

	<p><b>Children, Education, Libraries and Safeguarding Committee</b></p> <p><b>6 January 2016</b></p>
<p style="text-align: center;"><b>Title</b></p>	<p><b>The future provision of specialist places for children and young people with Special Educational Needs and Disabilities 2015/16 to 2019/20</b></p>
<p style="text-align: center;"><b>Report of</b></p>	<p>Commissioning Director, Children and Young People</p>
<p style="text-align: center;"><b>Wards</b></p>	<p>All</p>
<p style="text-align: center;"><b>Status</b></p>	<p>Public</p>
<p style="text-align: center;"><b>Urgent</b></p>	<p>No</p>
<p style="text-align: center;"><b>Key</b></p>	<p>Yes</p>
<p style="text-align: center;"><b>Enclosures</b></p>	<p>None</p>
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**Summary**

This report summarises the future requirements for additional specialist places to meet the needs of children and young people with special educational needs and disabilities, the options for meeting those needs and a recommended approach. It also sets out a proposed schedule of consultation with stakeholders regarding the proposed pattern of provision.

**Recommendations**

- 1. That authority be given to the Commissioning Director, Children and Young People, to consult with stakeholders during the spring term 2016 on three options for delivering additional school places for children and young people**

**with special educational needs and disabilities (SEND). The outcome of this consultation will inform a recommendation to this Committee in May 2016 for the most appropriate model for developing new specialist places through to 2020, in line with the requirements of Section 27 of the Children and Families Act 2014.**

## **1. WHY THIS REPORT IS NEEDED**

- 1.1. Section 27 of the Children and Families Act 2014 requires local authorities to keep under review their special educational provision and social care provision, consulting a range of partners, as well as parents, children and young people. This report reviews Barnet's requirement for new specialist places for children with special educational needs and disabilities (SEND) and sets out proposals for consultation to ensure that Barnet meets its statutory duty to provide sufficient places up to 2019/2020.
- 1.2. The School Organisation: Maintained Schools, Guidance for Decision-makers, issued by the Department for Education in January 2014, requires local authorities, when planning changes to their existing SEN provision, to identify the details of the specific educational benefits that will flow from the proposals in terms of:
  - Improved access to education and associated services including the curriculum, wider school activities, facilities and equipment, with reference to the local authority's Accessibility Strategy;
  - Improved access to specialist staff, both education and other professionals, including any external support and/or outreach services;
  - Improved access to suitable accommodation;
  - Improved supply of suitable places.
- 1.3. Decision-makers should make clear how they are satisfied that this SEN improvement test has been met, including how they have taken account of parental or independent representations which question the proposer's assessment. This is generally referred to as the SEN Improvement Test. The review has applied these criteria in developing the options considered below.
- 1.4. Barnet is currently investing in new schools places to meet the unprecedented growth in pupil numbers. Barnet's Education Strategy set out the principles for this investment. This was supported by a more detailed commissioning strategy for school places up to 2019/20, which was considered by the Children's, Education, Libraries and Safeguarding Committee in September 2014. The strategy set out the future requirements for further additional provision for children with SEND and this Committee considered a further report on this in March 2015. That report set out the main considerations of a review that has now been undertaken of how best to provide this additional provision along with proposals for consultation with the wider school community.
- 1.5. As part of the review, consultation with all headteachers was carried out in the summer term 2015 and the results of this were reported to the Children's, Education, Libraries and Safeguarding Committee in July 2015.

## 2. REASONS FOR RECOMMENDATIONS

### Context

- 2.1. Barnet is an inclusive authority, with a significantly greater proportion of students educated in mainstream schools than the national average. 57% of pupils (998 of a total of 1744 in September 2015) with a statement of special educational needs maintained by the council are placed in mainstream settings, a level which is significantly higher than our statistical neighbours and other Outer London boroughs where a larger proportion attends specialist provision. Specialist provision is required to meet the needs of the remaining children and young people with statements or Education, Health and Care Plans. Some of this is offered by Additional Resourced Provisions (ARPs) in mainstream primary and secondary schools, with a greater number of places provided by the council's four special schools. A number of pupils with SEND are placed in the special schools of other local authorities and in 2014, almost 7.5% (128) of pupils with a statement of special educational needs issued by the council were placed in a non-maintained or independent provision.
- 2.2. We have forecasted through to 2040 in order to get a long-term view of future needs as a business case for any capital investment would need to be justified over this sort of timescale. It is however a very long timescale in the world of SEN, where patterns can shift in a relatively short period, legislative changes have a significant impact and new practice can suggest radically different models of delivery. Nonetheless, a considered and firm medium term view needs to be taken in order to ensure the ability to plan for additional requirements.
- 2.3. Given the long-term projections, albeit with the caveats above, the recommendation is to plan for the point at which the numbers are at or above this level for 10 to 15 years. In the primary sector, this will be reached in 2019 and, across the secondary age range, in 2024. The tables below indicate the number of places by need (the maximum and minimum ranges are for the period through to 2041).

<b>Abbreviation</b>	<b>Department of Education SEN Category</b>
ASD	Autistic Spectrum Disorder
SLCN	Speech, Language and Communication Needs
SEMH	Social, Emotional and Mental Health
HI	Hearing Impairment
MLD	Moderate Learning Difficulties
MSI	Multiple Sensory Impairment
ODD	Other Difficulty or Disability
PD	Physical Disability
PMLD	Profound and Multiple Learning Difficulties
SLD	Severe Learning Difficulties
SpLD	Specific Learning Difficulties
VI	Visual Impairment

<b>Primary</b>	<b>ASD</b>	<b>SLCN</b>	<b>SEMH</b>	<b>HI</b>	<b>MLD</b>	<b>MSI</b>	<b>ODD</b>	<b>PD</b>	<b>PMLD</b>	<b>SLD</b>	<b>SpLD</b>	<b>VI</b>	<b>Total</b>
2014	267	210	68	20	44	6	19	87	5	20	12	12	771
2019	293	230	74	22	49	7	21	95	6	22	13	13	846
2024	304	239	77	23	50	7	22	99	6	23	14	14	877
Max Range	305	239	77	23	51	7	22	99	6	23	14	14	879
Min Range	277	218	70	21	46	6	20	90	5	21	13	13	799
<b>Increase in required places for 2019 compared to 2014</b>	<b>26</b>	<b>20</b>	<b>6</b>	<b>2</b>	<b>5</b>	<b>1</b>	<b>2</b>	<b>8</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>76</b>

<b>Secondary</b>	<b>ASD</b>	<b>SLCN</b>	<b>SEMH</b>	<b>HI</b>	<b>MLD</b>	<b>MSI</b>	<b>ODD</b>	<b>PD</b>	<b>PMLD</b>	<b>SLD</b>	<b>SpLD</b>	<b>VI</b>	<b>Total</b>
2014	198	228	154	26	119	0	7	69	23	15	33	14	886
2019	208	240	162	28	126	0	7	73	24	16	35	15	934
2024	234	269	182	31	141	0	8	82	27	18	39	17	1,048
Max Range	245	282	190	32	148	0	9	86	29	19	41	17	1,096
Min Range	199	230	155	26	120	0	7	70	23	15	33	14	893
<b>Increase in required places for 2024 compared to 2014</b>	<b>36</b>	<b>41</b>	<b>28</b>	<b>5</b>	<b>22</b>	<b>0</b>	<b>1</b>	<b>13</b>	<b>4</b>	<b>3</b>	<b>6</b>	<b>3</b>	<b>161</b>

- 2.4. This indicates that no further action is required to meet the educational needs for the Hearing Impaired (where we have currently surplus capacity which is used by other boroughs), or those with Multi-Sensory or Visual Impairment. The additional requirements for Physical Disabilities can be met within supported mainstream provision and will not require additional specialist places, although they will require some minor adjustments to facilitate the inclusion of such needs.
- 2.5. There is currently a lack of education placements for pupils with Specific Learning Difficulties, where the lack of local provision for dyslexia has necessitated some independent school places to be commissioned.
- 2.6. The small amount of growth in Profound and Multiple Learning Difficulties and Severe Learning Difficulties will need to be accommodated within existing Special School places in Oakleigh and Mapledown Special Schools which will reduce the number of places available there for other needs. Similarly, the increased MLD requirement would best be met by changing the balance of needs met by Oak Lodge and increasing the additional ASD provision requirement. This has been reflected in the calculations for the future demand below.
- 2.7. The calculations above estimate the future additional requirement for places in total: not all of these need to be in specialist provision, and a large proportion

can be accommodated in Barnet’s mainstream schools, as at present. The review has analysed the balance of mainstream/specialist provision by each category of need and phase and calculated the balance of additional specialist places.

- 2.8. The figures in this report take into account the projects already planned or underway: the expansion of Oak Lodge Special School; the new resourced provision developing in The Orion School; and the additional capacity planned at the new Academy Special School intended to replace the Oak Hill annex to Mill Hill Academy. They also assume that the Kisharon Day School, a local independent Special School with 27 places which has plans to become a Free School, can, as planned, expand its capacity over time. If this does not happen, an additional 10 places would be required.
- 2.9. The review has also analysed the additional capacity that would be required to reduce dependence on high cost placements to the independent sector. Some low incidence and high cost places will always be required and we work closely with colleagues across the West London Alliance to develop the most effective solutions for these. However, analysis of current placements suggests that the current numbers could be reduced if local provision were available.
- 2.10. In conclusion, the detailed assessment of the future needs of Barnet’s SEND population established the following need to be met up to 2019/20:

	<b>Primary ASD/SLCN</b>	<b>Secondary ASD/SLCN</b>	<b>Secondary MLD</b>
Demography	23	45	11
Reduce dependency on high-cost placements	13	25	5
<b>Total places required</b>	<b>36</b>	<b>70</b>	<b>16</b>

- 2.11. As noted above, the Secondary MLD requirement can best be met by changing the balance between MLD and ASD places at Oak Lodge. We are therefore planning on the basis of an additional requirement of a minimum of 6 primary and 11 secondary ASD classes (assuming 6 pupils per class in primary and 8 in secondary). Should Kisharon’s expansion not materialise, an additional secondary class base would be required, giving a total of 12.

**Existing proposals which contribute to meeting future needs**

- 2.12. Some additional places have already been secured at Northway Special School by converting 2 cloakrooms to provide an additional classroom. This has been achieved quickly and relatively cheaply, as it was required to meet demands for primary special places in 2015.
- 2.13. The Priority Schools Building project bid for Cromer Road Primary School included the possibility of additional SEN provision along the lines of a 2 class

ARP unit. As noted previously, there will be a gap in provision for children and young people with Specific Learning and Speech, Language and Communication Difficulties which are not specifically related to Autistic Spectrum Disorders. There is currently no local provision to meet these needs and such children often have to travel long distances across London to access appropriate education. It is therefore proposed to discuss further this opportunity to meet these needs with the Department for Education and with the Governors and Headteacher of Cromer Road School and to work with the existing secondary language ARP at London Academy to achieve continuity into the secondary phase.

2.14. Together, these two projects could reduce the level of primary need by 3 classes.

2.15. The balance between Oakleigh (80 places) and Mapledown (72 places) Special Schools is unbalanced, in that it would normally be expected that the secondary school would be larger than its primary feeder as it has eight year groups to the primary's seven. Although the redevelopment of Mapledown, if it were to happen as part of the Brent Cross development, would be at the end of the 2020 timescale, we feel it would be wise to look to seek options for redeveloping the school with an additional 3 or 4 classes (thus increasing the number of places to 96 or 104). This will depend on the availability of a site of sufficient size, as the existing school area does not permit further expansion.

### **Further proposals to meet future needs**

2.16. The above developments would leave a minimum further requirement of 3 primary and 8 secondary classes (a total of 72 places) to be provided. Drawing on the analysis within this report, there are three options which have been subject to detailed analysis. This analysis has drawn on:

- general considerations arising from the SEN Improvement Test criteria and our discussions with headteachers;
- placement and curriculum issues arising from a study of patterns of existing placements, especially incidents of hard to place and Tribunal cases;
- comparative statistics of patterns of provision; and
- the impact on revenue and capital resources.

Annex A to this report sets out a summary of the analysis of the options in accordance with the criteria of the SEN Improvement Test.

### **Option A: a new all-age ASD Special School: General Considerations**

2.17. An all-age ASD specific provision would enable the future demand to be met, if linked to the following proposed differentiation between the different types of provision. It is envisaged the ARPs would provide for those with less challenging ASD who could cope with the mainstream environment and curriculum with some additional support and access to an ASD friendly base for part of the school day. Generic special school places would provide for those with significant learning difficulties in addition to their autism. The new special

school would offer places for those whose autism was the major factor in their learning difficulties and who would find the environment of both mainstream and generic special schools too challenging.

- 2.18. High quality ASD specific provision would place the local authority in a strong position to reduce out-of-borough, independent and non-maintained special school (NMSS) placements and is likely to be attractive to parents. It could also attract external capital investment.
- 2.19. We expect the balance of parental preference for the additional ASD provision in the future to be fairly evenly divided in the primary age range but more weighted to specialist provision in the secondary sector. This option, together with existing provision, provides both ARP and Special School options in both the primary and secondary sectors.
- 2.20. The establishment of a separate and specialist ASD provision would provide a high quality local provision for parents who currently rely on out-of-borough or independent placements for their children. It would increase parental choice and promote a curriculum for young people with autism that took into account their special interests enabling them to engage in successful learning to promote the achievement of more positive learning and life outcomes.
- 2.21. It will be a challenge to secure the capital funding and find a suitable site, preferably in the west of the borough, in order to minimise journey times for students and transport costs.

**Option B: a new Special School Sixth Form Centre and new Primary ARPs: General Considerations**

- 2.22. There are currently 35 students in Oak Lodge in Years 12 to 14, and 22 in Mapledown. For many of these, and possibly some from ARPs, a purpose built Sixth Form Centre would offer appropriate provision prior to further education, training or employment. This would release most of the spaces needed for pupils in Year 7s to 11 in the existing (and expanded) Oak Lodge and Mapledown Special schools.
- 2.23. As noted earlier in this report, there is still some work to be done in clarifying the appropriate pathways for young people with SEN aged 16 to 25. It would be important to ensure that this provision catered mainly for those who currently require the type of curriculum offered by special schools and that this did not attract those students whose pathway currently takes them more appropriately into the F.E. sector. We have been working with Barnet and Southgate College over the past few years to develop this type of provision and if a Sixth Form Centre retained students who currently take this route, it will not free up the spaces we require to meet additional needs in the future.
- 2.24. This would leave a requirement for a minimum of 3 additional Primary class bases to be met by the creation of a minimum of one or two new ARPs. In total, therefore, one separate site for the sixth-form centre and one or two expansions on existing or new primary school site would be required.

- 2.25. With regard to the likely future balance of parental preference, this option does not offer any increase in primary Special School provision beyond the additional class at Northway and the increase in places at secondary level is entirely in the Special School sector. Mapledown School have also argued that their PMLD and some SLD students would find the transition disruptive and would require substantial duplication of specialist resources, for PMLD needs in particular.
- 2.26. The Council does not have a specific power to set up separate sixth form provision, and as such this would either have to be an expansion of an existing school or a new 16 to 19 academy. If the new Sixth Form Centre were created as a new free school Academy, it would attract additional capital funding from central government whereas expansions of existing schools are likely to be funded through existing council resources, comprising mainly of basic need grant and council borrowing.

**Option C: new ARP Provisions to meet the whole of the additional need requirement: General Considerations**

- 2.27. The third option would be to look for new ARPs to meet all the additional need. At primary level, this would require a minimum of either two new ARPs (one 8 place, one 16 place) or one 24 place ARP, which would have to be within a school with at least 3 forms of entry. For secondary schools, a minimum of two new ARPs, each with 32 places, would be required.
- 2.28. This option secures all the expansion of specialist places in the mainstream/ARP sector, which assists with the presumption that children and young people with SEND should be educated in mainstream schools. However, there will be situations when parents do not believe that their child's educational needs are best met in mainstream schooling and by not having additional places in a special school, this may increase the demand for placements in the independent and non-maintained special school sectors.

**Option A: a new all-age ASD Special School: Placement and Curriculum Issues**

- 2.29. Meeting the needs of children and young people with autism is typically the most challenging to resolve, because needs are wide ranging, often unique, and the environment is often the reason that leads to placement breakdown or the need to locate a tailor made or bespoke programme beyond local maintained schools or academies.
- 2.30. A new all-age ASD Special School would provide for pupils with significant autism, for whom the environment and provision available in other local special schools or mainstream schools is not considered suitable because they are not designed to reduce the sensory sensitivity of those with severe autism and are unable to be individualised to the extent necessary. It would address a common feature of these cases (at all ages) which is the level of anxiety / unregulated emotional arousal which becomes the single biggest barrier to their learning and consequently leads to a situation where learning or just being alongside other children is not possible. The school would need to cater for those whose



academic ability was in line with their mainstream peers as well as pupils with cognitive impairment.

- 2.31. The school would provide a number of staff in one place with expert knowledge and skills, and experience in autism education. This would provide on-site flexibility to respond to unusual and challenging needs.
- 2.32. An appropriately designed, staffed and led ASD specific special school would recognise the need to offer support to parents and could provide facilities for parent workshops and training sessions so that they better understand their child's autism and are supported to develop their approaches at home.
- 2.33. There could be strong links with the Local Authority's ASD advisory team that supports mainstream schools, including mainstream schools with specialist ASD resourced provisions, so that a coherence across Barnet develops in relation to provision and excellent and expert staff are encouraged to remain in Barnet because of the wider opportunities that present.
- 2.34. Importantly this solution would offer capacity to develop coherence, consistency and continuity into further education, including the provision at Barnet and Southgate College for students with learning difficulties and those with autism.

**Option B: a new Special School Sixth Form Centre and new Primary ARPs: Placement and Curriculum Issues**

- 2.35. Creating a new special school 6<sup>th</sup> form centre would release space in Oak Lodge and Mapledown special schools. This would release teaching spaces and this would create more flexibility to respond to the needs of those pupils with autism and learning difficulties.
- 2.36. A new special school 6<sup>th</sup> form would provide students with an experience of transition to another education setting, which is important and part of preparing for adulthood.
- 2.37. A number of pupils who have left Oak Lodge because of the significance of their ASD and learning difficulties have been placed in the independent sector. This option would not deal with this issue.
- 2.38. The special school 6<sup>th</sup> form centre may provide an opportunity to re-include students with Learning Disabilities who have attended special schools in the non-maintained independent sector, or in another local authority, back into Barnet provision, where this is what the parents prefer. Given the over-representation in SEN appeals, of children who attend schools in other areas or independent / non-maintained schools, to be able to return students to local provision will greatly assist local transition planning and links with local colleges, specialist training providers and supported living. Planning pathways to adulthood would be assisted by having more 6<sup>th</sup> form places for students with statements/EHCPs, thus enabling them in appropriate cases to continue to 25 years of age, or to move to a local college.

### **Option C: new ARP Provisions to meet the whole of the additional need requirement; Placement and Curriculum Issues**

- 2.39. Most children who go to ARPs could have their needs met in a special school. Some children in ARPs use the on-site specialism to develop tolerances to be able to learn and benefit from a mainstream curriculum. These children do best in ARPs and tend to progress to a supported place in a secondary mainstream school (with an ARP or in some cases without one). On the other hand there are significant numbers of children and young people with Statements or EHCPs for whom ARP provision is not suitable or where the parents have a preference for their child to be in a special school. At present, the number of ARP places is broadly in line with the level of parental preferences for these supported mainstream places.
- 2.40. One potential disadvantage of this option is that the location of small units or provisions in the mainstream sector could lead to fragmentation of expertise, and isolation of specialist teachers from peer colleagues with whom they could discuss issues.

### **Comparative Statistics of Patterns of Provision**

- 2.41. Barnet's pattern of provision, in comparison with national, London and statistical neighbours, is as follows:
- It has a relatively high proportion of students with statements/EHCPs in mainstream schools
  - It has a relatively low amount of specialist provision in both Special Schools and ARPs
  - It has a relatively high proportion of placements in the independent and Non-Maintained Special School sectors.
- 2.42. The effect of these proposals on this pattern of provision, assuming that the numbers of proposed new places in each type of provision are fully occupied, would be:

**The number and percentage of pupils with statements/EHCPs in different types of provision**

	ARPs & SEN Units in maintained mainstream schools		Maintained mainstream schools, foundation schools, academies & free schools		Maintained special schools, special foundation, academies & free schools		Non-maintained special schools, independent special schools and other independent schools	
	No.	%	No.	%	No.	%	No.	%
<b>ENGLAND</b>	13,420	5.7	110,450	47.3	89,975	38.5	13,950	6.0
<b>LONDON</b>	2,865	7.3	19,435	49.6	12,290	31.4	3,540	9.0
<b>BARNET</b>	70	4.1	1,030	60.2	413	24.2	168	9.8
<b>BARNET- Option A</b>	86	4.5	1,148	60.1	539	28.2	125	6.5
<b>BARNET- Option B</b>	102	5.3	1,148	59.6	523	27.1	125	6.5
<b>BARNET- Option C</b>	180	9.3	1,148	59.6	445	23.1	125	6.5

2.43. Option A would bring Barnet the closest to the national and London averages. Option C would leave Barnet furthest from national and London averages. Our experience at present suggests that it is the most specialist provision, i.e. in special schools, that are most in demand. These comparisons support that view.

**Duty to consult**

2.44. The council has a statutory duty to ensure sufficient school places for children and young people within its area, as well as a duty to keep its special educational provision under review. When reviewing and considering making changes to educational provision for children and young people with SEND, the Council must consult relevant persons. The recommendations in this report will enable the council to consult fully with that range of partners, parents and children and young people with SEND on its plans to fulfil this duty through to 2019/20.

**3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

3.1. The Council has a statutory duty to provide a school place for all children, including those with special educational needs. Given the demographic pressures facing the council over this period, the alternative to expanding specialist provision would be to commission more places in the Non-Maintained and Independent Special School sectors, which would have a significant negative impact on the 'Schools Budget' (funded from the

Dedicated Schools Grant) and on the SEN Transport budget, which is funded from the council's general fund.

#### 4. POST DECISION IMPLEMENTATION

- 4.1. The options for the provision of future specialist places will be the subject of wider consultation over the spring term 2016.

#### 5. IMPLICATIONS OF DECISION

##### 5.1. Corporate Priorities and Performance

5.1.1 The quality of the education offer is at the heart of Barnet's continuing success as a place where people want to live, work and study. It plays a crucial part in making Barnet a popular and desirable place with many families attracted to the area by the good reputation of Barnet's schools. Ensuring all children receive the best start in life and are well prepared for adulthood is a key part of Barnet's vision set out in the Council's Corporate Plan 2015-2020 t

5.1.2 The Children and Young People Plan 2013-16 further outlines the ways in which the Council will ensure that children and young people with SEN have access to suitable provision to enable them to be able to achieve their potential, from support in early years provision through to a positive transition into adulthood.

##### 5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

###### Revenue Considerations

5.2.1 The additional number of specialist places is identical across all three options. The difference is between the number in ARPs and those in Special Schools. We can estimate the cost of each option by calculating the different number of places in these two sectors only and multiplying by the relevant unit costs:

Includes Place Funding and Top-Up	Average Unit Cost	Option A		Option B		Option C	
		No. of Places	Annual Cost - £s	No. of Places	Annual Cost - £s	No. of Places	Annual Cost - £s
ARPs	29,306	16	468,896	32	937,792	110	3,223,660
Special Schools	23,824	126	3,001,824	110	2,620,640	32	762,368
<b>Total</b>		<b>142</b>	<b>3,470,720</b>	<b>142</b>	<b>3,558,432</b>	<b>142</b>	<b>3,986,028</b>

Option A is, in revenue terms, the most cost effective. Option B is £88,000 more expensive. Option C is considerably more expensive - by an estimated £515,000 per annum. Option C would therefore have a significant impact on the 'Schools Budget' (funded from the Dedicated Schools Grant).

## Site and Capital Considerations

5.2.2 Finding suitable sites for new education provision to meet the general growth in pupil numbers in Barnet is already a significant challenge. The additional requirements identified here add to that. Given the distribution of children and young people with SEN across the Borough, it would be preferable if suitable sites could be identified in the west of the borough to minimise journey times for students and transport costs.

The identification of sites will not be progressed, of course, until the preferred option is selected. Capital costs will depend on the nature of the site, its ownership and numerous other factors. At this stage therefore, the figures included here are very broad estimates based on recent similar examples across London. These figures must therefore be treated with caution, but are used to indicate a broad pattern.

The figures used are:

- 1 class ARP and supporting spaces: £2.5m
- 2 class ARP and supporting spaces: £2.5m
- 3 class ARP and supporting spaces: £5m
- 50 place Sixth Form Centre and supporting spaces: £15m
- 96 place Special School: £25m

	<b>Number of Sites to Find</b>	<b>Indicative Building Cost</b>	<b>Possibility of additional external capital funding</b>
Option A	1	£25 million	Through Free School application
Option B	2/3	£21m	Part- if Sixth Form Centre is established as Free School
Option C	3/4	£16m	No additional capital funding likely, over and above annual capital grant for new basic need places

The capital requirements were reported to the Children's, Education, Libraries and Safeguarding Committee on 15th September 2014 as a total capital requirement of approximately £12 million, to provide an additional 38 Primary places and an additional 71 secondary places. All three options proposed in this report will require a greater commitment of capital. If the new provision is met through the creation of a Free School, capital funding may be available from the Education Funding Agency.

## 5.3 Legal and Constitutional References

5.3.1 Constitution, Responsibility for Functions, Annex A, sets out the terms of reference of the Children, Education, Libraries and Safeguarding Committee including:

- planning the adequate provision of school places in the Borough
- investment in educational infrastructure to meet the needs of the Borough's learners

- to be responsible for those powers, duties and functions of the Council in relation to Children's Services (including schools).

5.3.2 The Council has a statutory duty under the Education Act 1996 to ensure the provision of sufficient schools for primary and secondary education in their area. Under s.14 of the Education Act 1996, a local authority shall secure that sufficient schools for providing primary and secondary education are available in their area. Sufficient means sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education. In meeting this duty, a local authority must do so with a view to securing diversity in the provision of schools and increasing opportunities for parental choice.

5.3.3 In this context, Section 27 of the Children and Families Act requires local authorities to keep under review its special educational provision and social care provision, consulting a range of partners including:

- Children and young people with SEN, and the parents of children with SEN, in its area;
- The governing bodies of maintained schools and maintained nursery schools in its area;
- The proprietors of academies (including free schools) in its area;
- The governing bodies, proprietors or principals of post-16 institutions in its area;
- The governing bodies of non-maintained special schools in its area;
- The advisory boards of children's centres in its area;
- The providers of relevant early years education in its area;
- The governing bodies, proprietors or principals of other schools and post-16 institutions in England and Wales that the authority thinks are or are likely to be attended by children or young people for whom it is responsible;
- Any youth offending team that the authority thinks has functions in relation to children or young people for whom it is responsible;
- Such other persons as the authority think appropriate (e.g. adult social care, voluntary organisations, CAMHS services, local therapists, Jobcentre Plus and their employment support advisors, training/ apprenticeship providers, housing associations, careers advisers, leisure and play services).

5.3.4 Regulations on school organisation require local authorities to follow a prescribed process when making changes to maintained schools. Adding, removing or altering SEN provision at a mainstream school would require the statutory process to be followed. Whilst there is not a statutory duty to consult prior to publication of proposals, the statutory guidance recommends that local authorities consult interested parties in formulating proposals.

5.3.5 The statutory guidance also recommends that local authorities aim for a flexible range of provision and support that can respond to individual pupil needs and parental preference.

## 5.4 Risk Management

5.4.1 All pupil place planning is based on pupil projections and there is a risk that the projections are inaccurate. There is a risk that the needs of groups of children change over time. The development of the strategy for future provision will be developed to promote flexibility.

5.4.2 The options set out for an additional 3 primary and 8 secondary classes depend on the plans for expansion at Cromer Road (an additional 2 classes) and Kisharon (an additional one class) coming to fruition. Should these fail to materialise, the requirement for the options to fulfil would need to be adjusted accordingly.

## 5.5 Equalities and Diversity

5.5.1 Equality and diversity issues are a mandatory consideration in the decision making of the council. This requires elected Members to satisfy themselves that equality considerations are integrated into day to day business and that proposals have properly taken into consideration what impact, if any, there is on any protected group and what mitigating factors can be put in train.

5.5.2 Ensuring a high quality education offer supports the progress of all children and young people including those with additional needs or at risk of underachievement, for example, children with additional learning needs or young people with behavioural emotional and social difficulties. By reshaping and investing in new provision for children with special educational needs and aiming to retain Barnet’s diverse educational offer, the council is investing to ensure that Barnet remains a popular place for families to live and study.

5.5.3 An Equalities Impact Assessment will be carried out at the next stage of this planning process, when the results of the consultation and a recommended approach are reported to this Committee.

## 5.6 Consultation and Engagement

The proposed list of consultees, and methods of engagement, are as follows:

Group to be Consulted	Method
Parents and Children with SEN	Meeting with Barnet Parent & Carer Forum. Public meeting hosted by Barnet Parent & Carer Forum. Consultation document to be sent to all parents of children with statements/EHCPs.
Young People	We will consult with children and young people through existing mechanisms such as: <ul style="list-style-type: none"> <li>• the Barnet Youth Board, Role Model Army, Barnet Members of Youth Parliament and Youth Shield</li> <li>• the school councils of special schools, nominees from ARPs,</li> </ul>

	<ul style="list-style-type: none"> <li>the Voice of the Child Strategy Board.</li> </ul>
Governing Bodies/Academy Trusts	<p>Consultation document to be sent to all Chairs of Governing Bodies for maintained schools and Academy Trusts.</p> <p>Discussion at Director's Meeting with Chairs</p>
Headteachers of Barnet Schools/Academies	<p>Consultation document to be sent to all Headteachers.</p> <p>Discussion at Director's Meeting with Headteachers.</p> <p>Meetings with Headteachers of Special Schools/schools with ARPs</p>
Post 16 Institutions	<p>Consultation document to be sent to all Principals of Colleges and ISPs attended by current Barnet SEN students and those likely to be a provider in the future</p>
Youth Offending Teams in Barnet, Brent, Enfield, Haringey and Hertfordshire	<p>Consultation document to be sent to all YOT Team managers in these areas</p>
Children's Centres	<p>Consultation document to be sent to all Heads and Chairs of Advisory Boards</p>
Private, Voluntary and Independent (PVI) Early Years settings	<p>Consultation document to be sent to all PVI proprietors in Barnet</p>
Governing bodies, proprietors or principals of other schools and post-16 institutions in England and Wales likely to be attended by children or young people from Barnet	<p>Consultation document to be sent to all Principals of schools/colleges attended by or will possibly be attended by Barnet students with statements / EHCPs</p>
Non-Maintained and Independent Special Schools	<p>Consultation document to be sent to all Heads of all NM and Independent Special Schools in Barnet and those currently attended by Barnet pupils</p>
Adult Social Care	<p>Consultation document to be sent to Head of Adult Social Care and 0-25 Service</p>
Children's Social Care	<p>Consultation document to be sent to Head of Children's Social Care and Children's Intervention team</p>
Barnet Clinical Commissioning Group (CCG)	<p>Consultation document to be sent and meeting to be arranged</p>
CAMHS	<p>Consultation document to be sent to Barnet, Enfield and Haringey NH Trust</p>
Hospital Services	<p>Consultation document to be sent to Royal Free London NHS Foundation Trust</p>



Responses will primarily be drawn from a simple questionnaire on the Council's web-site which will ask respondents to:

- Indicate their preference from the three options; and
- Identify the main factors for this.

Space will also be provided for more detailed responses should respondents so wish.

## **6 BACKGROUND PAPERS**

- 6.1 Item 10, Planning for New School Places 2015-16 to 2019-20: Children, Education, Libraries and Safeguarding Committee, 15th September 2014.
- 6.2 Item 10, Preparing to Meet Future Need for Children with Special Educational Needs: Children, Education, Libraries and Safeguarding Committee, 9th March 2015.
- 6.3 Item 8, Future Provision of Specialist Places for Children and Young People with Special Educational Needs and Disabilities: Children, Education, Libraries and Safeguarding Committee, 16th July 2015.

## Annex A: SEN Improvement Test Summary

<b>Criteria</b>	<b>Option A: new all-age ASD Special School</b>	<b>Option B: a new Special School Sixth Form Centre and new Primary ARPs</b>	<b>Option C: new ARP Provisions to meet the whole of the additional need</b>
<b>Improved access to education and associated services</b>	Will promote a curriculum for young people with autism that takes into account their special interests, enabling them to engage in successful learning.	May provide an opportunity to re-include students with Learning Disabilities who have attended NMSS/Ind special schools as part of post 16 transition. Planning pathways to adulthood would be assisted.	Greater geographic spread of provision. Curriculum offer can be differentiated but will in part be determined by mainstream offer.
<b>Improved access to specialist staff</b>	Provides staff in one place with expert knowledge and skills, and experience in autism education and associated therapies.	Will assist local transition planning and links with local colleges, specialist training providers and supported living.	Dispersal of expertise will require co-ordinated effort to develop coherent approach.
<b>Improved access to suitable accommodation</b>	New build specific for ASD needs for all age ranges.	New build can provide some accommodation designed for ASD for primary and 16-19.	New build can provide some class bases better designed for ASD needs for all age ranges.
<b>Improved supply of suitable places</b>	Will provide for pupils with significant autism, for whom the environment and provision available in other local special schools or mainstream schools are unsuitable because they are not designed to address sensory sensitivity. Increase entirely within Special School sector.	No increase in primary special school provision. PMLD and some SLD students may find transition disruptive. Would require substantial duplication of specialist resources.	Significant numbers with Statements/ EHCPs for whom ARP provision is not suitable. Number of present ARP places is in line with the level of parental preferences. Increase entirely within mainstream sector.