

CABINET MEETING – 13 JULY 2023

EXECUTIVE SUMMARY SHEET – PART I

Title of Report:

Special Provision – School Organisation Proposals and Procurement of Capital Works

Author(s):

Executive Director of Children’s Services

Purpose of Report:

To provide information relating to and to seek a decision on a proposal to commence the informal and statutory processes required to establish a Special Educational Needs (SEN) Provision at Hudson Road Primary School, to amend the designation of the SEN provision at Usworth Colliery Primary School, to increase the number of commissioned places at the SEN provision at Usworth Colliery Primary School and to procure capital works to facilitate both proposals.

Description of Decision:

Cabinet is asked to:

1. Authorise the commencement of the necessary initial consultation process and subsequent statutory process required to:
 - Establish a resourced Social, Emotional and Mental Health (SEMH) Unit at Hudson Road Primary School;
 - Amend the designation of the current Autism Spectrum Disorder (ASD) unit at Usworth Colliery Primary School to include Social, Emotional and Mental Health; and
 - Increase the number of commissioned SEN places at Usworth Colliery Primary school.

2. Note the need to procure capital works to facilitate the amendment to the existing SEN provision at Usworth Colliery Primary School if the proposals are ultimately approved.

3. Subject to the outcomes of the required School Organisation processes and subject to consultation with the Lead Member for Children’s Services, authorise the Executive Director of Children’s Services to procure capital works and award contracts to facilitate the refurbishment of the former Bright Stars Nursery building at Hudson Road Primary School.

Is the decision consistent with the Budget/Policy Framework? Yes

If not, Council approval is required to change the Budget/Policy Framework

Suggested reason(s) for Decision:

The proposals contained within this paper have been identified as necessary to ensure that Sunderland City Council continues to effectively meet its statutory duty to ensure that there are enough local school places to meet demand.

The proposals to provide localised SEN provision in Washington and South Sunderland ensures that pupils with Education Health and Care Plans (EHCP) can access provision that meets their needs within localities. This will reduce the need for young pupils, particularly those aged between 5 and 11 years of age, to travel to central provisions to access appropriate school places. Development of resourced provisions / units within primary schools will also enable children, for whom it is appropriate, to access elements of a mainstream curriculum in a maintained primary school setting.

Current SEMH provision is based out of one Special School, with a resourced unit to be opened in the Coalfields in 2024. This proposal creates a more equal distribution of specialist provision while adding much needed additional capacity in Sunderland that will result in fewer out of area or independent school placements.

Alternative options to be considered and recommended to be rejected:

- Retain current SEN site locations only – This would not enable pupils to access specialist provision within their home localities leading to extended travel time, high transport costs and greater potential for failed re-integration back into substantive school places.
- Retain current levels of SEMH provision – As the city’s mainstream SEMH provision is currently at capacity this will result in pupils being placed in out of area or independent places, resulting in increased travel time, a need to commission out of area residential places or placement at independent settings which would lead to pressure on the local High Needs Block budget.
- Not to refurbish the former Bright Starts Nursery – This would result in the premises identified to deliver a SEMH provision not being equipped to meet the needs of the pupils on roll from either a condition or suitability perspective.
- Not amend the current Usworth Colliery site - The resource available at the provision is not consistent with current best practice for a SEN provision. This proposal will increase the appropriateness of the site while simultaneously increasing capacity.

Impacts analysed;

Equality Privacy Sustainability Crime and Disorder

Is the Decision consistent with the Council’s co-operative values? Yes

Is this a “Key Decision” as defined in the Constitution? Yes

Is it included in the 28-day Notice of Decisions? Yes

REPORT OF THE EXECUTIVE DIRECTOR OF CHILDREN'S SERVICES

SPECIAL PROVISION – SCHOOL ORGANISATION PROPOSALS AND PROCUREMENT OF CAPITAL WORKS

1. Purpose of the Report

- 1.1 To provide information relating to and to seek a decision on a proposal to commence the informal and statutory processes required to establish a Special Educational Needs Provision at Hudson Road Primary School, to amend the designation of the SEN provision at Usworth Colliery Primary School, to increase the number of commissioned places at the SEN provision at Usworth Colliery Primary School and to procure capital works to facilitate both proposals.

2. Description of Decision

- 2.1 Cabinet is asked to:

1. Authorise the commencement of the necessary initial consultation process and subsequent statutory process required to:
 - Establish a resourced Social, Emotional and Mental Health Unit at Hudson Road Primary School;
 - Amend the designation of the current ASD unit at Usworth Colliery Primary School to include Social, Emotional and Mental Health; and
 - Increase the number of commissioned SEN places at Usworth Colliery Primary school.
2. Note the need to procure capital works to facilitate the amendment to the existing SEN provision at Usworth Colliery Primary School if the proposals are ultimately approved.
3. Subject to the outcomes of the required School Organisation processes and subject to consultation with the Lead Member for Children's Services, authorise the Executive Director of Children's Services to procure capital works and award contracts to facilitate the refurbishment of the former Bright Stars Nursery building at Hudson Road Primary School.

3. Suggested Reason(s) for Decision:

- 3.1 The proposals contained within this paper have been identified as necessary to ensure that Sunderland City Council continues to effectively meet its statutory duty to ensure that there are enough local school places to meet demand.
- 3.2 The proposal to provide localised SEN provision in Washington and South Sunderland ensures that pupils with Education Health and Care Plans can access provision that meets their needs within localities. This will reduce the need for young pupils, particularly those aged between 5 and 11 years of age, to travel to central provisions to access appropriate school places. Development of resourced provisions / units within primary schools will also enable children, for whom it is appropriate, to access elements of a mainstream curriculum in a maintained primary school setting.
- 3.3 Current SEMH provision is based out of one Special School, with a resourced unit to be opened in the Coalfields in 2024. This proposal creates a more equal distribution

of specialist provision while adding much needed additional capacity in Sunderland that will result in fewer out of area or independent school placements.

4. Introduction/Background

- 4.1 In 2014 Sunderland Council developed a 12 place ASD resourced provision at Usworth Colliery Primary School. Since development of that unit, an additional SEN unit has been opened at JFK Primary Academy with another to be opened in Hetton in 2024.
- 4.2 Demand for SEN places continues to exceed local demand with most settings across the city either at capacity or operating waiting lists.
- 4.3 There is also a need to increase the range of local SEN provisions across the city. Increases in the number of children requiring an SEMH provision (or additional nurture provision) has led to increased support requirements for children within mainstream schools placing pressure on local resources.
- 4.4 During consultation with Headteachers as part of the Council's Coalfields SEN proposals in 2023, there was general agreement that a provision in the locality on an early intervention placement basis is needed for children with SEMH, particularly considering the impact of the COVID 19 pandemic on children's mental health and emotional well-being, leading to increased anxiety, and subsequent lower school attendance. These proposals would widen the availability of that offer to the Washington area and South Sunderland.

5.0 Proposals

- 5.1 To make provision more accessible and geographically appropriate for younger pupils within localities, the proposal is that a 16-place primary aged SEMH unit is established at Hudson Road Primary School in the South Sunderland area of the city. This would provide SEMH provision to pupils between the age of 5 and 11 with EHCPs.
- 5.2 Should the proposal be agreed, the unit will be managed by the leadership team at Hudson Road Primary School with the provision based at the former Bright Stars Nursery building at the school site.
- 5.3 It is also proposed that the designation of the ASD unit at Usworth Colliery Primary School is amended to provide places for pupils with ASD and / or SEMH with an increased capacity from 12 to 36 places across all SEN requirements.
- 5.4 Should the above proposals be implemented this would result in an increase in the City's resourced provision capacity of 40 places across two planning areas.
- 5.5 Required improvements have been identified to increase the effectiveness of the current 12 place provision at Usworth Colliery Primary School. These improvements include the increased availability of small group and calming rooms, provision of increased sensory resources and amended access to the SEN provision at the site. Delivery of these improvements would also result in the increased physical capacity required to deliver 36-places at the school for both proposed SEN designations.
- 5.6 It is projected that, subject to the approval of the above proposals, the first admission to the Hudson Road Primary unit will be during the 2024/25 academic year with

increased capacity at Usworth Colliery Primary unit being available from September 2023, with places to be offered once proposals have been approved.

6.0 Outcomes

6.1 The proposal would secure the following outcomes:

Increased appropriateness of placements within the local alternative provision model and SEND

6.2 The establishment of a 16 place SEMH provision in South Sunderland and amendment of the designation of current provision in Washington would ensure children are able to access an appropriate provision within their own home locality. As well as increasing the availability of suitable primary school provision this will also reduce home to school transport requirements for those pupils with an EHCP. There is currently no local provision available within a mainstream setting for pupils with SEMH requirements who could operate within such an environment if the additional support that came with a resourced unit was available.

6.3 When local places are at capacity, as they have been since 2020/21, out of area provision or independent places are sought as an alternative. The creation of additional, local SEMH places, as well as additional ASD places, would result in savings to the local High Needs Funding Block when compared to independent and out of area provision.

6.4 It is also considered that, in addition to increasing the appropriateness of provision to children in localities, the refurbishment of the Hudson Road site and proposed amendments to the Usworth Colliery site would result in a lower capital expenditure than, for example, the development of a new build provision or the physical extension of an existing school building. The proposal would therefore result in both long-term revenue savings and short-term capital savings.

7.0 Statutory Requirements

7.1 The proposals included within this paper are subject to the requirements of the applicable school organisation legislation, which requires publication of notice of the proposed alterations below, following which the School Organisation Committee of Cabinet will consider the proposals and any representations received thereon before reaching its determination upon the proposals.

Enlargement / Increase in Capacity

The proposal will result in an increase from 12 places to 36 places at Usworth Colliery Primary School. As the proposal expands the capacity of the provision by more than 10% of the current capacity this element of the proposal is subject to completion of the relevant statutory process.

Establishment or change in type of Special Educational Needs Provision

The proposal seeks to establish a 16 place SEMH SEN provision. This would be a provision that is reserved for pupils with Special Educational Needs and falls outside the scope of Hudson Road Primary School's current offer. In addition, the further proposal seeks to amend the designation of the SEN provision at Usworth Colliery Primary School to include SEMH provision. As with the increase in capacity, the establishment and amendment of a SEN provision within a mainstream setting is

subject to school organisation requirements as set out in the Education and Inspections Act 2006 and related Regulations.

8. Alternative Options

8.1 The following options are not recommended for the reasons given:

- Retain current SEN site locations only – This would not enable pupils to access specialist provision within their home localities leading to extended travel time, high transport costs and greater potential for failed re-integration back into substantive school places.
- Retain current levels of SEMH provision – As the city's mainstream SEMH provision is currently at capacity this will result in pupils being placed in out of area or independent places, resulting in increased travel time, a need to commission out of area residential places or placement at independent settings which would lead to pressure on the local High Needs Block.
- Not to refurbish the former Bright Starts Nursery – This would result in the premises identified to deliver a SEMH provision not being equipped to meet the needs of the pupils on roll from either a condition or suitability perspective.
- Not amend the current Usworth Colliery site - The resource available at the provision is not consistent with current best practice for a SEN provision. This proposal will increase the appropriateness of the site while simultaneously increasing capacity.

9. Impact Analysis

9.1 Equalities – As part of the statutory proposals, an equality impact will be carried out to ensure that all decisions are undertaken in a fair, equitable and transparent manner, and will not affect those groups who have protected characteristics under the general equality duty.

9.2 Sustainability – The proposals contained within this paper will contribute towards the sustainability of educational places across the city.

10. Other Relevant Considerations / Consultations

10.1 Financial implications

The capital costs associated with the redevelopment of the current Usworth Colliery provision are anticipated to be £0.190m. One housing development, relating to land at Former High Usworth Primary School development (16/02266/FU4)) included a Section 106 capital contribution requirement to support increasing education capacity in the area. This receipt will fund these proposed works.

The capital costs associated with the refurbishment of the former Bright Stars Nursery building at Hudson Road Primary School are anticipated to be £0.650m. Works will be funded from the Council High Needs Capital fund within the approved Capital Programme.

The average cost of EHCP 'Top Ups' for 40 SEMH/ ASD places in the proposed resourced provision would be £5,180 per place per year giving a total estimated funding requirement of £0.207m per year which would be met from the High Needs Block of the Dedicated Schools Grant. This reflects an estimated total saving of £74,900 per place per year when compared to the cost of an independent or out of

area placement. Total potential cost avoidance to the high needs block as a result of the proposals above would be £2.996m.

10.2 Legal Implications

As referenced in Section 7 above, the proposals contained within this paper will require the Council to follow the requirements of the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 in relation to making significant changes to maintained schools.

The procurement exercises will be carried out in accordance with the requirements of the Public Contracts Regulations 2015 and the Council's own Procurement Procedure Rules.

