

SURREY COUNTY COUNCIL**CABINET MEMBER FOR SCHOOLS, SKILLS AND EDUCATIONAL ACHIEVEMENT****DATE: 19 JULY 2016****LEAD OFFICER: JULIE STOCKDALE, INTERIM ASSISTANT DIRECTOR FOR SCHOOLS AND LEARNING****SUBJECT: OPENING OF ADDITIONAL TEMPORARY SCHOOL PLACES FOR PUPILS WITH AN EDUCATION HEALTH AND CARE PLAN****SUMMARY OF ISSUE:**

Following a significant increase in the number of reception age pupils receiving an Education Health and Care Plan (EHCP) the Council is offering places to in excess of 37 reception age children above the standard admission number at a range of Special Schools, Units and supported school placements. It is intended that these pupils, subject to the normal review of their EHCP, will remain on roll at the schools for length of time relevant to the phase of the school, whether primary or cross phase.

There are capital costs at specific sites that are associated with this increase in pupil placements. These need to be set against the ongoing revenue costs that would be borne by the placement of these pupils in the non maintained independent sector which would result from a failure of the authority to offer appropriate places within the maintained sector. Specifically the temporary increase in admission number at three Special Schools and one Mainstream unit to enable the placement of 22 pupils with EHCP from September 2016 will require capital works.

RECOMMENDATIONS:

It is recommended that the Cabinet Member for Schools, Skills and Educational Achievement approves the temporary provision of additional reception age capacity and the associated capital expenditure at the four identified locations is approved to enable the placement of 22 pupils with an Education Health and Care Plan. This recommendation is subject to the business case being supported by Investment Panel.

REASON FOR RECOMMENDATIONS:

The Council has a statutory duty to make appropriate education provision available for all of its residents, this work will make sure that duty is met. In addition, this action will ensure that the most appropriate education offers are made to some of our most vulnerable pupils. Furthermore, the capital cost associated with this work is significantly mitigated by ongoing revenue savings against alternative provision.

DETAILS:

1. Surrey County Council's (SCC) Special Educational Needs (SEN) teams have been dealing with a significant number of unplaced pupils at various SEN admission forums from the infant stage. In excess of 37 additional pupils have required placement, this figure is fluid relating to individual parent and

caseworker decisions. A range of placement solutions have been considered for these pupils, making use of supported mainstream places (two places), specialist centres (two places) and by providing additional places at our existing Special Schools (33 places).

2. The increase in demand for places was significantly above trend. The Council is undertaking a significant review of its forecasting in relation to better reflecting future needs from pupils with an EHCP, however this particular provision is being regarded as genuine bulge needs. The review of needs and forecasting will feed in to a wider strategy for provision that will include the Council's response to any successful Free Special School bids that may be submitted within the County.
3. To support the requirement to place the additional pupils in 2016, all relevant Special schools held a supported workshop at County Hall to identify who could offer appropriate special or unit supported school places. This review was conducted in reference to the following key achievable principles
 - a. Existing school accommodation can be used with no or limited capital cost
 - b. Offer in place and accessible from September
 - c. Where possible Parental preference would be matched
 - d. Offer for 2016/17 Reception aged pupils but for those pupils to be retained by the school as per a usual cohort
 - e. Aim to ensure that the placement is close to home
4. As a result of this and work with area leads all pupils are in a position to be offered places. This has included offering above PAN at Special Schools (4 places), specialist centres and supported places, additionally 4 special schools have agreed to provide discreet bulge class provision as follows;
 - a. Linden Bridge - 8 pupils
 - b. Gosden House - 4 pupils
 - c. Brooklands - 8 pupils
 - d. Freemantles - 9 pupils
5. The majority of these places can be offered without any capital implications, there are however three Special Schools and one Primary School unit where it has been identified that there will need to be capital work. The Council's property team have visited all sites and considered the work required in consultation with the relevant schools
6. The table below indicates the schools and current indicative costs:

Special schools	Cost
Linden Bridge (8 places)	£38,000
Gosden House (4 places)	£72,000
Brooklands (8 places)	£176,000
William Cobbett (2 places)	£40,000
Total:	£326,000

7. Linden Bridge School, Worcester Park is a 4-18 special school offering places to children who have needs associated with a diagnosis of Autism. The school is currently rated by Ofsted as Outstanding. Brooklands School, Reigate is a 2-11 school offering places to children who have severe and complex needs. The school is currently rated by Ofsted as Good. Gosden House School is a 4-11 special school offering places to pupils with Learning Difficulties. The School is currently rated by Ofsted as Outstanding. William Cobbett Primary School is maintained primary school with a specialist 4-11 unit for children who have needs associated with a diagnosis of Autism. The School is currently rated by Ofsted as Good.
8. These schools meet the needs of the pupils and enable to the Council to make appropriate offers of education. In addition, the schools reflect a range of specialisms and geographic locations to reflect as best as possible parental preference and reduce unnecessary travel. Furthermore, all schools are rated as either Good or Outstanding ensuring that all offers being made are to high performing schools.

CONSULTATION:

7. There is no formal requirement to consult resulting from schools temporarily admitting beyond their published admission number. However, all special schools were met and support the approach to providing additional spaces.
8. Internally all SEN area teams have been fully consulted and support this approach to providing additional school places

RISK MANAGEMENT AND IMPLICATIONS:

9. There is significant pressure on expenditure for Special Educational Needs and Disability provision and a duty for the Authority to ensure that this funding is used to maximum effect. Furthermore, there is a statutory duty to offer appropriate education for all students within the County.
10. Failure to offer places within Surrey Special School provision would necessitate the placement of these children within the Non-Maintained Independent (NMI) Sector at significant and continued ongoing revenue cost

to the Council. Making use of the flexible offer of provision in Surrey maintained special schools proposal is part of the longer term Learning Difficulties strategy to adapt and create local maintained specialist provision which meets the profile of pupils identified with SEND in Surrey and reduce the Councils reliance on the NMI sector.

11. There are risks associated with building projects, a risk register has been compiled and is regularly updated. A contingency allowance appropriate to the scheme has been included within the project budget to mitigate for potential identified risks.

Financial and Value for Money Implications

12. The capital funding in the SEN strategy programme in the 2016-21 Medium Term Financial Plan will be redirected and prioritised to fund these capital works.
13. This capital work will provide 22 places that would otherwise probably need to be met in the non-maintained sector. The table below indicates the estimated revenue cost avoidance. It should be noted that this would be a year on year cost.

Primary Need	Number of Primary Aged Pupils in NMIS	Total Costs of NMI/PRU Placement	Total Costs of revised Surrey Placements	Average Cost of NMI/PRU Placement	Average Cost of Surrey Placement
Communication and Interaction Needs (COIN)	6	£126,000	£78,000	21000	£13,000
Autistic Spectrum Disorder (ASD)	16	£592,000	£320,000	37000	£20,000
Total	22	£718,000	£398,000		

It would therefore be anticipated that the potential revenue cost avoided on estimated average placement costs would be around £320,000 per annum. The cost avoidance detailed above relates only to those placements where there is a consequential capital spend, the total potential cost avoidance for all 37 placements made within maintained provision is therefore significantly greater than this projection.

14. The full financial implications will be evaluated in the business case and presented to Investment Panel.

S151 Commentary

15. The 37 additional reception age placements are planned to be accommodated in in-house provision rather than in a non maintained independent sector placement, which are usually more expensive.

16. 22 of the placements require capital expenditure at the premises which they are planned to be accommodated. The estimated cost of this capital work is £326,000. The avoided revenue costs for these 22 placements is estimated at £320,000 per annum.
17. The recommendation to invest the capital sum is subject to support for the business case from Investment panel.

Legal Implications – Monitoring Officer

15. The public sector equality duty in Section 149 of the Equality Act 2010 applies to the decision to be made by Cabinet in this report. There is a requirement when deciding upon the recommendations to have due regard to the need to advance equality of opportunity for people with protected characteristics, foster good relations between such groups, and eliminate any unlawful discrimination
16. Section 13 of the Education Act 1996 places a general duty on the Council to secure that efficient primary and secondary education is available to meet the needs of the population in its area. In doing so, the Council is required to contribute to the spiritual, moral, mental and physical development of the community. Section 14 of the Education Act 1996 places a duty on the Council to secure that sufficient schools for providing primary and secondary education are available in its area.
17. The best value duty is contained in s3 of the Local Government Act 1999 as a result of which the Council is under a duty to make arrangements to secure continuous improvement in the way in which functions are exercised, having regard to a combination of economy, efficiency and effectiveness. The relevant guidance states that Councils should consider overall value, including economic, environmental and social value when reviewing service provision.

Equalities and Diversity

18. This action will increase educational provision and be open to all relevant children with an EHCP. No group with any protected characteristics under equalities legislation will be affected by this proposal as increased provision for all children with protected characteristics will be made. The schools will continue to offer provision as they have done previously with no changes for children and young people or staff. As a result no EIA has been produced. However, with the increase in provision being open to all applicants, with the highest priority given to Looked After Children, this proposal will support our most vulnerable children.

Corporate Parenting/Looked After Children implications

19. This action will increase the number of places available within in Surrey Maintained schools for LAC pupils, it supports our corporate objectives to meet the needs of this vulnerable group.

Safeguarding responsibilities for vulnerable children and adults implications

20. Safeguarding vulnerable children is a high priority in all Surrey schools. Schools have considerable expertise in safeguarding vulnerable children and

adhere to robust procedures. The schools concerned will continue to apply good practice in the area of safeguarding, following the same good and outstanding practises that the four individual schools are currently. In addition, safeguarding is a key area for monitoring when Ofsted carries out inspections.

WHAT HAPPENS NEXT:

21. Subject to Cabinet Member and Investment Panel approval, schools will continue to work with property colleagues to enable works to commence to enable pupils to be admitted in September. Elements of the work detailed above can be completed during the Summer break, further elements will be scheduled in as appropriate with schools making no cost contingencies in the short term.
22. All pupils will be admitted in September to allow the Council to meet its Statutory Duty.

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Consulted:

Linda Kemeny Cabinet Member Schools, Skills and Educational Achievement
Liz Mills: SEND Strategy Lead
Keith Brown: Schools and Capital Programme Manager
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Annexes:

None

Sources/background papers:

None
