

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

Date: **10 December 2018**

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

Title of report: **Proposed SEN facility at Peacehaven Heights Primary School**

Purpose of report: **To seek Lead Member approval to establish a Special Educational Needs (SEN) facility at Peacehaven Heights Primary School.**

RECOMMENDATION:

The Lead Member is recommended to:

1) authorise the establishment of a Special Education Needs facility for 8 to 10 junior age pupils at Peacehaven Heights Primary School with effect from 1 January 2019.

1. Background

1.1 On 18 October 2018 the Lead Member for Education and Inclusion, Special Educational Needs and Disability considered a report on the proposed establishment of a Special Educational Needs (SEN) facility at Peacehaven Heights Primary School. As described in the report, a recent review of SEN provision in the county identified a gap in specialist provision in mainstream schools for pupils with a primary need of Autism Spectrum Disorder (ASD) in the Peacehaven area. There is already a specialist facility for pupils at Peacehaven Community School. Developing a primary facility in close proximity to the existing secondary school facility would allow progression for pupils and continuity of support to aid the transition of pupils for whom a secondary facility is the most appropriate next stage. This would assist in reducing the increasing trend of transition from mainstream primary school to special secondary schools. For some pupils, providing early intervention at primary phase through a facility place, would address needs and enable transition to mainstream secondary school.

1.2 For these reasons, the Council would like to establish a facility for 8 to 10 Key Stage 2 pupils at the Peacehaven Heights Primary School junior site in Hodder Avenue, Peacehaven. The facility would provide for pupils with a primary need of ASD, although pupils may present with a complex range of need that would be accommodated by the facility.

2. Consultation

2.1 The Council consulted with key stakeholders and interested parties on the proposal between 6 July and 14 September 2018. The majority of respondents to the consultation supported the proposal.

2.2 At the 18 October 2018 Lead Member meeting, the Lead Member approved the publication of statutory notices in respect of the proposal. The report can be viewed with the papers for the meeting on the Council's website.

2.3 In accordance with the prescribed process established by the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 a statutory notice was published in the Sussex Express on Friday 2 November 2018 and posted at the entrances to the school. The notice and full proposal were also posted on the Council's website.

2.4 Publication of the statutory notice was followed by a 4-week representation period, when comments or objections could be made to the Council. At the time of writing no comments or objections had been received during the representation period.

3. Equality Impact Assessment

3.1 In considering the proposals in this report, 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). Equalities Impact Assessments (EqIAs) are carried out to identify any adverse impacts that may arise as a result of the proposals for those with protected characteristics and to identify appropriate mitigations. An Equality Impact Assessment (EqIA) has been undertaken and the findings of the EqIA can be viewed in **Appendix 1**. The Lead Member must read the full EqIA and take the findings into consideration when determining these proposals.

4. Conclusion and reasons for recommendations

4.1 In conclusion the Council has identified a gap in specialist provision in mainstream primary schools for pupils with a primary need of ASD in the Peacehaven area. The Council would like to establish a facility for 8 to 10 junior age pupils at Peacehaven Heights Primary School to address this need.

4.2 The majority of respondents to the consultation supported the proposal to establish a SEN facility at Peacehaven Heights Primary School.

4.3 Before reaching a decision on whether to approve the proposal, the Lead Member should consider a number of factors. These are set out in **Appendix 2**.

4.4 It is proposed that the new facility would be established with effect from 1 January 2019.

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LOCAL MEMBERS
Councillor Nigel Enever

BACKGROUND DOCUMENTS
Report and minute from the 18 October 2018 Lead Member meeting (available online)

APPENDICES
Appendix 1 – Equality Impact Assessment
Appendix 2 – Factors to be considered by the decision maker

Factors which the Lead Member should consider before reaching a decision on the proposal

1.1	Are the proposals related to other published proposals?	The proposal to establish Special Educational Needs (SEN) provision at Peacehaven Heights Primary School is not related to other published proposals.
1.2	Is conditional approval being sought for the proposal?	No
1.3	Was a statutory consultation carried out prior to the publication of notices?	A 10-week period of consultation was carried out between 6 July and 14 September 2018. A summary analysis of the consultation is included in the background documents to this report.
1.4	Did the published notice comply with statutory requirements?	The notice complied with statutory requirements as set out in 2.3 above.
1.5	How will the proposal affect education standards and diversity of provision?	<p>Specialist facilities are located within a mainstream school and provide specific support to a limited number of pupils with an Education, Health and Care Plan (EHCP) naming a specific primary SEN.</p> <p>The aspiration in East Sussex is that specialist facilities promote an ethos of inclusion and help to integrate their pupils into the mainstream school for as much of their learning time as their needs allow. The facility should also provide access to a base within the school for more intensive support when required. The East Sussex model increasingly expects that the expertise of staff within the facility provide significant benefits to the rest of the school and other schools in the local area to support all pupils with SEN and create a fully inclusive learning environment. The development of new specialist provision in mainstream schools is facilitating further development of school to school partnerships through a strategic governance group. A revised service level agreement determines the outcomes for all facilities.</p>
1.6	How will the proposal affect the proposed admission arrangements for the school?	Pupils within the facility would be on the roll of the mainstream school and would be in addition to the published admission number. Placements are determined by the Council according to clear criteria, and would be drawn from a wider geographical area than the school's usual community area on a needs basis.
1.7	Has due regard under the Public Sector Equality Duty (PSED) been given to the need to eliminate discrimination, advance equality of opportunity and foster good relations?	<p>An Equality Impact Assessment (EqIA) has been undertaken to identify any risks and appropriate mitigations. The EqIA is appended to this report.</p> <p>Developing a primary facility in close proximity to the existing secondary school facility would be seen as having a positive impact as it would allow progression for pupils and continuity of support to aid the transition of pupils for whom a secondary facility is the most appropriate next stage. This would assist in reducing the increasing trend of transition from mainstream primary school to special secondary schools. For some pupils, providing early intervention at primary phase through a facility place, would address needs and enable transition to mainstream secondary school.</p> <p>No equality implications have been identified in the report.</p>

1.8	Will the proposal have an impact on community cohesion?	<p>The current SEN data for Peacehaven Heights Primary School shows that the percentage of SEN pupils at the school is 18.7% (83 out of 443). This is significantly higher in comparison to the East Sussex primary schools overall of 12.2%.</p> <p>The proposal will have a positive impact as there will be more places available to address the gap in specialist provision in mainstream primary schools for pupils with a primary need of Autism Spectrum Disorder (ASD) in the Peacehaven area. The specialist facility would principally be for identified pupils with an EHCP naming ASD as their specific primary SEN although pupils may present with a complex range of need that would be accommodated by the facility.</p> <p>The vast majority of pupils in East Sussex (81.3%) according to the January 2018 school census are of White British Heritage. This is significantly below that of the population across the County based on the 2011 census. 17.2% of the pupils who attend the school are from a Black and Ethnic (BME) minority background. Across Lewes district 11.6% of the school population is BME. (13.6% in primary schools)</p> <p>Data for Peacehaven Heights Primary School indicates that the percentage of pupils with English as an Additional Language (EAL) is 9.9% (years R-6). This is higher than the East Sussex primary schools overall of 6.5%.</p> <p>BME and EAL pupils are over-represented in the school, when compared to the East Sussex BME and EAL pupil population in other primary schools. Therefore, there is also a higher overall positive impact of the proposal on the protected equality characteristic of 'race'.</p> <p>As at the January 2018 school census, 27.1% of Peacehaven Heights Primary School pupils are Ever6FSM in comparison to 20.7% of all pupils in East Sussex primary schools. Nationally in primary schools the figure is 23.3%. A pupil who is described as 'Ever6FSM' means that within the last 6 years the pupil has at some point been eligible for receiving Free School Meals (FSM).</p> <p>FSM pupils are over-represented in the school, if compared to the East Sussex FSM pupil population in other primary schools. Therefore, there is also a higher overall positive impact of the proposal on this group.</p>
1.9	Will the proposal have an impact on travel and accessibility?	<p>Although children attending the new facility might be expected to travel from a wider geographical area than the school's usual community area, it is not believed that this will have a significant impact on travel and accessibility as the new facility will cater for between 8 and 10 children at a time, an increase of only 2% on the school's current capacity of 420 places.</p>
1.10	Has capital funding been identified and secured to enable the proposals to be implemented?	<p>No capital funding is required to implement the proposal.</p>
1.11	Have any particular issues or objections been raised during	<p>At the time of writing no comments or objections had been received during the representation period.</p>

	the representation period which could directly affect the proposal?	
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