

Report to the Cabinet

Meeting to be held on Thursday, 6 June 2024

Report of the Director of Education, Culture and Skills

Part I

Electoral Division affected:
Brierfield & Nelson West;
Burnley Central East; Burnley
Central West; Burnley North
East; Burnley Rural; Burnley
South West; Nelson East;
Padiham and Burnley West;
Pendle Central; Lancaster
Central; Lancaster East;
Lancaster Rural East; Lancaste
Rural North; Lancaster South
East; Morecambe Central;
Morecambe North; Morecambe
South.

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:

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Brief Summary

This report includes the results of the formal consultations to create Special Educational Needs Units at Barrowford Primary School, Rushton Street, Barrowford, and Brunshaw Primary School, Morse Street, Burnley.

Approval is also being sought to delegate the final decision to increase the number of places available at Morecambe Road School, Morecambe to the Executive Director for Education and Children's Services, in consultation with the Cabinet Member for Education and Skills, following the conclusion of the statutory formal consultation.



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 consultations following the publication of the statutory proposal, and approve the creation of Special Educational Needs Units within Barrowford Primary School, Nelson and Brunshaw Primary School, Burnley.
- (ii) Authorise the Executive Director for Education and Children's Services, in consultation with the Cabinet Member for Education and Skills, to review the outcomes on conclusion of the formal consultation, and to make a final decision to increase the number of places available at Morecambe Road School.
- (iii) Subject to (ii) above, authorise the Executive Director for Education and Children's Services and the Director of Finance, in consultation with the Cabinet Member for Education and Skills, to approve the funding for building alterations/adaptations and/or acquisition of resources or necessary expenditure.

Detail

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

Barrowford Primary School, Nelson

In December 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 Barrowford Primary School.

The informal consultation was carried out between 24 January 2024 and 28 February 2024. A public meeting was held in school on 5 February 2024. 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 March 2024, and it was agreed that the formal consultation could proceed.

The statutory notice was published, and the formal consultation was carried out between 15 April 2024 and 20 May 2024. A public meeting was held in school on 30 April 2024.

There were 6 responses to the formal consultation:

- 2 of the respondents strongly agreed with the proposal.



- 4 of the respondents strongly disagreed with the proposal.

The four respondents who strongly disagreed with the proposal raised concerns about increase in traffic and parking in the area.

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

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

Brunshaw Primary School, Burnley

In December 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 Brunshaw Primary School.

The informal consultation was carried out between 14 March 2024 and 28 March 2024. A public meeting was held in school on 27 March 2024. 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 April 2024, and it was agreed that the formal consultation could proceed.

The statutory notice was published, and the formal consultation was carried out between 22 April 2024 and 21 May 2024. A public meeting was held in school on 10 May 2024.

There were no responses to the formal consultation.

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

Morecambe Road School, Morecambe

In December 2023, Cabinet approved the initiation of feasibility studies and informal consultations to create additional special school places for September 2024 across the county.

Morecambe Road School is a 'Good' School (Ofsted) and the school had expressed an interest in increasing the number of places available from 201 up to 213, through additional provision on the school site.

The informal consultation was carried out between 16 April 2024 and 30 April 2024. A public meeting was held in school on 25 April 2024. 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 April 2024, and it was agreed that the formal consultation could proceed.

The statutory notice was published, and the formal consultation began on 9 May 2024 and is due to end on 13 June 2024. A public meeting is being held in school on 10 June 2024.

Approval is requested to authorise the Executive Director for Education and Children's Services, in consultation with the Cabinet Member for Education and



Skills, to review the outcome of the formal consultation and to make a final decision to increase the number of places available at Morecambe Road School. Approval is also requested to authorise the Executive Director for Education and Children's Services and the Director of Finance, in consultation with the Cabinet Member for Education and Skills, to approve the funding for building alterations/adaptations and/or acquisition of resources or necessary expenditure.

This decision cannot await the next meeting of the Cabinet on 11 July 2024 as the school needs to start making visits to the children and ensure that there is a robust transition from their current placements. In addition, costs for building works also need to be agreed so that any works necessary can start and be completed over the summer.

The county council has a legal duty to ensure adequate provision is made for pupils with special educational needs and disabilities. The demand on special school places in 2024/25 is such that there would not be enough places for those that require them as from September 2024, without this additional capacity at Morecambe Road School.

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'	Barrowford Primary School - Formal Consultation response summary
Appendix 'B'	Barrowford Primary School - Equality Impact Analysis
Appendix 'C'	Brunshaw Primary School - Equality Impact Analysis

Implications:

This item has the following implications, as indicated:

Legal

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

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.

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 anticipated costs of £300,000 for the works at Barrowford Primary School and £54,000 for the works at Brunshaw Primary School (in addition to the £300,000 previously approved for this project) can be accommodated from within the Higher Needs Capital funding.

Morecambe Road School's building costs are estimated to be £350,000.00 plus fees.

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.

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 initial review of provision in Lancashire that informed the SEND Sufficiency Strategy and the further review in June 2021, indicated there were fewer children and young people educated in mainstream schools in Lancashire than nationally. There were also more children educated in specialist provision and secondary alternative provision in Lancashire than nationally, and therefore the demands on high needs block funding are significant.

The lack of access to supported provision in mainstream schools and to local specialist provision of particular designations and for those with the most complex needs is resulting in some children and young people travelling to schools outside their community.

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 Assessments for Barrowford Primary School and Brunshaw Primary School, are set out at Appendices 'B' and 'C' respectively.



An Equality Impact Assessment will be drafted in due course in respect of Morecambe Road School.

List of Background Papers

Paper	Date	Contact/Tel
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None		
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Reason for inclusion in Part II, if appropriate		
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