

Report to the Cabinet

Meeting to be held on Thursday, 19 January 2023

Report of the (Acting) Director of Education, Culture and Skills

Part I

Electoral Divisions affected:
Lancaster Central; Lancaster
East; Lancaster Rural East;
Lancaster Rural North;
Lancaster South East;

Corporate Priorities:
Delivering better services;

**Special Educational Needs and Disabilities Sufficiency Strategy - North Area,
Creation of a Free School for children with Social, Emotional and Mental
Health Needs**

(Appendices 'A' to 'C' refer)

Contact for further information:

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Brief Summary

This report provides the outcome of the feasibility study and informal consultation in relation to a proposal to create a free special school for primary aged pupils presenting with social, emotional and mental health needs on the site of the former Firbank Children's Centre, which is on the same site as Castle View Primary School in Lancaster.

This is deemed to be a Key Decision and the requirements of Standing Order C19 have been complied with.

Recommendation

Cabinet is asked to:

- (i) Approve the establishment of a free school for children with social emotional and mental health needs in the north of the county through the free school presumption process.

- (ii) Subject to (i) above, approve the early appraisal of costs, subject to the preparation of a fully costed estimate.
- (iii) Subject to (i) and (ii) above, authorise the Executive Director of Education and Children's Services, in consultation with the Cabinet Member for Education and Skills, and in conjunction with the Department for Education, to recruit a sponsor.

Detail

In June 2022, Cabinet approved the undertaking of a consultation process to establish a new free school in the former Firbank Children's Centre, on the adjacent site to Castle View Primary School in Lancaster. The school would be co-educational, catering for primary aged pupils presenting with social, emotional and mental health needs. This proposal is in accordance with the updated Department for Education 'Establishing a New School: Free School Presumption' guidance and associated framework.

The Department for Education identified Castle View Primary School as one of the schools that would be included in the School Rebuilding Programme. This information became available to the county council on 16 December 2022. It is not clear what the implications would be, if any, for the development of a new free school on a site that is adjacent to the site of Castle View Primary School.

The Council will continue to work closely with Cidari, the trust that Castle View is part of, and the Department for Education on this project.

Consultations

The informal consultation with interested parties, including families, staff and the governing bodies of both Castle View Primary School and Rising Stars nursery (located in the former Firbank Children's Centre) on the site was undertaken between 12 September 2022 and 2 December 2022. This period of consultation included a meeting for all interested parties on 12 October 2022.

Of the 47 responses received in respect of the informal consultation 41 (88%) either strongly agreed or tended to agree to the proposal. All these respondents who answered the question in the survey 'Why do you say that?' commented on the need for specialist social, emotional and mental health school provision in Lancaster.

Five respondents tended to disagree or strongly disagreed with the proposal. Comments from these respondents included references to congestion around the school site. Concerns were also raised about whether Castle View Primary School staff were sufficiently trained to provide support for pupils with social, emotional and mental health needs and whether this would have an adverse effect on the availability of nursery provision. However, as the new free school would be separate from Castle View Primary School, nursery provision would continue to be provided in the former Firbank Children's Centre but in a different part of the building.

One respondent neither agreed nor disagreed with the proposal.



A summary of consultation responses is set out at Appendix 'A'. These are deemed to be Part II as Appendix 'A' contains information relating to any individual and information which is likely to reveal the identity of an individual.

Cabinet is asked to approve the establishment of a co-educational primary free school for children with social, emotional and mental health difficulties in the North of the county, through the free school presumption process and to approve the early appraisal of costs, subject to the preparation of a fully costed estimate.

Subject to approval of the above, Cabinet is asked to authorise the Executive Director of Education and Children's Services, in consultation with the Cabinet Member for Education and Skills, and in conjunction with the Department for Education, to recruit a sponsor.

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 special school places and increased costs for out of area provision. This proposal mitigates the risk of this and the county council failing in its duty to provide sufficient school places.

Financial

High needs funding within the dedicated schools grant supports provision for children and young people with special educational needs and disabilities. This funding enables local authorities and education providers to meet their statutory duties under the Children and Families Act 2014.

The feasibility study provides an early appraisal of costs which do not include fixtures, fitting and equipment, ICT, removal of existing fixtures, fitting and equipment. A mature estimate of costs will be available on production of a detailed design and the outcome of a procurement exercise to determine the delivery route.

The financial implications are set out at Appendices 'B' and 'C'. These are deemed to be Part II as they contain information relating to the financial or business affairs of any particular person (including the authority holding that information).

Equality and Cohesion

The proposals impact the age (young person) and disability protected characteristics. Whilst it is anticipated that the proposals should be positive in terms of advancing equality of opportunity for these groups, an Equality Impact Assessment will be



prepared following formal consultation to reflect issues raised during the full consultation process.

Property Asset Management

The former Firbank Centre and land is held freehold by the county council and sits adjacent to the Castle View Academy site which was transferred by way of 125 year lease to Cidari Multi-Academy Trust.

A study was commissioned to establish the feasibility and early appraisal of costs for alterations to the existing accommodation at Firbank which is proposed for use as a Free School for Social, Emotional and Mental Health provision.

The study takes into account Department for Education area guidelines for Special Educational Needs and Disabilities and alternate provision known as the 'building bulletins'. The carbon output will be reviewed and where possible the building will be upgraded.

List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

Appendix 'A' - Exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A to the Local Government Act 1972. Appendix 'A' contains information relating to any individual and information which is likely to reveal the identity of an individual. 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.

Appendices 'B' and 'C' - Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. Appendices 'B' and 'C' contain 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.

