

Delegated decision report

DECISION UNDER DELEGATED POWERS

DECISION CANNOT BE TAKEN BEFORE TUESDAY, 1 MAY 2012

Title **CONSULTATION ON SEN AND ALTERNATIVE PROVISION SERVICE RELOCATION**

Report to **THE CABINET MEMBER FOR CHILDRENS SERVICES AND EDUCATION**

EXECUTIVE SUMMARY

The report seeks permission to undertake statutory consultation on the relocation and reconfiguring of alternative provision, currently based at Thompson House and Clatterford Tuition Centres and the relocation of a number of SEN, Early Years and other statutory support services to the same two new sites.

BACKGROUND

1. The council has committed to moving educational provision from Thompson House as part of its rationalisation programme.
2. Thompson House Tuition Centre and the SEN and Early Years Services, currently located in Thompson House, are required to allow the council to meet its statutory responsibilities for children and young people with SEN and disability and for those without a mainstream school place.
3. Clatterford Tuition Centre is configured to provide alternative provision for students of secondary age who are without a school place because of exclusion. The current accommodation is in poor condition and unfit for purpose and operating beyond its planned number.

STRATEGIC CONTEXT

4. The proposals in this report support the Corporate Plan in that there are implications for raising educational standards for the young people directly involved and also for mainstream schools in terms of keeping children safe by helping to manage difficult behaviour, attendance and exclusion issues.
5. The reconfiguration of the service and property rationalisation is also consistent with the council priority of delivering savings through changed service provision.
6. The report is a response to the findings of the SEN Review carried out in 2011 and is part of the Strategic Plan that was drawn up following the review.

SERVICE/DECISION SPECIFIC PARAGRAPH

7. Special educational needs and alternative provision services have been significantly restructured over the last two years.
8. The final part of the service to be redesigned has been the alternative provision area. This service has been changing and developing in recent years to provide a more complementary service for Island schools to help reduce permanent and fixed term exclusions. It is comprised of a primary and a secondary Pupil Referral Unit (PRU), vocational and outdoor centres and a wide range of commissioned services from Island based charity and non-profit organisations.
9. In the recent past, provision in this area has supported the return to the Island of a number of children from mainland residential settings. Many returnees have needs requiring a period of re-integration before returning to mainstream schools. Some have needs that mean they need long-term specialist provision for behaviour, social, emotional difficulties.
10. The increased number of young people permanently excluded from secondary schools has placed significant strain on current alternative provision, made through the Clatterford Tuition Centre. Although it is probable that the number of permanent exclusions will settle at a lower rate than that being experienced at this time, research shows that across the country, academies and trusts permanently exclude at approximately twice the rate of other maintained schools.
11. Additionally, Clatterford Tuition Centre is making provision for a small but significant number of students with statements for behaviour, social, emotional difficulties. These young people are inappropriately placed with students who are excluded from mainstream schools.
12. There are a small number of children and young people with statements for behaviour, social, emotional difficulties who are currently in mainstream schools but who are not succeeding because they are inappropriately placed. They need a provision where they can access their entitlement to full time education. This is a statutory function of the local authority.

CONSULTATION

13. This paper is seeking permission to start the informal stage of statutory public consultation.
14. This is the first stage in a two part consultation and will run for a prescribed period of six weeks, from 30 April to 11 June 2012.
15. The consultation document is attached at Appendix 1; the timeframe for the consultation at Appendix 2 and the prescribed list of consultees at Appendix 3.

FINANCIAL / BUDGET IMPLICATIONS

16. There are no financial implications to this report concerning permission to consult.
17. The financial implications of the proposals contained in the consultation document itself will be met from within the Dedicated Schools Grant (DSG). The alternative provision and SEN services mentioned in this report are fully funded through the DSG and any additional running costs which are incurred through the proposed relocation will be met from the

funding set aside within the grant for the school sites which have been vacated as a result of the primary schools moving to new sites.

CARBON EMISSIONS

18. The provision of refurbished accommodation will have a small but positive impact on carbon emissions compared with the old buildings currently occupied.

LEGAL IMPLICATIONS

19. Section 14 of the Education Act 1996 places a general duty on local authorities to secure that there are sufficient schools for providing primary and secondary school education and requires them in particular to have regard to the need to secure that special educational provision is made for pupils with special educational needs; section 315 requires Local Authorities to keep their arrangements for SEN provision under review.

20. Currently, pupils with a Statement for behaviour, social, emotional needs (BESD) who are unable to attend mainstream school for a variety of reasons, attend PRU provision long-term, at either Thompson House or Clatterford Tuition Centre. Children with special educational needs must be offered a broad, balanced and relevant education including access to the full National Curriculum. In these centres it is increasingly difficult to make appropriate provision to fulfil the local authority's statutory duties.

21. When pupils are permanently excluded from school, the local authority has a statutory duty to provide full-time education. The number of pupils excluded from school has trebled this year compared with the academic year 2010 to 2011. National data shows clearly that when schools move to academy status the average rate of permanent exclusion can be expected to double. The already inadequate conditions within the two tuition centres has been greatly impacted this year by the increase in permanently excluded pupils and the number of pupils who are placed there temporarily as a means of preventing permanent exclusion.

22. There is a legal requirement to consult extensively on the proposals heralded by this report. The detailed consultation document is attached at Appendix 1, along with a framework for consultation at Appendix 2 and list of required consultees at Appendix 3.

EQUALITY AND DIVERSITY

23. Two equality impact assessment screens, one for pupils and one for staff, attached at Appendix 4a and 4b, have identified no negative impact of the proposals.

PROPERTY IMPLICATIONS

24. The implications of the proposals contained in the consultation document itself will be clarified and available at the time when the council is asked to consider whether to move to statutory notice on the proposals.

25. Planning permission will be sought on both sites contained within the proposals. Consultation on the planning submission will be carried out in the normal manner.

26. The proposals contained in the consultation document (Appendix 1) represent good use of property available through the redesign and restructure of mainstream school provision across the Island. The reuse of these sites for alternative provision means that they are no longer surplus to requirements and cannot be sold to generate a capital receipt.

27. Two sites previously used by WISE have already been vacated as part of the restructure of alternative provision. Three further sites will be vacated as a result of these proposals.

OPTIONS

28. A number of sites have been considered as alternatives to the two proposed in the consultation. Each had significant restrictions on their use with this particularly vulnerable group of young people.

29. Difficulties included insufficient parking and inadequate access; proximity to residential housing that could not be easily prevented, leading to the probability of disturbance.

30. Option 1 is for the council to consult on the proposals contained in the document (Appendix 1) and then to consider the responses received from the public and other concerned agencies. Those proposals are:

- Relocation of both Tuition Centres to a specialist refurbished provision in a school that has been vacated as part of the re-organisation of mainstream schools. This would offer the opportunity to give vulnerable children and young people a better chance to succeed in their education. It will also provide the Council with sufficient accommodation to work with the number of young people now being excluded from mainstream secondary schools.
- To relocate the SEN and Early Years' Services to the same site. This proposal will allow the SEN support services to have separate accommodation but also to work with children and young people in the Tuition Centres as required.

The site proposed is **Berry Hill, Lake, Sandown, PO36 9LH.**

- To establish a separate provision for children and young people with statements for behaviour, social, emotional difficulties. The provision will operate under the same management as the tuition centres and alternative provision. It is planned to accommodate a maximum of 25 children and young people, who do not have significant learning difficulties.
- To relocate the Education Welfare Service, the Behaviour Support Team and the Mental Health Support Team to the same site. This will allow specialist support for this group of vulnerable children and young people and their families, whilst retaining the ability to operate in support of mainstream schools across the Island.

The site being proposed for this provision is **Love Lane, Cowes, PO31 7ET.**

- WISE workshops will be relocated to accommodation on the two proposed sites. Each site will make provision for woodwork, the most popular of the activities.

31. Option 2 is for the council to decide not to consult on the proposals at this stage but for officers to undertake further work to try to identify other possibilities before proceeding with the statutory process.

RISK MANAGEMENT

32. The council is seeking to consult on its proposals in order to minimise the risk that they are unacceptable to users and residents..
33. One risk may be that one or both of the proposed sites are rejected following the first stage consultation, leaving the council to seek further site(s) for the relocation of one or both of the aspects of the provision.
34. Although no other site would be as appropriate as the ones in the proposed consultation, the council does have other options available to it. However this would delay the start date for the proposed relocation and put increased pressure on the Alternative Provision currently in place.
35. Option 2 carries an additional risk in that the current provision is unsuitable and inadequate for purpose. Finding alternative sites for both aspects of provision would significantly delay necessary improvements in provision as no better sites are known to be available in the near future. This could potentially delay the relocation and associated improvements to provision to the middle of the academic year 2013 – 2014, leaving the council unable to deliver on its statutory duties with regard to pupils with statements, pupils with medical needs and those excluded from mainstream schools.

EVALUATION

36. The consultation will add to the council's information about staff, pupils, parents and residents' views around the proposals.

APPENDICES ATTACHED

37. [APPENDIX 1](#) – Consultation on the proposed relocation and expansion of centrally retained provision
38. [APPENDIX 2](#) – Framework for consultation on relocation of PRUs and WISE
39. [APPENDIX 3](#) – Scope of Consultation Required For SEN Provision (Required Consultees)
40. [APPENDIX 4A](#) – Stage 1 Equality Impact Assessment – Initial Screening (Staff)
41. [APPENDIX 4B](#) – Stage 1 Equality Impact Assessment – Initial Screening (Pupils)

RECOMMENDATION

42. That Option 1: for the council to consult on the proposals contained in the document (Appendix 1) and then consider the responses received from the public and other concerned agencies is adopted.
43. That the council agrees to the results of consultation being brought forward for consideration after the 11th June 2012 closure date.

Contact Point - Lesley Rhodes, Interim Commissioner for SEN and Alternative Provision,
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STEVE BEYNON
*Chief Executive and
Director of Schools and Learning*

COUNCILLOR DAWN COUSINS
*Cabinet Member for
Children's Services and Education*

Decision

Signed

Date
