



## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	Implementation of the proposal to create Additional Resourced Provision (ARP) at Clockhouse Primary School – Phase 3 expansion
<b>Cabinet Member:</b>	Councillor Robert Benham Cabinet Member for Children & Learning Councillor Roger Ramsey, Leader of the Council
<b>CMT Lead:</b>	Mary Phillips, Assistant Director, Learning and Achievement
<b>Report Author and contact details:</b>	Pooneeta Mahadeo School Organisation Manager <a href="mailto:pooneeta.mahadeo@havering.gov.uk">pooneeta.mahadeo@havering.gov.uk</a> 01708 431092
<b>Policy context:</b>	The local authority has a legal duty to meet the special educational needs of those children for whom it is responsible. The needs of pupils who require provision additional to or different from that generally available is determined by a formal assessment process initially set down in the Education Act, 1981, now incorporated in the Children and Families Act 2014.
<b>Financial summary:</b>	The creation of ARP at Clockhouse Primary School is expected to cost in the region of £300,000, funded from the Phase 3 school expansion programme. Revenue implications for the school will be funded from DSG.

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<b>Relevant OSC:</b>	<b>Children and Learning</b>
<b>Is this decision exempt from being called-in?</b>	No

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**The subject matter of this report deals with the following Council Objectives**

- Havering will be clean and its environment will be cared for
- People will be safe, in their homes and in the community
- Residents will be proud to live in Havering

*Place an X in the [] as appropriate*

## Part A – Report seeking decision

### DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

To approve the statutory proposal to add Additional Resourced Provision at Clockhouse Primary School

School	Additional Resourced Provision (ARP)	No of pupils
Clockhouse Primary School (Community)	ASD / Communication and Complex Needs	12 (4-11 years)

*ASD – Autistic Spectrum Disorder*

#### Recommendation

To make a decision on the addition of an Additional Resourced Provision at Clockhouse Primary School as set out in the Decision –maker guidance – Appendix 1 and to include this scheme within the 16/17 Capital Programme.

### AUTHORITY UNDER WHICH DECISION IS MADE

Cabinet agreed, at its meeting on 4 November 2015, to delegate the power to take further decisions regarding the approval of which settings/schools should be expanded (subject to the appropriate statutory processes) for Phase 3 of the Expansion Programme to the Cabinet Member for Children & Learning and Cabinet Member for Value, following consideration of the above, subject to budgetary provision being confirmed.

### STATEMENT OF THE REASONS FOR THE DECISION

Following the Cabinet decision of 4 November 2015 and subsequent informal consultation with schools, officers have identified outline proposals for increasing the number of SEN places as from January 2017 onwards.

Informal consultation on the Programme of additionally resourced provision (ARP) for 2016/17 took place from the 12 May 2016 to 10 June 2016.

Following the informal consultation process above, the Assistant Director for Learning and Achievement signed the (Non key) Executive Decision on 22/06/2016 to proceed to the representation stage.

The LA is required to follow a statutory process to establish / remove / alter SEN provision in a mainstream school.

A Statutory Notice, that included details of the proposal, was published in the Romford Recorder on 24 June 2016, the notice was also fixed to the entrance gate of the school and published on the Council's website with a link to further information about the

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proposal.

During the representation period, one comment was received in support of the proposal.

The comment received is attached as Appendix 2

### **OTHER OPTIONS CONSIDERED AND REJECTED**

Pupils with complex SEN could also be educated within special schools. Expansion of existing special schools is not feasible within the required timeframe due to space constraints. Development of a new special school is extremely costly and has a long lead in time and as such is not an option in the short term.

The Council is therefore looking to increasing capacity within its existing resources and is focusing on developing new provision within its own schools. It is therefore proposing to create a number of Additionally Resourced Provision in the mainstream schools (ARPs), particularly in the areas where there are shortages of provision.

### **PRE-DECISION CONSULTATION**

The comment received to the Statutory Notice is attached as Appendix 2

### **NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER**

Name: Pooneeta Mahadeo

Designation: School Organisation Manager

Signature:



Date: 24/08/2016

## Part B - Assessment of implications and risks

### LEGAL IMPLICATIONS AND RISKS

In relation to provision for special educational needs in a mainstream school, the LA has to follow a statutory process including consultation for –

- (a) The establishment of a provision that is recognised by the local authority as reserved for children with special educational needs;
- (b) A change in the type, or types of special educational provision that is recognised by the local authority as reserved for children with special educational needs; or
- (c) The discontinuance of provision which is recognised by the local authority as reserved for children with special educational needs

Regulation 5 School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013/3110

The proposals are in line with these statutory requirements.

With any consultation process the decision maker must conscientiously take into consideration any responses, although in this case the only representation is a comment in support and therefore there are minimal risks in adopting this proposal.

### FINANCIAL IMPLICATIONS AND RISKS

#### Capital Implications

The estimated costs for delivering ARPs are as follows:

School	Additional Resourced Provision (ARP)	Cost
Clockhouse Primary	New ARP for Communication and Interaction Needs – LA to deliver building works	£350,000
<b>Total</b>		<b>£300, 000</b>

#### Funding

Phase 3 Expansion Programme

– allocation for SEN Provision for September 16

£1,500,000

#### Revenue Implications for schools

Funding to LAs for pupils with behavioural or special educational needs is allocated to LAs through the High Needs Block of the Dedicated Schools Grant (DSG). The Additional Resource Provision at Clockhouse will be funded at £10,000 per place from the High Needs Block as required by the Schools and Early Years Finance Regulations (England) 2015. The Additional Resourced Provisions will help increase capacity and ultimately

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reduce the costs of expensive out of borough provision.

Funding will be allocated as follows:

Clockhouse Primary 12 places @ £10,000 per place = £120,000

### **Risks**

As with most capital schemes, there is a risk that the schemes could overspend due to issues arising during the build process, however given the size of the works any significant overspend is unlikely. Any small issues arising can be funded from the remaining budget within the school expansion programme.

Sam Gable, Strategic Finance Business Partner.

### **HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

#### **(AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

The human resources implications for the schools to be proposed for creating Additionally Resourced Provision will be managed by the schools themselves. There is likely to be a need to recruit additional teaching and support staff and the relevant schools will undertake the recruitment and selection process in accordance with the appropriate policies and procedures. There are growing difficulties in recruiting to teaching posts and therefore schools will need to consider that additional resources and a longer recruitment timescale may be required to fill vacancies. The Havering Education HR service will provide support as appropriate and required to all schools, academies or free schools that purchase relevant services.

### **EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

In Havering we are committed to developing the most inclusive communities which are welcoming and supportive of all. Our aspiration for all our children and young people are the same and this is that they should all have the best opportunities to achieve and fulfil their potential. Our aim for children and young people with special educational needs (SEN) is even more ambitious in that we want them to enjoy their education in the most inclusive environment possible and be supported in participating as fully as they can in the lives of their schools and local community.

The local specialist provisions will ensure that all children can have their needs met in a school as close to home possible. This is to ensure that they are in the right school at the right time so that they may participate fully in the lives of their schools and make the most of their learning opportunities, supporting schools and families to help children and young people remain and develop into participative members of their local schools and community.

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**BACKGROUND PAPERS**

Appendix 1- Decision-maker guidance

Appendix 2 – Representations to the Statutory Notice



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**Part C – Record of decision**

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

**Decision**

Proposal agreed

**Details of decision maker**

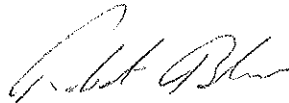
Signed;



Name: Councillor Roger Ramsey

Cabinet Portfolio held: Leader of the Council

Signed;



Name: Robert Benham

Cabinet Portfolio held: Cabinet member Children and Learning

CMT Member title:

Head of Service title

Other manager title:

Date: 28<sup>th</sup> August 2016

**Lodging this notice**

The signed decision notice must be delivered to the proper officer, Andrew Beesley, Committee Administration & Interim Member Support Manager in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on 2/9/16

Signed A-H-01

