



CABINET

14 MAY 2019

DIRECTOR OF CHILDREN SERVICES: SALLY HODGES

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

Subject:	Consultation regarding the Special Schools and Designated Units Sufficiency report
Recommendations:	Cabinet is asked to:- <ol style="list-style-type: none"> 1. Approve the commencement of a consultation process on the recommendations set out in this report. 2. Note that a further report will be presented to cabinet containing the results of the above consultation in order to make a final decision on the capital spend. 3. Note the contents of this report.

1. Purpose of report

1.1 This report seeks approval from Cabinet to commence an 8 week consultation process to consider the development of specialist placements for children and young people with SEND.

1.2 The areas of proposed stakeholder consultation are:

- Agreement of where additional capacity of specialist places is required,
- What types of specialist placements are required to meet the different needs of young people e.g. special schools, units in mainstream schools.

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.

This initiative helps the Council to deliver this vision through the following strategic priorities outlined in the Council Plan
<ul style="list-style-type: none"> • Working in partnership with other public sector organisations (such as the seven district and borough councils, the local NHS bodies, and Northamptonshire Police). • 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 Since the Children & Families Act 2014 came into force in September 2014, and the corresponding regulations and SEND Code of Practice 2015, there has been an exponential rise in requests for statutory assessment and in the number of Education, Health and Care Plans issued both nationally and in Northamptonshire. In the 4 years since implementation Northamptonshire has seen a 95% growth in requests for assessment and a 16% growth in the number of EHC Plans maintained.

3.2 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.

3.3 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 are unable to place all children, whose parents request a specialist placement, in a local state funded special provision.

3.4 The attached report provides information on the sufficiency of special school and unit places across the county. Increasing the capacity of authorities to make provision for children and young people with Education, Health and Care Plans has been supported by the Department for Education through a Capital Grant. This grant, for Northamptonshire, totals:

LA Number	Local Authority name	2018-19	2019-20	2020-21	LA's original allocation	£50m top-up announced May 2018	£100m top-up announced December	New total allocation
928	Northamptonshire	£940,581	£940,581	£940,581	£2,821,743	£656,219	£1,312,439	£4,790,401

3.5 In order to draw down these funds a sufficiency report is required to be published and consultation with stakeholders undertaken before decisions on how the capital grant is utilised are finalised locally.

3.6 The sufficiency report attached provides details of the current picture regarding the availability of specialist places across the county. In line with the key principle of local schools for local children the report makes recommendations for both development of additional places where there is need but also recommendations on improvements that can be made to existing practice and placements to better

meet the needs of the county's children and young people with special educational needs and disability.

3.7 The report recommendations are to form a 5 year plan for local special school places for local children.

3.8 As new provisions are commissioned in areas where there are gaps this does not mean children will be removed from current provision, this would only occur with parents' agreement following a consultation.

4. Consultation and Scrutiny

4.1 Paper has been discussed at SLT and the Place Shaping Board in April 2019.

4.2 It is now proposed that we undertake an 8 week consultation with stakeholders with a specific emphasis on engagement with children and young people with SEND and their families.

4.3 This will take place via:

- Open consultation meetings across the county
- printed questionnaires on request
- on line questionnaires

4.4 The consultation will be promoted through the following methods:

- NCCs on-line Consultation Register
- Information on Northamptonshire Local Offer website which has social media links to many parent support groups
- Promotion through Northamptonshire Parent Forum Group, a government funded support organisation and local strategic partner for parents of children with SEND.
- Promotion through schools bulletin to promote school and parent engagement.

5. Equality Screening

Reason that no EqlA is required	✓ as appropriate
The paper is for information only	✓
The proposal/activity/decision has no impact on customers or the service they receive	
The proposal impacts upon staff but the proposed staffing changes will not affect the service that customers receive*	
Other (Please explain further)	

*Where a proposal affects staff, the appropriate HR processes will be followed, which have already been subject to the EqlA process and will be compliant with HR legislation

6. Alternative Options Considered

6.1 Do Nothing

The LA would be unable to draw down and utilise the Capital Grant available. The existing pressure on specialist places would increase leading to more children and young people unable to access local schools. Pressures on budgets from the Dedicated Schools Grant and NCC transport costs would increase.

7. Financial Implications

7.1 A full financial business case will be prepared following the completion of the consultation and taking into account the view of stakeholders.

7.2 Revenue costs for places at specialist provision are from the Dedicated Schools Grant and the impact on these will be included in the full financial business case following discussion.

	Current year	Forecast		
	2018/19	2019/20	2020/21	2021/22 & beyond
	£000	£000	£000	£000
Capital Investment				
Costs		2,395,500	2,395,500	
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.	Clear presentation of proposals and context.	Amber

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 Report

Author:	Name: Gwyn Botterill Team: EHC Service
Contact details:	Tel: 07912186332 Email: gbotterill@childrenfirstnorthamptonshire.co.uk
Background Papers:	
Does the report propose a key decision is taken?	NO
If yes, is the decision in the Forward Plan?	YES
Will further decisions be required? If so please outline the timetable here	Yes – following consultation return to cabinet September 2019
Does the report include delegated decisions? If so, please outline the timetable here	No
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)?	YES Name of SFM: Jon Lee
Have any capital spend implications passed through Capital Programme governance procedures?	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: Councillor 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 Bisatt
Have any communications issues been cleared by Communications and Marketing?	YES Name of officer:
Have any property Issues been cleared by Property and Asset Management?	NO Name of officer: Simon Deacon
<p>Have the Procurement Implications below been referenced in the Paper:</p> <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? • 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? 	NO Name of officer (This should be Head of Procurement)
Are there any community safety implications?	
Are there any environmental implications:	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.
Are there any Health and Safety Implications:	NO
Are there any Human Resources Implications:	NO
Are there any human rights implications:	NO
Constituency Interest:	Countywide