

**SURREY COUNTY COUNCIL****CABINET****DATE: 23 SEPTEMBER 2014****REPORT OF: MRS LINDA KEMENY, CABINET MEMBER FOR SCHOOLS AND LEARNING****LEAD****OFFICER: NICK WILSON, STRATEGIC DIRECTOR, CHILDREN SCHOOLS AND FAMILIES****PETER-JOHN WILKINSON, ASSISTANT DIRECTOR, SCHOOLS AND LEARNING****SUBJECT: NATIONAL AUTISTIC SOCIETY/CULLUM AUTISM CENTRES IN SURREY SCHOOLS**

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**SUMMARY OF ISSUE:**

The National Autistic Society (NAS) proposes to work in partnership with Surrey County Council and four nominated secondary schools to develop four Centres of Education Excellence for young people with autism. Funding up to £4m will be provided by the NAS specifically for the delivery of the facilities.

The centres will be delivered in 2 phases: - phase 1, Salesian School, Chertsey and Rodborough School, Godalming have each agreed to host an autism-specific resourced provision for 20 students aged 11-16 with a proposed opening date of Easter 2015 for the Salesian Centre and September 2015 for the Rodborough Centre. Phase 2 centres are planned to be located at Howard of Effingham School and Hinchley Wood School the timescales for which are to be finalised with NAS.

Approval is sought to provide a development contribution for each centre as requested by the NAS and to update existing SEN facilities at Salesian School.

**RECOMMENDATIONS:**

It is recommended that Cabinet:

- approves entering into a development and commissioning agreement and a service level agreement with the National Autistic Society to set up four resource centres at secondary schools for young people with autism and provide £50,000 funding for a development contribution for each centre
- determines the statutory notice for the inclusion of an SEN unit at Salesian School, for which the representation period ended on 12 September 2014.
- agrees to increase the capacity of the centre at Salesian School, providing funding of £321,902 to include updated and fit for purpose facilities for its existing SEN pupils.

## **REASON FOR RECOMMENDATIONS:**

The Learning Difficulties Review (2012) identified an ongoing shortage of Surrey maintained provision for young people with high functioning autism (HFA) and related conditions. There is currently no autism-specific resource centre at secondary level.

This proposal will increase the capacity of SEN provision for high-functioning autism in Surrey by 40 places in the first phase and by 80 places on completion of the second phase. It will develop improved integration with mainstream schooling. The four schools where centres are proposed indicated their willingness to work with the project and on the basis of their geographical spread offer equality of provision across the county.

Surrey currently places approximately 250 students with autism in non-maintained independent (NMI) schools. Additional high quality maintained provision within Surrey is expected to reduce these costs.

The NAS is a nationally respected provider of autism education. A partnership offer will enhance the credibility and quality of Surrey autism provision. Parental confidence will be increased, reducing parental preference for NMI.

## **DETAILS:**

1. Data analysis from the Learning Difficulty (LD) review (2012) reveals a clear need for additional autism provision within the local authority. There is continued growth in pupils with a diagnosis of autism. Future projections indicate that this cohort of students is set to increase, placing further demand on current provision where SCC has the biggest gap in provision for HFA.
2. Currently, if a young person with autism who is deemed capable of getting GCSEs finds the overall environment of a busy mainstream school too demanding to manage on a full-time basis, then there is little alternative maintained provision to meet these needs. Surrey's special schools in this area cater primarily for young people who have both autism and learning needs.
3. A resource centre at a mainstream school allows students with high functioning autism to have access not only to autism-specific teaching strategies including an emphasis on social communication, but also to high quality specialist subject teaching across the full range of the curriculum at a GCSE level of delivery. Students would generally be expected to spend at least 60% of the school day included in mainstream lessons.
4. The NAS has financial support from the Cullum Family Trust to implement four NAS Cullum Autism centres in Surrey. There is no set amount for each individual centre and any programme cost overruns will be borne by the NAS. The NAS offer is for a total capital input up to £4m, subject to a development contribution of £50,000 per centre from Surrey County Council.
5. The capital funding for each centre will be paid directly to the schools (3 of the schools are academies and therefore there is no SCC involvement in the delivery process other than to provide a development contribution to NAS)

6. The costs to be met from this donation include design, planning, construction/refurbishment, equipping and fitting out. The resource centres will be planned and built by the NAS and an integrated project review group will be established to ensure that there is common understanding of the purpose of the project, key roles and responsibilities and financial accountability for the delivery of the project.
7. Once delivered the furnished and equipped centres will be handed over to the host school. The development contribution becomes payable within 30 days of practical completion of each unit. The local authority will be responsible for placing students at the centre, separate from the host school's admissions arrangements, by following the statutory process for the assessment of special educational needs. The centres will be known as NAS Cullum Centres and the NAS will have an ongoing commitment to providing quality assurance, monitoring and review.
8. These arrangements for development of the centre will be set out in a development and commissioning deed between The National Autistic Society, Surrey County Council, Salesian School and the Roman Catholic Diocese of Arundel and Brighton. A further service level agreement, which the Diocese will not be party to, will be put in place to set out the agreed arrangements for future operation of the centre.
9. The centres will be delivered in 2 phases - Phase 1, Salesian School, Chertsey and Rodborough School, Godalming have each agreed to host an autism-specific resourced provision for 20 students aged 11-16 with a proposed opening date of Easter 2015 for the Salesian Centre and September 2015 for the Rodborough Centre. Both schools are popular and oversubscribed. It is hoped that placing these units in high performing schools will give parents confidence to agree to mainstream rather than special places.
10. Hinchley Wood School and Howard of Effingham School have both agreed to host the final two centres. The delivery dates are to be agreed between those schools and the NAS. The 4 sites involved are all recognised by Ofsted as good or outstanding.
11. It was recognised that there were efficiencies to be realised if the current SEN facilities at Salesian could be integrated with the new autism facilities. Therefore there is an element of funding, £321,902 for Salesian School only which will be met from the existing capital allocation for SEN (Learning Difficulty Strategy) in the current 2014/19 Medium Term Financial Plan.

<b>CONSULTATION:</b>
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12. The Learning Difficulties Review completed in 2012 involved engagement with a range of stakeholders.
13. Parents at local meetings attended by the Surrey branch of the NAS were overwhelmingly in favour of additional provision for young people with high-functioning autism. Salesian School published Statutory Notices, following a period of consultation and a Governing Body decision to increase the SEN facilities at their school. This paper also seeks to determine the statutory notice, for which the representation period ended on 12 September 2014,

subject to there being no representations. None have been received at the time of writing this paper.

14. Tripartite discussions with NAS, SCC and host schools have taken place. Host schools have consulted governors and in the case of Salesian School, the Diocese.
15. The remaining host schools which are academies will consult with parents and then school communities.

#### Statutory Proposal for prescribed alteration at Salesian School

16. The delivery of the new centre at Salesian School represents a prescribed alteration to SEN provision at a mainstream school, and we are therefore required to follow statutory procedures in respect of the development. The reasons for the alteration have been set out in this report.
17. The school has consulted on the proposals as follows:

In April 2014 the school published details on their website of the proposals and outlined them in the April Newsletter to parents. No comments were received. A notice has been displayed in the school reception (to be removed on 10 September 2014) for which the school received between 10 and 20 verbal responses in support of the proposals. No written communication has been received.

#### **RISK MANAGEMENT AND IMPLICATIONS:**

18. In line with the current population growth the number of pupils with high functioning autism is predicted to rise placing an increasing burden on the LA to either place pupils in NMI provision or create local places. It is expected that this programme, locating provision in successful and popular secondary schools, will create an attractive offer to parents to choose an in-county, lower cost provision based on autism specific principles but with access to a full range of mainstream facilities. This carries a reputational risk which will be mitigated by the quality assurance provided by the NAS a nationally respected organisation.
19. The funding for the delivery and fitting out of the centres will be provided by the NAS. Arrangements for the delivery and handover of the new buildings have been agreed between the NAS, the schools and Surrey County Council. An integrated project board will be established by the NAS, membership of which is detailed in the Deed, and which will be in place to oversee key roles and ensure quality and financial accountability.
20. The host school may decide that it does not wish to continue with its offer to host the resource centre for young people with autism. The contract will include compensation clauses to cover this eventuality and the NAS will place a clawback liability on each school. The clawback details are written into the Service Level Agreement.
21. The County Council has agreed to fund the transitional arrangements for the first two years of each Centre opening, which is usual practice. There is a small risk that places will not be filled in the Centres and the County Council does not receive the place funding and would bear the cost. However, this

scenario is unlikely given the Centres are at very popular secondary schools. This risk is also partially mitigated by the phasing of the development.

### **Financial and Value for Money Implications**

22. Data analysis shows that 619 pupils were placed into non-maintained and independent schools in September 2013. Over one third of these places were for pupils with autism. The average annual cost of a non maintained or independent day place for a pupil with autism is £43,000. The expected increase in the number of children and young people with autism and the lack of local specialist maintained provision means that by 2017/18 Surrey could be spending up to £12.2 million per year to support pupils with autism.
23. In this proposed model of supported inclusion into mainstream lessons, the average per pupil place annual cost is £22,000. This is significantly less than the average annual cost for an NMI school day place. The expectation is that this purpose-built resourced provision will be highly attractive to families, thus reducing demand for NMIs. Assuming the average cost of an NMI placement is on average more than those retained within county provision the creation of 80 additional autism places could potentially reduce future costs by £1.7m p.a. on-going.
24. Local Authority capital funding for this scheme is to be met from the LD strategy capital allocation in the 2014/19 MTFP.
25. The additional space being created and funded by SCC for Salesian represents value for money as we are only contributing to the increase in size of a building predominantly funded by NAS. The NAS specifications and design has been subject to robust analysis by their technical advisors and the NAS have set up governance arrangements for each project whereby each will be governed by their own project board reporting to a programme board. Details of the boards are in the NAS scope document.

### **Section 151 Officer Commentary**

26. The Section 151 Officer confirms that the capital funding for the Surrey County Council contribution is included within the Learning Difficulties Strategy allocation already included in the 2014/19 Medium Term Financial Plan.
27. The revenue implications of the agreed transitional funding have been evaluated and although there is a risk of additional costs to the County Council, these are considered to be minimal and manageable. The overall opinion is that these centres will be popular and places will be occupied, therefore leading to potentially reduced costs within the Special Education Needs centrally managed budgets.

### **Legal Implications – Monitoring Officer**

28. The arrangements set out in this report will provide additional facilities to support the Council in meeting its duties to children with special educational needs. A development and commissioning deed and service level agreement will be entered into. Legal Services are advising on the content of the agreements, which will cover both the development of the centre and its future operation.

29. The delivery of the new centre at Salesian School represents a prescribed alteration to SEN provision at a mainstream school, and we are therefore required to follow statutory procedures in respect of the development. The school has consulted on the proposal, as described above, and has published statutory notices under the relevant regulations requiring any formal representations about the proposals to be made by 12 September. The proposals then fall to be determined by the Cabinet Member as decision maker. At the time of writing this report, no representations have been received, but any representations received by 12 September must be taken into account in determining the proposal.

### **Equalities and Diversity**

30. Equality Impact Assessment included at Annex 1.

The potential implications for the following council priorities and policy areas have been considered. Where the impact is potentially significant a summary of the issues is set out in detail below.

Area assessed:	Direct Implications:
Corporate Parenting/Looked After Children	No significant implications arising from this report
Safeguarding responsibilities for vulnerable children and adults	The centre will be operated in accordance with the schools safeguarding qualities and procedures.
Public Health	No significant implications arising from this report
Climate change	No significant implications arising from this report
Carbon emissions	No significant implications arising from this report

### **WHAT HAPPENS NEXT:**

If approved:

- SCC, Salesian School, the NAS and the Diocese will sign a development and commissioning deed for the scheme at Salesian scheme. This deed will include a commitment to fund the development contribution for each of the four schemes once the building works are complete on each site.
- SCC, each of the 4 schools (as the following 3 are delivered) and the NAS will sign a service level agreement setting out the terms of the contract and the commissioning of places.
- As this reports seeks approval to enter into an agreement with all 4 schools we do not intend to submit further individual reports for Cabinet approval.
- The Statutory Notices will be published in due course by the relevant academy (Rodborough, Hinchley Wood and Howard of Effingham) for the following 3 schemes and we will seek determination of those notices at the

appropriate time in individual reports to the Cabinet Member for Schools and Learning.

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**Contact Officer:**

Peter-John Wilkinson, Assistant Director, Schools and Learning Tel: 020 8541 9907

Gabrielle Close, QA and Professional Standards Manager, Schools and Learning  
Tel: 01483 51721

**Consulted:**

Host Schools' Communities  
SCC Services for Young People

**Annexes:**

Annex 1. Equality Impact Assessment

**Sources/background papers:**

SEN LD Review 2012

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