

Member Questions to Children, Families, Lifelong Learning & Culture Select Committee – 17 April 2024

Question submitted by Cllr Fiona Davidson

- 1) There appears to be a discrepancy in the response to my supplementary question, and the initial question I asked in February about the number of paediatricians and Mindworks personnel formally trained in FASD, and the experience of parents of children with FASD. My concern on this topic is based on the experience of parents who have not found that there are currently developmental paediatricians or Mindworks personnel able to deal with children presenting with symptoms of Foetal Alcohol Syndrome Disorder, despite reputable studies showing that this is a growing issue, often misdiagnosed.

How many Mindworks neurodevelopmental personnel – currently working for the service – have been formally trained in FASD?

Response:

Dr Raja Mukherjee, who leads the national clinic for FASD, based at the Surrey and Borders Partnership NHS Foundation Trust, ran a one-day training session on FASD in October 2023 which most of the Mindworks team attended. This included the Neurodevelopmental Pathway General Manager, the ASD lead, assistant psychologists, some of the diagnostic assessors and 5 of the 6 clinicians in Spoke, who triage all referrals.

When a referral comes in, Spoke review all of the information and then indicate whether a FASD diagnostic assessment is required. Spoke receive a wealth of information at the point of referral and if they see FASD is indicated, they book in a consultation with Dr Mukherjee to discuss and confirm. The young person is then put on the diagnostic pathway with a note advising potential for FASD. It is expected that FASD will be most prevalent for looked after children, therefore New Leaf staff, (who support and provide assessments and intervention for children and young people who are in care, care leavers, adopted and/or under Special Guardianship Orders who are affected by developmental trauma and attachment difficulties) have also had FASD training so this can be identified and some clinicians are trained to complete the full diagnostic assessment.

Part of a FASD diagnostic assessment is to have a full ND diagnostic assessment (ASD/ADHD). As many of the diagnostic assessors (including the ASD lead) have also had FASD training, if suspected FASD was not identified by the Spoke team, it could be identified at this point.

In addition to this pathway, Dr Mukherjee's team are commissioned to assess 8 young people for FASD a year.

Question submitted by Cllr Jonathan Essex

- 2) Please can an update be provided as to the status of the new Betchwood Vale SEND school proposed in Dorking, and when and indeed if this is likely to be completed in terms of construction and attendance. If this was not to proceed what alternative arrangements are now being sought.

Response:

Betchwood Vale Academy is funded by the Department for Education (DfE) under the Special Free Schools Programme. In October 2023 the Department for Education advised the Council that the new school's realistic year of opening (RYO) was delayed for a third time to 2026/27. Mole Valley District Council (MVDC) issued the Planning Decision Notice in October 2023 seven months after the Committee decision in March 2023, despite the application not being called in by Secretary of State for Environment. The Section 106 agreement should have been resolved in June/July but didn't conclude until late October. This meant that the ecology window for birds and reptiles was missed for early commencement of works in Spring 2024.

In early December 2023 DfE advised SCC of pre-action protocol (PAP) notification in relation to a prospective judicial review challenging MVDC Planning and Regulatory Committee's decision to grant planning permission for Betchwood Vale Academy with associated access, offsite highway works, car parking, external landscaping, outdoor sports and play space provision and ancillary works. The PAP was addressed to MVDC to respond to, however as an identified interested party DfE's legal department was also served a copy. MVDC issued a robust response to the pre-action letter in mid-December setting out that the District Council would not consent to a quashing of the Decision and the intention to contest any claim lodged.

SCC was advised by DfE in early March 2024 that Mole Valley had taken the decision not to defend the Judicial Review and wished to commence negotiations with DfE's Legal Counsel to agree to the quashing of the planning decision. DfE confirmed last week that they had received no confirmation of a request being received by the Court.

Until the Court receives an application to quash the decision by MVDC and until the Court allows the application and the process concludes to give legal effect to the Order, the Judicial Review remains live. Furthermore, if the Order is granted, it is to quash the decision and not the application. DfE have been informed by MVDC that if a quashing order goes ahead, the existing application will go back to the planning and regulatory committee in August/September, with the intention of removing the grounds for the Judicial Review by remedying alleged administrative errors and reconfirm the original decision, subject to any further material information. The Department is committed to the project/school and fully expect the positive planning decision to be reconfirmed by the LPA once a new committee date is tabled. At that point confirmation of date of delivery will be determined.

Question submitted by Cllr Jonathan Essex

- 3) A planning application has been submitted by Surrey County Council to Surrey County Council to relocate the Reigate Valley College pupil referral unit in Reigate to the site previously used for adult social care at Park Hall. The planning application Statement of Community Consultation states that, “A detailed site search to that end has been carried out and that this search has identified the Park Hall site in Reigate as the only viable option to deliver the project within the target timescales in the right area.” Please can this detailed site search and subsequent evaluation of alternatives be publicly shared?

Response:

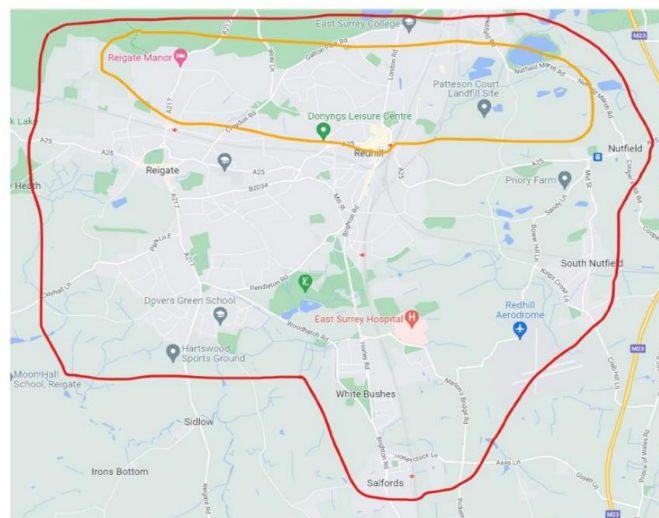
This query is the subject of a resolved Information request (ref: 7667825)

Reigate Valley College’s current facilities are located over three sites, which have been assessed as near end of life and technically severely undersized to provide the facilities and curriculum requirement for statutory alternative provision for a total of 72 pupils.

None of the school land or adjacent land to the current provision used by Reigate Valley College at Sidlow bridge has been disposed of by Surrey County Council (SCC).

Vail Williams (SCC’s appointed Planning Consultants) was commissioned to undertake an independent land search to locate a new permanent site on which to amalgamate the current three separate campus locations for Reigate Valley College as set out on a plan (below) to a target suitable area, rather than simply by distance (radius).

The target zone was identified with the red line on the plan, with an ‘ideal’ zone highlighted by the orange line considered by Inclusive Education Trust and SCC as appropriately sited to utilise the Trust’s existing facilities to meet local children’s need within the existing catchment area. It was not possible to allocate a site within the orange area, but the proposed site is a short distance away within the target area.



Four potentially suitable SCC owned sites were addressed against the defined criteria for Reigate Valley College. These are set out in the table below. Most of these sites were discounted on grounds of current type and use (i.e., commercial uses), timescales, or planning designation.

OPTION	Plan Description	Location	Status Quo
ORIGINAL PROPOSAL	Co-location on existing asset occupied by Reigate Valley College	Sidlow Bridge Campus RH2 8PP Allingham Road Campus RH2 8HX Phoenix Centre Campus RH1 2HY	Option dismissed as all sites technically too small to meet Building Bulletin 104 requirements for Alternative Provision. Planned disposal of existing assets generates capital receipts to achieve funding against the overall budget allocation by Cabinet.
1	Co-location at Park Hall	RH2 9LH. RIBA Stage 1 completed January 2022.	Confirmed as technically and financially viable option within the available budget, as no additional acquisition costs.
2	Co-location at Colebrook North	RH1 2BL Redhill	Option dismissed due to Trust's Education Safeguarding concerns in terms of proximity to Carrington School.
3	Split site option	Phoenix Centre Campus RH1 2HY and Another Site (site yet to be determined)	Option dismissed as not financially viable for Inclusive Education Trust to continue to operate across split sites. Phoenix Centre has significant condition issues. Would require substantial increase to pupil places to provide economies of scale. Approach not aligned with SCC's adopted Alternative Curriculum Pathways and Reintegration Support Strategy.
4	St Alban's Road	RH2 9LN	Option dismissed as lease renegotiations unlikely to be resolved in time to realise target delivery and use timescales.

Under Department for Education (DfE) policy for making significant changes to open academies, the transfer of an open academy to another site must be assessed against the affect to other catchment areas. If a change to the catchment is necessary, and the academy trust needs to vary determined admission arrangements, it must request a variation to its admission arrangements. The Regional Director or the Secretary of State will determine whether the change to the catchment area is necessary and should be approved.

Where the main entrance of the proposed new site for an open academy would be more than 2 miles from the main entrance of the current school site, a full business case is required. Planning and budget certainty is required for a Trust to submit a full business case to the Secretary of State for Education. Given the Inclusive Education Trust's existing facilities are in Redhill and Reigate, Tandridge and Mole Valley were excluded on this basis.

SCC's Corporate Asset Panel approved the decision to allocate the Park Hall site, which is a Council owned asset to the Alternative Provision Capital Programme on 27 September 2022 specifically for the use of co-locating and relocating Reigate Valley College. The Council's decision was based on an internal assessment and confirmed that no other Service need applied, hence it was deemed suitable and available for the relocation and rebuild of Reigate Valley College.

The agreed decision noted at Asset Strategy Board on 13 October 2022 remained an officer recommendation, noting there is delegated authority (Standing Order LA 12 - written notice of proposed development of land vested in the Council) that enables assets to be recycled. A Cabinet decision would have only been required if the Park Hall site had been subject to a formal surplus declaration which was not the case in this instance.

Question submitted by Cllr Jonathan Essex

- 4) I have been contacted by two parents of SEND children in Surrey placed in alternative provision by Surrey County Council. In both cases, which are with different schools, the young person has been off-rolled by the school, but Surrey County Council still pay full provision by the school, although no actual education is being provided. Why is that the case and what can be done to address this?

Response:

If a child with an Education Health Care Plan (EHCP) is awaiting a specialist or different placement, or if they are unable to attend school for medical reasons (physical or mental health), it is not unusual for alternative provision to be put into place. If the child has a current placement at a school, the local authority will seek to maintain that placement, and work with the setting to ensure the alternative arrangements are suitable. We also require the school to continue to oversee and have responsibility for safeguarding the young person. In these examples the school would continue to receive funding for the child and would use that funding to pay for the alternative provision.

Maintained schools are not able to take a student 'off roll' other than in the case of a permanent exclusion; if the young person has a placement at another school; or if the parent or carer has indicated they wish to home educate the child. Independent schools do not have to comply with the same requirements in relation to school placements. We would need to investigate the specifics of the cases being referenced to understand the context of the 'off rolling', and the reason funding had not ceased to the schools.

If the names of the young people can be shared with Liz Bone (SEND County Service Planning and Performance Leader), we will be able to investigate the specific circumstances of these cases.

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