

Public Document Pack

MEETING:	Cabinet
DATE:	Wednesday, 27 May 2020
TIME:	10.00 am
VENUE:	THIS MEETING WILL BE HELD VIRTUALLY
PUBLIC WEB LINK:	https://barnsley.public-i.tv/core/portal/webcasts

AGENDA

1. Declaration of pecuniary and non-pecuniary interests
2. Leader - Call-in of Cabinet decisions

Minutes

3. Minutes of the previous meeting held on 13th May 2020 (Cab.27.5.2020/3)
(Pages 3 - 4)

Items for Noting

4. Decisions of Cabinet Spokespersons (Cab.27.5.2020/4)

Petitions

5. Petitions received under Standing Order 44 (Cab.27.5.2020/5)

Items for Decision/Recommendation to Council

Children's Spokesperson

6. Commissioning of School Places at Penistone Grammar School for Pupils with Special Educational Needs (Cab.27.5.2020/6) (Pages 5 - 10)

Regeneration and Culture Spokesperson

7. The Glass Works - Impact of Covid-19 (Cab.27.5.2020/7) (To Follow)

To: Chair and Members of Cabinet:-

Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Gardiner, Howard, Lamb and Platts

Cabinet Support Members:

Councillors Charlesworth, Franklin, Frost, Saunders, Sumner and Tattersall

Chair of Overview and Scrutiny Committee
Chair of Audit Committee

Sarah Norman, Chief Executive

Matt Gladstone, Executive Director Place
Melanie John-Ross, Executive Director Children's Services
Wendy Lowder, Executive Director Adults and Communities
Shokat Lal, Executive Director Core Services
Julia Burrows, Director Public Health
Michael Potter, Service Director Business Improvement and Communications
Neil Copley, Service Director Finance (Section 151 Officer)
Katie Rogers, Head of Communications and Marketing
Anna Marshall, Scrutiny Officer
Martin McCarthy, Service Director Governance, Members and Business Support

Corporate Communications and Marketing

Please contact Martin McCarthy on email governance@barnsley.gov.uk

Monday, 18 May 2020



MEETING:	Cabinet
DATE:	Wednesday, 13 May 2020
TIME:	10.00 am
VENUE:	THIS MEETING WILL BE HELD VIRTUALLY

MINUTES

Present Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Gardiner, Howard, Lamb and Platts

Members in Attendance: Councillors Franklin, Frost, Saunders, Sumner and Tattersall

242. Declaration of pecuniary and non-pecuniary interests

There were no declarations of pecuniary or non-pecuniary interest.

243. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 29th April 2020 had been called in.

244. Minutes of the previous meeting held on 29th April, 2020 (Cab.13.5.2020/3)

The minutes of the meeting held on 29th April 2020 were taken as read and signed by the Chair as a correct record.

245. Decisions of Cabinet Spokespersons (Cab.13.5.2020/4)

There were no Records of Decisions by Cabinet Spokespersons under delegated powers to report.

246. Action Taken under Paragraph B6 of the Responsibility for Executive Functions - Officer Delegations Contained in the Council Constitution (Cab.13.5.2020/5)

RESOLVED that the action taken by Executive Directors under Paragraph B6 of the Responsibility for Executive Functions – Officer Delegations, as contained within the Appendix attached to the report now submitted and detailed below, be noted:-

- 1 Appointment of Director of Children’s Services and Director of Adult Social Services
- 2 Overview and Scrutiny Committee – Interim Decision Making Arrangements

247. Petitions received under Standing Order 44 (Cab.13.5.2020/6)

It was reported that no petitions had been received under Standing Order 44.

Regeneration and Culture Spokesperson

248. Royston Masterplan Framework (Round 1 Consultation) (Cab.13.5.2020/7)

RESOLVED:-

- (i) that the progress made in the development of the draft masterplan framework for Royston, as detailed in the report submitted, be noted; and
- (ii) that the proposal to undertake a Community Consultation exercise planned to commence during June 2020 be approved.

249. Hoyland South Masterplan Framework (Round 1 Consultation) (Cab.13.5.2020/8)

RESOLVED:-

- (i) that the progress made in the development of the draft masterplan framework for Hoyland South, as detailed in the report submitted, be noted; and
- (ii) that the proposal to undertake a Community Consultation exercise planned to commence during June 2020 be approved.

.....
Chair

BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan

REPORT OF THE EXECUTIVE DIRECTOR CHILDREN'S SERVICES TO CABINET

COMMISSIONING OF SCHOOL PLACES AT PENISTONE GRAMMAR SCHOOL FOR PUPILS WITH SPECIAL EDUCATIONAL NEEDS

1.0 PURPOSE OF REPORT

1.1 To seek Cabinet's approval for the commissioning of up to 20 places for pupils with special educational needs at Penistone Grammar School.

2.0 RECOMMENDATIONS

2.1 Cabinet approves the commissioning of up to 20 places for pupils with special educational, including complex needs, at Penistone Grammar School as detailed particularly in Sections 4.0 and 7.0 of this report.

3.0 INTRODUCTION

3.1 Recently, Cabinet agreed to adopt the revised Borough School Placement and Sufficiency Strategy for children with special educational needs, including complex needs, such as a disability (SEND).

3.2 The Strategy details how the Local Authority and its statutory partners will address the fundamental challenges being faced in meeting increasing demand for school places from families who have children with SEND within the available resource envelope. In particular, the Strategy would be based upon the following objectives:

- To ensure children and young people with SEN(D) have access to the right type of school placement which best meets their needs, within their community and closer to home. This includes pupils who have been diagnosed with special educational needs relating to Social, Emotional and Mental Health; Autistic Spectrum Disorder or Speech, Language and Communication needs.
- Embedding a partnership-based approach, to ensure the appropriate range and capacity of provision is available in local mainstream schools, academies and specialist settings to enable the needs of a greater number of such children to be met, as part of promoting inclusion through education. This builds upon our commitment expressed in November last year within the Terms of Reference of the Barnsley Alliance for Schools and Education Improvement Strategy
- To ensure value for money and the most effective use of available resources continues to underpin the refreshed Strategy.

- Children, young people and families are at the heart of planning and provision.
- Statutory partners continue to work closely and ensure, where possible, to ensure pupils with SEN(D) do not have to travel out of the Borough to have their education needs met, based upon early identification and support, together with improvements to the quality and efficiency of Education, Health and Care Plan processes.
- To enable children and young people who require ongoing specialist support are placed in the best possible provision and have their needs met through a stable and enriching school life.
- Improving personalisation as part of provision, including personal budgets.
- A system which promotes independence, confidence and aspirations and enables children to make a successful transition to adulthood.

4.0 PROPOSAL AND JUSTIFICATION

- 4.1 As part of the Strategy's objective of ensuring children with SEND have access to a placement which best meets their needs closer to home, particularly through investing in and improving the capacity of local mainstream and special schools whilst, at the same time, ensuring value for money and the effective use of available resources, the proposal in this report is for the Local Authority to expand provision at Penistone Grammar School, leading to the creation of up to 20 places for children, 14 of whom will be able to access the National Curriculum via a combination of mainstream classroom and Heart Space provision with effect from the beginning of the Autumn Term this September.
- 4.2 In addition this will include a cohort of 6 places for children, identified with very complex needs and who will require access to the National Curriculum predominantly via specialist Heart Space provision, supported by supplementary teaching and specialist learning assistance.
- 4.3 The costs of provision will amount to 14 places at a cost of £10,000 plus £7,500 of top-up funding for each pupil per annum, together with 6 places at a cost of £10,000 plus £16,000 of top-up funding for each pupil per annum over a period of 3 years. Further detail, concerning both the capital and revenue costs for this proposal, including the procurement of ICT, refurbishment and adaptations, together with the potential savings to be accrued through this commissioning intention, is outlined in Section 7.0 of this report.
- 4.4 The proposal accords with the overall purpose of the recently refreshed School Placement and Sufficiency Strategy through re-setting the balance in favour of Borough based, mainstream provision which is closer to the child's home and community and which prevents the alternative of significantly more costly, independent provision outside of the Borough. The proposed use of the Heart Space at Penistone Grammar School for this purpose will improve parental choice and the quality of the child's experience whilst, at the same time, promoting inclusion through education, raising aspirations and enhancing outcomes.

5.0 CONSIDERATION OF ALTERNATIVE APPROACHES

- 5.1 In order to comply with its statutory responsibility of providing a sufficient number of placements for a growing percentage of children and young people with SEN(D) whilst achieving value for money and the more effective use of available resources within an increasingly challenging financial climate, the Council has no alternative but to develop a system which is more sustainable yet, at the same time, is able to yield improvements in outcomes for such children, particularly through improving provision which is closer to home and promote inclusion. .

6.0 IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS

- 6.1 The proposal will enable more local children and young people with SEN(D) to access the National Curriculum, through a largely mainstream setting. This will enrich their experience and build their resilience, independence and potential. Similar initiatives have already been approved in other local mainstream settings during 2019/20 and others are proposed during 2020/21 which will help more children with SEND in many areas of the Borough to achieve their potential.

7.0 FINANCIAL IMPLICATIONS

- 7.1 Consultations have taken place with representatives of the Service Director – Finance (S151 Officer).

Revenue expenditure

- 7.2 The revenue cost (in 2020/21 financial year) of commissioning up to 20 places for pupils with special educational, including complex needs, at Penistone Grammar School from September 2020 is estimated at **£234k** per annum (rising to £401k full year effect). The above cost comprised of place funding (£10k per place) and top up payments (£7.5k for RP pupils and £16k for complex RP pupils). It should be noted that actual top up payments made in the year will be based on the actual number of pupils placed at the provision (based on census count).
- 7.3 The above cost has been reflected and included in the Council's planned 2020/21 high needs budget - funded from the Dedicated Schools Grant (DSG) high needs budget allocation for the Council. The cost estimates exclude any associated home to school transport costs for eligible pupils.

Capital expenditure

- 7.4 Additional adaptations to the designated workspace in Penistone Grammar School will be required to create provision for 20 pupils. The additional capital works / spend includes: creating additional study space in post 16 for a classroom; convert current kitchen area into staff work space / meeting room; installation of an external porta cabin to create additional 2 teaching spaces; and start-up costs including purchase of materials, laptops, etc.
- 7.5 The proposed installation of a porta cabin at the school raises contractual / legal implications as a PFI/BSF school with likely associated costs (e.g. deed of variation and legal costs). Discussion is ongoing with the school and the BSF project manager / contractor on site on possible location of the porta cabin, planning

considerations and related works – which would facilitate a more considered view of the PFI implications. It is very unlikely that approvals, enabling works and installation of the Porta cabin could be done for September 2020, although other capital works relating to internal classrooms refurb the school can be completed in time for SEND pupil placement from Sept. 2020. The porta cabin is required to provide additional space for therapy and other 1-to-1 provision and therefore not seen as business critical for the Sept 2020 start date of the provision.

- 7.6 The cost of works has been provisionally estimated at £300k (to reflect anticipated increased PFI costs); however this is subject to review. The capital cost will be funded from the Council's SEN(D) special provision capital funding allocation from the DfE. The council was allocated £781k over 3 years with £250k already committed or spent against the allocation.

8.0 EMPLOYEE IMPLICATIONS

- 8.1 There are no employee implications directly emerging through this report.

9.0 LEGAL IMPLICATIONS

- 9.1 There are no legal implications to consider through the proposal in this report.

10.0 CUSTOMER AND DIGITAL IMPLICATIONS

- 10.1 There are no implications for the current range of access channels to Council services or for the onus towards digital transactions, arising through the report.

11.0 COMMUNICATIONS IMPLICATIONS

- 11.1 As Cabinet is aware, the Government's lockdown period relating to the outbreak of the Covid-19 virus currently permits schools to remain open in order to support the needs of vulnerable children together with the children of 'key workers' as defined by emergency corona virus legislation. It is anticipated that, mindful of any restrictions resulting from an extended lockdown period, during which schools will maintain a responsibility for safeguarding children and ensuring their wellbeing, the placements will begin from September 2020 onwards. Parents and families will be kept informed of developments through our regular networks with schools.

12.0 CONSULTATIONS

- 12.1 Consultations on the kind of placements which parents and families would like to see for children with SEN(D) were undertaken as part of our ongoing engagement with service users in developing the School Placement and Sufficiency Strategy, fostering broader systems' improvement and promoting our statutory local SEN(D) 'Offer'.

13.0 THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK

- 13.1 The proposal will support Outcomes 6 and 7 within the corporate objective of 'People Achieving Their Potential'. The aim will be to ensure '*Every child attends a*

good school and is successful in learning at work' through improved access to the National Curriculum.

- 13.2 The progress of these children will continue to form part of the quarterly submission of reports to Cabinet on the SEN(D) Performance and Finance framework and the annual reporting of education outcomes in the Borough.

14.0 PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION

- 14.1 The proposed commissioning of these school places at Penistone Grammar School, will exclusively help promote opportunities to improve the potential of a group of children and young people with a protected characteristic, as defined by the Equality Act and Public Sector Equality Duty.

15.0 TACKLING THE IMPACT OF POVERTY

- 15.1 The proposal will help in ensuring the impact of SEN(D) including a disability or other complex need, does not prevent or constrain a child from achieving their potential. Promoting inclusion and social mobility through the proposal, will enable children and young with SEN(D) to go on to become more active citizens and benefit from the economic prosperity and increased social capital arising through investment in the Borough's economy and improvements in the long-term health and wellbeing of local communities.

16.0 TACKLING HEALTH INEQUALITIES

- 16.1 Please see Paragraph 15.1.

17.0 REDUCTION OF CRIME AND DISORDER

- 17.1 There are no implications for tackling crime, disorder or anti-social behaviour arising through consideration of this report.

18.0 RISK MANAGEMENT ISSUES

- 18.1 The proposed commissioning of these school placements forms part of a Strategy which intends to place the Council in a better position to comply with its statutory responsibility concerning the sufficiency of school places for children and young people with SEN(D).

- 18.2 The action plan will incorporate a risk log which should enable swift management action to be taken, where necessary, to maintain progress against priorities and objectives and to prevent any impact upon the attainment of pupils with SEN(D).

19.0 HEALTH, SAFETY AND EMERGENCY RESILIENCE ISSUES

- 19.1 Please see Paragraph 11.1.

20.0 COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS

- 20.1 The draft, refreshed Strategy supports our commitment to and is fully compatible with the rights of the child under the Convention.

21.0 CONSERVATION OF BIODIVERSITY

21.1 There are no implications for the local environment, climate change or the conservation of biodiversity arising through the report.

22.0 GLOSSARY

22.1 None, applicable.

23.0 LIST OF APPENDICES

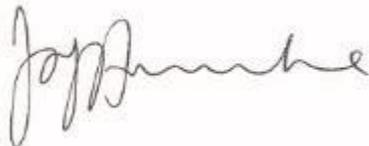
23.1 There are no appendices to this report.

24.0 BACKGROUND PAPERS

24.1 If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

Report author: Nina Sleight (Service Director: Education, Early Start and Prevention)

Financial Implications/Consultation



Joshua Amahwe (05/05/2020)

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*(To be signed by senior Financial Services officer
where there is no Appendix A)*