the young person for their adult life.
4. There should be a marked difference between a school or a care setting and the new college setting in terms of ethos, mind-set amongst leaders, practitioners, governors,

and in policies, procedures, attitude, aspiration and sense of purpose. Moving to college (sometimes after 15+ years at the same school) should be a marked transition in a young person's life, helping to prepare them for adult life and giving them an opportunity for a fresh start.

There is little evidence that recent new provision is the result of any local/regional planning. Many local area inspections have highlighted that there is a lack of strategic overview. Much of the new provision represents a diversification of existing provision (for example schools opening post-19 units for students with more complex needs); this is sometimes happening in areas where specialist provision capable of meeting the needs of such students already exists. LA SEND strategies sometimes identify the need for new provision without including an examination of other local existing provision or provision within neighbouring authorities.

Quality Issues

Many new providers have been surprised at how much they have had to change or introduce as a result of becoming a college funded by the ESFA and subject to Ofsted inspections.

"We had no idea about the different funding and reporting procedures, and how much we'd have to change our curriculum and way of working"

"Changing the culture from a school to a college one was critical"

New SPIs are inspected by Ofsted within two to three years of being approved by ESFA. The most common outcome of an inspection of a new SPI is a judgement of "Requires Improvement". Only 3 of the new providers have achieved a "Good" on first inspection and one was graded "Inadequate".

Some of the key issues identified by Ofsted in terms of new provision are:

- lack of appropriate staff and governance specialism in disability
- New providers have become registered without sufficient knowledge or understanding of the post 16-19 sector and how to meet the learning needs of students with high needs.
- Not being able to recruit appropriate staff - this is particularly for charities who have day care provision, and little experience of education.
- Too few qualified teachers - there appears to be too few specialist and qualified practitioners to meet the increased numbers of students accessing post 19 provision
- the need to improve the standard of lessons so that they were reliably or consistently good enough.
- Insufficient or poor monitoring of students' progress
- Lack of impartial careers advice
- Aspects of safeguarding, particularly PREVENT
- Too little work experience
- Weak mathematics and English arrangements
- ineffective QA arrangements

Recommendations regarding essential expectations of good practice

Natspec recommends that:

- Teachers are qualified, with recent specialist knowledge, experience and training appropriate for young adults. Where the proposed organisation accepts students with specific learning needs, such as those with autism or low incidence needs, such as significant sight or hearing loss, the staff training and development is specific, current and continuing. Managers can demonstrate that staff have received training relevant for current and anticipated students.
- The numbers of qualified teaching staff, job coaches and support staff are sufficient to allow for the level of support identified on the EHCP, with adequate cover for staff absence.
- Provision is adult focused in line with the Code of Practice guidelines. It is housed separately from schools and clearly distinct from adult day centre provision. The provision is within easy reach of travel facilities, local shops and community facilities so that students can practise their independence skills in realistic settings.
- Managers can demonstrate their capacity to meet the requirements of the Study Programmes, in particular for English and mathematics and work-experience. The curriculum should reflect Preparing for Adulthood, with a strong "Life Skills" programme, including teaching learners to take an active role in the community, self advocacy and informed decision making. Managers should be able to demonstrate their understanding of the law associated with working with young people aged 16+ including MCA and how it applies to learners.
- Managers can demonstrate that their current arrangements to evaluate the quality of all aspects of the provision are leading to improvements.
- Managers can demonstrate how their staff have assessed specific learning needs of their current students and how they are using the baseline as the basis for measuring progress.
- Where the EHCP identifies the need for therapeutic support, such as Occupational Therapy, Speech and Language Therapy and Physiotherapy, managers can show how this has been provided, so that students have been able to maintain or improve their situation over time. The students already on programme are receiving this.
- Managers can demonstrate that current students are receiving independent careers advice, not simply using careers staff from feeder schools, for example. They can show how they meet national requirements.
- Managers already have in place evidence of contact with the Local Safeguarding Children's Board and the LADO. All staff working with current students, and trustees/governors, have already received safeguarding and PREVENT training, which is

cascaded to students. The safeguarding lead has received recent training at least to level 2. Evidence of safer recruitment practice is available.

- At least one member of staff and or trustees/governors has had recent experience of Further or Adult Education.

Training and CPD opportunities

Natspec is [providing training for new providers](#) and can provide advice, guidance and ongoing support on issues and topics that are an essential part of becoming a college. This includes:

1. For schools opening post-16 or post-19 provision: the differences between a special school and a specialist college: legal, cultural, operational - and how to create an adult learning environment
2. Study programmes: what they are, how to plan and implement personalised programmes that are linked to aspirations, plus the condition of funding related to English and maths provision
3. Study programmes: setting appropriate targets, using qualifications effectively and monitoring non-accredited learning (using RARPA – recognising and recording progress and achievement)
4. Funding and Data: the Individualised Learner Record (ILR), practical operation of submitting data and funding returns; bursaries and free school meals funding.
5. Financial compliance and Audit: how is this different from schools?
6. Staff skills and experience: how legal and quality requirements differ
7. Learning Support Staff: deploying and training learning support staff in an adult learning environment
8. Technology: is your infrastructure robust enough? Do you have the right assistive technology in place to enable students to learn? Do you need help with technology strategies and funding?
9. Student Voice: listening effectively to students and promoting opportunities for them to inform their own learning and the provision generally
10. Safeguarding: everything you need to know – Mental Capacity Act, Deprivation of Liberties, on-line safety, 'Prevent' strategies, and more
11. Equality, Diversity and Inclusion: are your policies in place and understood?
12. Transition: supporting incoming students and planning effective destinations – aiming for positive outcomes for every student
13. Ofsted: the FE experience; Self-Assessment Reports and Quality Improvement Plans.