

# WEST NORTHAMPTONSHIRE COUNCIL CABINET

12<sup>TH</sup> JULY 2022

## CABINET MEMBER RESPONSIBLE FOR CHILDREN, FAMILIES AND EDUCATION: COUNCILLOR FIONA BAKER

<b>Report Title</b>	<b>Proposal to establish a 50 place Special Educational Needs &amp; Disability (SEND) unit for pupils with a primary need of Autistic Spectrum Condition (ASC) at Hunsbury Park Primary School, Northampton</b>
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### Contributors/Checkers/Approvers

<b>Monitoring Officer</b>	Catherine Whitehead	4 <sup>th</sup> July 2022
<b>Chief Finance Officer (s151 Officer)</b>	Martin Henry	4 July 2022
<b>Other Director/SME</b>	Chris Kiernan – interim Director of Children’s Services	30 June 2022
<b>Communications Lead/Head of Communications</b>	Craig Forsyth	4 July 2022

### List of Appendices

Appendix A – Cabinet report 3 July 2022

*Proposal to establish a 50 place Special Educational Needs & Disability (SEND) unit for pupils with a primary need of Autistic Spectrum Condition (ASC) at Hunsbury Park Primary School, Northampton*

1. Purpose of Report

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1.1. The purpose of this report is to seek approval from Cabinet Members for a 50 place SEND unit, at Hunsbury Park Primary school. This follows on from the earlier cabinet report presented on 3 May (Appendix A) which sought approval as follows:

- a) *Approve the publication of the statutory notice of its intent to establish a new, 50 place, SEND unit catering to pupils with a primary need of ASC, at Hunsbury Park Primary School.*
- b) *Notes that following the publication of the statutory notice a four week period of consultation on this matter will commence.*
- c) *Notes that a further, final decision will be required in July as to whether or not to establish the proposed SEND unit at Hunsbury Park Primary School.*

The consultation period has now ended with most respondents supporting the proposed unit. Full details of responses are shown under section 7.5

## **2. Executive Summary**

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- 2.1 The earlier report of 3 May provided details relating to the demand for SEND places and lack of available capacity within specialist settings in West Northamptonshire currently being experienced.
- 2.2 The report also provided details relating to the future demand for SEND places and that the current trend of increasing demand is forecast to continue in future academic years.
- 2.3 The report referenced WNC's plans to address the issues caused by the increasing demand for SEND places and the specific benefits that could be realised via the provision of a new SEND unit at Hunsbury Park Primary School.
- 2.4 This report will provide a summary of all responses received during the period of consultation that was conducted on this proposal, following WNC's publication of its intention to establish this SEND unit in May 2022.

## **3. Recommendations**

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- 3.1 It is recommended that the Cabinet:
  - a) Approves the establishment of a 50 place SEND unit for pupils with a primary need of ASC at Hunsbury Park Primary School, Northampton.
  - b) Notes the responses received during the 4 week period of consultation on the proposal that was conducted in May/June 2022.
  - c) Delegates responsibility to Director of Children's Services, in conjunction with the relevant portfolio holder to enter into all necessary contracts related to the delivery of the proposed SEND unit.

## **4. Reason for Recommendations**

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- 4.1 The proposal will help ensure that the Council is able to fulfil its statutory obligation of providing a sufficiency of SEND places within West Northamptonshire.

- 4.2 The proposal will provide an increased number of SEND places and will help ensure that children with additional needs are able to access education in a provision that is best placed to meet their individual needs.
- 4.3 The proposal can be considered to benefit all West Northamptonshire primary schools as it will reduce the need for mainstream school settings to provide places to children with additional needs where that provision is not best placed to meet a child's additional needs.
- 4.4 The recommended course of action is the most cost-effective and will reduce pressure on the High Needs Block (HNB) element of the Dedicated Schools Grant (DSG) via a reduction in the number of children being required to be placed in more expensive out of county and independent provisions to meet their individual needs.
- 4.5 The Council and its customers will receive the maximum benefit from the option proposed.

## 5. Report Background

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The report of 3 May set out the following:

*Current demand for specialist places within West Northamptonshire*

*Future demand for specialist places within West Northamptonshire*

*Future plans to provide additional specialist places*

This proposed unit will alleviate some of the forecasted pressure on SEND places.

## 6. Issues and Choices

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- 6.1 Further detail is set out in the earlier report of 3 May (appendix a) but essentially, if this proposal was not approved, it is likely to result in the failure of WNC fulfilling its statutory obligation of providing a sufficiency of SEND places in West Northamptonshire. It would also result in the requirement to utilise places in increasingly distant and more expensive places within the independent sector, which would place a further strain on the HNB of the DSG.
- 6.2 It is planned that an existing area of the school buildings will be remodelled and refurbished during the Summer of 2022 to provide up to 30 new SEND places from September 2022. The remaining 20 places will be provided via the provision of a brand new and purpose built modular building that will open from September 2023. The whole scheme is anticipated to cost £1.1m or £22,000 per place created. This 'per place' cost compares very favourably with industry benchmarks of up to £80,000 per place.
- 6.3 Whilst it is not possible to identify the exact amount of revenue funding the school will receive for the new SEND unit until such a point that the cohort of pupils who will attend the school have been identified (as funding is linked to individual pupils) an average cost of £20,000 per pupil can be used for comparative purposes. When compared to the average cost of placing a pupil in the independent sector of £56,778, the establishment of the proposed unit at Hunsbury Park Primary

School can be considered to provide a cost avoidance benefit to the HNB of the DSG of £1,103,640 in its first year of operation and £1,839,400 thereafter.

6.4 A summary of responses received during the associated consultation on this proposal can be found in section 7.5 of this report. However, it should be noted that the overwhelming majority of consultation responses were in favour of this proposal.

6.4.1 It is for the reasons stated above that the WNC seeks to establish a new SEND unit at Hunsbury Park Primary School.

## 7 Implications (including financial implications)

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### 7.2 Resources and Financial

7.2.1 The capital expenditure required for the planned tranche 1 works identified in section 5.13 of this report was approved by WNC's Cabinet in February/March 2022 at a total cost of £6.43m. As stated previously, all of the capital funding required for the tranche 1 works has (or will be provided) by the DfE via ring-fenced grant allocations. The planned works at Hunsbury Park Primary School will cost £1.1m.

7.2.2 The proposed scheme will provide a cost avoidance benefit to the HNB of the DSG as detailed in section 6.7 of this report. It will also provide the opportunity for any pupil that has been placed in an independent setting to return (via the EHC plan annual review process) which would further reduce the cost of the HNB of the DSG.

7.2.3 This proposal can be considered to be fully financed from both a capital and revenue perspective.

7.2.4 Hunsbury Park Primary School forms part of the Northampton PFI contract. Under the contract all capital construction works at a PFI school must be delivered via Amey, the contractor which manages the PFI contract. All necessary resources for the delivery of the planned construction works will be provided by Amey and WNC's PFI team and the scheme can be considered to be fully resourced.

### 7.3 Legal

7.3.1 The manner in which any LA can establish a new SEND unit at a maintained school is defined in the DfE guidance booklet, 'Making significant changes (prescribed alterations) to maintained schools' and prescribed in the 'The School Organisation (prescribed alterations to maintained schools) Regulations 2013'. The statutory process is provided in section 7.4 of this report. WNC will fully comply with the required statutory process.

### 7.4 Risk

7.4.1 There are significant risks attached to a decision not to proceed with this proposal at the current time, these risks would relate to WNC's ongoing ability to fulfil its statutory obligations of providing a sufficiency of SEND places and compromise its ability to allocate specialist school places to pupils in receipt of an EHC plan in a timely manner, from September 2022 onwards. It would also prevent the cost avoidance benefits to the HNB of the DSG identified in section 7.1.2 being realised.

## 7.5 Consultation

7.5.1 The consultation was carried out in line with DfE guidance as set out within the earlier report of 3 May (appendix a).

7.5.2 Details of the consultation and an opportunity to respond were sent to:

- The Governing Body of Hunsbury Park Primary School;
- Staff at Hunsbury Park Primary School;
- Parents of Hunsbury Park Primary School;
- Local schools;
- Local Academy Trusts;
- Local Councillors;
- The local MP;
- Local Diocesan Authorities;

7.5.3 There were 50 responses in total with the majority - 45 consultees, responding in agreement to the proposals. These respondents represented a mix of school staff, parents/guardians and local residents. Only two disagreed with the proposal citing traffic, location and ecological impact as their reasons. 2 stated 'don't know' to the proposal and one did not answer at all.

7.5.4 The full set of consultation responses were circulated to all Cabinet members prior to the Cabinet meeting of 12<sup>th</sup> July, in order that all opinions expressed by stakeholders were given full consideration prior to any decision being made on this proposal.

7.5.5

## 7.6 Consideration by Overview and Scrutiny

7.6.1 N/A

## 7.7 Climate Impact

7.7.1 The decision to issue a public notice of WNC's intent to establish a new SEND unit at Hunsbury Park Primary School and launch a four week period of consultation on the proposal has no related climate impact. Should the proposal be given approval to progress

## 7.8 Community Impact

6.1.1 The proposal to establish a SEND unit at the school will have a significant positive impact on the community by allowing the timely allocation of a specialist school place in the local area.

## 7.9 Communications

7.9.1 If the SEND unit at Hunsbury Park is approved, all communication will be handled by the WNC communications team. All results of the consultation will be relayed by the business intelligence team on the WNC website.

## 8 Background Papers

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8.2 Please refer to Appendix A for the previous cabinet report of 3 May which provides more detail around the proposal.