

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

Date: **14 January 2022**

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

Title of report: **Proposed specialist facility at All Saints CE Primary School, Bexhill**

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 All Saints CE Primary School.**

RECOMMENDATIONS:

The Lead Member is recommended to:

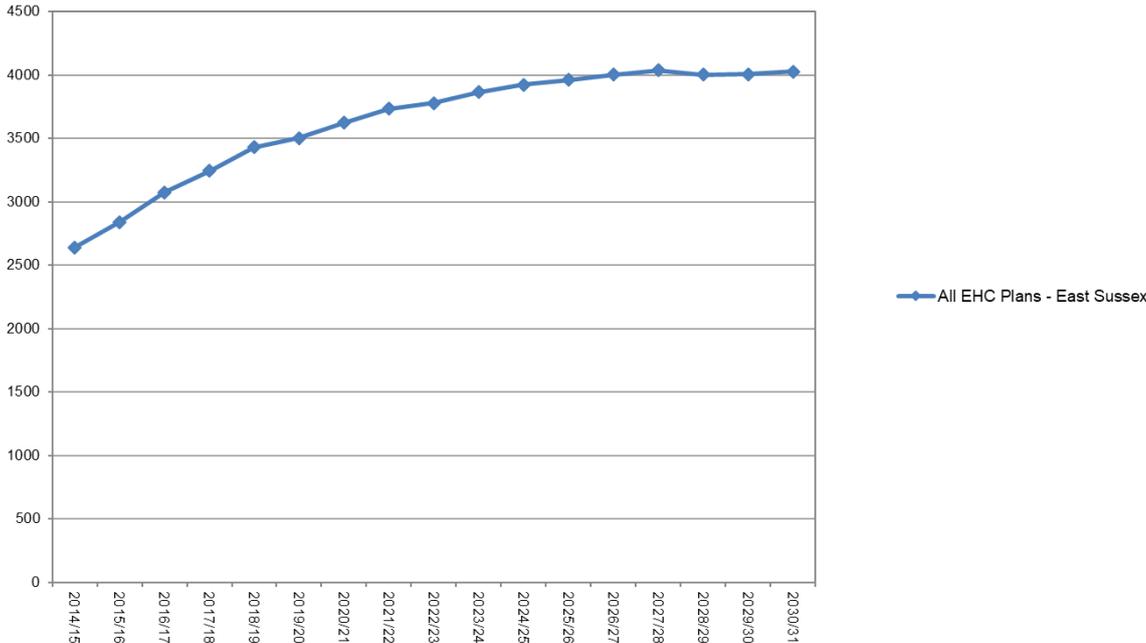
- 1) approve publication of a statutory notice in respect of a proposal to establish a new specialist facility for up to 12 pupils at All Saints CE Primary School; and**
- 2) delegate authority to the Director of Children’s Services to amend the proposal prior to its publication if required.**

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’s (the local authority) SEND forecasts provide clear evidence that we will continue to see an increase in the number of pupils with SEND over the next 10-15 years.

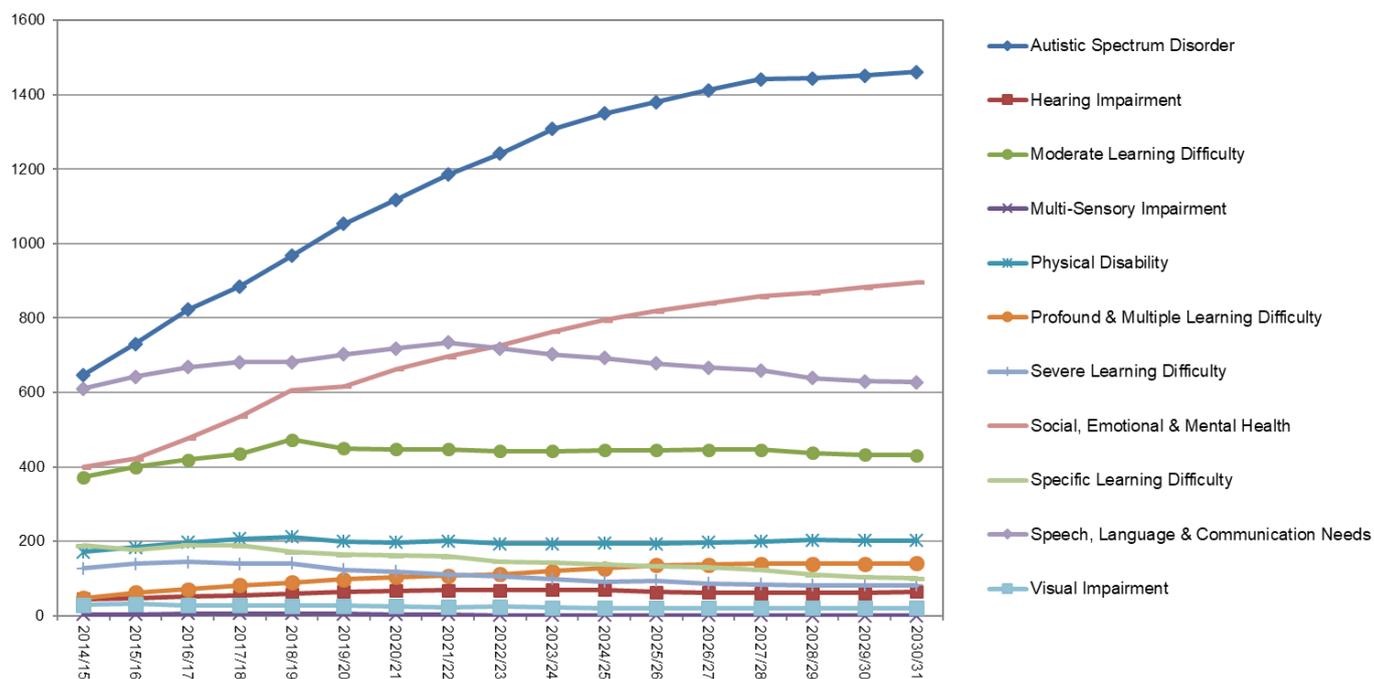
1.2 The overall number of children and young people age 4-24 with Education, Health and Care Plans (EHCPs) has been rising in recent years and is forecast to continue to rise, as shown in Chart 1. Over the next 5 years, we forecast that overall numbers will continue rising but at a slower rate. From 2014-15 to 2019-20 the number of children and young people with EHCPs rose by 861 to 3503. From 2019-20 to 2024-25 we are currently predicting an increase of 422.

Chart 1: Overall Numbers with EHCPs – Age 4-24 years



1.3 Chart 2 shows the historic and forecast numbers with EHCPs by primary need group. The chart shows that the two groups with the biggest increases continue to be Autistic Spectrum Disorder (ASD) and Social Emotional and Mental Health (SEMH). Rising ASD pupil numbers reflect increases in diagnosis and an increase in parental and professional awareness of these needs. We are still seeing an increase in SEMH, and schools are reporting challenges in meeting these pupils’ needs.

Chart 2: EHCPs by Primary Need Group



2. Proposal

2.1 Over the last few years, the local authority has been implementing its strategy to develop more places for SEND pupils. This includes securing new free special schools and the development of more specialist facilities within mainstream schools. The local authority undertook a consultation in 2021 on its SEND place planning strategy. Feedback from the consultation agreed that a priority for the local authority should be the creation of specialist provision in mainstream primary schools for pupils with neuro-diverse profiles, such as Autism Spectrum Disorder and associated Social, Emotional and Mental Health and Speech, Language and Communication Needs, in the Rother area. The local authority would therefore like to establish a facility for up to 12 pupils at All Saints CE Primary School in Bexhill to address this.

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 school's published admission number (PAN). The school receives additional funding from the local authority to support the children. 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 special educational needs and create a fully inclusive learning environment.

2.4 In addition to what is required by law, pupils in the facility would have their SEND 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 local authority expects the new facility to have a positive impact on provision at the school. Specialist staff would work with pupils in the new facility and also work with teaching staff across the school to develop skills and expertise in responding to special educational needs and creating an inclusive environment.

2.6 The school and the local authority have identified the former nursery building on the All Saints CE Primary 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 responsibility to secure sufficient school places, including for pupils with SEND. Before a specialist facility can be established at the school, the local authority is required to follow a statutory process set out in the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.

3.2 In accordance with the regulations the local authority undertook a period of consultation with the school community, local schools and key stakeholders on the proposed changes. The consultation ran from 12 November to 10 December 2021 and was available on the local authority's consultation hub.

3.3 By the close of the consultation period 42 responses had been received. Respondents were overwhelmingly in favour of the proposal, as can be seen in the breakdown below.

- 40 (95.2%) support the proposal
- 1 (2.4%) does not support the proposal
- 1 (2.4%) was undecided

3.4 In summary, those in favour of the proposal recognise there is a shortage of provision for children with SEND in the Bexhill area and that All Saints CE Primary School is the right location for a specialist facility due to its supportive environment. They suggested that children '*need to feel and be included in mainstream schools but with specialist help for them*'. The reason given for not supporting the proposal was that the facility would segregate children with neuro-diverse profiles, but the local authority does not agree with this suggestion because the intention behind a facility of this type is to integrate the pupils into the mainstream school the facility is part of as far as is appropriate. A summary report setting out all of the responses to the consultation is available to view in the Cabinet and Members Rooms at County Hall.

3.5 Before the local authority is able to proceed with the proposal, it must publish a statutory notice in accordance with 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 February 2021. 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.

3.6 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 on 26 April 2022.

4. Equality Impact Assessment

4.1 The Lead Member for Education and Inclusion, Special Educational Needs and Disability 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 to identify any equality implications of the proposal and to identify any 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 neuro-diverse profiles, such as Autistic Spectrum Disorder and associated Social, Emotional and Mental Health and Speech, Language and Communication Needs, in the Rother area. The local authority would like to establish a specialist facility for up to 12 pupils at All Saints CE Primary School, Bexhill from 1 September 2022 to address this need.

5.2 Feedback from the initial consultation was overwhelmingly positive, with 40 out of 42 respondents (95.2%) supportive of the proposal.

5.3 For these reasons the Lead Member is recommended to:

1) authorise the publication of a statutory notice in respect of a proposal to establish a specialist facility at All Saints CE 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

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LOCAL MEMBERS
Councillor Abul Azad