

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 ON 2 JUNE 2021

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 30 new places for pupils with special educational needs and/or disabilities (SEND) at Penistone Grammar School.

2.0 RECOMMENDATIONS

- 2.1 **Cabinet approves the commissioning of up to 30 places for pupils with SEND, 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 Last year, Cabinet agreed to adopt the revised Borough School Placement and Sufficiency Strategy for children with SEND, including those with complex needs. This includes those with co-morbidity or a combination of multiple needs such as social, emotional and mental health and autism that combine to create complexities in needs.
- 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 for children and young people with SEND within the available resource envelope. In particular, the strategy is based upon the following objectives:
- To ensure children and young people with SEND have access to the right type of school placement which best meets their needs, that is within their community and is closer to home. This includes those who have been categorised as having needs relating to social, emotional and mental health; autism and/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 children and young people to be met, as part of an inclusive culture. This builds upon our commitment expressed in November last year within the terms of reference of the Barnsley Alliance for Schools and the Education Improvement Strategy.

- To ensure value for money and the most effective use of available resources continues to underpin the refreshed strategy.
- To ensure that 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 children and young people with SEND do not have to travel out of the borough to have their educational needs met through early identification and support, in parallel 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 to be 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 and young people with SEND have access to a placement which best meets their needs closer to home, the proposal in this report is for the Local Authority to expand provision at Penistone Grammar School. This will lead to the creation of up to 30 places for children and young people (10 per academic year for the next three years), who will be able to access the curriculum via a combination of mainstream classroom and Heart Space provision with effect from the beginning of the Autumn Term this September 2021.
- 4.2 This will provide education places for children, identified with very complex needs and who will require access to the curriculum predominantly via specialist Heart Space provision, supported by supplementary teaching and specialist learning assistance.
- 4.3 The costs of provision will amount to 10 places at a cost of £10,000 plus £7,500 of top-up funding for each pupil per annum, rising by 10 pupils per academic year to a total of 30 new pupil places after 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 Based on current need and consultations for school places, the development of these places will ensure that these children and young people are not placed in independent non maintained special school settings (INMSS) or out of borough. This is because continual long-term dependence on such provision is not financially or otherwise favourable as a long-term sustainable option when viewed against steadily rising increase in needs for these cohorts of children and young people.

Placement of the identified INMSS requirements, based on the annual average INMSS cost of £58,000, would see an approximate annual increase of £580,000 on the high needs block rising to £1,74 million pounds at the 3 year point; against an in-borough placement cost total of £575,000 at the 3 year point.

- 4.5 The proposal accords with the overall purpose of the recently refreshed School Placement and Sufficiency Strategy by re-setting the balance in favour of borough based, mainstream provision which is closer to the child or young person'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 experience whilst, at the same time, promoting inclusion through education, raising aspirations and enhancing outcomes. It will also mitigate the social costs of children and young people being taken out of their local community and having broken links into adulthood as a result.
- 4.6 This approach is closely aligned with Cabinet's recent decision, made at its meeting held on 21st April, to expand in-Borough education provision for children and young people with complex needs through the creation of a Programme Board whose purpose will be to develop a transformative Council-wide and partnership-based programme to expand the number of school places for these groups of children within local mainstream and special schools.

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 SEND 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 and beneficial for the local population of families with children and young people who have complex needs. .

6.0 IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS

- 6.1 The proposal will enable more local children and young people with SEND to access the curriculum, through a largely mainstream setting. This will enrich their experience and build their resilience, societal links, independence and potential. Similar initiatives have already been approved in other local mainstream settings during 2020/21 and others are proposed during 2021/22 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).
- 7.2 The proposed capital works to develop the infill space within the school supersedes the previous approved proposal to develop an external outreach workspace for the SEND Heartspace provision at the school through the installation of portakabin. The previous Cabinet report [reference / date] gave approval for capital costs of £300k (of which £37k has been expended on design fees) and this to be funded from the

DfE allocated SEN special provision capital grant funding. The following detailed the revenue and capital cost implications of the proposed replacement development.

Revenue expenditure

- 7.3 The revenue cost of commissioning up to 30 places (10 per academic year) for pupils with special educational needs, at Penistone Grammar School from September 2021 is estimated at **£102k** in 2021/22, rising to **£525k** in a full year. The above cost is based on £10k funding per place and top up payments (£7.5k per pupil). It should be noted that top up funding paid in the year will be based on the actual number of pupils placed at the provision (as evidenced by the census count).
- 7.3 The above cost has been reflected and included in the Council's planned 2021/22 high needs budget - funded from the dedicated schools grant (DSG) high needs budget allocation for the Council.

Capital expenditure

- 7.4 Additional adaptations to the designated workspace in Penistone Grammar School will be required to create provision / capacity for 30 pupils (commencing with 10 pupils from Sept 2021). Design proposals for the development of the infill space area were submitted in August 2019 as part of the phased development approach for Penistone Grammar School. The additional capital works/spend includes creation of 4 additional teaching spaces creating additional study space, extension of the post 16 dining space to create office/reception, 2 breakout/meeting rooms and start-up costs including purchase of materials, laptops, etc.
- 7.5 The overall capital cost is estimated at **£748k** (based on the indicative high-level quotation) and is made up of the following:

Architects/other fees	£27k
Construction costs	£484k
Fixtures/fittings	£20k
Project management	£79k
Professional / legal fees	£90k
Start-up (ICT)	£20k
RIBA stage 4 costs	£28k

- 7.6 The following are specific issues to note relating to the above cost estimates and scheme:
- The £90k estimates for professional and legal costs relates to Deed of Variation and legal costs associated with the SPV (BSF/PFI contract costs). The value of works meant that a High Value Change Notice (HVCN) has been issued to the SPV. Since the works does not extend the footprint of the school, it would fall under permitted development and therefore ensure a pass through to planning.
 - the construction costs estimated are in line with the standard pricing model meterage for new and regeneration works.

- Approval to incur upfront cost of £27,593 (design costs and planning fee) has been sought in order to develop the scheme to RIBA Stage 4 for tender purposes, prior to formal approval of the scheme. It should be noted that an exceptions report would be submitted if tendered costs comes in significantly different from the above estimates.
- Latest completion timescales suggest that works is now likely to be completed by December 2021 (rather than October previously indicated) due to works starting during the summer holidays to minimise disruption within the school.

7.7 The above capital cost (£748k) will be funded from the Council's SEND special provision capital funding allocation from the DfE. The council was allocated £1.32million over 3 years, of which **£898k** is currently uncommitted (inclusive of £263k uncommitted amount for the Portakabin proposal).

8.0 EMPLOYEE IMPLICATIONS

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

9.0 LEGAL IMPLICATIONS

9.1 Please see Paragraph 7.6 of 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 It is anticipated that, mindful of any restrictions resulting from any extended future lockdown period, the placements will begin from September 2021 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 and young people with SEND 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 SEND 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 Curriculum.

13.2 The progress of these children and young people will continue to form part of the quarterly submission of reports to Cabinet on the SEND 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 (2010) and Public Sector Equality Duty.

15.0 TACKLING THE IMPACT OF POVERTY

15.1 The proposal will help in ensuring the impact of SEND including 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 SEND 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 of this report.

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 SEND.

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 children and young people with SEND.

19.0 HEALTH, SAFETY AND EMERGENCY RESILIENCE ISSUES

19.1 In assuming there are no further restrictions emerging through a further wave in the Pandemic, there should be no such implications to consider when the additional school places become available at Penistone Grammar School.

20.0 COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS

20.1 The proposal in this report 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, tackling 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 (20/04/2021)

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