

<b>Director for Education and Skills</b>	
<b>March 2018</b>	<b>Key Decision: No</b>
<b>Changes to the commissioning of Special Educational Needs and Disabilities places at the Special Support Centre at Hazelwick School</b>	<b>Part I</b>
<b>Report by Director of Education and Skills</b>	<b>Electoral Division: Three Bridges</b>

### **Summary**

As part of the implementation of the Special Educational Needs & Disabilities (SEND) Strategy and following a review of specialist provision, it is proposed to amend the number of places the County Council commissions at the Special Support Centre at Hazelwick School to align provision more closely with need and to make best use of available funding.

### **Recommendation**

The Director for Education and Skills is asked to approve the proposal to amend the number of places the County Council commissions at the Special Support Centre at Hazelwick School to 4 places instead of the existing 8 places, for implementation from September 2018.

## **Proposal**

### **1. Background and Context**

- 1.1 The West Sussex Special Educational Needs & Disabilities (SEND) Strategy was approved in October 2016. The objectives of the Strategy are:
- To build a model of educational provision and support in West Sussex which enables young people, wherever possible, to live and go to school/college locally.
  - To ensure that local mainstream and special provision is effective, of a high quality and delivers good educational outcomes for children and young people with SEND.
  - To ensure that children with SEND are, where possible, welcomed and included within their local mainstream school.
  - To deliver an offer that is sustainable and cost effective now and into the future and takes due account of predicted demand.
- 1.2 The High Needs Block of the Dedicated Schools Grant, which funds specialist provision, is under significant pressure and is forecast to overspend by £1.3m in 2017-18 with ongoing pressure into 2018-19. It is therefore vital that best use is made of the funding identified for SEND provision. As detailed in paragraph 3.1 paying for unfilled places does not represent effective use of these monies.
- 1.3 As part of the implementation of the SEND Strategy, a review of existing specialist provision was undertaken. Special Support Centres (SSCs) are units attached to mainstream schools which offer additionally-resourced provision for children with particular types of SEND. There are currently 31

SSCs across West Sussex in the primary and secondary phases for the following areas of need: Physical Disability, Social Communication/Autistic Spectrum Condition, Speech & Language Difficulties, Additional Learning Needs and Sensory Impairment.

- 1.4 Following the review, recommendations have been made that aim to address a number of imbalances in either appropriateness of designation of the SSC, or actual need for or take up of places for some types of SEND.
- 1.5 The SSC at Hazelwick School is for children with a hearing impairment (HI). It has had low occupancy over a number of years and currently only has 3 places occupied out of a total of 8 places that the County Council commissions and pays for, so funding is not being used to best effect. There are expected to be 4 places occupied from September 2018.
- 1.6 Hazelwick School is an academy and there is a Service Level Agreement (SLA) between the County Council and the Trustees of Hazelwick School regarding the operation of the SSC. The Academy has responsibility for the running of the SSC and the County Council has responsibility for monitoring, evaluating and reviewing the provision.

## **2. Proposal**

- 2.1 It is proposed to amend the number of places the County Council commissions at the Special Support Centre at Hazelwick School to 4 places instead of the existing 8 places, to take effect from September 2018.
- 2.2 If the proposal is approved, it will not affect children currently occupying places in the SSC, as provision will continue to be made in line with each child's individual Education Health & Care Plan (EHCP).

## **3. Resources**

- 3.1 SSCs are usually given funding for a minimum number of 8 places, whether or not those places are filled, at a rate of £10,000 per place. With a current occupancy rate of 3, this therefore means that the High Needs Block funding is not being properly utilised, and £50,000 a year is being spent on vacant places. From September 2018 the County Council would be paying £40,000 for the 4 places, which will all be occupied, making more efficient use of the High Needs Block.
- 3.2 It is thought unlikely that reducing the number of commissioned places at Hazelwick from 8 to 4 will have any impact on the viability of the unit, as existing staff levels already reflect the lower level of occupied placements at the school over the last couple of years.

## **Factors taken into account**

### **4. Consultation**

- 4.1 Although a formal public consultation is not legally required for this decision, a consultation has been carried out using the County Council's Have Your Say website. The consultation lasted for three weeks during term time and there were 43 responses.

- 4.2 Publicity about the consultation included a local press release. The consultation was also publicised through the West Sussex Parent Carer Forum, the Local Offer and local voluntary organisations. Consultation took place with the school, parents of the children in the SSC and the local member.
- 4.3 Consultation responses included those from parent/carers, school staff and governors, local representative groups and local residents.
- 4.4 An assessment of the responses to the consultation indicate that:
- 97.7% of responses objected to the proposal
  - 2.3% of responses neither supported or objected to the proposal
- 4.5 Analysis of the comments reveals that the majority fall into the following areas:
- There is insufficient SEND provision, either generally or specifically for HI children and this decision could lead to more placements in independent or non-maintained special schools. *Some of these comments refer to the need for assurance that this decision could be reviewed should the need for HI places in the area increase.*
  - The proposal reduces choice for families with HI children and those families should be encouraged to take up places, rather than reducing them.
  - The low occupancy was due to the quality of provision being offered and this should be addressed.
  - Need for more clarity about whether the reduced funding will be sufficient for the school to offer the required provision.
- 4.6 These comments have been fully considered and in response it is proposed that:
- The need for places in future years for HI children will be monitored and if this increases consideration will be given to commissioning additional places in the SSC.
  - Families of children with EHCPs have a statutory right to express a preference for the school they would like their child to attend, which the Local Authority must comply with, unless certain exceptional conditions apply. However many parents of children with HI choose to have their child educated in their local mainstream school alongside their peers.
  - The quality of provision, including any funding implications, will continue to be monitored and addressed as necessary, within the remit of the County Council as covered in the SLA with the Academy.
- 4.7 It is noted that the responses to the consultation were overwhelmingly opposed to the proposal to reduce the number of places. It is not surprising that respondents would be concerned about a suggestion that provision should be reduced. However this proposal has been drawn up on the basis of evidence of the number of specialist places for children with HI that are required and of the best use of the High Needs Block of the Dedicated Schools Grant and it is therefore considered appropriate to proceed despite the objections.

## **5. Risk Management Implications**

- 5.1 If the proposal is not approved there is a risk, given the projected overspend and ongoing pressure on the High Needs Block of the Dedicated Schools Grant, that savings will need to be made that will impact adversely on funding for other special provision.
- 5.2 Hazelwick School could decide that given the reduced funding, the SSC is not viable and they do not wish to continue to operate it. It is understood that the existing staffing arrangements for the SSC should not result in non-viability, but if the Academy wished to close the SSC they need to give a full academic year's notice, as laid out in the SLA. This would provide the opportunity to have further discussions about the future of the provision and if necessary alternative arrangements for the children currently accessing it.

## **6. Other Options Considered**

- 6.1 The option of doing nothing has been considered, but rejected as this would be unlikely to improve outcomes for children and would involve greater cost to the Local Authority due to funding unused places at the SSC.

## **7. Equality Duty**

- 7.1 The proposal will have a neutral impact in terms of enabling children with a particular type of special educational needs & disabilities, i.e. hearing impairment, to be educated with their peers in their local community, as most children with this disability do not require SSC provision and can be educated in their local mainstream school. It will support the County Council's policy of inclusion in mainstream education where possible and will help to:
- eliminate discrimination, harassment & victimisation;
  - advance equality of opportunity; and
  - foster good relations between children with and without SEND.
- 7.2 No changes have been made to the proposal as a result of this equality impact assessment. Any impact will be monitored through the annual report about the functioning of the SSC completed by Education & Skills officers and through the Annual Reviews of the EHCPs of the children placed in the SSC.

## **8. Social Value**

- 8.1 Not applicable

## **9. Crime and Disorder Act Implications**

- 9.1 Not applicable

## **10. Human Rights Implications**

- 10.1 Not applicable

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**Background Papers:**

[West Sussex SEND Strategy](#)