



# South Tyneside Council

## Cabinet

Date: 4 September 2019

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## Proposal to Establish SEND Resourced Provision at Lord Blyton Primary School

Report of the Acting Corporate Director Children Adults and Health

Cabinet Portfolio/Lead Member: Councillor Moira Smith, Lead Member Children Young People and Families

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### **Purpose of Report**

1. This report sets out the current position of SEND provision for pupils with Social/Emotional/Mental Health needs and the increase in demand for specialist places.
2. The report seeks Cabinet approval to begin the statutory process for the establishment of a resourced provision at Lord Blyton Primary School.

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Contact Officer: Beverley Scanlon, Head of Learning and Early Help, Ext 7015

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## **Introduction**

3. LAs have a duty to secure sufficient appropriate education places for children and young people, including provision for SEND. This includes responsibility for securing and funding provision for children and young people with Education, Health and Care (EHC) plans, funded from the High Needs budget.
4. South Tyneside currently has a continuum of provision for pupils with SEND, ranging from individual support in mainstream schools to designated special schools, supporting pupils with a range of needs.

## **Background**

5. As part of the duty to secure appropriate provision, an audit of need of pupils with Special Educational Needs was undertaken in 2017 and identified various changes in the demand for places, including an increased demand for places for Social, Emotional Mental Health (SEMH) and Autistic Spectrum Disorder (ASD). The audit of need also identified a gap in provision for these pupils across the current spectrum of provision, which includes inclusion in mainstream schools, specialist resource provision within mainstream schools and special schools.

## **Current Position**

6. The gap in provision has led to an increase in pupils being placed in provisions out of the borough or in non-maintained provisions, with 49 pupils whose primary needs are either ASD or SEMH receiving their education in Out of Authority placements. Of those 49 a number could have been placed within the Authority had there been sufficient places available for them.
7. The audit of need, current placements within the Borough, OOA placements and projected future demand for places has highlighted a need to review current provision to better align it with the changing needs of pupils with SEND.
8. A review of the continuum of provision will also enable a realignment of resourced provision attached to mainstream schools to ensure that there are sufficient places to meet current and emerging demands.
9. In particular the review is a demand for provision for primary aged pupils with SEMH (Park View School provides places for secondary aged pupils with SEMH). In anticipation of meeting changing demands, all mainstream primary schools were asked to indicate their interest in 'hosting' an additional resource base for up to 15 pupils for whom SEMH is a primary need. The governors at Lord Blyton Primary School signalled their interest in taking this proposal forward and capital funding has been secured through the SEND capital programme to establish the base.. The formal process to establish the resource base now needs to be considered.
10. The proposal is to establish a 13 place Special Resource Base at Lord Blyton Primary School, for pupils who have an Education, Health and Care Plan (EHCP) with Social Emotional and Mental Health and Communication Interaction as the primary special need.

Proposal to establish SEND Resourced Provision at Lord Blyton Primary School

11. The statutory process for the establishment of the provision is encompassed in the statutory guidance 'Making significant changes ('prescribed alterations') to maintained schools, Mainstream school: establish/remove/alter special educational needs (SEN) provision'. The process and timelines are:

The statutory process for making prescribed alterations to schools has four stages: Stage	Description	Timescale	Comments
Stage 1		Publication (statutory proposal/notice)	
Stage 2	Representation (formal consultation)	Must be 4 weeks	As set out in the 'Prescribed Alterations' regulations
Stage 3	Decision	LA should decide a proposal within 2 months otherwise it will fall to the Schools Adjudicator	Any appeal to the adjudicator must be made within 4 weeks of the decision
Stage 4	Implementation	No prescribed timescale	It must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker

12. Although there is no longer a statutory 'pre-publication' consultation period for prescribed alteration changes, there is a strong expectation that schools and LAs will consult interested parties in developing their proposal prior to publication, to take into account all relevant considerations.
13. Prior to this report an Informal (pre-publication) consultation was carried out with parents of pupils currently attending Lord Blyton Primary School, staff and other stakeholders. The consultation ran for four weeks from 21 June 2019 to 19 July 2019. In addition, the proposal was discussed with parents with pupils with SEND, via South Tyneside's 'Stronger Together' Parent Carer Forum. Meetings were held at school on Monday, 8 July at 4pm and Tuesday, 9 July 2019 at 5.30pm, to which parents/carers and other interested parties were invited to hear more about the proposals and to have the opportunity to ask any questions. There were no attendees at either meeting. Responses were invited to be submitted on a structured response form, with the opportunity to give general views in a free text section. There were no formal responses to the consultation, however the headteacher has had positive verbal feedback from some parents.

### **Next Steps**

14. Stage 1 of the statutory process is outlined in paragraph 11 above. Draft copies of the Statutory Proposal and the Statutory Notice that will be published, if Cabinet approves the progression of the proposal, are attached as Appendix 1 and Appendix 2 respectively..

### **Financial or value for money implications**

15. The financial implications are:
  - The capital costs associated with this proposal will be met from the SEND Capital Grant funded by the Department for Education (DfE)
  - The proposal will allow more efficient use of the SEND High Needs Block budget.

### **Legal Implications**

16. The statutory process outlined in paragraph 11 above, must be followed to meet legal requirements.

### **Risk Implications**

17. The risk is that if the additional provision for pupils with SEMH needs is not established these children will not receive the specialist education they need to support their needs.

### **Equality and Diversity Implications**

18. The Equality Act 2010 includes a public sector equality duty which came into force on 6 April 2011. The duty covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race religion or belief, sex and sexual orientation.
19. The Act requires the Council, in exercising its functions to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act; advance equality of opportunity between people who share a protected characteristic and those who do not and foster good relations between those people who share a protected characteristic and those who do not. In determining the proposals, Cabinet should have satisfied that to do so is a reasonable exercise of its discretion having considered all of the relevant matters and disregarding irrelevancies and having had regard to all guidance that it is statutorily required to consider.

### **Environmental and Sustainability Implications**

20. There are no environmental or sustainability implications arising out of this report. Any environmental and sustainability implications arising from the consultation proposal will be duly considered.

### **Factors to be considered by Decision Makers**

21. Cabinet is the decision maker for the publication of the proposal.

### **Decision Options Available to Cabinet**

22. Cabinet, having considered the merits of the proposal and the feedback from the 'pre-publication' consultation can either:
  - reject the publication of statutory notices for the establishment of Specialist Provision at Lord Blyton Primary School

or

  - approve the publication of statutory notices for the establishment of Specialist Provision at Lord Blyton Primary School

### **Recommendations**

23. Cabinet is recommended to approve the publication of statutory notices for the establishment of Specialist Provision at Lord Blyton Primary School.

### **Reasons for Recommendations**

24. The establishment of the provision of SEND Resourced Provision at Lord Blyton Primary School will help to meet the increased demand for specialist provision for pupils with SEMH as their primary need.
25. The recommendations are aligned with one of the principle aims of South Tyneside's Stronger Together SEND Strategy which is to provide local provision for local children in order that pupils with special educational needs and disabilities can be educated in their own communities.
26. The recommendations represent more efficient use of the SEND High Needs Block budget.

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## Proposal to Establish SEND Resourced Provision at Lord Blyton Primary School

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**The following is a list of the background papers (excluding exempt papers) relied upon in the preparation of the above report:**

<b>Background Paper</b>	<b>File Ref:</b>	<b>File Location</b>
Making significant changes ('prescribed alterations') to maintained schools		<a href="#">Department for Education Website</a>
Appendix 1- Statutory Proposal		
Appendix 2 – Statutory Notice		

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Contact Officer: Beverley Scanlon, Head of Learning and Early Help, Ext 7015

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background papers background papers background papers

**SCHOOL REORGANISATION  
PROPOSAL TO ESTABLISH A NEW SPECIAL RESOURCE BASE FOR  
PUPILS WITH SOCIAL EMOTIONAL AND MENTAL HEALTH AND  
COMMUNICATION INTERACTION DIFFICULTIES AT LORD BLYTON  
PRIMARY SCHOOL**

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that South Tyneside Council intends to make a prescribed alteration to Lord Blyton Primary School from 6 January 2020. Lord Blyton Primary School is a mainstream community school.

It is proposed to establish a new 13-place special resource base for pupils with social emotional and mental health and communication and interaction difficulties. The unit will be located within the main body of the school and will cater for pupils aged 5 to 11 years old.

It is intended that the school will make special educational needs provision that is recognised by the local education authority as reserved for SEN pupils.

This Notice is an extract from the complete proposal. The complete proposal is published on the Council's website at:

<https://www.southtyneside.gov.uk/lordblyton>

Copies can also be requested by:

telephoning 0191 4247847 or by emailing  
lordblytonconsultation@southtyneside.gov.uk.

Any person may object to or make comments on the proposal by sending them to Lord Blyton Primary School Consultation, South Tyneside Council, Town Hall & Civic Offices, Westoe Road, South Shields, Tyne & Wear, NE33 2RL. Comments and objections should be sent by no later than Monday 14<sup>th</sup> October 2019.

Acting Director Children Adults & Health  
Date Monday 16<sup>th</sup> September 2019

# Statutory proposal for Prescribed Alterations at Lord Blyton Primary School

## 1. Contact details

**Name and address of Local Authority publishing the proposal:**

South Tyneside Council, Town Hall & Civic Offices, Westoe Road, South Shields, NE33 2RL

**Name, address and category of school where proposed alterations are to be made:**

Lord Blyton Primary School, Blyton Avenue, South Shields, NE34 9BN  
(Maintained Mainstream Community Primary School)

## 2. Implementation

**Date on which the proposed Prescribed Alterations will be implemented:** 6 January 2020

## 3. Proposed Prescribed Alterations

To establish a 13 place Special Resource Base for boys and girls aged 5 to 11 who have an Education, Health and Care Plan (EHCP) with Social Emotional and Mental Health and Communication Interaction as the primary special need.

The proposed accommodation will be housed within the main school building and will comprise one classroom for Key Stage 1 and one classroom for Key Stage 2. The accommodation is currently used for alternative activities e.g. breakfast club, which will be relocated to a demountable building to be positioned in the school grounds, with direct access into the main building. The vacated rooms within the main school building will be re-modelled and refurbished to house the Special Resource Provision.

## 4. Objectives of the proposal

As part of the duty to secure appropriate provision for pupils with Special Educational Needs (SEN), an audit of need of pupils with SEN was undertaken in 2017 and identified various changes in the demand for places, including an increased demand for places for Social, Emotional Mental Health (SEMH). The audit of need also identified a gap in provision for these pupils across the current spectrum of provision, which includes inclusion in mainstream schools, specialist resource



provision within mainstream schools and special schools. The Local Authority has an established special resource base for SEMH pupils located in the west of the borough. The proposed Special Resource Base will address the shortage of places in specialist resource provision in the east of the Borough and will promote inclusion, with quality SEN provision within a mainstream setting, with access to specialist support.

The school is an inclusive school and the Special Resource Base will complement the school's established specialism in supporting pupils with mental health/emotional wellbeing needs. The provision will give pupils who exhibit changing behaviours, communication and interaction needs and who have a need for a therapeutic multi-disciplinary intervention the opportunity to access mainstream provision with the specialist support they need. The Special Resource Base will also provide an outreach service into schools to support SEMH and will:

- increase access to specialist facilities for Key Stage 1 and 2 pupils with SEMH and Communication Interaction difficulties
- improve access to specialist staff for Key Stage 1 and 2 pupils with SEMH and Communication Interaction difficulties
- increase the number of special resource base places within primary sector by 13

All places will be reserved for pupils with an EHCP which names the school as the most appropriate placement, or for children whom an educational psychologist deems would benefit from an assessment placement as part of the special educational needs assessment process.

All pupils will be on the roll of Lord Blyton Primary School or will be dual registered with their existing primary school. The proposal does not include a change in age range.

## **5. Effect on other educational institutions within the area**

The establishment of the special resource base will not create an overall increase in the number of places in the primary sector but will provide an additional specialist provision for children with SEMH and communication interaction difficulties. Lord Blyton Primary School has a published admission number of 30; it is not proposed to increase the published admission number.

The proposed resource base will not replace existing provision but will supplement and improve provision across the borough.

The addition of the Special Resource Base to the school will not have a direct impact on admissions or provision at other schools within the area but will have a positive impact in the capacity and quality of outreach support to be offered to other schools.

## **6. Project costs and indication of how these will be met, including how long-term value for money will be achieved**

Funding has been secured for the project with a successful Capital bid to DfE by the Local Authority.

Long-term value for money will be achieved by pupils having their needs met within appropriate mainstream provision with specialist support rather than in special school provision. This will free special school places for pupils with the highest level of needs and provide the opportunity to place high need pupils within the borough, rather than in out of borough provision. Increased capacity for outreach will deliver support for pupils in mainstream settings, leading to fewer pupils being transferred to specialist provisions and improving inclusion opportunities in mainstream schools.

## **7. Implementation plan**

The provision will be put in place and the vacated rooms remodelled to be operational from 6 January 2020, for the admission of pupils at the beginning of the Spring Term 2020. The timescales will minimise disruption to the education of pupils in the school.

## **8. Procedure for making representations (objections and comments)**

Within four weeks from the date of publication of this proposal 16<sup>th</sup> September 2019, any person may object to or make comments on the proposal by:

Email: [lordblytonconsultation@southtyneside.gov.uk](mailto:lordblytonconsultation@southtyneside.gov.uk)

Post: Lord Blyton Consultation, South Tyneside Council, Town Hall and Civic Offices, South Shields, NE33 2RL

**Closing date for responses is 14<sup>th</sup> October 2019, at midnight.**

We will not be able to consider any responses received after this date