



LEAD MEMBER FOR EDUCATION AND INCLUSION, SPECIAL EDUCATIONAL NEEDS AND DISABILITY

DECISIONS to be made by the Lead Member for Education and Inclusion, Special Educational Needs and Disability, Councillor Bob Standley

TUESDAY, 28 MARCH 2023 AT 2.00 PM

REMOTE MEETING VIA MICROSOFT TEAMS

AGENDA

1. Decisions made by the Lead Cabinet Member on 27 February 2023 (*Pages 3 - 4*)
2. Disclosures of interests
Disclosure by all Members present of personal interests in matters on the Agenda, the nature of any interest and whether the Member regards the interest as prejudicial under the terms of the Code of Conduct
3. Urgent items
Notification of items which the Lead Member considers to be urgent and propose to take at the end of the appropriate part of the Agenda
4. Approval to publish statutory notice for lowering school age range at Punnett's Town Community Primary School (*Pages 5 - 6*)
Report by the Director of Children's Services.
5. Proposed Specialist facility at Denton Community Primary School (*Pages 7 - 10*)
Report by the Director of Children's Services
6. Proposed Specialist facility at Meridian Community Primary School (*Pages 11 - 14*)
Report by the Director of Children's Services.
7. Any urgent items previously notified under agenda item 3

PHILIP BAKER
Assistant Chief Executive
County Hall, St Anne's Crescent
LEWES BN7 1UE

20 March 2023

Contact Belinda Trunfull, Governance and Democracy Officer,
01273 335230
Email: belinda.trunfull@eastsussex.gov.uk

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LEAD MEMBER FOR EDUCATION AND INCLUSION, SPECIAL EDUCATIONAL NEEDS AND DISABILITY

DECISIONS made by the Lead Member for Education and Inclusion, Special Educational Needs and Disability, Councillor Bob Standley, on 27 February 2023 at Remote Meeting via Microsoft Teams

Councillors Georgia Taylor and Alan Shuttleworth spoke on item 4 (see minute 27)

Councillor Georgia Taylor spoke on item 6 (see minute 29)

23. DECISIONS MADE BY THE LEAD CABINET MEMBER ON 12 DECEMBER 2022

23.1 The Lead Member approved as a correct record the minutes of the meeting held on 12 December 2022.

24. DISCLOSURES OF INTERESTS

24.1 There were none.

25. URGENT ITEMS

25.1 There were none.

26. REPORTS

26.1 A copy of the reports referred to below is included in the minute book.

27. EAST SUSSEX CHILDCARE SUFFICIENCY DUTY 2023 - 2024

27.1 The Lead Member considered a report by the Director of Children's Services regarding the publication of the East Sussex Childcare Sufficiency Duty report 2023.

DECISION

27.2 The Lead Member RESOLVED to approve the publication of the East Sussex Childcare Sufficiency Duty report for 2023.

REASON

27.3 The Local Authority has a duty to publish a Childcare Sufficiency Duty report annually. The document supports the Local Authority's statutory obligation of on-going assessment of childcare provision for children aged 0-14 years old (and up to 18 years old for children with Special Educational Needs and Disability) in East Sussex.

28. ADMISSION ARRANGEMENTS FOR COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS IN EAST SUSSEX 2024-25

28.1 The Lead Member considered a report by the Director of Children's Services regarding the admission arrangements for Community and Voluntary Controlled (VC) schools in East Sussex for the 2024-25 academic year (and the proposed co-ordinated schemes of admission for the same year), as required by the School Admissions Code 2021.

DECISIONS

28.2 The Lead Member RESOLVED to:

- 1) agree the admission arrangements for 2024-25 including the changes to give priority to children of staff and to alter the community areas for Polegate and Willingdon Primary Schools and Willingdon Community School as set out in Appendix 1 of the report;
- 2) agree the Published Admission Number (PAN) increase for Robertsbridge Community College and PAN decrease for Iford and Kingston CE Primary School, and the PANs for other schools as set out in Appendix 2 of the report; and
- 3) agree the adoption of the co-ordinated schemes of admission as set out in Appendices 3, 4 and 5 of the report.

REASON

28.3 The School Admissions Code 2021 ("the Code") states that admission authorities must determine their admission arrangements annually.

29. HOUSEHOLD SUPPORT FUND ROUND 4

29.1 The Lead Member considered a report by the Director of Children's Services regarding the Household Support Fund.

DECISIONS

29.2 The Lead Member RESOLVED to:

- 1) approve the proposed use of £2,052,500 of the Household Support Fund, to provide support to households with children between 1 April – 30 September 2023; and
- 2) delegate to the Director of Children's Services authority to implement the scheme

REASON

29.3 The scheme provides a further opportunity to extend the support to households with children, households with pensioners, households with a disabled person and other vulnerable households within East Sussex who are experiencing financial challenges.

Agenda Item 4

Report to:	Lead Member for Education and Inclusion, Special Educational Needs and Disability
Date:	28 March 2023
By:	Director of Children's Services
Title of report:	Punnetts Town Community Primary School change of age range
Purpose of report:	To seek Lead Member approval to publish a statutory notice in respect of a proposal to lower the age range at Punnetts Town Community Primary School to enable the governing board to take over the management and running of the voluntary run early years provision currently on the school site.

RECOMMENDATIONS: The Lead Member is recommended to:

- 1) authorise the publication of a statutory notice in respect of a proposal to lower the age range at Punnetts Town Community Primary School from 4-11 to 2-11. The proposal to take effect from 1 September 2023; and**
 - 2) delegate authority to the Director of Children's Services to amend the proposal prior to its publication if required.**
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1 Background

1.1 The current voluntary run early years provision, Little Punnetts has been operating on the site of Punnetts Town Community Primary School since February 2014. The current Trustees of Little Punnetts can no longer continue to oversee the management/running of the pre-school and have requested the governing board of Punnetts Town Community Primary School take over the provision. To enable the school to do this the governing board wishes to lower the school's age range from 4-11 to 2-11 with effect from 1 September 2023. The East Sussex Early Years Forecasting model shows a need for early years provision within the village.

1.2 The aim of the proposal is to integrate fully nursery provision into the Early Years Foundation Stage within the school. The governing board wishes to ensure that there will continue to be nursery provision to support the local area and offer high quality early education delivered by experienced and well-trained staff across the Early Years Foundation Stage.

2 Supporting information

2.1 The governing board consulted between 10 January and 24 February 2023 on a proposal to lower the school's age range. The governing board consulted with staff, families of children at the school, the local community, and other interested parties.

2.2 By the close of the consultation period, 11 responses had been received. All respondents fully support the school's proposal to lower the age range from 4-11 to 2-11 to provide early years provision for children within the village. A full list of responses is available for elected members to view in the Cabinet and Members Rooms at County Hall.

2.3 Proposed changes to the organisation of maintained schools must be in accordance with Section 19 (1) of the Education and Inspections Act 2006 (as amended) and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 (as amended) (the Regulations). The next stage of the process is to publish a statutory notice in relation to the proposal. It is intended that the notice would be published on the Council's consultation hub on Friday 5 May 2023. The notice would also be published in the Sussex Express and posted on the entrances

to the school. A four-week period of representation would follow, giving interested parties a further opportunity to comment on the proposal. The Council has a duty to determine each proposal within two months of the end of the representation period. We anticipate that a final decision on the proposal would be taken at the Lead Member meeting on 21 June 2023.

3. Conclusion and reasons for recommendations

3.1 In conclusion, we believe the proposal to lower the age range at Punnetts Town Community Primary school would meet the need to provide sufficient early years provision to support the local area and offer high quality early education across the Early Years Foundation Stage.

3.2 For this reason, the Lead Member is recommended to:

- 1) authorise the publication of a statutory notice in respect of a proposal to lower the age range at Punnetts Town Community Primary School from 4-11 to 2-11. The proposal to take effect from 1 September 2023; and
- 2) delegate authority to the Director of Children's Services to amend the proposal prior to its publication if required.

ALISON JEFFERY
Director of Children's Services

Contact Officer: Jane Spice
Tel. No. 01323 747425
Email: jane.spice@eastsussex.gov.uk

LOCAL MEMBER

Councillor Bob Bowdler

BACKGROUND DOCUMENTS

None

Report to: **Lead Member for Education and Inclusion, Special Educational Needs and Disability**

Date: **28 March 2023**

By: **Director of Children's Services**

Title of report: **Proposed specialist facility at Denton Community Primary School**

Purpose of report: **To seek Lead Member approval to publish a statutory notice in respect of a proposal to establish a new specialist facility at Denton Community Primary School.**

RECOMMENDATIONS: The Lead Member is recommended to:

- 1) approve publication of a statutory notice in respect of a proposal to establish a new specialist facility for up to eight pupils at Denton Community Primary School; and**
- 2) delegate authority to the Director of Children's Services to amend the proposal prior to its publication if required.**

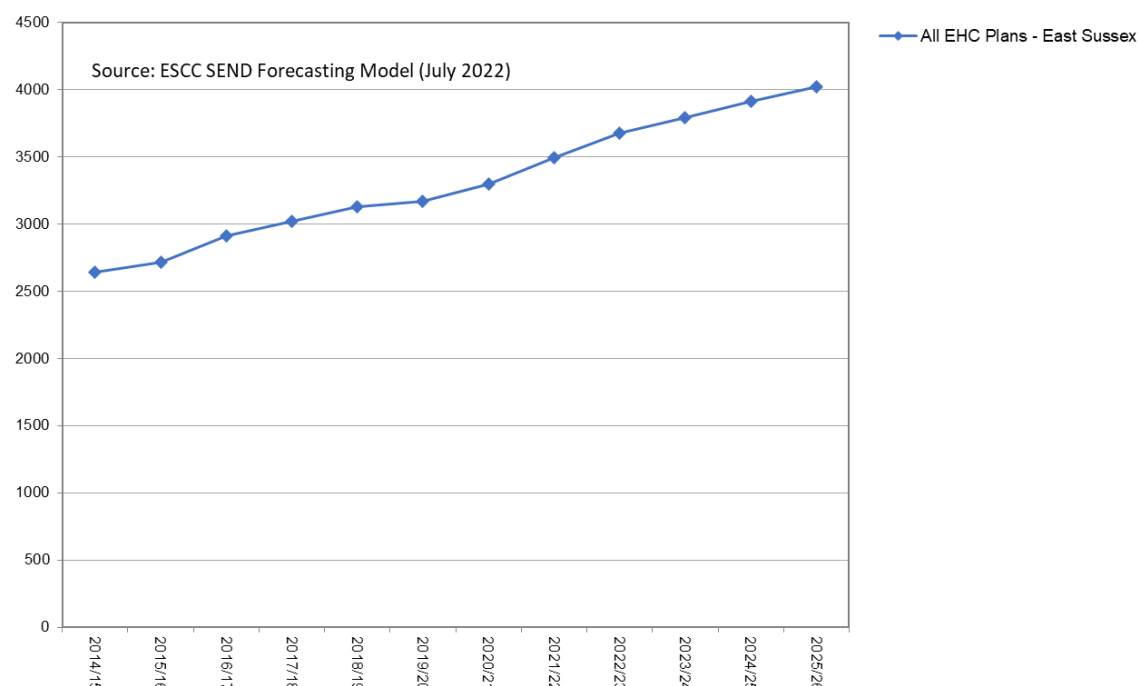
1. Background

1.1 Local authorities have a statutory duty to ensure there are sufficient school places for all pupils, including for those with Special Educational Needs and Disabilities (SEND). East Sussex County Council (the local authority)'s SEND forecasts provide clear evidence that we will continue to see an increase in the number of pupils with SEND in the coming years.

1.2 The numbers of school aged children and young people aged 4-19 in East Sussex with an Education, Health, and Care Plan (EHCP) have been rising steeply in recent years, from 3,126 in 2018-19 to 3,494 in 2021-22, an increase of 12%.

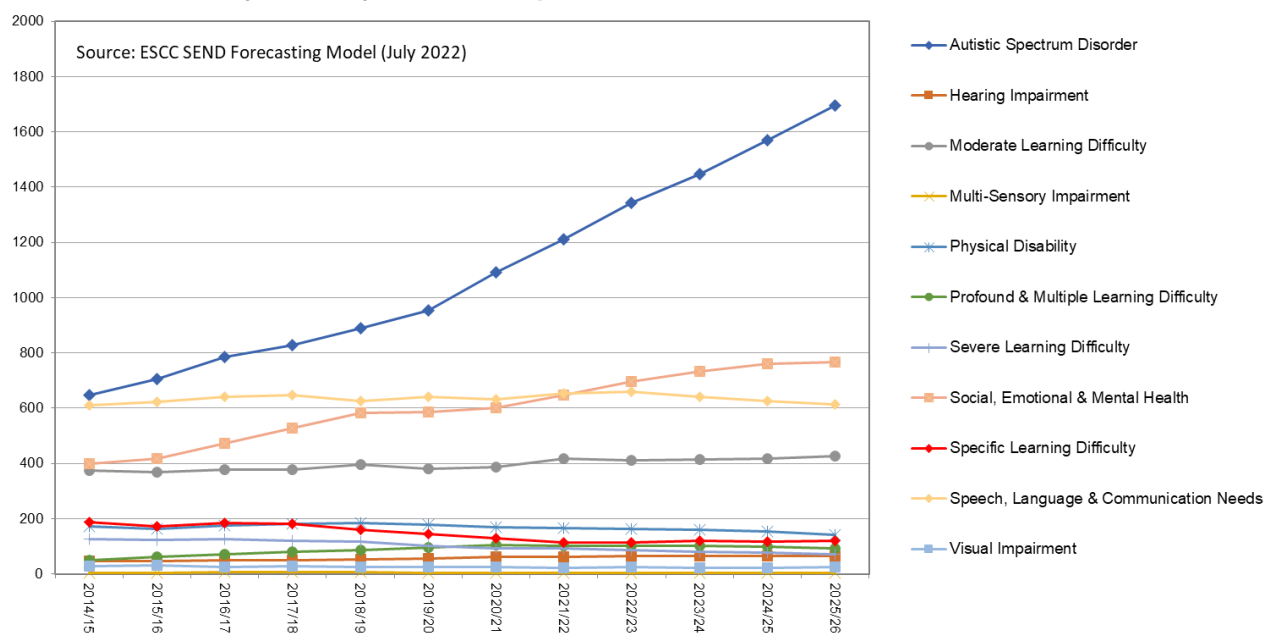
1.3 In the next four years, the local authority forecasts that overall numbers of school-aged children and young people aged 4-19 with EHCPs will grow by around 15%, to approximately 4,000. This is illustrated in Chart 1 below.

Chart 1: Overall Numbers with EHCPs – Age 4-19 years



1.4 Chart 2 shows that the primary need group with the biggest increase continues to be Autistic Spectrum Disorder (ASD), with numbers predicted to rise from 1,211 in 2021/22 to 1,695 in 2025/26, an increase of 40%. Rising ASD pupil numbers reflect increases in diagnosis and an increase in parental and professional awareness of these needs.

Chart 2: EHCPs by Primary Need Group



2. Proposal

2.1 Over recent years, the local authority has been implementing its SEND strategy to develop more places in East Sussex for pupils with SEND. This has included securing new free special schools and the development of more specialist facilities in mainstream schools. Feedback from the local authority’s consultation on its SEND place planning strategy in 2021 agreed that a priority for the local authority should be the creation of specialist provision in mainstream primary schools for pupils with ASD in the Newhaven and Peacehaven area. To address this, the local authority would like to establish a facility for up to eight pupils at Denton Community Primary School in Newhaven from September 2023.

2.2 Specialist facilities are located within a mainstream school and provide specific support to a limited number of pupils with an EHCP naming a specific primary special educational need. Pupils within the facility are on the roll of the mainstream school and are in addition to the published admission number. The school receives additional funding from the local authority to support the child. Placements are determined by the local authority according to clear criteria and will be drawn from a wider geographical area than the school’s usual catchment.

2.3 Specialist facilities promote an ethos of inclusion and help integrate their pupils into the mainstream school for as much of their learning time as their needs allow. Specialist facilities also provide access to a base within the school for more intensive learning and support when required. The expertise of staff within specialist facilities provides significant benefits to the rest of the school and other schools in the local area to support all pupils with a special educational need and create a fully inclusive learning environment.

2.4 Pupils in the facility will have their special educational needs reviewed regularly in discussion with parents/carers and professionals to ensure that the facility remains the most appropriate placement to meet these needs.

2.5 The school and the local authority have identified the existing modular classroom building on the school site as suitable to accommodate the new facility. Some internal adaptations would be required to the building and the local authority would work closely with the school to ensure these are completed in time for the facility to open. Funding for these adaptations has been identified within the local authority’s capital programme for SEND provision.

3. Consultation and statutory process

3.1 The local authority has a statutory duty to secure sufficient school places, including for pupils with SEND. Before a specialist facility can be established at Denton Community Primary School, the local authority is required to follow a statutory process in accordance with Section 19 (1) of the Education and Inspections Act 2006 (EIA 2006) (as amended) and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 (as amended) (the Regulations).

3.2 In this regard, the local authority undertook a period of consultation with the Denton school community, local schools, and key stakeholders on the proposed changes. The consultation ran from 13 January to 10 February 2023 and was available on the local authority's consultation hub.

3.3 By the close of the consultation period 46 responses had been received. Respondents were overwhelmingly in favour of the proposal, as can be seen in the breakdown below.

- 41 (89%) support the proposal
- 4 (9%) do not support the proposal
- 1 (2%) did not respond to the question

3.4 Respondents classified themselves as:

- 15 (33%) parents and carers of children at the school
- 5 (11%) members of staff at the school
- 1 (2%) governor at the school
- 19 (41%) members of the community
- 6 (13%) 'other'

3.5 Those in favour of the proposal recognise the need for a specialist facility to support children in the local community, the benefit of keeping children in mainstream schools and that a facility would encourage inclusiveness. Those that do not support the proposal suggested that the facility should be at another school as Denton Community Primary School is too small and that for there to be real benefit the proposal should be on a much larger scale than eight pupils. A summary report setting out all of the responses to the consultation is available for elected members to view in the Cabinet and Members Rooms at County Hall.

3.6 Before the local authority is able to proceed with the proposal, it must publish a statutory notice in accordance with the EIA 2006 and the Regulations, providing interested parties with a further opportunity to comment on or object to the proposal. It is intended that a statutory notice would be published on the local authority's consultation hub in April 2023. The notice would also be published in the local newspaper and posted on the entrances to the school. Publication of the notice would trigger a four-week period of representation during which interested parties could comment on the proposal.

3.7 The local authority has a duty to determine the proposal within two months of the end of the representation period. We anticipate that a final decision on the proposal would be taken at the Lead Member meeting in June 2023.

4. Equality Impact Assessment

4.1 The Lead Member is required to have 'due regard' to the duties set out in Section 149 of the Equality Act 2010 (the Public Sector Equality Duty) in determining the proposal. An Equality Impact Assessment (EqIA) is being undertaken as part of the statutory process to identify any equality implications of the proposal and to address any concerns through appropriate mitigations. The EqIA will be reported to Lead Member prior to a final decision being taken on the proposal.

5. Conclusion and reasons for recommendations

5.1 In conclusion, the local authority has identified a gap in specialist provision in mainstream primary schools for pupils with ASD in the Newhaven and Peacehaven area. The local authority would like to establish a specialist facility for up to eight pupils at Denton Community Primary School, Newhaven from 1 September 2023 to address this need.

5.2 Feedback from the initial consultation was overwhelmingly positive, with 41 out of 46 respondents (89%) supportive of the proposal. For these reasons the Lead Member is recommended to:

- 1) approve publication of a statutory notice in respect of a proposal to establish a new specialist facility for up to eight pupils at Denton Community Primary School; and
- 2) delegate authority to the Director of Children's Services to amend the proposal prior to its publication if required.

ALISON JEFFERY
Director of Children's Services

Contact Officer: Gary Langford

Tel: 07584262521

Email: gary.langford@eastsussex.gov.uk

LOCAL MEMBERS

Councillor James MacCleary

BACKGROUND DOCUMENTS

None

Report to:	Lead Member for Education and Inclusion, Special Educational Needs and Disability
Date:	28 March 2023
By:	Director of Children's Services
Title of report:	Proposed specialist facility at Meridian Community Primary School
Purpose of report:	To seek Lead Member approval to publish a statutory notice in respect of a proposal to establish a new specialist facility at Meridian Community Primary School.

RECOMMENDATIONS: The Lead Member is recommended to:

- 1) approve publication of a statutory notice in respect of a proposal to establish a new specialist facility for up to eight pupils at Meridian Community Primary School: and**
- 2) delegate authority to the Director of Children's Services to amend the proposal prior to its publication if required.**

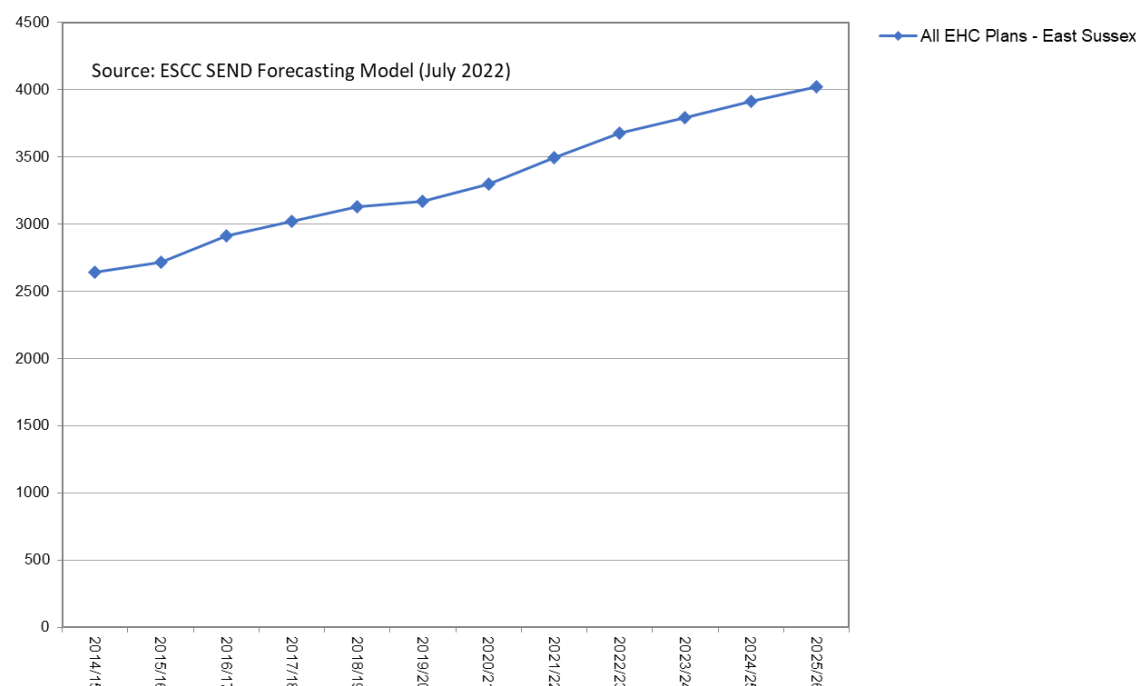
1. Background

1.1 Local authorities have a statutory duty to ensure there are sufficient school places for all pupils, including for those with Special Educational Needs and Disabilities (SEND). East Sussex County Council (the local authority)'s SEND forecasts provide clear evidence that we will continue to see an increase in the number of pupils with SEND in the coming years.

1.2 The numbers of school aged children and young people aged 4-19 in East Sussex with an Education, Health, and Care Plan (EHCP) have been rising steeply in recent years, from 3,126 in 2018-19 to 3,494 in 2021-22, an increase of 12%.

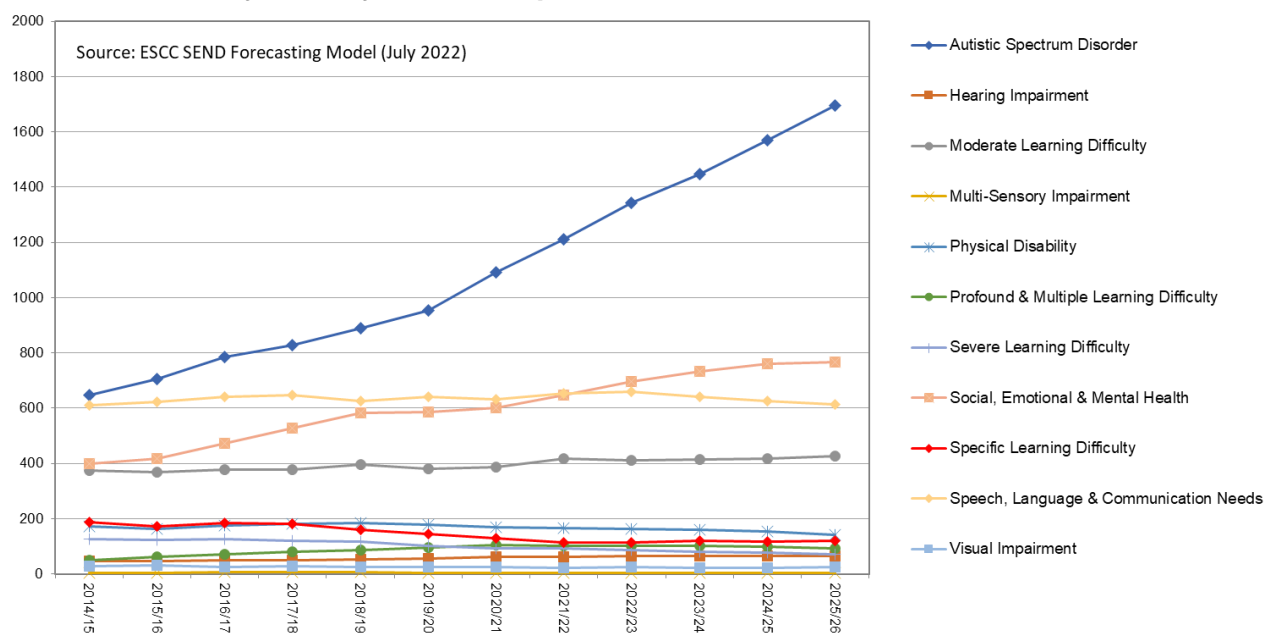
1.3 In the next four years, the local authority forecasts that overall numbers of school-aged children and young people aged 4-19 with EHCPs will grow by around 15%, to approximately 4,000. This is illustrated in Chart 1 below.

Chart 1: Overall Numbers with EHCPs – Age 4-19 years



1.4 Chart 2 shows that the primary need group with the biggest increase continues to be Autistic Spectrum Disorder (ASD), with numbers predicted to rise from 1,211 in 2021/22 to 1,695 in 2025/26, an increase of 40%. Rising ASD pupil numbers reflect increases in diagnosis and an increase in parental and professional awareness of these needs.

Chart 2: EHCPs by Primary Need Group



2. Proposal

2.1 Over recent years, the local authority has been implementing its SEND strategy to develop more places in East Sussex for pupils with SEND. This has included securing new free special schools and the development of more specialist facilities in mainstream schools. Feedback from the local authority’s consultation on its SEND place planning strategy in 2021 agreed that a priority for the local authority should be the creation of specialist provision in mainstream primary schools for pupils with ASD in the Newhaven and Peacehaven area. To address this, the local authority would like to establish a facility for up to eight pupils at Meridian Community Primary School in Peacehaven from September 2023.

2.2 Specialist facilities are located within a mainstream school and provide specific support to a limited number of pupils with an EHCP naming a specific primary special educational need. Pupils within the facility are on the roll of the mainstream school and are in addition to the published admission number. The school receives additional funding from the local authority to support the child. Placements are determined by the local authority according to clear criteria and will be drawn from a wider geographical area than the school’s usual catchment.

2.3 Specialist facilities promote an ethos of inclusion and help integrate their pupils into the mainstream school for as much of their learning time as their needs allow. Specialist facilities also provide access to a base within the school for more intensive learning and support when required. The expertise of staff within specialist facilities provides significant benefits to the rest of the school and other schools in the local area to support all pupils with a special educational need and create a fully inclusive learning environment.

2.4 Pupils in the facility will have their special educational needs reviewed regularly in discussion with parents/carers and professionals to ensure that the facility remains the most appropriate placement to meet these needs.

2.5 The school and the local authority have identified the existing modular classroom building on the school site as suitable to accommodate the new facility. Some internal adaptations would be required to the building and the local authority would work closely with the school to ensure these are completed in time for the facility to open. Funding for these adaptations has been identified within the local authority’s capital programme for SEND provision.

3. Consultation and statutory process

3.1 The local authority has a statutory duty to secure sufficient school places, including for pupils with SEND. Before a specialist facility can be established at Meridian Community Primary School, the local authority is required to follow a statutory process in accordance with Section 19 (1) of the Education and Inspections Act 2006 (as amended) (EIA 2006) and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 (the Regulations).

3.2 In this regard, the local authority undertook a period of consultation with the Meridian school community, local schools, and key stakeholders on the proposed changes. The consultation ran from 13 January to 10 February 2023 and was available on the local authority's consultation hub.

3.3 By the close of the consultation period 20 responses had been received. Respondents were overwhelmingly in favour of the proposal, as can be seen in the breakdown below.

- 17 (85%) support the proposal
- 3 (15%) do not support the proposal

3.4 Respondents classified themselves as:

- 15 (75%) parents and carers of children at the school
- 2 (10%) members of staff at the school
- 1 (5%) member of the community
- 2 (10%) 'other'

3.5 Those in favour of the proposal recognise the need for a facility in the area, and that a facility would promote an inclusive and enabling environment but asked whether more than eight places should be provided. Those that do not support the proposal suggested that money should be spent on resources for all children to access and that a facility should not be located at the school. A summary report setting out all of the responses to the consultation is available for elected members to view in the Cabinet and Members Rooms at County Hall.

3.6 Before the local authority is able to proceed with the proposal, it must publish a statutory notice in accordance with the EIA 2006 and the Regulations, providing interested parties with a further opportunity to comment on or object to the proposal. It is intended that a statutory notice would be published on the local authority's consultation hub in April 2023. The notice would also be published in the local newspaper and posted on the entrances to the school. Publication of the notice would trigger a four-week period of representation during which interested parties could comment on the proposal.

3.7 The local authority has a duty to determine the proposal within two months of the end of the representation period. We anticipate that a final decision on the proposal would be taken at the Lead Member meeting in June 2023.

4. Equality Impact Assessment

4.1 The Lead Member is required to have 'due regard' to the duties set out in Section 149 of the Equality Act 2010 (the Public Sector Equality Duty) in determining the proposal. An Equality Impact Assessment (EqIA) is being undertaken as part of the statutory process to identify any equality implications of the proposal and to address any concerns through appropriate mitigations. The EqIA will be reported to Lead Member prior to a final decision being taken on the proposal.

5. Conclusion and reasons for recommendations

5.1 In conclusion, the local authority has identified a gap in specialist provision in mainstream primary schools for pupils with ASD in the Newhaven and Peacehaven area. The local authority would like to establish a specialist facility for up to eight pupils at Meridian Community Primary School, Peacehaven from 1 September 2023 to address this need.

5.2 Feedback from the initial consultation was overwhelmingly positive, with 41 out of 46 respondents (89%) supportive of the proposal. For these reasons the Lead Member is recommended to:

- 1) approve publication of a statutory notice in respect of a proposal to establish a new specialist facility for up to eight pupils at Meridian Community Primary School; and
- 2) delegate authority to the Director of Children's Services to amend the proposal prior to its publication if required.

ALISON JEFFERY
Director of Children's Services

Contact Officer: Gary Langford
Tel: 07584262521
Email: gary.langford@eastsussex.gov.uk

LOCAL MEMBERS
Councillor Christine Robinson

BACKGROUND DOCUMENTS

None