

<b>Subject:</b>	<b>Re-organisation of Special Provision</b>	
<b>Date of Meeting:</b>	<b>9<sup>th</sup> January 2017</b>	
<b>Report of:</b>	<b>Pinaki Ghoshal</b>	
<b>Contact Officer:</b> Name:	<b>Regan Delf</b>	<b>Tel:</b> <b>293504</b>
	<b>Email:</b>	<b>Regan.delf@brighton-hove.gov.uk</b>
<b>Wards affected:</b>	<b>All</b>	

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT**

This report provides an update on the current review of special educational needs and disability (SEND) provision in the city and asks for approval for the next steps in the process.

**1.1 Specifically the report provides :**

- a. Feedback on the outcome of recent formal consultation to extend the age range of Hillside School down to age 2
- b. Feedback on the outcome of recent consultation to extend the age range of Downs View School down to age 2
- c. An update on the recent consultation regarding the proposal to close Patcham House school in July 2018
- d. A progress report on other areas of activity related to early years, the development of a mainstream secondary special facility, post 19 provision and the development of the 3 proposed integrated hubs.

**2. RECOMMENDATIONS:**

- 2.1 To note the outcome of the recent consultation to extend the age range of both Hillside School and Downs View School attached as Appendix 1
- 2.2 To agree that the Local Authority should now proceed to publish statutory notices to :
  - i. Extend the age range of Hillside School from the existing 4-16 years to 2-16 years, with a view to implementation in September 2017
  - ii. Extend the age range of Downs View School from the existing 3-19 years to 2-19 years, with a view to implementation in September 2017
- 2.3 To agree that the Local Authority proceed with the identification of a suitable host school for the new special facility
- 2.4 To note that the feedback from the formal consultation on the proposal to close Patcham House School in July 2018 will be closely analysed before a report is brought back to CYPS committee on 6 March 2017 for a decision whether or not to proceed with a statutory notice proposing closure of the school.
- 2.5 To note the progress made on other areas of the review.

### **3. BACKGROUND INFORMATION**

3.1 The Local Authority began a wide ranging review of its provision for children with special educational needs in 2014. There have been a number of milestones as the review has progressed. The review's journey is outlined in the background information at the end of this report.

### **4 The outcome of the consultation on the proposal to extend the age range of Hillside and Downs View community special schools**

4.1 Brighton and Hove has proposed that the city's provision for early years would include the option for a small number of very young children with the most severe and complex needs to have a part-time place at either Hillside or Downs View Community Special schools for their pre-reception year, or in exceptional circumstances from the age of 2.

4.2 Hillside school is currently registered to admit pupils from aged four and Downs View School from aged three. The Local Authority has sometimes found it difficult to make appropriate provision for a small number of very young children with complex needs (severe and profound and multiple learning difficulties) in local mainstream preschool provision, who have been too young for admission to Hillside or Downs View. This has led to requests from parents for costly placements in independent schools which are some distance from the city. Long journeys to these schools are challenging for very young children with complex needs. The extension of the age range of Hillside and Downs View schools would result in:

- more children being educated closer to home
- wider access to an outstanding maintained special school
- no need for young children to be transported long distances by taxi.
- parents having a wider range of options for a suitable early educational placement for their very young child
- more effective use of the council's resources.

4.3 It is intended that there is a parallel extension of the age range at both Hillside and Downs View Community Special schools, both schools for children and young people with complex needs (severe, and profound and multiple learning difficulties) so that there are comparable opportunities in both the east and west of the city. As numbers of additional very young children being admitted to the schools are likely to be very small, the total number of commissioned places will not exceed the number for which the schools are currently registered. No building work will be necessary.

4.4 The consultation on the proposals to extend the age range of both schools was launched following agreement from the Children, Young People and Skills Committee at their meeting on 3<sup>rd</sup> October 2016. The consultation ran for 8 weeks from 6 October to 2 December 2016.

4.5 The responses to this consultation exercise have been collated and analysed by both Council officers and representatives from the Parent and Carer Council and Amaze. A detailed breakdown of the feedback is attached as Appendix 1. The proposed extension of age range received significant support from 70% of the

108 respondents who submitted their views to the consultation. 21 respondents added a comment to supplement their answer and these centred around:

- support for the increase in the range of choice for parents
- the need for the integrity of admission arrangements to be maintained at statutory school entry, so that early starters were not prioritised for full-time places
- increased access to more specialist support
- making the best use of the expertise in these schools
- a reduction in the number of transitions between provision which can be challenging for some children helping children transition more smoothly into special school

The few who expressed concern commented on

- transport entitlement
- how the proposed changes would fit with the inclusion agenda
- whether there would be any difference in access to specialist support between different provisions

**4.6** Copies of the responses received during the consultation are available in the Members' room for scrutiny. A copy of the full proposal documentation is attached as Appendix 2 (in respect of Hillside) and Appendix 3 (in respect of Downs View).

#### **4.7 Provision for secondary aged students with complex needs**

##### **4.7.1 Patcham House School**

Historically this school has been a valuable asset to the city's provision for students with complex needs. However the number of registered pupils has significantly decreased in recent years. The school is not now considered to be financially viable without additional financial support from the Local Authority. The table below shows the predicted student numbers until the proposed point of closure in July 2018.

Date	Estimated student numbers
September 2016	20
September 2017	10
July 2018	2

**4.7.2** In order to give enough time to fully scrutinise all responses to the consultation, and given the short time period between the end of the consultation and the date of this committee, it has been decided that it would be more appropriate to bring a detailed report on the outcome of the consultation to the next committee meeting on 6<sup>th</sup> March 2017.

##### **4.8 New Special Facility (SF)**

The LA has sought expressions of interest from mainstream secondary schools in the city to house a new special facility which would take up to 20 pupils with complex needs. It is proposed that the new Special Facility would open in September 2018.

Pupils would have Education, Health and Care plans and would require special arrangements over and above those normally made by a mainstream school but would also be able to access the full range of curriculum and other opportunities available in a mainstream school. The new special facility places would attract funding per place similar to that of a special school and would add to capacity for inclusive provision to that already provided by the high quality and popular provision at other special facilities in the city.

- 4.8.1 Three expressions of interest have been received and these are being followed up with a visit to each school. The LA has drawn up some criteria which could be used in the decision making process to decide the host school for this new provision.
- 4.8.2 Interested schools are being asked to consider how they could make use of the skills and expertise of existing Patcham House staff in designing and running the new Facility.
- 4.8.3 The feedback from the online consultation raised a number of issues relating to the development of a new special facility which will be considered fully as the work on this element of the proposals progresses

## **5. Update on other areas of the review**

### **5.1 Early years**

The Early Years Project Group has been considering how to improve choice for parents by providing early years places in both special schools and plans for an integrated nursery. Work is continuing on the options appraisal for the location of the integrated nursery and the need to ensure that the new location is accessible. The Group has discussed the implications of the increase from 15 to 30 hours free childcare for three and four years with working parents from September 2017. Parents whose children have special educational needs and disabilities are keen to take up the increased offer. The Project Group has discussed how to improve support for parents starting with mapping existing support to then consider any gaps or duplication. An initial discussion has been held on the future vision for therapy including direct provision, training for both staff and parents, and how to ensure that children's needs are met which ever setting they attend.

### **5.2 Social Emotional and Mental Health (SEMH) Hub**

Plans to develop the hub for pupils with social, emotional and mental health needs are moving forward. The Local Authority is currently exploring options for the governance and management framework for this provision which will include maintained special school provision, Homewood College, (which has a governing body) and two Pupil Referral Units (which are led by management committees).

### **5.3 Post 19 provision**

The recently established project group to focus on provision for post 19 students is now active. The focus of this group is to:

- review and improve the pathways for young people with SEND post 19, so that they are fit for purpose

- consider the provision available in Brighton and Hove for young people post 19 with SEND and
- ensure post 19 provision is appropriate, of a good standard and will prepare them for adulthood.

The group is made up of representatives from special schools, mainstream secondary schools, City College, Parent and Carers Council, Health partners and relevant Local Authority officers

## **6. COMMUNITY ENGAGEMENT & CONSULTATION**

- 6.1 The ongoing engagement of the community at all levels both informally and formally has been one of the tenets of the review. Feedback from consultations events and other engagement activities has shown widespread support for Brighton and Hove's vision for SEN and Disability in the city.

### ***Vision for SEN and Disability in the city***

Brighton and Hove is committed to ensuring that all our vulnerable children and young people have the very best start in life and the best possible outcomes as they move into adulthood. Our vision is to provide inclusive fully integrated disability, care, health and education services of high quality to children and young people with special educational needs and disabilities, including behavioural, emotional and mental health difficulties. Services will be personalised to each child and family. Families will have as much choice and control over services and provision as possible. Streamlined well-integrated systems and efficiencies will enable the vision to be achieved within the value for money framework which the council is required to operate

- . There is wide representation of stakeholders across the governance and management arrangements for the review.
- 6.2 A cross party reference group, which includes young people and parent/carers oversees the integrity of the review. Their discussions are informed by the work of 3 multiagency project groups which were established for each of the three areas of the proposals, notably provision for:
- Learning difficulties (LD)
  - Social emotional and mental health needs (SEMH)
  - Early Years
- 6.3 Each group consists of a broad range of stakeholders who would be affected by the changes in some way and who together have a breadth of expertise and experience to support the LA in its intention to coproduce specific options for change on which to formally consult.
- 6.4 The groups have been meeting together since early spring 2015 and discussions have been constructive, informed by the regular interim analysis of consultation feedback. The purpose of the groups is to form a partnership with stakeholders to coproduce specific and detailed proposals regarding future SEN provision in the city.

## **7. CONCLUSION**

- 7.1 The proposals set out in this report take forward the redesign of the city's provision for children with special educational needs and disabilities. The Local Authority is committed to continuing to work together with stakeholders in shaping the outcome of the review. This is a positive foundation for further change to come, to the extent that the Local Authority is now being encouraged by stakeholders to increase the momentum of implementation.

## **8. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 8.1 There are several recommendations within the report but these all have the common theme of ensuring the best use of council resources. The various proposals will need to be implemented within funding currently available and it is anticipated there will be scope for savings.

The recommendation to extend the age range at Downs View and Hillside is likely to result in an increase in the number of places at these schools but any associated additional costs are likely to be at least offset by reductions in expensive placements in independent schools.

The proposed establishment of a new special facility would need to be implemented from within the current overall number of high needs places and the existing budget provision for top-up funding.

*Finance Officer Consulted: Steve Williams*

*Date: 15/12/16*

### Legal Implications:

- 9.1 The LA is required to comply with provisions contained in the Education and Inspections Act 2006, and statutory guidance issued by the DfE when making any decisions to reorganise maintained school provision.

Proposals to extend the age range of a school do not require a pre-publication consultation period however there is a strong expectation that LA's will consult interested parties in developing their proposals prior to publication. This consultation period has now ended and the LA is proceeding to the next stage of the process; the publication of statutory notices. A representation period will start on the date of publication and must last for four weeks; it cannot be lengthened or shortened. During this period any person or organisation can submit comments on the proposal to the LA. The proposal must then be brought back to CYPs committee for decision within two months of the end of the representation period.

The consultation in relation to the proposal to close Patcham House is a statutory requirement. The LA wishes to carry out a thorough analysis of the responses before bringing a further report to committee for a decision whether or not to proceed to issue a statutory notice proposing closure.

*Lawyer Consulted:*

*Serena Kynaston*

*Date: 16/12/2016*

### Equalities Implications:

- 10.1 The proposals are based on a vision for improving the provision and outcomes for children requiring specialist provision and their families. By integrating education, health and care more fully and providing enhanced short breaks, respite and family support, proposals are aimed at avoiding family stress and breakdown where children have the most complex needs and challenging behaviours.
- 10.2 An Equalities Impact Assessment was compiled at an earlier stage of the SEND review and will be updated and informed with the results of the formal consultation.

### Sustainability Implications:

- 11.1 None at this stage

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

#### Appendix 1

Analysis of the consultation feedback on the proposed extension of the age range at Hillside and Downs View Community Special schools

#### Appendix 2

Full statutory proposal in respect of prescribed alterations to Hillside Community Special School

#### Appendix 3

Full statutory proposal in respect of prescribed alterations to Downsvew Community Special School

### **Documents in Members' Rooms**

1. A copy of the feedback received in the consultation on the extension of the age range at Hillside Community Special School
2. A copy of the feedback received in the consultation on the extension of the age range at Downs View Community Special School

### **Background Documents**

#### **February 2015**

#### **Joint Children & Young People Committee and Health and Wellbeing**

**Board** - The committee approved the recommendations arising from the wide ranging review of special educational needs and disability in the Children's Services Directorate of the Council.

#### **July 2015**

#### **Health and Wellbeing Board & Children Young People and Skills**

**Committee** - The Board and Committee approved the proposal to merge the Special Educational Needs and Disabilities (SEND) Review in Children's Service and the Learning Disability (LD) Review in Adult Services.

### **November 2015**

#### **Joint Children & Young People Committee and Health and Wellbeing**

**Board** - The joint meeting of the Health and Wellbeing Board and Children Young People and Skills Committee on 10 November 2015 gave approval for an engagement process with key stakeholders around proposals to integrate education, health and care provision in special schools and Pupil Referral Units.

### **January 2016**

**Children Young People and Skills Committee** - The Children Young People and Skills Committee approved the proposed timeline for the engagement process and subsequent actions to reorganise special provision for children with complex needs.

### **June 2016**

**Children Young People and Skills Committee** - The Children Young People and Skills Committee noted the results from the open engagement phase on special provision and approved the governance arrangements and an updated timeline for taking forward proposals.

### **October 2016**

#### **Children Young People and Skills Committee**

The Children, Young People and Skills Committee agreed that the proposals that are the subject of this report should go out to formal consultation