

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

Date: **21 June 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 establish a new specialist facility at Denton Community Primary School.**

RECOMMENDATIONS:

The Lead Member is recommended to approve the establishment of a new specialist facility for up to eight pupils at Denton Community Primary School with effect from 1 September 2023.

1. Background

1.1 On the 28 March 2023, the Lead Member for Education and Inclusion, Special Educational Needs and Disability (the Lead Member) considered a report on a proposal to establish a new specialist facility at Denton Community Primary School (the School).

1.2 As described in the report, the overall number of children and young people aged 4-19 with Education, Health and Care Plans has been rising in recent years and is forecast to continue to rise. The primary need group with the largest increase continues to be Autistic Spectrum Disorder (ASD). Rising ASD pupil numbers reflect increases in diagnosis and an increase in parental and professional awareness of these needs.

1.3 In recent years, the Local Authority has been implementing its Special Educational Needs and Disability (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 area. To address this, the Local Authority would like to establish a facility for up to eight pupils at the School from September 2023.

1.4 The School and the Local Authority have identified the existing modular classroom building on the 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 approved capital programme for SEND provision.

1.5 The Local Authority consulted with the school community, local schools, and other key stakeholders on the proposal between 13 January and 10 February 2023. By the end of the consultation period 46 responses had been received, 41 (89%) of which supported the proposal. Four respondents (9%) did not support the proposal and one (2%) did not respond to this question.

1.6 Having considered the feedback from the consultation, the Lead Member approved the publication of a statutory proposal to establish a new specialist facility at the School with effect from 1 September 2023. [The report and minute](#) from 28 March 2023 Lead Member meeting can be viewed on the Local Authority's website.

2. Statutory process

2.1 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 Alternations to Maintained Schools) (England) Regulations 2013 (the regulations).

2.2 In accordance with these requirements, a statutory proposal was published on the Local Authority's website on 21 April 2023. Statutory notices were published in the Sussex Express and posted at the entrances to the School on the same day, providing details to interested parties on how the full proposal could be accessed.

2.3 Publication of the statutory proposal triggered a 4-week representation period, when comments or objections could be made to the Local Authority. By the close of the representation period on 19 May 2023 no comments or objections had been received.

2.4 The regulations describe several factors to which the Lead Member should have regard before making a final decision on the proposal. These are set out in Appendix 1 to this report.

3. Equality Impact Assessment

3.1 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. The Local Authority has completed an equality impact assessment (EqIA) which is available for elected members to view in the Cabinet and Members Rooms at County Hall. No potential equality barriers were identified by stakeholders during either the initial consultation or the subsequent representation period following the publication of the statutory proposal. We believe the proposal would have a positive impact on provision at the School as the facility would be able to meet the needs of local pupils with ASD.

4. Conclusion and recommendations

4.1 In conclusion, the Local Authority has identified a gap in specialist provision in mainstream primary schools for pupils with ASD in the Newhaven area. The Local Authority would like to establish a specialist facility for up to eight pupils with ASD at the School.

4.2 For these reasons the Lead Member is recommended to approve the establishment of a new specialist facility at the School for up to eight pupils with effect from 1 September 2023.

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LOCAL MEMBERS
Councillor James MacCleary

BACKGROUND DOCUMENTS
None.