

## CABINET MEETING – 18 JUNE 2014

### EXECUTIVE SUMMARY SHEET – PART I

**Title of the Report:**

Proposal for future Special Education Needs (SEN) provision for pupils with Autism Spectrum Disorder (ASD) and sensory needs.

**Author(s):**

Report of the Executive Director People Services

**Purpose of Report:**

To inform Cabinet of the process required to develop an ASD provision at Usworth Colliery Primary School, and to discontinue Sensory provision at George Washington Primary School. The report also seeks permission to commence the statutory consultation process required in relation to these proposals.

**Description of Decision:**

Cabinet is recommended to approve:

- a) The commencement of the statutory consultation process in relation to the proposal to create ASD provision at Usworth Colliery Primary School and
- b) The commencement of the statutory consultation process in relation to the proposal to discontinue the sensory provision at George Washington Primary School
- c) The convening of a meeting of the School Organisation Committee of Cabinet (SOCOC) to evaluate the outcomes of the consultation on these proposals and to reach a decision.

**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 requires a Statutory Consultation process. Both proposals respond to identified need and demand for places for pupils with ASD and sensory impairment respectively. The statutory processes are detailed in 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).

**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 is the preferred option given the significant fall off 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:**

**REPORT OF THE EXECUTIVE DIRECTOR OF PEOPLE SERVICES**

**PROPOSAL FOR FUTURE SPECIAL EDUCATION NEEDS (SEN)  
PROVISION FOR PUPILS WITH AUTISM SPECTRUM DISORDER (ASD)  
AND SENSORY NEEDS**

**1. Purpose of the Report**

- 1.1 To inform Cabinet of the process required to develop an ASD provision at Usworth Colliery Primary School, and to discontinue Sensory provision at George Washington Primary School. The report also seeks permission to commence the statutory consultation process required in relation to these proposals.

**2. Description of the Decision**

- 2.1 Cabinet is recommended to approve:
- a) The commencement of the statutory consultation process in relation to the proposal to create ASD provision at Usworth Colliery Primary School and
  - b) The commencement of the statutory consultation process in relation to the proposal to discontinue of the sensory provision at George Washington Primary School
  - c) The convening of a meeting of the School Organisation Committee of Cabinet (SOCOC) to evaluate the outcomes of the consultation on these proposals and to reach a decision.

**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 Special Educational Needs (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 pupils diagnosed with ASD which has put pressure upon 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 Farrington Academy, Biddick Academy, Oxclose Academy, Oxclose Village Primary Academy, Sandhill View School, Thorney Close Primary School and George Washington Primary School.

#### **4. Current Position**

##### **4.1 Usworth Colliery 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 a mainstream primary school. The proposed provision would be 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 work is considered part of our wider strategy to increase the range of relevant local provision for SEN. By creating smaller and more flexible locations there is greater choice for parents and suitable facilities within the existing local school infrastructure to deliver additional high quality, sustainable provision for pupils with SEN.

4.1.5 The Department for Education (DfE) School Organisation for Maintained Schools: Guidance for Proposers and Decision Makers (January 2014) identifies the statutory process for establishing/ removing/ altering SEN provision at a mainstream school. This requires

local authorities to carry out a statutory consultation process as outlined below;

Stage 1	Publication	Statutory proposal published – 1 day
Stage 2	Representation	Must be 4 weeks, as prescribed in regulations
Stage 3	Decision	The decision-maker (usually the LA) must decide proposals within 2 months of the end of the representation period or decision defaults to Schools Adjudicator (OSA)
Stage 4	Implementation	No prescribed timescale, but must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker.

4.1.6 There is no longer a prescribed ‘pre-publication’ consultation requirement for a change of this nature. However, we have already begun informal consultation with the governors at Usworth Colliery Primary School and with Columbia Grange Primary School (as the local primary Specialist ASD Provision) in advance of the publication of the statutory proposal.

4.1.7 If approved we intend to publish the statutory proposal for the establishment of an ASD provision at Usworth Colliery Primary School by 23 June 2014 with the new provision commencing from September 2014. All capital works will be completed in advance of the commencement of the 2014/15 academic year.

## **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 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. Surplus places across the two units is therefore 13 places, with demand for places for 2014/15 currently projected at 5 places in total across both units and no further increase projected for 2015/16. With this in mind we intend to rationalise provision from two specialist units to one.

4.2.2 It is proposed that the unit at George Washington Primary is discontinued at 1 September, 2014. Existing pupils will transfer to the

Sensory Unit at Thorney Close Primary School. With 10 places Thorney Close School also has the capacity to provide sufficient places to meet current demand in the city and also has greater potential capacity should demand 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 As with the establishment of new provision at Usworth Colliery School, in order to remove the Sensory provision at George Washington Primary School we are required to carry out a statutory consultation process. The process will mirror that of the Usworth Colliery consultation, with notices published 23<sup>rd</sup> June 2014. The consultation period will end 21<sup>st</sup> July, 2014. If the statutory proposal is approved, provision will be discontinued and pupils registered at Thorney Close Primary School by 1 September 2014. Informal consultation with the two schools and parents of pupils currently in both settings are already underway.
- 4.2.4 It is proposed that once the consultation process is completed the School Organisation Committee of Cabinet (SOCOC) is convened to consider both the proposal to establish an ASD Unit at Usworth Colliery School and the proposal to discontinue the Sensory Unit at George Washington School

## **5. Reason for the Decision**

- 5.1 The development of the ASD unit at Usworth Colliery Primary School and the discontinuation of the Sensory Unit at George Washington Primary School requires a Statutory Consultation process. Both proposals respond to identified need and demand for places for pupils with ASD and sensory impairment respectively.

## **6. Alternative Options**

- 6.1 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 is the preferred option given the significant fall off in demand for sensory places.

## **7. Sustainability**

- 7.1 The recommendations outlined above will contribute to the Council's strategy to ensure that there is sufficient educational provision across all areas of the city in response to projected demand.

## **8. Financial Implications**

- 8.1 Places for pupils with SEN are funded through the Dedicated Schools Grant (DSG) High Needs Block via the Education Funding Agency (EFA). We have a responsibility to commission places within the funding available . There are no revenue implications for the Council of these proposals.
- 8.2 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.

## **9. Legal Implications**

- 9.1 Following the statutory consultation process described at 4.16 above, the decision to establish a new ASD Unit at Usworth Colliery Primary and the closure of the Sensory Unit at George Washington School will be referred to the School Organisation Committee of Cabinet (SOCOC) for consideration.

## **10. Relevant Consultations**

- 10.1 Initial consultation has taken place with Headteachers and Governing Bodies of Usworth Colliery Primary School, George Washington Primary School and Thorney Close Primary School. Initial consultation has also taken place with the families of pupils currently at the settings.

