

Name of meeting: Cabinet - Date: 5th April 2016

Title of report: Overview of progress made in relation to changes to specialist provision for disabled children and those with special educational needs across Kirklees. The report requests approval to take forward proposals for adjustments to some existing specialist provisions.

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes – this impacts on all wards across Kirklees
Is it in the Council's Forward Plan ?	Yes – March 2016
Is it eligible for “call in” by Scrutiny ?	Yes
Date signed off by Director & name	Alison O’Sullivan 22 nd March
Is it signed off by the Director of Resources?	David Smith 21 st March
Is it signed off by the Assistant Director – Legal, Governance and Monitoring?	Julie Muscroft (John Chapman) 23 rd March
Cabinet member portfolio	Cllr Shabir Pandor

Electoral [wards](#) affected: All wards

Ward councillors consulted: All ward councillors consulted as part of the 2011 authority wide re-organisation of specialist provision for disabled children and those with special educational needs across Kirklees.

Public or private: Public

1. Purpose of report

This report provides an overview of progress made in relation to the changes to specialist provision for children and young people with additional needs in the areas of Autism, speech, language and communication (SLCN), physical impairment (PI) and sensory impairment (HI & VI) from December 2014, when some changes were agreed and implemented, and to highlight areas for further reconfiguration in order to best meet existing and future demand.

The report requests approval to carry out a non-statutory consultation on proposed changes to the existing specialist provisions at Ashbrow School and Thornhill J&I School for children with SLCN and to complete the legal process following the closure of the specialist provision at Moldgreen Community Primary School for children with Autism.

2. Background : Kirklees review of specialist provision for children with special educational needs

Guidance from the government states that the pattern of specialist provision in each Local Authority (LA) area should be informed by local needs and circumstances. Further, it should follow careful consultation and a widely shared understanding of the role of specialist provision in meeting children and young people's special educational needs.

To plan for the very best provision for Kirklees children and young people, an independent review of special educational needs was carried out by Cambridge Education in 2008.

The findings of the review, as well as the views of parents and carers of children with special educational needs, head teachers, specialist educational and health professionals underpinned proposals that were reported to Kirklees Council Cabinet in September 2010. The proposals aimed to reorganise resources so that the highest quality provision would be available fairly to all children with statements of special educational needs across Kirklees.

2.1 The proposals included a set of principles to underpin the development of coherent specialist provision across Kirklees:

- Children with special educational needs are educated in their local school setting as far as possible.
- The capacity of all mainstream schools to meet the full range of needs is enhanced through support from specialist resourced schools offering placements as well outreach services to support children, families and schools.
- There is a continuity of provision through all phases of education across specialist provision and central services.
- Where there is a need for continuous specialist provision, this is provided within the same family of schools, minimising disruption to peer and friendship groups.
- Skills, expertise and goodwill that currently exists within specialist provisions is maximised.
- A coherent and equitable pattern of provision is provided across Kirklees which is adequate for the numbers of children with more complex special educational needs
- There is holistic support for children and families through multi-agency partnerships.
- Career development pathways for specialist provision staff are built into the commissioning arrangements.

2.2 The proposals for changes to the organisation and pattern of provision were based on the acknowledgement that the majority of children and young people with special educational needs attend their local school.

At the heart of the changes therefore was the requirement to use the expertise within and across all specialist provision schools and the central outreach teams to maximum effect and provide greater support for children, particularly to be educated in their local schools. As such, the changes aimed to:

- provide more effective specialist support for children with special educational needs across mainstream schools so that a local school is the best option for most children and young people.
- enable more children and young people to access the expertise in the specialist provision schools through transitional places where appropriate.
- give more support and advice in areas of growing demand.
- reduce costly under used provision by utilising resources more effectively where needed.
- further develop the skills and expertise available in local schools with the outreach support from specialist provisions in partnership with other agencies.

3. The current pattern of specialist provision

Strand	Primary	Secondary
HI	<p>Lowerhouses CE (VC) JI & EY School</p> <p>10 Fixed places 4 Transitional places & Outreach</p>	<p>Newsome High School & Sports College</p> <p>12 Fixed places 2 Transitional places & Outreach</p>
VI	<p>Dalton School</p> <p>10 Fixed places 4 Transitional places & Outreach</p>	<p>Moor End Academy</p> <p>12 Fixed places 2 Transitional places & Outreach</p>
PI	<p>Rawthorpe St. James (CE) VC I&N and Rawthorpe Junior School</p> <p>5 Transitional places & Outreach</p>	<p>Newsome High School & Sports College</p> <p>10 Fixed places 2 Transitional places & Outreach</p>
SLCN	<p>Thornhill J & I School</p> <p>12 Transitional places & Outreach</p> <p>Ashbrow School</p> <p>12 Transitional places & Outreach</p>	<p>Royds Hall Community School</p> <p>20 Fixed places 4 Transitional places & Outreach</p>
Autism	<p>Headlands CE (VC) JI & N School</p> <p>6 Transitional places & Outreach</p> <p>Central Team Support for outreach covering South Kirklees Primary</p>	<p>Honley High School</p> <p>15 Fixed places 5 Transitional places & Outreach</p> <p>Thornhill Community Academy</p> <p>15 Fixed places 5 Transitional places & Outreach</p>

The strand leads (Autism, SLCN & Sensory/PI) oversee and monitor the delivery and quality of support provided in partnership with head teachers. These posts are retained within the LA, to ensure consistency; they are integral to the implementation of changes in terms of the development of systems and processes. They lead on the development of quality standards frameworks with reference to national best practice guidance; they organise and lead development sessions for teachers in charge and other specialist provision staff.

The majority of specialist provision staff work both as part of the provision within schools as well as undertaking outreach support. Staff roles include teachers in charge of each provision, specialist teachers, special educational teaching assistants, mobility officers, deaf support

workers, and braille and visual resource technicians. The new role of Family SEN worker has enabled a designated worker to be available to support parents where needed.

The Educational Psychology Service commits time to support with development and practice issues as well as complex casework and health professionals provide support to each of the specialist provision strands, e.g. speech and language therapy.

Robust service level agreements are in place through which specialist provision schools are commissioned by the LA to ensure the delivery of high quality provision that provides positive outcomes for children, young people and their families as well as ensuring accountability.

3.2 The type of places currently available

Each school provides placements as part of the school based provision (fixed/transitional) as well as outreach support. The flexibility around the capacity for outreach work is governed by the numbers attending either fixed or transitional places.

Where numbers are low, this releases capacity and maximises the outreach support available to Kirklees schools.

3.2.1 Fixed places

At primary levels, fixed places exist for children with complex sensory impairments where there is a requirement for long term, specialist interventions and support which cannot be offered routinely across all mainstream settings. These involve regular use of specialist staff such as braille and visual resource technicians, a high level of specialist teaching time from a teacher of the deaf or teacher of the visually impaired, access to a signing environment with accompanying expertise to address the associated significant language needs associated with a profound and significant hearing loss, amongst other things.

Fixed placements are offered to children and young people where indicated following a review of the statement of special educational needs.

3.2.2 Transitional places

These give placements for children for up to a maximum of 6 terms and are for children and young people who require support over and above that provided through outreach. Any transitional placement is likely be preceded by a period of outreach involvement which has exhausted every avenue that would normally result in the child's needs being best met in their local school. Transitional placements are offered where indicated following a review of the statement of special educational needs or education health and care plan.

3.2.3 Outreach support

This aspect of the specialist provision work accounts for a significant and in some areas, growing amount of the support available from the specialist provision teams.

Outreach support varies according to a child's needs and can include:

- training and development of staff at the local school
- curriculum, teaching and learning advice
- environmental audits
- specialist assessment
- intervention advice
- parental support and guidance

- a child or young person attending the specialist provision school with staff going from the local school to observe and learn from specialist practice.

4. Update and recommendations on proposed changes to existing specialist provisions.

Based on a review of uptake and levels of support for outreach, the following proposals have been made to change provision in order to direct resources appropriately to meet the needs of children and young people. These relate specifically to Autism and SLCN.

Uptake for sensory and physical impairment (HI/VI/PI) places remains steady and the provision currently in place is appropriate to meet need. In line with our practice of analysing the take up of provision, we are monitoring demand for outreach in the physical strand and the need for transitional places at primary level.

4.1 Children with Autism

In light of the lack of demand for specialist provision transitional places for primary aged children with Autism, officers recommend to decommission the provision of 10 transitional places at Moldgreen Community Primary School. Since September 2014, there have been no children taking up a transitional place in the specialist provision at this school. There remains a legal requirement to de-commission this specialist provision and this would effectively complete the closure of the specialist provision at this school.

Following the ongoing reduction in transitional place requests as a result of the high quality outreach support being delivered, the 6 transitional places available at Headlands CE (VC) JI&N School are currently deemed to be sufficient for demand across the borough and are under constant review.

Staffing capacity allocated to South Kirklees primary Autism (formally allocated to Moldgreen Community Primary School) is now located at the Westtown Centre in Dewsbury alongside the Educational Psychology team and Early Years SEN team. These members of staff work alongside specialist provision staff based at Headlands CE (VC) JI&N School to ensure outreach support across the borough as well as sufficient teacher support to children in transitional places at the school at a time when specialist Autism teacher posts are difficult to recruit to within school.

It must be acknowledged that that the Autism strand support continues to cater for a growing number of children and young people in Kirklees, who are referred for outreach support as they have difficulties with social communication interaction as well as those with a diagnosis of Autism. As expertise in mainstream settings grows, and with the support of a responsive approach to outreach, more children are able to access their local school.

Specialist provision support for the secondary sector based at Honley High School and Thornhill Community Academy has already been enhanced to reflect the growing numbers of young people requiring support as part of fixed term placements.

4.2 Children with Speech Language and Communication Needs

In light of the lack of demand for transitional places in the specialist provision for primary aged children with Speech Language and Communication Needs, as a result of the high quality outreach being delivered, officers recommend to decommission the provision of 12 transitional places at Ashbrow School and 12 transitional places at Thornhill J&I School, this would enable the relocation of resources to a centralised hub that also caters for children with autism, where support can be utilised more effectively across the primary sector, particularly in enabling greater capacity to deliver outreach services across Kirklees.

Ongoing monitoring of both primary transitional place take up along with outreach referral requests to the primary SLCN teams indicates that the available capacity of staff and resources allocated has exceeded actual demand from schools for SLCN support. This is

particularly marked when compared with demands for primary outreach requests for children with autism where requests are on the increase, however current staffing structures do not reflect this accordingly.

The lack of take up of transitional places has meant that time required for specialist provision staff support to work directly within the designated provision schools has been limited. In the case of Thornhill J&I School, there has been no take up of transitional places, whereas at Ashbrow School there has been a low take up since implementation. Both schools have catered in school for a small number of children who were attending the respective schools at part of the historical pattern of provision prior to the review in 2012; however these numbers will remain very low at Ashbrow School in September 2016.

Given the low take up of transitional places and the retirement of specialist teaching staff in July 2015 at Ashbrow School and following engagement with the governing body, a request to consider decommissioning this specialist provision for children with SLCN has been agreed to. Since September 2015, the small number of children utilising the provision at Ashbrow School have continued to have their needs met in school by remaining specialist provision staff with the spare capacity available at Thornhill J&I School (as a result of no placement take up) being utilised to respond to primary outreach requests across both North and South Kirklees. As such, these staffing reductions have had no detrimental impact upon the ability to respond to requests for SLCN outreach support.

All schools commissioned by the LA to deliver support for any aspect of specialist provision are governed by a rigorous service level agreement which outlines expectations and responsibilities around leadership, management and operational delivery of support. In situations where there is little or no in-school support required for transitional places, as seen at Ashbrow School and Thornhill J&I School, the time required and expended on the management of staff for outreach, when largely an activity which is separate to the day to day functioning of the school, raises the question of whether this is an efficient and effective way of managing resources from both a school and LA perspective.

Following engagement with the governing body of Thornhill J&I School a request to decommission its provision for children with SLCN has been agreed to on the basis of the fact that whilst some capacity needs to be retained for outreach support, the management of this would be more sensibly and effectively undertaken as part of the management arrangements currently in place within the central team specialist provision as a result of changes to the primary provision for Autism.

The proposal is subject to the completion of a statutory process for school re-organisation. The LA proposes a non-statutory consultation in order to gain the view of all key stakeholders.

At the secondary stage, Royds Hall Community School has continued to develop as a thriving specialist provision for young people accessing fixed placements with specialist provision staff supporting an increasing number of Kirklees high schools in meeting SLCN needs across KS3&4.

1The term decommission is intended to describe the process of discontinuing an existing provision.

2The term commission is intended to describe the process of reconfiguring existing resourced provision or establishing new resourced provision through a formal agreement with a school to provide a quality assured level of specialised provision to support pupils and staff. This is not a procurement or tendering process.

Decommission	Primary outreach provision for Speech Language and Communication Needs and Autism across Kirklees Proposal to increase resources to a centralised primary outreach provision 'hub' to serve the whole of Kirklees for children with Speech Language and Communication Needs and Autism This will continue to provide support to the full range of needs in relation to speech and language, social communication and Autism but enable a more effective use of the capacity within the system to respond to the more complex level of outreach support required currently within the Autism strand, particularly at primary level.
Ashbrow School Prescribed alteration to discontinue the 12 transitional places for children with Speech Language and Communication Needs	
Thornhill J&I School Prescribed alteration to discontinue the 12 transitional places for children with Speech Language and Communication Needs	
Moldgreen Community Primary School Prescribed alteration to discontinue the 10 transitional places for children with Autism* <i>This proposal enables the legal closure of this specialist provision where there have been no children in transitional places since July 2014.</i>	

4.3 The statutory process for school re-organisation

The proposed re-organisation of the specialist provisions at Ashbrow School and at Thornhill J&I School for children with Speech Language and Communication Needs and Moldgreen Community Primary School for children with autism will be subject to School Organisation (Prescribed Alterations to maintained Schools) (England) Regulations 2013. This regulation requires a statutory process to be followed for establishing, removing, altering, special educational needs provision at a mainstream school. The LA may propose these changes, but must follow a four stage statutory process set out below.

- Publication
- Representation (statutory consultation)
- Decision
- Implementation

To ensure a robust consultation process is in place to enable the maximum number of stakeholders an opportunity to comment on the proposals, the LA will hold a non-statutory consultation on the proposals.

4.4 Funding arrangements

Existing pupils attending transitional places at the schools will be funded in future as all other high needs pupils in mainstream schools, top-up funding will be allocated according to their needs, and outreach support will be available from the new centralised outreach service.

5 Implications for the Council

5.1 Council priorities

Council policies affected by this proposal include the Children & Young People Plan. The proposals will support the Council priorities which are to;

Enhance life chances for young people: Working in partnership to improve health and educational attainment to enable them to reach their full potential. The proposals offer the opportunity to continue to improve and enhance the overall educational opportunities and achievements of young people in Kirklees.

Support older people to be healthy, active and involved in their communities: Focusing on preventative work, while empowering those with long term conditions to live independent lives to the full and be in control of making their own decisions.

Business growth and jobs: Creating the right conditions for business to sustain the Kirklees economy, facilitating investment in skills, jobs and homes and providing pathways into work.

Provide effective and productive services: Ensuring services are focused on the needs of the community and delivering excellent value for money.

5.2 Human Resources implications

There would be human resources implications resulting from the re-organisation of the specialist provision at Thornhill J&I School and Ashbrow School. Should the proposals be agreed officers from the LA would work with the governing bodies of these two schools and head teachers regarding any revision to structures. Following this, consultation would need to be held with staff and recognised Trade Unions.

5.3 Financial Implications

5.3.1 Revenue

The Specialist Provisions are fully funded from the “high needs block” of the Dedicated Schools Grant (DSG) which is an annual government grant received by the Council. This can only be spent on education so the proposals have no revenue impact for the Council budget. The proposals do not reduce the funding allocated to Specialist Provision services; the change is that the funding will be redirected to pay for specialist Speech Language and Communication Needs and Autism support for pupils remaining in their local school.

The DfE has recently launched a consultation document about introducing a national funding formula for Schools and High Needs. This will affect the funding of Specialist Provisions, as part of the overall DSG High Needs budget. Work on the implications of the proposals has started and will be reported to Cabinet when the full details are known.

5.3.2 Capital

There would be no capital implications arising from these proposals if agreed and Implemented.

5.4 Equalities implications.

An initial equalities impact assessment has been carried out to assess the implications of the proposals and would be developed into a full assessment, taking into account the responses from the full consultation process, which would be reported to Cabinet.

6. Next steps

Subject to decisions made by Cabinet, the indicative timeline for the next stages of the statutory processes are set out below:

Activity	Date * <i>These dates are indicative and may change, they are also subject to Cabinet approval.</i>
Consultation and engagement (non-statutory)	April/May 2016
Representation (formal consultation on statutory proposals)	July/August 2016

Kirklees Council Cabinet take a decision regarding implementation of the proposals	August 2016
Implementation	1 st September 2016

7. Consultees and their opinions

It is intended to carry out a 4 week non-statutory consultation involving all key stakeholders including: parents and carers, governing bodies, school staff, ward members, wider community stakeholders and other interested parties. The responses received as part of this consultation would be reported to members for a decision on the next steps.

8. Officer recommendations and reasons

It is recommended that Members:

Authorise officers to develop plans for a non-statutory consultation to;

- Discontinue the specialist provisions for children with speech, language and communication needs at Ashbrow School and Thornhill J&I School, discontinue the specialist provision for Autism at Moldgreen Community Primary School and relocate resources to a centralised Primary outreach provision hub for Speech Language and Communication Needs and Autism across Kirklees.

8.1 Delegate authority to the Director for Children and Adults in consultation with the Cabinet Portfolio leads to:-

- develop consultation materials on the basis of the proposals.
- organise and carry out a non-statutory consultation about the proposals.
- require officers to report the outcomes of the non-statutory consultation to Cabinet for further consideration of the next steps.

9. Cabinet Portfolio Holders' Recommendation

We, the Cabinet Members for Children's Services endorse the recommendations set out by officers in the previous section of this report.

Ensuring there is the best possible organisation of support in order that our children and young people can succeed is of the utmost importance. It is because of this that we recognise that further changes are needed if we are able to ensure our resources are configured in such a way that will help deliver better outcomes. It is for these reasons that we support the officer recommendations to carry out a non-statutory consultation about the proposals to make the necessary changes at some existing specialist provisions as described in this report.

We will consider any further material matters that are brought to our attention in advance of, and during, the Cabinet meeting on the 5th April 2016 and will make our final, oral, recommendations at the end of the discussion of this item at the meeting.

10. Contact officers

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11. Background papers

- Report Prepared by Cambridge Education April 2008 : Kirklees Council -*Review of the Arrangements for Special Educational Needs in the Children & Young People Service*
- Cabinet Report: 28th September 2010 - *Specialist Provision for Disabled Children and those with Special Educational Needs*
- Cabinet Report: 21st June 2011 - *Report on the outcomes of the non-statutory consultation on the proposals for the future organisation of specialist provision for disabled children and those with special educational needs across Kirklees*
- Cabinet Report 6th December 2011 *Report on the outcomes of the statutory consultation on the proposals for the future organisation of specialist provision for disabled children and those with special educational needs across Kirklees*
- Cabinet Report 13th March 2012.- *Report on the representations received from the published Statutory Notices on the proposals for the future organisation of specialist provision for disabled children and those with special educational needs across Kirklees at the following schools:- Ashbrow I & N School, Ashbrow Junior School, Carlinghow Princess Royal J I & N School, Dalton School, Flatts Nursery School, Headlands CE(VC) J I & N School, Honley High School, Lowerhouses CE(VC) JI & EY School, Moldgreen Community Primary School, Netherhall Learning Campus - Rawthorpe Junior School, Netherhall Learning Campus - Rawthorpe St. James CE(VC) I & N School, Netherhall Learning Campus High School, Newsome High School, Park Road J I & N School, Royds Hall High School, The Community Science College @ Thornhill, Thornhill J & I School*
- Cabinet Report 2nd December 2014 - *Overview of progress made in relation to changes to specialist provision for disabled children and those with special educational needs across Kirklees.*
- Cabinet Report 10th March 2015 - *Report on the outcomes from the non-statutory consultation for Members consideration on proposals for change to existing specialist provisions*
- Cabinet Report 2nd June 2015 - *Report on the statutory proposals for Flatts Nursery School, Rawthorpe St. James CE(VC) I&N School and Rawthorpe Junior School*