



CABINET

10 SEPTEMBER 2019

DIRECTOR OF CHILDREN SERVICES: SALLY HODGES

**CABINET MEMBER WITH RESPONSIBILITY FOR CHILDREN FAMILIES AND
EDUCATION: COUNCILLOR FIONA BAKER**

Subject:	Update to Special Schools and Designated Units Sufficiency report following consultation.
Recommendations:	<p>Cabinet is asked to:</p> <ol style="list-style-type: none"> 1) Note the findings of the consultations. 2) Formally endorse the proposal for a new free special school in South Northamptonshire. 3) Note the number of places required identified in the report and preferred options for delivery identified in the consultations. 4) Approve delegated authority to the Director of Children’s Services and Cabinet member to develop schemes up to a value of £500,000 for each provision to enable the delivery of additional specialist places or enhancement of current provision in line with the findings of the report and consultations. 5) Note a further report will be submitted for Cabinet’s information once individual schemes have been identified and agreed.

1. Purpose of report

1.1 This report provides updated information on the sufficiency of special school and unit places across the county following consultation.

2. How this decision contributes to the Council plan

The Council’s vision is for Northamptonshire to be a county where everyone looks after each other and takes responsibility, where the vulnerable are protected and supported and where the people who can help themselves receive the assistance they need to stay independent and healthy.

<p>This initiative helps the Council to deliver this vision through the following strategic priorities outlined in the Council Plan</p>
<ul style="list-style-type: none"> • Working in partnership with other public sector organisations • Enabling individuals and communities to achieve better outcomes. • Engaging with partners and communities to co-design and co-deliver services.

- Using innovation to find better and more sustainable ways of delivering services ensuring they are efficient and affordable in the long term.
- Commissioning and procuring services and goods with partners.
- Utilising the Council's assets effectively.
- Reducing inequalities and disparity of opportunities.

3. Background

3.1 The Department for Education has allocated a Capital Grant to authorities to increase the capacity of provision for children and young people with Education, Health and Care (EHC) Plans. This grant, for Northamptonshire, totals £4,790,401

3.2 It was a requirement from the DfE that a formal consultation was held before the draw down of grant was approved. Details of the consultation are in section 4 of this report and Appendix 1.

3.3 Since the Children & Families Act 2014 came into force in September 2014, and the corresponding regulations and Special Educational Needs and Disability (SEND) Code of Practice 2015, there has been an exponential rise in requests for statutory assessment and in the number of EHC Plans issued both nationally and in the County. In the years since implementation Northamptonshire has seen a 130% growth in requests for assessment and a 20% growth in the number of EHC Plans maintained. Requests for assessment have increased from 456 in 2014/15 to 1,091 in 2018/19. The number of EHC Plans maintained has risen from 3599 in August 2014 to 4322 in August 2019.

In the same time period there has been a move for more children and young people with EHC Plans to be educated in special rather than mainstream schools. Since 2014 the number of school places in special schools or units has increased by 534 with the opening of new special schools in Corby, Northampton and Daventry; and an annex to a primary special school in East Northants. There has also been an expansion of places in 4 existing special or designated unit provisions. Further planned expansion for 2019 and beyond will provide 145 additional places in a new free school in East Northants District. Despite this increase in capacity all the special schools are now at or over capacity and the authority is unable to place all children, whose parents request a specialist placement, in a local state funded special provision.

41.4% of children and young people with an EHC Plan are supported within mainstream provision, however, there is some movement from mainstream to special provision especially around Key Stage change e.g. the move from primary school to secondary school.

3.4 In addition to the consultation on the published report initial expression of interest information was distributed to all Northamptonshire schools and responses will, subject to this Cabinet approval, move forward with individual schools that meet the identified needs.

3.5 There were a total of 244 responses to the parent questionnaire and 150 to the public questionnaire. In the majority of cases the responses from both questionnaires were statistically similar. The consultation responses identified the following:

- Strong support for the commissioning of a new all-through special school in South Northants and seeking interim arrangements whilst the school is built.
- Strong support for interim arrangements to be in place whilst the new special free school in East Northants is built.
- Strong support for the review of Autistic Spectrum Disorder (ASD) and Social, Emotional and mental Health (SEMH) definition to better inform provision.
- No strong consensus as to which model of special provision is preferred, each of 4 options receiving similar responses.

3.6 From these responses the following recommendations are made or should be noted:

- It should be noted the process for commissioning a new special school in South Northants will commence and be subject to a further Cabinet report.
- Given the limited capital funding available and as no strong preference for a model of provision is identified it is recommended that officers work flexibly with schools to deliver required additional places in identified areas of the county.
- Once plans have been developed and agreed with individual schools a further information report to be submitted to Cabinet identifying these arrangements.
- The reviews of Autistic Spectrum Disorder and Social, Emotional and Mental Health needs proceed with wide consultation.
- It should be noted the interim arrangements for East Northants have been agreed and will be funded by the DfE.

3.7 It should be noted that, each scheme developed as a result of this consultation will be subject to agreement with individual schools and Academy Trusts and the financial implications of each scheme will be approved at NCC's 'Place Shaping Board' prior to further progression.

4. Consultation and Scrutiny

4.1 The consultation consisted of a number of elements:

- 4.1.1 An on-line survey for parents of children with EHC Plans. This survey was promoted through normal NCC channels and via the Local Offer, Northamptonshire Parent Forum Group and other parent support networks via social media. 244 responses received.
- 4.1.2 A public on-line survey promoted through normal NCC channels. 150 responses received.
- 4.1.3 A survey for young people promoted on the Local Offer, distributed to local youth groups. Unfortunately no responses were received.
- 4.1.4 All surveys highlighted to schools through the weekly bulletin.

4.1.5 Four face-to-face sessions across the county. A total of 5 parents attended these sessions.

5. Equality Screening

5.1 The Equalities Impact Assessment form identified that the proposal to utilise the SEND Capital Grant to provide new and additional capacity for children and young people in receipt of an EHC plan represents a positive impact on the following protected characteristics; 'Age', 'Disability' and 'Rural Isolation'. For all other protected characteristics the proposal represents a neutral impact.

5.2 The full Equality Impact Assessment form can be found using the link below;
[Children, Families & Education](#)

6. Alternative Options Considered

The following alternatives have been considered.

- 1) Do nothing – loss of grant funding and further pressure on special school places impacting on greater out of county spend and higher transport costs.
- 2) Expand current special schools – does not meet the needs identified in all areas of the county and many current schools do not have the capacity to expand further.
- 3) Consideration of building small, single need, special schools – This is a high cost option which would limited the ability to meet all needs identified across all areas as there are limited capital funds to draw down.

7. Financial Implications

This item is currently for information only but is linked to the Capital Grant funding from the Department of Education. The subsequent proposals brought to cabinet for approval will detail the capital costs to be drawn down from this grant.

Revenue costs for places at specialist provision are from the Dedicated Schools Grant (DSG), which is under increasing pressure in Northamptonshire due to the need to place children in settings out of county or in Alternative Provision settings as other placements are not available. The increase in places within Northamptonshire through new provision will reduce the need to place children in these more expensive settings helping to manage the increasing costs. Further details in the impact on the DSG will be included as proposals are brought forward.

	Current year	Forecast		
	2018/19	2019/20	2020/21	2021/22 & beyond
	£000	£000	£000	£000
Capital Investment				
Costs		1,596,800	1,596,800	1,596,800
Funded by	DfE Capital Grant			
On-going costs (revenue)				
Costs - Staffing				

Other				
Total on-going costs (revenue)				
Funding by	DSG			

What benefits will the proposal deliver?	<p>Benefits from this proposal will be the ability to provide special education places in all areas of the county so local children can attend local schools keeping them close to their communities.</p> <p>This will, over time, reduce the cost of transport as local places become available.</p> <p>The better understanding of the provision required to best meet the needs of children and young people with different special educational needs should inform more effective commissioning and lead to a reduction in the demand for out of county independent, high cost, placements.</p>
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8. Risk and Business Continuity Management

a) Risk(s) associated with the proposal

Risk	Mitigation	Residual Risk
Consultation response seek provision which would not be possible within current financial envelope.	Proposals for use of grant are based on best value for money and meet the needs of more children and young people within their locality.	Amber
Lack of sufficient mainstream schools willing to support specialist units on site.	Pro-actively approach schools in areas of the county where needs have been identified.	Green
		Red/Amber/Green

b) Risk(s) associated with not undertaking the proposal

Risk	Risk Rating
Unable to draw down capital grant	Red
Continued requirement to use high cost out of county provision	Red
Potential savings on provision and transport not realised	Red

9. List of Appendices

- Appendix 1: Special School & Designated Unit Sufficiency Consultation Report
- Appendix 2: Special School & Designated Sufficiency report April 2019

Author:	Name: Gwyn Botterill Team: SEND Strategic Manager
Contact details:	Tel: 07912186332 Email:gbotterill@childrenfirstnorthamptonshire.co.uk
Background Papers:	Cabinet report May 2019
Does the report propose a key decision is taken?	NO
If yes, is the decision in the Forward Plan?	YES/NO
Will further decisions be required? If so please outline the timetable here	Yes – if cost of individual school development exceeds delegated authority.
Does the report include delegated decisions? If so, please outline the timetable here	Yes
Is this report proposing an amendment to the budget and/or policy framework?	NO
Have the financial implications been cleared by the Strategic Finance Manager (SFM)? Have any capital spend implications passed through Capital Programme governance procedures?	Yes Name of SFM: Jon Lee NO
Has the report been cleared by the relevant Director?	YES Name of Director: Sally Hodges
Has the relevant Cabinet Member been consulted?	YES Cabinet Member: Fiona Baker
Has the relevant scrutiny committee been consulted?	NO Scrutiny Committee:
Has the report been cleared by Legal Services?	Yes Name of solicitor: Duncan Bissatt
Have any communications issues been cleared by Communications and Marketing?	Yes Name of officer: Simon Deacon
Have any property Issues been cleared by Property and Asset Management?	Yes Name of officer: James Wheeler
Have the Procurement Implications below been referenced in the Paper: <ul style="list-style-type: none"> • Have you evidenced compliance with the Council's Contract Procedures Rules? • Have you made clear in this paper where you are seeking Cabinet to approve an exemption from the Contract Procedure Rules and detailed the risks and mitigations? 	NO Name of officer (This should be Head of Procurement)

<ul style="list-style-type: none"> • Have you identified any EU or UK legislative risks such as non-compliance with the Public Contract Regulations Act 2015, transparency and open competition? • Have you identified the procurement risks associated with a contract? 	
<p>Are there any community safety implications?</p>	
<p>Are there any environmental implications:</p>	<p>A decrease in use of home/school transport should result once all plans are implemented. A request has been made to transport to cost the potential savings and these will be included in the final report for decision.</p>
<p>Are there any Health and Safety Implications:</p>	<p>NO (please delete as appropriate)</p>
<p>Are there any Human Resources Implications:</p>	<p>NO (Please delete as appropriate)</p>
<p>Are there any human rights implications:</p>	<p>YES/NO (Please delete as appropriate)</p>
<p>Constituency Interest:</p>	<p>Please send the report to all Divisions(s)</p>

