

SCHOOL ORGANISATION COMMITTEE OF CABINET – 21 AUGUST 2014

EXECUTIVE SUMMARY SHEET

Title of the Report:

Proposals to establish a Special Educational Needs (SEN) provision for pupils with Autism Spectrum Disorder (ASD) at Usworth Colliery Primary School and to discontinue SEN sensory provision at George Washington Primary School.

Author(s):

Report of the Executive Director of People Services

Purpose of Report:

To inform the Committee of the outcomes from the statutory consultations relating to the proposals to establish an ASD provision at Usworth Colliery Primary School and to discontinue the sensory provision at George Washington Primary School, and to seek approval of both proposals.

Description of Decision:

The Committee is recommended to approve:

- a) The proposal to establish an ASD provision at Usworth Colliery Primary School from 1st September 2014 and
- b) The proposal to discontinue the sensory provision at George Washington Primary School on 31st August 2014.

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 development of the ASD unit at Usworth Colliery Primary School and the discontinuation of the Sensory Unit at George Washington Primary School require the approval of the School Organisation Committee of Cabinet (SOCOC). Both proposals respond to identified need and demand for places for pupils with ASD and sensory impairment respectively. The Council has completed the statutory consultation processes associated with these proposals, required by The Education and Inspections Act 2006 and The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2013 and outlined in The Department for Education (DfE) School Organisation for Maintained Schools: Guidance for Proposers and Decision Makers (January 2014). Responses to the consultation were limited with no responses to the ASD consultation and 2 responses to the Sensory consultation (with one supportive and the other broadly supportive).

The proposals are also consistent with the requirements identified under Annex B of ***School Organisation: Maintained Schools – Guidance for Decision-makers*** (included as Annex 4 of this document) with the outcome of the proposals weighted against the SEN Improvement Test and the Council's own aims of increasing access to mainstream educational settings for young people with SEN.

Alternative options to be considered and recommended to be rejected:

Given the need for additional ASD primary places across the city an alternative could be to establish a full new special school for those pupils with ASD. However it is proposed that establishing provision within an existing school is sufficient to meet demand at the current time and provides a more flexible and cost effective solution. Similarly the proposal to discontinue sensory provision at George Washington Primary School is the preferred option given the decline in demand for sensory places.

Impacts analysed:

Equality ☒ Privacy ☐ Sustainability ☒ Crime and Disorder ☐

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

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

Scrutiny Committee:

PROPOSALS TO ESTABLISH A SPECIAL EDUCATIONAL NEEDS (SEN) PROVISION FOR PUPILS WITH AUTISM SPECTRUM DISORDER (ASD) AT USWORTH COLLIERY PRIMARY SCHOOL AND TO DISCONTINUE SENSORY PROVISION AT GEORGE WASHINGTON PRIMARY SCHOOL.

REPORT OF THE EXECUTIVE DIRECTOR OF PEOPLE SERVICES

1. Purpose of the Report

- 1.1 To inform the Committee of the outcomes from the statutory consultations relating to the proposals to establish an ASD provision at Usworth Colliery Primary School and to discontinue the sensory provision at George Washington Primary School, and to seek approval of both proposals.

2. Description of the Decision

- 2.1 The Committee is recommended to approve:
- a) The proposal to establish an ASD provision at Usworth Colliery Primary School from 1st September 2014 and
 - b) The proposal to discontinue the sensory provision at George Washington Primary School on 31st August 2014.

3. Background

- 3.1 The Council has a statutory duty to ensure that there are sufficient local school places to meet the needs of the population. In order to ensure the sufficiency of places a variety of data sources are used, including live birth rate data, GP registration data and housing development information, to identify any shortfall in places within the local area.
- 3.2 In addition to the requirement to ensure there is a sufficiency of school places within the mainstream school sector, the Council also has a duty to secure sufficient commissioned places for those young people with SEN who are not able to access a suitable curriculum offer from within the mainstream school sector.
- 3.3 In recent years there has been a significant increase in the number of school aged children diagnosed with autism which has placed pressure on the provision available in the city's special schools. The Council has responded to the increased demand from this cohort by establishing SEN units within mainstream school settings. This has enabled the Council to respond to the demand for places with a high level of support for pupils with SEN whilst also recognising the pressure on existing capacity within local special schools such as Columbia Grange

Primary Special School. There are also clear benefits for some pupils in accessing a mainstream setting, depending upon where they are on the autism spectrum. Whilst the provision is separate for much of the time, pupils can also be included in mainstream school activity where appropriate. Special Educational Needs units of this type are present at Farringdon Academy, Biddick Academy, Oxclose Academy, Oxclose Village Primary Academy, Sandhill View School, Thorney Close Primary School and George Washington Primary School.

4. Current Position and Key Considerations

4.1 Following Cabinet approval (June 2014) the Council carried out a statutory consultation on the proposal to develop a specialist ASD Unit at Usworth Colliery Primary School. Due to falling demand for specialist sensory places a statutory consultation also took place simultaneously on the proposal to discontinue the specialist sensory provision at George Washington Primary School, with the city's sensory provision to be rationalised and delivered from the unit at Thorney Close Primary School. In advance of the consultation exercise the Council had carried out informal discussions with the Governing Bodies of the three schools affected by the Council's proposals. All schools were supportive of the proposals.

4.2 Statutory notices for the two proposals were published in the Sunderland Echo on the 25th June 2014 and made available, along with the full proposals, on www.sunderland.gov.uk. The statutory notices and full proposals are at Annex 1 and Annex 2 to this report. As required under the school organisation legislation a 4 week consultation process was carried out, with the closing date for the consultation being 23rd July 2014. Statutory notices were displayed at both George Washington Primary School and Usworth Colliery Primary School. The schools subject to the consultation outcomes provided parents with correspondence outlining the proposal and additional copies of the notices and full proposals outlining the Usworth Colliery Primary School ASD proposal were provided to;

- ASCENT trust
- Columbia Grange Special School
- Sunningdale Special School
- North View Special School
- Biddick Academy
- Farringdon Academy

The George Washington Primary School sensory proposals were also provided to

- George Washington School
- Thorney Close Primary School
- Sandhill View School

- Sunderland School Sensory Partnership and
 - National Deaf Children's Society
- 4.3 The Council did not receive any responses to the consultation on the development of ASD provision at Usworth Colliery Primary School.
- 4.4 Email responses were received from the National Deaf Children's Society and the Sunderland Schools Sensory Partnership in relation to the George Washington Primary School proposal. The response from Sunderland's Sensory Partnership supported the proposal while the National Deaf Children's Society response was in broad agreement of the proposal but raised key points to be addressed and requested additional information relating to future delivery of sensory provision. The Council are currently addressing the points raised in this return. The Council also received a further email from a resident whose grandchild has recently moved from the sensory provision at George Washington Primary School to the sensory provision at Thorney Close Primary School with positive feedback on the move. Responses are attached as Annex 3.

4.1.0 Usworth Colliery Primary School

- 4.1.1 ASD diagnosis in children in Sunderland (as nationally) has increased in recent years and is projected to increase further in future years. This has placed pressure on existing commissioned places for the cohort within the primary sector with a backlog of children awaiting specialist places.
- 4.1.2 Discussions are taking place with Columbia Grange Primary School to increase the capacity within the specialist primary sector for those children for whom a mainstream setting and mainstream curriculum are unsuitable. However, there is also a cohort who require a differentiated curriculum but whose needs could be met within the mainstream primary school sector. This demand could be met through the establishment of a discrete, specialist ASD provision at a local primary school.
- 4.1.3 Usworth Colliery Primary School has been identified as having sufficient capacity to establish a specialist ASD provision within the school footprint. The proposed provision would cater for 10 primary aged children in the first instance. Minor cosmetic capital modifications would be required to ensure the premises are suitable for the cohort, with further ICT requirements also to be met. This work has been estimated at £10k -15k and will be funded via the Capital Maintenance element of the Children's Services Capital Budget.

- 4.1.4 This proposal is consistent with the Council's strategy to increase the range of relevant local provision for SEN. By creating smaller and more flexible units across the city there is greater choice for parents with suitable facilities and expertise within the existing local school infrastructure to deliver additional high quality, sustainable provision for pupils with SEN. As already identified the development of this provision would respond to an identified shortfall in available provision, that being for those pupils who would not be considered most suitable for a placement within a specialist SEN school but who require an additional level of support from appropriately trained staff within their educational that could not traditionally be provided within mainstream delivery.
- 4.1.5 Equality of opportunity is identified within the proposal. The proposed provision at Usworth Colliery Primary School would enable a greater range of pupils to access specialist ASD provision while also increasing the accessibility of mainstream school settings to pupils with SEN. It would also ensure a greater number of places at specialist settings, such as Columbia Grange Primary, are available to those pupils with the greatest and most appropriate needs.
- 4.1.6 Travel and access requirements of Sunderland residents accessing the provision would be met and supported by the Council in line with the Council's SEN Transport Policy

4.2 George Washington Primary School Sensory Unit

- 4.2.1 Whilst demand for ASD places has increased in recent years, demand for primary aged sensory provision (e.g. hearing and visual impairment) in the city has declined. Sunderland currently has two units in the primary sector (at George Washington Primary School and at Thorney Close Primary School). The units were originally established to provide a specialist support to primary aged pupils with hearing and visual impairments. The capacity of the Sensory Unit at George Washington Primary School is for 6 pupils but currently there are only 2 students on roll. Thorney Close Primary Unit has the capacity for 10 learners but has 1 on roll. There are 13 surplus places in total across the two units. Demand for specialist sensory places in 2014/15 is currently projected at 5 places with no further increase projected for 2015/16. With this in mind it is proposed to rationalise existing provision from two specialist units to one.
- 4.2.2 It is proposed that the unit at George Washington Primary School is discontinued from 1 September, 2014. Existing pupils will transfer to the Sensory Unit at Thorney Close Primary School. With 10 places Thorney Close Primary School has the capacity to provide sufficient places to meet both current and projected future demand in the city and also has the potential to increase in capacity should demand for specialist sensory provision increase in future years. As these are city-wide provisions, children do not necessarily live locally to either. Therefore the locality of the remaining provision at Thorney Close

Primary School should be able to be accessed at no greater difficulty for families living within Sunderland. Furthermore there has always been a difficulty in recruiting and training qualified teachers of the deaf. Reducing the provisions will address historical issues of staffing across two sites.

- 4.2.3 Students currently at George Washington Primary School will be provided with support for travel to Thorney Close Primary School in line with the Council's SEN Transport Policy. Given that the provision is a citywide provision aimed at young people with statements of educational need future cohorts will also receive transport and travel support, in line with Council policy.
- 4.2.4 Given the existing capacity at Thorney Close Primary School it will not be necessary to carry out capital work to support the rationalisation of the provision.
- 4.2.5 In maintaining a local specialist sensory provision with surplus places at Thorney Close Primary School the Council will continue to ensure that a diverse and suitable offer is available for the maximum number of pupils across the city. Additionally by maintaining the provision within a mainstream environment the Council will continue to facilitate the access to mainstream educational settings for those identified as vulnerable or with specialist needs and requirements.

5.0 Key Issues for Consideration

- 5.1 The Department for Education's publication, School Organisation Maintained Schools Guidance for Proposers and Decision Makers, January 2014 - Annex B: Guidance for Decision Makers identifies key considerations that should be taken into account in establishing or discontinuing provision of this nature. The key considerations, which are provided at Annex 4, have been addressed under points 4.1.1 – 4.2.5.

6. Suggested Reasons for Decision

- 6.1 The Council has addressed the key reasons for decision under points 4.1.1 – 4.2.5 but to summarise the Council's proposals are based on the following;
- 6.2 Demand for places – the proposals will respond accordingly to the increased demand for ASD places as well as the reduction in demand for specialist sensory places.
- 6.3 Provision of suitable peer groups – with declining numbers of children the Sunderland identified as requiring a specialist sensory provision the delivery of specialist provision at multiple centres has the potential to isolate those accessing the provision. At the time of the consultation only one child was attending the provision at Thorney Close with no

access to a suitable peer group. Bringing the centres together increases the number of deaf children on one mainstream school site. For those using British Sign Language as a first language this increases the number of children available to interact with and establishes a wider social group within their school environment.

- 6.4 Provision of effective resources – Establishment of ASD provision at Usworth Colliery Primary School will ensure that requirements for appropriately trained staff and specialist equipment for ASD pupils are met to a greater level. Equally the rationalisation of local sensory provision at Thorney Close Primary School will enable the Council to respond to the historical difficulty in recruiting and training qualified teachers of the deaf. An issue compounded by the need to staff two sites for a limited numbers of pupils.
- 6.5 This proposal is consistent with the Council's strategy to increase the range of relevant local provision for SEN. By creating smaller and more flexible units across the city there is greater choice for parents with suitable facilities and expertise within the existing local school infrastructure to deliver additional high quality, sustainable provision for pupils with SEN

7.0 Alternative Options

- 7.1 Given the need for additional ASD primary places across the city an alternative could be to establish a full new special school for those pupils with ASD. However it is proposed that establishing provision within an existing school is sufficient to meet demand at the current time and provides a more flexible and cost effective solution. Similarly the proposal to discontinue sensory provision at George Washington Primary School is the preferred option given the decline in demand for sensory places.

8. Sustainability and Equality

- 8.1 The recommendations outlined above will contribute to the Council's strategy to ensure that there is sufficient special educational provision across all areas of the city in response to projected demand.
- 8.2 The full Equality Analysis in relation to both proposals is included as Annex 5.

9. Financial Implications

- 9.1 Places for pupils with SEN are funded through the Dedicated Schools Grant (DSG) High Needs Block via the Education Funding Agency (EFA). The Council has a responsibility to commission places within the funding available. There are no revenue implications for the Council of these proposals.

- 9.2 There are minor capital works of £10 – 15k required in relation to the proposal to establish an ASD provision at Usworth Colliery Primary School. These will be funded through the Schools Capital Maintenance Programme. No capital work is required to rationalise the provision at George Washington Primary School and Thorney Close Primary School.

10. Legal Implications

- 10.1 Following the statutory consultation process, carried out between 25th June – 23rd July 2014, the decisions upon the proposals to establish a new ASD Unit at Usworth Colliery Primary School and to discontinue the Sensory Unit at George Washington Primary School are to be taken by the SOCOC within 2 months of the end of the representation period. The Committee may approve either proposal with or without modifications, or may reject either proposal.

11. Background Papers

- 11.1 Report to Cabinet of the Executive Director of People Services: Proposal to develop provision for pupils with Autism Spectrum Disorder (ASD) at Usworth Colliery Primary School and Closure of Sensory Provision at George Washington Primary School (18 June 2014)
- 11.2 School Organisation Maintained Schools – Guidance for Proposers and Decision Makers (January 2014)
- 11.3 School Organisation Maintained Schools – Annex B: Guidance for Decision Makers (January 2014)

10. Annexes

- 10.1 The following are included as annexes
- Annex 1 – Proposal and Statutory Notice to discontinue Sensory Provision at George Washington Primary School
 - Annex 2 – Proposal and Statutory Notice to establish ASD Provision at Usworth Colliery Primary School
 - Annex 3 – Response to Consultation
 - Annex 4 – School Organisation Maintained Schools, Annex B: Guidance for Decision-makers – Paragraphs 10 – 29 & 39 - 40
 - Annex 5 – Equality Assessment (Usworth Colliery Primary School and George Washington Primary School)

Annex 1 – Proposal to Discontinue Sensory Provision at George Washington Primary School

Notice of Proposal by Sunderland City Council to Discontinue Special Educational Needs (SEN) Sensory Provision at George Washington Primary School

Notice is given in accordance with Section 19 of the Education and Inspections Act 2006 that Sunderland City Council of PO Box 101, Civic Centre, Sunderland, SR2 7DN proposes to discontinue the SEN Sensory Provision at George Washington Primary School, Well Bank Road, Washington, NE37 1NL, on 31 August 2014.

It is proposed that pupils currently attending the provision at George Washington Primary School will attend the SEN Sensory Unit at Thorney Close Primary School, Torquay Road, Sunderland, SR3 4BB, which has the capacity for 10 primary aged pupils. Pupils currently attending commissioned places at the Sensory Unit at George Washington Primary School will transfer to the unit at Thorney Close Primary School from 1st September, 2014, with all future commissioned places delivered from Thorney Close Primary School.

This Notice is an extract from the complete proposal. The complete proposal has been published on the website www.sunderland.gov.uk/schools-consultation. Copies of the complete proposal can be obtained from: People's Services, Sunderland City Council, Sandhill Centre, Grindon Lane, Sunderland SR3 4EN.

Within four weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to the Business Relationships and Governance Manager, People's Services, Sunderland City Council, Sandhill Centre, Grindon Lane, Sunderland, SR3 4EN.

**PROPOSALS FOR PRESCRIBED ALTERATIONS OTHER THAN
FOUNDATION PROPOSALS:**

Discontinuance of SEN Sensory Provision at George Washington Primary School.

Section 19 of the Education and Inspections Act 2006 and Schedule 2, Paragraph 8(c) of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.

School and local education authority details

1. The name, address and category of the school.

Sunderland City Council
Civic Centre
Burdon Road
Sunderland
SR2 7DN

George Washington Primary School (Local Authority Maintained School)
Wellbank Road
Washington
NE37 1NL

Implementation and any proposed stages for implementation

2. The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

The proposal is to be implemented in full on 31st August 2014.

Objections and comments

3. A statement explaining the procedure for making representations, including the date by which objections or comments should be sent to the local education authority; and the address of the authority to which objections or comments should be sent.

Any individual or organisation wishing to object to or comment on this proposal is required to do so in writing to Sunderland City Council within four weeks from the date of publication of this proposal. Representations can be made to the following address

Alan Rowan

Business Relationships and Governance Manager

People's Services

Sunderland City Council

Sandhill Centre

Grindon Lane

Sunderland

SR3 4EN

or alternatively to the following e-mail address

alan.rowan@sunderland.gov.uk

Copies of this proposal can be obtained from : People's Services, Sunderland City Council, Sandhill Centre, Grindon Lane, Sunderland, SR3 4EN.

Alteration description

4. A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

The proposal seeks to discontinue the SEN Sensory Unit at George Washington Primary School from 31st August, 2014. The unit provides specialist support to students with sight and hearing impairments. From 1st September 2014 pupils currently based at George Washington Primary School and all future commissioned SEN Sensory places will be based at the SEN Sensory Unit at Thorney Close Primary School, Torquay Road, Sunderland, SR3 4BB.

Special educational needs

5. Where the proposals are to establish or change provision for special educational needs—

- i) a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

The proposal is to rationalise the delivery locations for commissioned SEN Sensory places. Currently Sight and Hearing Impaired primary school places are delivered from two sites, Thorney Close Primary School (capacity 10) and George Washington Primary School (capacity 6). The total cohort across both schools is currently 3 primary aged pupils with the projection for 2014/15 to be 5 primary aged pupils between both units.

The local authority proposes to rationalise the specialist SEN provision through the discontinuation of provision at George Washington Primary School. From 1st September 2014 places for current students and all future commissioned places will be based at Thorney Close Primary School. There will be no break in provision with the Thorney Close Primary School having sufficient capacity to meet the needs of the current and projected future cohort (projected at five pupils for 2014/15) while retaining the capacity to offer additional places as required.

ii) any additional specialist features to be provided;

The proposal provides for a continuation of existing delivery, albeit rationalised to one delivery site. No additional features will be provided.

iii) the proposed numbers of pupils for which the provision is to be made;

The discontinuation of provision at George Washington Primary School will reduce the overall capacity of commissioned SEN Sensory places in the city from 16 to 10 places. However, projections identify that the reduced number of places across the city still includes a number of surplus places.

iv) details of how the provision will be funded;

In the event that the proposal to discontinue the sensory provision at George Washington Primary School is approved, the funding process will remain consistent, with Sunderland City Council evaluating the need for and commissioning any specialist SEN places.

- v) a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

The rationalised provision will be open to all primary aged children with a statement of educational need who have been identified as requiring a commissioned educational place for hearing or sight impairments.

- vi) a statement as to whether the expenses of the provision will be met from the school's delegated budget;

The cost of the rationalised provision will be met through the local authority SEN funding. Facilities currently utilised for the provision of teaching and learning at George Washington Primary

- vii) the location of the provision if it is not to be established on the existing site of the school;

Places previously funded at George Washington Primary School will be moved to Thorney Close Primary School. All future commissioned places will be delivered at Thorney Close Primary School.

- viii) where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local education authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children; and

By discontinuing the provision at George Washington Primary School the local authority feels it will be contributing to the safeguarding of a specialised sensory provision in the city. With declining demand the cost of delivery over two sites is at risk of becoming unsustainable. Maximising engagement on one site creates cost efficiencies which ensures that the provision can be maintained.

- ix) the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

The number of places across the city will fall from 16 to 10 places. This is projected to be sufficient to meet needs in coming years and retain capacity to increase recruitment as required.

Annex 2 – Proposal to Establish ASD Provision at Usworth Colliery Primary School

Notice of Proposal by Sunderland City Council to Establish a Special Educational Needs (SEN) Autistic Spectrum Disorder (ASD) Unit at Usworth Colliery Primary School

Notice is given in accordance with Section 19 of the Education and Inspections Act 2006 that Sunderland City Council of PO Box 101, Civic Centre, Sunderland, SR2 7DN proposes to establish a specialist unit for the delivery of commissioned educational places to primary aged pupils in receipt of a statement of special educational needs with ASD at Usworth Colliery Primary School, Manor Road, Sulgrave, Washington, NE37 3BL from 1st September, 2014.

It is proposed that pupils with identified needs will attend the unit at Usworth Colliery Primary School, which will have the capacity for 10 primary aged pupils. This unit will not be limited to children currently attending Usworth Colliery Primary School but will be available to primary aged pupils across the city for which the provision is considered suitable, up to the capacity of the unit.

This Notice is an extract from the complete proposal. The complete proposal has been published on the website www.sunderland.gov.uk/schools-consultation. Copies of the complete proposal can be obtained from: People's Services, Sunderland City Council, Sandhill Centre, Grindon Lane, Sunderland SR3 4EN.

Within four weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to the Business Relationships and Governance Manager, People's Services, Sunderland City Council, Sandhill Centre, Grindon Lane, Sunderland, SR3 4EN.

PROPOSALS FOR PRESCRIBED ALTERATIONS OTHER THAN FOUNDATION
PROPOSALS:

Establishment of a Special Educational needs (SEN) Autistic Spectrum Disorder (ASD) Unit
at Usworth Colliery Primary School.

Section 19 of the Education and Inspections Act 2006 and Schedule 2, Paragraph 8(a) of The
School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations
2013.

School and local education authority details

1. The name, address and category of the school.

Sunderland City Council

Civic Centre

Burdon Road

Sunderland

SR2 7DN

Usworth Colliery Primary School (Local Authority Maintained School)

Manor Road

Sulgrave

Washington

NE37 3BL

Implementation and any proposed stages for implementation

2. The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

The proposal is to be implemented in full on 1st September 2014.

Objections and comments

3. A statement explaining the procedure for making representations, including the date by which objections or comments should be sent to the local education authority; and the address of the authority to which objections or comments should be sent.

Any individual or organisation wishing to object to or comment on this proposal is required to do so in writing to Sunderland City Council within four weeks from the date of publication of this proposal. Representations can be made to the following address

Alan Rowan

Business Relationships and Governance Manager

People's Services

Sunderland City Council

Sandhill Centre

Grindon Lane

SR3 4EN

or alternatively to the following e-mail address

alan.rowan@sunderland.gov.uk

Copies of this proposal can be obtained from : People's Services, Sunderland City Council, Sandhill Centre, Grindon Lane, Sunderland, SR3 4EN.

Alteration description

4. A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

The proposed alteration will establish a specialist SEN ASD provision at Usworth Colliery Primary School, which will have capacity for up to 10 primary aged pupils.

Special educational needs

5. Where the proposals are to establish or change provision for special educational needs—

- i) a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

The proposed provision will create an ASD unit within the main Usworth Colliery Primary School site. While based in the school the provision will be discrete and will operate as a separate ASD unit. It will respond to the needs of those learners for whom a mainstream curriculum is not suitable but whose level of support needs can be met outside a specialist institution. It is felt that the development of a specific SEN provision within a mainstream setting responds to both emerging needs from an increasing local ASD cohort, responds to shortfall of specialised places to meet the needs of this cohort, effectively uses capacity already available within the local maintained educational estate, supports the local authority strategy to make mainstream school settings more accessible to pupils with disabilities and/ or learning difficulties and builds on previous collaborative SEN models in the city (such as the ASD units at Farringdon Academy and Biddick Academy).

Specialised provision for young children with ASD within the Washington area already exists at Columbia Grange Primary School. This is for children for whom a mainstream setting would be unsuitable, even in a discrete specialist unit. The proposed provision at Usworth Colliery will be complementary to the Columbia Grange Provision and will provide a progression route to the specialised secondary provision at Biddick Academy, where suitable.

- ii) any additional specialist features to be provided;

The proposal will involve the development of a discrete part of the existing building to include:

- Sensory area to support children's particular needs
- Individual work stations
- Development of outdoor areas
- Refurbishment of existing toilet provision

- iii) the proposed numbers of pupils for which the provision is to be made;

The proposal is to create places for a maximum of 10 children in total across all primary age ranges.

iv) details of how the provision will be funded;

Pupil places will be directly commissioned by Sunderland City Council using SEN revenue funding. Required capital alterations will be funded using Sunderland City Council Capital Maintenance Funding.

v) a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

Provision will be commissioned places. It will be available to both children currently at the school with significant additional needs and those in other mainstream settings who require a discrete, specialist provision.

vi) a statement as to whether the expenses of the provision will be met from the school's delegated budget;

Initial capital requirements will be provided by Sunderland City Council. Revenue for places will also be from Sunderland City Council (or any other local authority with children attending the specialised provision).

vii) the location of the provision if it is not to be established on the existing site of the school;

NA

viii) where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local education authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children; and

The proposed provision will respond to pupil place planning issues around SEN, it will contribute to the strategy of opening up mainstream facilities to pupils with disabilities and will ensure a more appropriate level of delivery and support to those with SEN. This will contribute to an increase in capacity of mainstream settings to meet the needs of SEN children and in creating a more appropriate delivery setting for young people will increase attainment and attendance.

ix) the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

This provision will create a total of 10 new places for children with SEN. Places will be reserved for children with SEN for ASD.

Annex 3 – Responses to Consultation

Alan

I am writing on behalf of the Sensory Partnership to confirm our support for the closure of the provision at George Washington. This rationalisation will make the provision of sensory support across the city more streamlined and effective.

Richard Bain
Chair, Sunderland Sensory Partnership
Sandhill View School
Grindon Lane
Sunderland
SR3 4EN

Tel: 0191 561 XXXX Fax: 0191 553 XXXX

Response from the National Deaf Children's Society

NDCS welcomes the opportunity to comment on these proposals and would also welcome the opportunity for further engagement to help you develop and implement the proposals once agreed. Overall NDCS is in broad agreement with the proposals however, we would like Sunderland City Council to consider the following feedback:

- **Lack of substantive detailed proposals in the public domain:** NDCS is responding to this consultation but is still aware of the limited amount of detailed information about the proposed changes that has been made available to stakeholders particularly parents, over the last few months. The lack of detail in the public domain about the proposed changes, an Equality Impact Assessment, transition to new arrangements, current and proposed staff as well as information about decision making processes is now resulting in parents seeking information from other sources including NDCS. NDCS is also aware that parents have been given information in inappropriate ways with impressions that decisions had already been taken without consultation.
- **Staffing structure:** Overall, NDCS would have liked to have seen a written staffing structure(including Teachers of the Deaf, Communication Support Workers, specialist Teaching Assistants, Deaf Instructors) which reflect the needs of deaf children in Sunderland and which informed stakeholders particularly parents, about how you have reached this decision to close a unit. This would have shown robust progress data over the last 3 years (necessary for a low incidence group of children to be able to identify trends), in both Thorney Close and at George Washington, which criteria had been used to assess need and how reliable and informed decisions had then been taken to ensure positive outcomes for deaf children in the future service. NDCS would like to have sight of this data for all deaf children over the last 3 years. This would have provided parents and other stakeholders with information to help them in their response to you. It would also have instilled confidence in all stakeholders that the proposals to close this unit were being based on needs rather than what may now be perceived as an exercise in saving money.
- **Safeguarding provision in Sunderland:** NDCS welcomes Sunderland's approach to safeguard its specialist provision but is disappointed to see that there is no focus on improvement in pupil outcomes and would ask that a stated target of bringing the 2 units together be the narrowing of the attainment gap between deaf children and young people and their hearing peers as well as other children with SEN.

NDCS recognises that development of language and the ability to communicate lies at the heart of a child's development and that language and communication barriers faced by deaf children manifest themselves in increased risk. Deaf children are more likely to experience isolation, bullying, child abuse and underachieve educationally. We are also aware

that as a result, deaf children are more likely to experience mental health problems¹.

A deaf child attending a mainstream school may be the only deaf child in that school and we are aware of the isolation that this often causes. These children may be using language, although often not at an appropriate level for their age, but still may not be able to communicate with their hearing peers. Deaf children who attend units have been assessed as needing high levels of support and are more likely to be using BSL as their first language and so to ensure through this proposal that a peer group remains in place for these children is welcoming.

- **Financial arrangements:** there is no mention of the funding proposals for the Thorney Close provision –
 - Is the funding currently delegated to the school?
 - Will the current practice continue?

NDCS is not opposed to delegation of budgets to schools provided that robust service level agreements are in place to ensure that both children and staff are protected. NDCS acknowledges the constraints of the current financial climate on local authorities; however it is imperative that realistic budgets are put in place to ensure that both the needs of deaf children are supported and that levels of staffing are appropriate.

- **Commissioning of Specialist Services:** NDCS has developed robust template Service Level Agreements which can be used to support services for deaf children. They have been specifically designed to support services in schools for deaf children and as Regional Director I would welcome the opportunity to help you develop these further. The SLA for delegating a resourced provision in a nominated school can be found [here](#).

NDCS questions

- How will the specialist provision at Thorney Close continue to be managed?
- Will the specialist provision be part of a wider service with an overall generic manager? There is no information about how Teachers of the Deaf will be professionally managed, supervised and appraised.
- Will there be a move to have greater joint working with the peripatetic team and if so how will this work and under whose management? The peripatetic service is able to take a long term strategic overview across the geographical area of Sunderland and is able to operate flexibly according to fluctuating need, react to unforeseen demands, monitor pupil achievement and attainment, liaise with other professional and voluntary agencies, deploy specialist staff as need arises and make efficient use of specialist equipment.
- Will there be any changes in staffing?

¹ 40% of deaf children will have mental health difficulties in childhood/early adulthood (DH, 2005). Kay (1999)

NDCS recommends

- That an Equality Impact Assessment is made available to underpin your decision making.
- The use of the SLAs which are specifically designed with deaf children in mind to ensure that their needs are addressed in specific and necessary ways.
- The use of the National Sensory Impairment Partnership (NaTSIP) criteria to assess deaf children for access to the units and the service.
- Specific data over a 3 year period is collected to ensure that Thorney Close continue to ensure that the children placed in their specialist unit progress and are able to achieve their full potential.
- All data collected should collated alongside progress data from both Sandhill View and the peri service and should feed into the Joint Strategic Needs Assessment for Sunderland
- The use of NDCS Quality Standards to assess and improve the specialist provisions at both Thorney Close and Sandhill View – these can be found [here](#).
- NDCS would urge Sunderland to consider how a more integrated approach may be achieved along with Sandhill View and the peripatetic service to ensure maximum positive impact on the lives of deaf children in Sunderland.
- A review of the work of the Sensory Impairment Partnership currently lead by the headteacher of Sandhill View:
 - Should it exist in its current form?
 - What are the Terms of Reference?
 - What is it there to achieve – what are its objectives?
 - What is its membership and should that be broadened?
 - Does it duplicate any of the work carried out by the Children's Hearing Services Working Group (CHSWG) which is a multi agency group set up to develop services for deaf children and their families to meet the changing expectations from national initiatives and Newborn Hearing Screening Programme QA recommendations. All CHSWG members work together to continuously monitor and improve services for deaf children and their families. A key role of CHSWGs is to ensure that children's hearing services are high in the agenda of those responsible for planning and delivering services, and resourcing at a strategic level. It offers advice, guidance and where necessary exert influence to ensure high quality services are available.

Conclusions

NDCS is not opposed to the proposals to close George Washington Primary Resource Provision and would welcome the opportunity to work with you on developing your services for the long term future.

Annex 4 – School Organisation Maintained Schools, Annex B: Guidance for Decision-makers – Paragraphs 10 – 29 & 39 - 40

Factors relevant to all types of proposals

Consideration of consultation and representation period

10. The decision-maker will need to be satisfied that the appropriate consultation and/or representation period has been carried out and that the proposer has had regard to the responses received. If the proposer has failed to meet the statutory requirements, a proposal may be deemed invalid and therefore should be rejected. The decision-maker must consider all the views submitted, including all support for, objections to and comments on the proposal.

Education standards and diversity of provision

11. Decision-makers should consider the quality and diversity of schools in the relevant area and whether the proposal will meet or affect the aspirations of parents, raise local standards and narrow attainment gaps.

12. The decision-maker should also take into account the extent to which the proposal is consistent with the government's policy on academies as set out on the department's website.

Demand

13. In assessing the demand for new school places the decision-maker should consider the evidence presented for any projected increase in pupil population (such as planned housing developments) and any new provision opening in the area (including free schools).

14. The decision-maker should take into account the quality and popularity of the schools in which spare capacity exists and evidence of parents' aspirations for a new school or for places in a school proposed for expansion. The existence of surplus capacity in neighbouring less popular schools should not in itself prevent the addition of new places.

15. Reducing surplus places is not a priority (unless running at very high levels). For parental choice to work effectively there may be some surplus capacity in the system as a whole. Competition from additional schools and places in the system will lead to pressure on existing schools to improve standards.

School size

16. Decision-makers should not make blanket assumptions that schools should be of a certain size to be good schools, although the viability and cost-effectiveness of a proposal is an important factor for consideration. The decision-maker should also consider the impact on the LA's budget of the need to provide additional funding to a small school to compensate for its size.

Proposed admission arrangements (including post-16 provision)

17. In assessing demand the decision-maker should consider all expected admission applications, not only those from the area of the LA in which the school is situated.

18. Before approving a proposal that is likely to affect admissions to the school the decision-maker should confirm that the admission arrangements of the school are compliant with the School Admissions Code. Although the decision-maker cannot modify proposed admission arrangements, the decision-maker should inform the proposer where arrangements seem unsatisfactory and the admission authority should be given the opportunity to revise them.

National Curriculum

19. All maintained schools must follow the National Curriculum unless they have secured an exemption for groups of pupils or the school community⁵.

Equal opportunity issues

20. The decision-maker must have regard to the Public Sector Equality Duty (PSED) of LAs/governing bodies, which requires them to have 'due regard' to the need to:

- ☐ eliminate discrimination;
- ☐ advance equality of opportunity; and
- ☐ foster good relations.

21. The decision-maker should consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example that where there is a proposed change to single sex provision in an area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there should be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.

Community cohesion

22. Schools have a key part to play in providing opportunities for young people from different backgrounds to learn with, from and about each other; by encouraging, through their teaching, an understanding of, and respect for, other cultures, faiths and communities. When considering a proposal, the decision-maker must consider its impact on community cohesion. This will need to be considered on a case-by-case basis, taking account of the community served by the school and the views of different sections within the community.

Travel and accessibility

23. Decision-makers should satisfy themselves that accessibility planning has been properly taken into account and the proposed changes should not adversely impact on disadvantaged groups.

24. The decision-maker should bear in mind that a proposal should not unreasonably extend journey times or increase transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes.

25. A proposal should also be considered on the basis of how it will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.

Changes to special educational need provision – the SEN improvement test

39. In planning and commissioning SEN provision or considering a proposal for change, LAs should aim for a flexible range of provision and support that can respond to the needs of individual pupils and parental preferences. This is favourable to establishing broad categories of provision according to special educational need or disability. Decision-makers should ensure that proposals:

- ☐ take account of parental preferences for particular styles of provision or education settings;
- ☐ take account of any relevant local offer for children and young people with SEN and disabilities and the views expressed on it;
- ☐ offer a range of provision to respond to the needs of individual children and young people, taking account of collaborative arrangements (including between special and mainstream), extended school and Children's Centre provision; regional centres (of expertise) and regional and sub-regional provision; out of LA day and residential special provision;
- ☐ take full account of educational considerations, in particular the need to ensure a broad and balanced curriculum, within a learning environment where children can be healthy and stay safe;
- ☐ support the LA's strategy for making schools and settings more accessible to disabled children and young people and their scheme for promoting equality of opportunity for disabled people;
- ☐ provide access to appropriately trained staff and access to specialist support and advice, so that individual pupils can have the fullest possible opportunities to make progress in their learning and participate in their school and community;
- ☐ ensure appropriate provision for 14-19 year-olds; and
- ☐ ensure that appropriate full-time education will be available to all displaced pupils. Their statements of special educational needs must be amended and all parental rights must be ensured. Other interested partners, such as the Health Authority should be involved. Pupils should not be placed long-term or permanently in a Pupil Referral Unit (PRU) if a special school place is what they need.

40. When considering any reorganisation of provision that the LA considers to be reserved for pupils with special educational needs, including that which might lead to children being displaced, proposers will need to demonstrate how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for those

children. Decision-makers should make clear how they are satisfied that this SEN improvement test has been met, including how they have taken account of parental or independent representations which question the proposer's assessment.

Capital

26. The decision-maker should be satisfied that any land, premises or capital required to implement the proposal will be available and that all relevant local parties (e.g. trustees or religious authority) have given their agreement. A proposal cannot be approved conditionally upon funding being made available.

27. Where proposers are relying on the department as the source of capital funding, there can be no assumption that the approval of a proposal will trigger the release of capital funds from the department, unless the department has previously confirmed in writing that such resources will be available; nor can any allocation 'in principle' be increased. In such circumstances the proposal should be rejected, or consideration deferred until it is clear that the capital necessary to implement the proposal will be provided.

School premises and playing fields

28. Under the School Premises Regulations all schools are required to provide suitable outdoor space in order to enable physical education to be provided to pupils in accordance with the school curriculum; and for pupils to play outside safely.

29. Guidelines setting out suggested areas for pitches and games courts are in place although the department has been clear that these are non-statutory.