

SURREY COUNTY COUNCIL

CABINET MEMBER FOR EDUCATION

DATE: 17 OCTOBER 2017

LEAD OFFICER: LIZ MILLS ASSISTANT DIRECTOR FOR SCHOOLS AND LEARNING



SUBJECT: DEVELOPMENT OF ADDITIONAL TEMPORARY SCHOOL PLACES FOR PUPILS WITH AN EDUCATION HEALTH AND CARE PLAN

SUMMARY OF ISSUE:

Following an increase in the number of pupils being identified as requiring specialist provision and in receipt of an Education Health and Care Plan (EHCP) the Council is offering **22** additional places to children above the standard admission number at special schools and centres for September 2017 with an additional 18 places proposed for September 2018 admissions. It is intended that these pupils, subject to the normal review process of their EHCP, will remain on roll at the schools throughout the appropriate phase of their education.

There are capital costs at two 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 numbers at two special schools are to enable the placement of 22 pupils with EHCPs from September 2017 and an additional 18 pupils from 2018 and will require capital works.

RECOMMENDATIONS:

It is recommended that temporary provision of additional capacity and the associated capital expenditure at the two identified locations is approved to enable the placement of 22 pupils with an Education Health and Care Plan in 2017 with a further 18 in 2018. 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 SEN teams have been dealing with a significant number of unplaced secondary aged pupils. Placement solutions have been considered for these pupils, by providing additional places at existing specialist centres and special schools for September 2017, with a further agreement at an existing special school for September 2018.
2. The increase in demand for places was 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 need. The review of needs and forecasting will feed in to a wider strategy for provision that will include the impact of the two successful Special Free School Bids.
3. To support the requirement to place the additional pupils in 2017, the relevant special schools and centres were contacted individually to offer on the following basis:
 - Existing school accommodation can be used with limited capital cost
 - Offer in place and accessible from September
 - Where possible Parental preference would be matched
 - Aim to ensure that the placement is close to home
4. As a result of this and work with area teams pupils have been offered bulge places at the following schools: Woodfield School in Merstham and The Park School in Woking, both of which meet the needs of pupils with Learning and Additional needs. Freemantles School in Woking which meets the needs of pupils with Complex Social Communication Difficulties usually with a diagnosis of Autism and Pond Meadow School in Guildford which meets the needs of pupils with Severe Learning Difficulties and Disabilities.
5. The following specialist centres will have additional pupils over the usual number admitted: Ashford Park School in Ashford will take infant aged pupils with Communication and Interaction needs; Furzefield School in Merstham will take infant aged pupils with Communication and Interaction needs; The Hythe School in Staines will take infant aged pupils with Communication and Interaction needs; William Cobbett in Farnham will take infant aged pupils with Communication and Interaction needs and Eastwick Junior will take junior aged pupils with Communication and Interaction needs.
6. Some of these places will require capital works to be undertaken to provide additional space requirements to meet the increased number of pupils. The council's team have visited the sites and considered the work required in consultation with the relevant schools. The table below shows the current indicative costs which are subject to the approval of the business case by the Council's Investment Panel :

Special provision	Cost
The Park School (4 places) - provision of 1 demountable classroom	c. £ 260,000
Freemantles School (4 places) - provision of 4 class demountable block – to allow for entry in 2017 and then 2018	c. £ 435,000

Total:

c. £695,000

7. All special schools with additional placement offers are rated by Ofsted as Good or Outstanding. Woodfield School is rated as Good following an inspection in 2012. The Park School is rated as Outstanding following an inspection in February 2015. Freemantles is rated as Outstanding following an inspection in November 2016. Pond Meadow is rated as Outstanding in February 2014.
8. All specialist centres with additional placement offers are rated by Ofsted as Good. Ashford Park Primary School is rated as Good following an inspection in December 2014. Furze field Primary School is rated as Good following an inspection in November 2012. The Hythe Primary School is rated as Good following an inspection in May 2017. William Cobbett Primary School is rated as Good following an inspection in December 2014. Eastwick Junior School is rated as Good following an inspection in May 2014.
9. These schools meet the needs of the pupils and enable the Council to make appropriate offers of education. In addition the schools reflect a range of specialisms and geographic location to reflect as best as possible parental preference and reduce unnecessary travel. Furthermore, the schools and centres are rated as Good or Outstanding ensuring that the offers being made are at high performing schools.

CONSULTATION:

10. There is no formal requirement to consult resulting from schools temporarily admitting beyond their published admission number.
11. Internally the Assistant Director for Schools and Learning and SEN area teams have been fully consulted and support this approach to providing additional school places.

RISK MANAGEMENT AND IMPLICATIONS:

12. 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 with EHCPs that are resident within the County.
13. 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 and centres is part of the longer term strategy to adapt and create local maintained specialist provision which meets the profile of pupils identified with SEND in Surrey and to reduce the Councils' reliance on the NMI sector. This strategy is outlined in the SEND Development Plan.
14. 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

15. 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.
16. This capital work will provide 22 places in September 17 and a further 16 that would otherwise probably need to be met in the Non-Maintained sector and is subject to a business case to the Council's Investment Panel. The table below indicates the estimated revenue cost avoidance. It should be noted that this would be a year on year cost.
17. We would therefore anticipate that the potential revenue cost avoided on estimated average placement costs would in the region £390,800 in 2017, increasing by £306,000 in 2018 year on year.

Primary Need	Number of Pupils in NMIS	Total Costs of NMI/PRU Placement	Total Costs of revised Surrey Placements	Average Cost of NMI/PRU Placement Per Annum	Average Cost of Surrey Placement Per Annum
Autistic Spectrum Disorder (ASD)	18	£666,000	£360,000	£37,000	£20,000
Learning and Additional needs	4	£144,000	£59,200	£36,000	£14,800
Total	22	£810,000	£419,200		

S151 Commentary

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

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 £695,000. The avoided revenue costs for these 22 placements is estimated at £390,800 in 2017 rising to £696,800 in 2018.

The recommendation to invest the capital sum is subject to support for the business case from Investment panel

Legal Implications – Monitoring Officer

18. 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.

19. 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.
20. 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

21. 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 and 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.

Other Implications:

22. 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	Set out below
Safeguarding responsibilities for vulnerable children and adults	Set out below
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

Corporate Parenting/Looked After Children implications

23. 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

24. Safeguarding vulnerable children and young people is a high priority in all Surrey schools. Schools have considerable expertise in safeguarding vulnerable children and adhere to robust procedures. The schools will continue to apply good practise in the area of safeguarding as they are currently. In addition, safeguarding is a key area for monitoring when Ofsted carries out inspections.

WHAT HAPPENS NEXT:

25. Subject to Cabinet Member and Investment Panel Approval, schools will continue to work with property colleagues to begin works to enable pupils to be admitted in the autumn term. Elements of the work detailed above can be completed as soon as possible; further elements will be scheduled in as appropriate with schools making no cost contingencies in the short term.
26. All pupils have been admitted in the autumn term to allow the Council to meet its Statutory Duty.

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Consulted:

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