

Report to the Cabinet

Meeting to be held on Thursday, 6 July 2023

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

Part I

Electoral Divisions affected:
Burnley Central West;
Burnley North East;
Burnley Rural;
Burnley South West;
Padiham and Burnley West;

Corporate Priorities:
Caring for the vulnerable;

SEND Sufficiency Strategy Implementation - Provision of Special School Places at Padiham St Leonard's Voluntary Aided Church of England Primary School and Update on Special Educational Needs and Disabilities Provision
(Appendix 'A' refers)

Contact for further information:

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Brief Summary

This report provides an update and review on the implementation of the SEND Sufficiency Strategy approved by Cabinet in October 2020 and outlines the proposals to increase the availability of special needs provision throughout the county, through the expansion of special school places and through the further development of mainstream school Special Educational Needs Units.

In addition, Cabinet is asked to approve the funding for the opening of the second Special Educational Needs Unit at Padiham St Leonard's Voluntary Aided Church of England Primary School.

Recommendation

Cabinet is asked to:

- (i) Consider the update on the implementation of the SEND Sufficiency Strategy as set out in the report.



(ii) Approve the funding set out in Appendix 'A', for the opening of the second Special Educational Needs Unit at Padiham St Leonard's Voluntary Aided Church of England Primary School.

Detail

SEND Sufficiency Provision Update

In October 2020, Cabinet gave final approval for the SEND Sufficiency Strategy 2019-2024 and most of the strategy has been implemented. To date, a number of special educational needs units and special school places have been created, and further expressions of interest to expand special schools are being sought, either through satellite or school site expansion. In addition, further expressions of interest from mainstream schools are being sought to extend the Special Educational Needs Units programme, due to its success. A report will be brought to Cabinet in September 2023 with these proposals, and to seek approval to start the consultations.

Since the SEND Sufficiency Strategy was published, 96 Special Educational Needs unit places have been made available and 128 more places should become available before September 2024. In areas where the Special Educational Needs units have been established for more than a year, all of these places are taken up by pupils. Some of the Special Educational Needs units that have been open for less than a year still have a few places available. However, it seems likely that all of these places will be filled towards the beginning of the next academic year, as there are many other pupils that could benefit from this type of provision.

In addition, 306 more special school places have been created across the county, up to the end of the 2022/2023 academic year. All special schools are at capacity and it seems likely that there can be no further increase in the number of places in these schools, without additional building works or expansion onto other sites.

It is important to note, however, that there has been a 49.4% increase in demand for education, health and care plans, and a 19.7% increase in the demand for special school places since 2018, which equates to an average increase of 148 special school places each year in that time period.

There was a 70% increase in demand for education, health and care plans in 2022 in comparison with 2021, and therefore the demand for mainstream Special Educational Needs unit and special school places is likely to continue to increase. It is for this reason that there is a need to revisit the SEND Sufficiency Strategy to ensure sufficient provision going forward.

Mainstream schools have therefore been asked to submit expressions of interest in establishing Special Educational Needs units, and special schools have been invited to submit expressions of interest in expanding, either through the development of satellite provision or building onto the school site. It is anticipated that any expressions of interest will be submitted for the end of the summer term 2023, and evaluated over the summer, in preparation for Cabinet's consideration in September 2023.



Padiham St Leonard's Voluntary Aided Church of England Primary School

In March 2021, Cabinet gave approval to establish a Special Educational Needs unit for up to 16 places at Padiham St Leonard's Voluntary Aided Primary School for children aged 4 to 11 years with social communication and interaction needs. Cabinet also gave approval from the Basic Needs funding for the refurbishment of an existing modular building, to enable the opening of the first 8 place Special Educational Needs unit in September 2021.

The feedback from families with respect to this Special Educational Needs unit has been positive. It has afforded more children the benefits of a mainstream environment, alongside access to more specialist support, as required. It has also been considered a viable alternative to independent non-maintained provision by the Special Educational Needs and Disability First-tier Tribunal, thus presenting a more efficient use of public funds.

There are currently three schools providing a total of 40 primary Special Educational Needs unit places in the east of the county. All of these units are full, and there are more children who are likely to benefit from this type of provision, if it were to be made available.

There is no other accommodation available on the Padiham St Leonard's Voluntary Aided Church of England Primary School site. Cabinet is therefore asked to approve the funding for the installation of a modular classroom, to enable the opening of the second 8 place Special Educational Needs unit for children with social, communication and interaction needs in October or November 2023.

Appendices

Appendix 'A' is attached to this report. For clarification it is summarised below and referenced at relevant points within this report.

Appendix	Title
Appendix 'A'	Modular classroom cost breakdown - Padiham St Leonard's Voluntary Aided Church of England Primary School

Consultations

N/A

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 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 revenue funding enables local authorities and education providers to meet their statutory duties under the Children and Families Act 2014.

The provisional allocation of high needs provision capital allowance from the Department for Education has been announced at £12.1m for 2022/23, together with the £400,000 capital funding approved by Cabinet in February 2022 and £13.9m for 2023/2024. This provides a total of £26.4m from which a programme can be developed following the consultations for suitable projects. The approval of the projects within the programme will be the subject of future reports to Cabinet.

Financial implications are set out at Appendix 'A' and are deemed to be Part II and exempt from publication as the appendix contains information relating to the financial or business affairs of any particular person (including the authority holding that information). There are sufficient funds currently uncommitted to meet the costs of this project.

Property Asset Management

A feasibility study has been carried out to identify the practical considerations and works necessary to accommodate additional teaching spaces on the school site.

Procurement

All Lancashire County Council procurement standing orders will be complied with.

Legal

The county council has a legal duty to ensure adequate provision is made for pupils with special educational needs and disabilities, including post-16 learners. This has been more challenging in some areas than others and securing additional places as recommended will provide flexibility and scope in the East Lancashire area to allow it to do so.

Equality and Cohesion

The proposed increase in provision available in Lancashire will improve what is available for children and young people with special educational needs and disabilities. Children and young people are included in the age protected characteristics group whilst many of those with special educational needs and disabilities would be included within the disability protected characteristics group for Equality Act purposes. Any increase in provision for these children and young people should contribute positively to the general aim of the Public Sector Equality Duty to



advance equality of opportunity for these protected characteristics groups and if the provision is more local for those pupils it could contribute positively towards fostering good relations between communities as pupils will be more visible and potentially more included in local activities.

List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

Appendix 'A' is not for publication - Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. The appendix 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.

