

Report to the Cabinet

Meeting to be held on Thursday, 11 April 2024

Report of the Director of Education, Culture and Skills

Part I

Electoral Division affected:
(All Divisions);

Corporate Priorities:
Caring for the vulnerable;

SEND Sufficiency Strategy Implementation – Provision of Special Educational Needs Units in Mainstream Schools and Special School Places

(Appendices 'A' - 'C' refer)

Contact for further information:

Janette Hastings, Tel: (01254) 220883, Inclusion Policy and Practice Development Officer,
janette.hastings@lancashire.gov.uk

Brief Summary

This report presents proposals to increase the number of specialist school places available either through establishing Special Educational Needs units attached to mainstream schools and/or increase capacity in Lancashire special schools.

The report includes the results of a formal consultation to create a Special Educational Needs Unit at Flakefleet Primary School for 16 children in Fleetwood.

Approval is being sought to confirm the budget spend for alterations/adaptations in two mainstream schools' Special Educational Needs Units at Fleetwood Chaucer Primary School and Morecambe Bay Primary School. Approval is also being sought for the increased spend required to create additional places at The Loyne Specialist School, Lancaster, and Mayfield Specialist School, Chorley.

Approval is being sought on the budget spend to complete phase 3 of the expansion of Thornton Cleveleys Red Marsh School.

Finally, approval is being sought for the increased spend required to create additional places at West Lancashire Community High School Phase 2 of the works.

This is deemed to be a Key Decision and the requirements of Standing Order C18 have been complied with.



Recommendation

Cabinet is asked to:

- (i) Consider the results of the formal consultation following the publication of the statutory proposal and approve the creation of a Special Educational Needs Unit within Flakefleet Primary School, Fleetwood.
- (ii) Subject to (i) above, approve the funding for building alterations/adaptations and/or acquisition of resources or necessary expenditure.
- (iii) Approve the funding for building alterations/adaptations in the Special Educational Needs Unit at Chaucer Primary School, Fleetwood.
- (iv) Approve the funding for building alterations/adaptations in the Special Educational Needs Unit at Morecambe Bay Primary School.
- (v) Approve the additional funding for the completion of the works required to create additional capacity at The Loyne Specialist School, Lancaster and Mayfield Specialist School, Chorley.
- (vi) Approve the budget for the completion of the third phase of the expansion of Thornton Cleveleys Red Marsh School.
- (vii) Approve the additional funding for the completion of Phase 2 of the works required to create additional capacity at West Lancashire Community High School, Skelmersdale.

Detail

This report proposes the development of more specialist provision across Lancashire for children and young people with special educational needs and disabilities, in view of the continuing increase in demand for this type of provision.

Flakefleet Primary School, Fleetwood

In September 2023, Cabinet approved the initiation of a feasibility study and informal consultation process in relation to the development of a Special Educational Needs Unit at Flakefleet Primary School for 16 children.

The informal consultation was carried out between 1 November 2023 and 29 November 2023. A public meeting was held in school on 28 November 2023. The responses to the informal consultation were considered by the Executive Director for Education and Children's Services, in consultation with the Cabinet Member for Education and Skills in December 2023, and it was agreed that the formal consultation could proceed.

The statutory notice was published, and the formal consultation was carried out between 22 January 2024 and 25 February 2024. A public meeting was held in school on 7 February 2024.



Consultation

The formal consultation was conducted in accordance with the statutory guidance for making prescribed alterations to schools which has been provided by the Department for Education.

There were 29 responses to the formal consultation:

- 25 of the respondents strongly agreed with the proposal.
- 2 of the respondents tended to agree.
- 1 respondent neither agreed nor disagreed.
- 1 respondent tended to disagree.

Further details of the consultation responses are set out at Appendix 'A'.

The Equality Impact Analysis is set out at Appendix 'B'.

Fleetwood Chaucer Primary School

In June 2022, Cabinet approved the creation of a Special Educational Needs Unit at Fleetwood Chaucer Primary School for 16 children. At the time of the approval, it was envisaged that there would be no adaptations/alterations needed to the classroom space.

However, following further investigations, it is considered that adaptations/alterations are now required, and Cabinet is asked to approve the budget spend for these. Additional details are set out at Appendix 'C'.

Morecambe Bay Primary School

In September 2021, Cabinet approved the creation of a Special Educational Needs Unit at Morecambe Bay Primary School for 16 children. At the time of the approval, it was envisaged that there would be no adaptations/alterations needed to the classroom space.

However, following further investigations, it is considered that adaptations/alterations are now required, and Cabinet is asked to approve the budget spend for these. Additional details are set out at Appendix 'C'.

The Loyne Specialist School, Lancaster and Mayfield Specialist School, Chorley

In December 2023, Cabinet approved the budget spend to create additional places at the Loyne Special School (20 places) and Mayfield Specialist School (20 places). The additional capacity on site at both schools is through sustainable permanent modular builds.

Since the budget spend was first put together and agreed by Cabinet, the project budget has increased. Cabinet is asked to approve the increased budget spend for the above projects. This is due to additional groundwork that has needed to be



undertaken as well as rising costs in the sector. Additional details are set out at Appendix 'C'.

Thornton Cleveleys Red Marsh School

In November 2021, Cabinet approved the creation of a satellite provision for up to 30 pupils, to increase the number of special school places at Thornton Cleveleys Red Marsh School. Cabinet also approved the budget for phase 1 and 2 for this provision.

Thornton Cleveleys Red Marsh School satellite provision, The Willows, is open and additional pupils have been admitted to the school. In order to increase the number of special school places available up to the maximum agreed, additional works are required to be carried out in Phase 3 of the project. Additional works are required on the main school site and the satellite site.

Cabinet is asked to approve the budget spend to complete Phase 3 of the expansion of provision at Thornton Cleveleys Red Marsh School. Additional details are set out at Appendix 'C'.

West Lancashire Community High School

Cabinet approved the budget spend to create up to 50 additional places at West Lancashire Community High School through a phased completion of works. Phase 2 budget spend was agreed, but costs have increased since the project budget was put together, due to additional works required to provide a new electricity supply and also Structural Engineers' request for significant sized foundations for the structure due to onsite ground condition. Cabinet is asked to approve the increased budget spend for these. Additional details are set out at Appendix 'C'.

Appendices

Appendices 'A' - 'C' are attached to this report. For clarification, they are summarised below and referenced at relevant points within this report.

Appendix	Title
Appendix 'A'	Flakefleet Primary School, Formal Consultation response summary
Appendix 'B'	Flakefleet Primary School, Equality Impact Analysis
Appendix 'C'	Costings for project works

Implications:

This item has the following implications, as indicated:

Risk management

The county council and partners across education, health and care are required to work together to plan for and meet the needs of children and young people who have special educational needs and disabilities, in line with the Special Educational Needs and Disabilities Code of Practice 2014.



If the decision was not to proceed with the proposals contained within the report, the risk would be insufficient places and potential for increased costs out of area. This proposal only mitigates some of the risk of this and the county council failing in its duty to provide sufficient school places and risk to reputational damage of the county council.

There would also be a continued risk to a considerable overspend on the revenue-high needs block funding as places would have to be sought in the independent sector at considerable cost to the local authority.

Procurement

The selection of contractors to undertake the capital works will be carried out in full compliance with the Public Contract Regulations 2015, either through the use of established frameworks or through undertaking a compliant procurement exercise following the county council's Procurement Rules, where appropriate.

Financial

Any building works that are agreed by the authority outlined in the proposals to increase the availability of special needs provision throughout the county will be funded via the High Needs Provision Capital Allocation. The High Needs allocation is grant funding and the amounts of funding available may limit the schemes that are deliverable.

By increasing the county council's internal Special School Provision, this will enable progress to be made towards keeping up with the demand for special school places and reducing reliance on the use of independent school placements which present a growing pressure on revenue- high needs block funding.

The financial implications are set out at Appendix 'C'.

Legal

The county council has a legal duty to ensure adequate provision is made for pupils and those with special educational needs and disabilities.

Equality and Cohesion

This proposal impacts on both the age (young people) and disability protected characteristics of the Equality Act 2010 and is designed to contribute positively to the Public Sector Equality Duty's general aim of advancing equality of opportunity and its related aim of increasing participation in public life for these children and young people, their families and carers.

The proposed increase in provision available in Lancashire will improve what is available for children and young people with special educational needs and disabilities.

The Equality Impact Assessment for Flakefleet Primary School, Fleetwood, is set out at Appendix 'B'.



List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

Appendix 'C' is not for publication – Exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972. Appendix 'C' contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

