

CABINET

20 November 2013

Subject Heading:

Proposal for additional Post-16 provision in Havering for young people aged 16-19 with special educational needs and/or disabilities.

Cabinet Member:

Councillor Paul Rochford

CMT Lead:

Joy Hollister

Report Author and contact details:

Mary Pattinson
Head of Learning & Achievement
mary.pattinson@havering.gov.uk
01708 433808

Policy context:

Supports the goal to champion education and learning for all, as set out in the Corporate Plan 13/14 Living Ambition Vision.

Financial summary:

Estimated costs of £1m, with £928k s106 potential funding. Financial implications to be reassessed once a detailed proposal is developed.

Is this a Key Decision?

Yes – expenditure of more than £500,000

When should this matter be reviewed?

November 2014

Reviewing OSC:

Children and Learning

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

Ensuring a clean, safe and green borough	<input type="checkbox"/>
Championing education and learning for all	<input checked="" type="checkbox"/>
Providing economic, social and cultural activity	<input type="checkbox"/>
in thriving towns and villages	<input type="checkbox"/>
Valuing and enhancing the lives of our residents	<input checked="" type="checkbox"/>
Delivering high customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

- 1.1. This report seeks Cabinet's approval in principle to expand Post-16 provision for young people with special educational needs and/or disabilities ("SEND"). If this is granted, further approval will be sought from Cabinet of a final proposal once location and development options have been explored in more detail.
- 1.2. Demographic trends and changes in the type and complexity of learning difficulties have led the Council to review the size and suitability of its existing Post-16 provision. Analysis of current pupils aged 11 to 15 years at the borough's three special schools, and of school/college destinations at age 16 over the last three years has taken place. The results of this correspond with the concern voiced by a small number of parents of children with SEND that the Council is not making sufficient or appropriate provision for their children from age 16. This data is given in more detail below and is set out in full in Appendix A, the Post-16 SEND Strategy document.
- 1.3. Discussion and analysis has taken place through a strategy group over the last 18 months, in conjunction with parent representatives. Views have also been welcomed from head teachers of the borough's special schools, as well as colleagues across Children's Social Care, Learning & Achievement, Adult Social Care and Health. Young people have also been consulted on what they think post-16 provision should be like.
- 1.4. Providing additional in-borough provision for a small number of 16-19 year olds with high levels of SEND will require significant investment but will have numerous benefits. Primarily, by creating a continuum of appropriate and local provision, young people will be able to remain in their home environment rather than potentially travelling to out of borough provision. By ensuring that these young people maximise their potential for independence, it will not only improve their quality of life and long-term outcomes but it is also anticipated that they will require less support from Adult Social Care in the future as a result.

RECOMMENDATIONS

1. That Cabinet give approval in principle to the development of new post-16 provision in Havering for 16-19 year olds with special educational needs and/or disabilities by September 2015.
2. That Cabinet approve the "Post-16 Strategy for young people with special educational needs and/or disabilities" (Appendix A).
3. That Cabinet note that the financial consequences of this proposal will be addressed as part of the 2014/2015 budget setting process.

REPORT DETAIL

Background

- 3.1. The local authority has a duty to secure enough suitable education and training to meet the reasonable needs of young people with SEND. The analysis which has been carried out demonstrates that there is a gap in post-16 provision within Havering which is due in part to the increasing complexity of the needs of many young people with SEND. This view is supported by parent representatives.
- 3.2. Currently, post-16 provision within Havering for young people with SEND exists at:
- Ravensbourne School, which serves pupils with severe and profound and multiple learning disabilities to age 19.
 - Havering College, which offers programmes at its Foundation Skills Centre for adults aged 16 to 25 with learning difficulties and disabilities.
 - Havering College also runs a satellite unit for a small number of 16-19 year olds based at Corbets Tey School but this is not a permanent arrangement.
- 3.3. A number of young people with SEND attend Barking & Dagenham College (which although not in Havering is nearby) but others whose needs could not be met either at Ravensbourne School or Havering College have in the past been placed at out-of-borough special schools with sixth forms or in out-of-borough residential provision. Not only is this a relatively expensive option for the Council but as student numbers continue to rise in all boroughs putting pressure on existing provision, it is an option which is not guaranteed to be available in the future. In addition, parents would naturally prefer their children to be educated locally and it is widely accepted that this is more likely to result in better outcomes for those young people in the long-term.

Rationale

- 3.4. Analysis of historical destinations at age 16 was carried out and discussions took place with the head teachers of the borough's three special schools about the predicted post-16 requirements of current pupils.
- 3.5. Head teachers of both Ravensbourne School and Dycorts School felt that the vast majority of pupils currently in years 7 to 11 would have their needs met by the Ravensbourne Further Education Unit and local colleges respectively at age 16. It should however be noted that the needs of children attending Dycorts School are becoming increasingly complex and that it is too early to predict

whether children currently of primary age at the school would be able to access Havering College when they reach the age of 16.

- 3.6. Analysis of the pupils in years 7 to 11 at Corbets Tey showed that whilst some were prospective Havering College learners, the majority would require alternative provision at age 16. The full details are set out on page 15 of Appendix A.
- 3.7. When added to a small number of children currently at mainstream schools and Looked After Children presently living out of borough, the conclusion was that over any three-year period (i.e. age 16-19) in the next five years, suitable provision would need to be found for between 25 and 30 students.
- 3.8. The reason for such an apparent increase in demand for alternative provision is due primarily to an increasing complexity of the needs in recent years of children with SEND. There is a rising number of children who, by the time they leave school at age 16, will not have reached the level expected of a child at primary school reception age. Contributing factors include the increase in survival rates of preterm infants and the rise in use of IVF (which impacts the number of babies born preterm). These dynamics and others are discussed in detail in Appendix A.
- 3.9. The changing nature of the complexity and type of need, as well as rising birth rates and a projected increase of 7.5% across all categories of learning difficulties and disabilities in Havering by 2017 will all contribute to the need for additional post-16 provision.

Collaboration and Consultation

- 3.10. The Council has worked closely with parents to discuss existing provision and to identify any gaps in that provision. The parents' forum Positive Parents have represented families at a strategy group which was convened with the aims of: setting out the current provision available; identifying the need for any additional or alternative options; establishing which of those options can be pursued; and how this will be achieved.
- 3.11. The strategy group consists of officers from the Council and Health Service, as well as parents and head teachers. Members of the group have made visits to a number of special schools and colleges both within and outside the borough to identify what is currently available and to formulate ideas as to what any future provision might look like.
- 3.12. If Cabinet supports the proposals, a working group will be set up to discuss a potential brief for any new building, an appropriate curriculum and other services to fit around any new Post-16 provision which may be commissioned. It is envisaged that this group will report to a formal project team and will include representation from parents, departments across the Council, special schools and also Havering College.

- 3.13. A consultation of 14-30 year olds with special educational needs or learning difficulties and/or disabilities was also carried out during September 2013 across a variety of provisions in Havering, including special schools, colleges and supported employment programmes.
- 3.14. The consultation was carried out using a short questionnaire in large print and pictorial formats to find out what this group of young people would like and expect from post-16 provision and/or their experience in post-16 provision, for example, what they liked, what could have been better. The purpose of the consultation was to assist in identifying the potential form of any alternative or additional options at age 16.
- 3.15. Eighty responses have been received to date. Whilst the questions which were posed did not relate to identifying any need for additional provision, the results strongly support the view that post-16 provision should be available in the local area and that young people with SEND would like more help with developing independence and employment skills as they get older.
- 3.16. In response to the question "If you could design your own school or college for 16-19 year olds, where would it be?", 55 of the 59 (93%) young people who specified a geographic location named an area within Havering, presumably either near to their home address or their current school, college or employment.
- 3.17. A more detailed summary of the responses is attached in Appendix B.
- 3.18. A small number of young people were also consulted by PACT (a voluntary organisation which aims to support the needs of families, carers and friends of children with Autistic Spectrum Disorders living in Barking & Dagenham, Havering and Redbridge) during their 2013 summer scheme programme. These young people were not Havering residents but their views were consistent with those who took part in the Havering consultation.

Considerations

- 3.19. If young people's needs cannot be met within the borough, parents will apply for them to attend out of borough provision. The cost of these placements varies considerably and will indeed vary for each young person as most provision has individual charges based on the needs of the students. Just as importantly, it is widely accepted that young people who remain in provision near to their home and family have better outcomes in the long-term for many reasons. For example, learning independence skills such as travelling on public transport or shopping are more valuable and successful if practised in a familiar area.
- 3.20. If new provision is agreed, it is essential that it properly meets the needs of those who require it. With this in mind, Appendix A sets out agreed principles and a proposed curriculum model which is based on developing the independence of young people so that they can lead more fulfilling lives and need less help from adult services in the future.

- 3.21. Any new provision would be developed in tandem with adult services so that appropriate independent living accommodation can be commissioned to suit the young people, enabling them to remain in Havering and receive a good and appropriate service whilst minimising costs over the longer term.

Potential Development Options

- 3.22. Sites which are initially being considered for development are detailed below:

- Ravensbourne School, Harold Hill – early indications are that there is no space at the site for further development.
- Havering College – discussions with the College need to be initiated to establish the scope for any development; there are concerns that a location on the Rainham campus may not be sufficiently central and that it is potentially difficult to access.
- Corbets Tey School, Upminster – see 3.23 below
- Dycorts School, Harold Hill – see 3.23 below
- Avelon Road, South Hornchurch – see 3.23 below
- Other sites – possible premises are to be explored with Adult Social Care colleagues.

- 3.23. Drawing studies have been prepared for Corbets Tey School, Dycorts School and Avelon Road and while these indicate the potential to develop as infill development, planners have not yet been consulted. It is theoretically possible to develop each of these sites in respect of area availability. However, detailed planning would be required for access and actual location within the buildings.

- 3.24. Based on the assumption that an overall area of some 400 square metres would be required, the estimated build cost would be £800k to £1million.

- 3.25. The future potential need for expanding facilities to meet rising demand at these sites (including for under-16s at the existing special school locations) needs to be considered. This may be of greater consequence where the availability of site space is limited.

REASONS AND OPTIONS

4. Reasons for the decision:

- 4.1. The Council has a duty to provide suitable education for young people with SEND. While existing local post-16 provision is very good, it is acknowledged

that there are a number of young people whose needs are not profound enough for Ravensbourne to be appropriate but who would not yet be able to access Havering College.

- 4.2. The Council should respond to the changing needs of its young residents with SEND and prepare to meet the demands of demographic predictions.
- 4.3. Out of borough provision for those whose needs cannot be met in Havering is costly and cannot be guaranteed in future years as those boroughs will meet their own local demand before making places available to other local authorities.
- 4.4. Capital investment now will enable future demand to be met appropriately.

5. Other options considered:

- 5.1. Do nothing: This was rejected for all of the reasons set out above.

IMPLICATIONS AND RISKS

Financial implications and risks:

CAPITAL

In the absence of a detailed proposal it is difficult to quantify costs. However, based on industry norms it is estimated that a new provision will cost in the order of £1,042,000, depending on the size and type of provision, and a more detailed review has identified that costs are likely to be in the region of £800k to £1m.

There is currently £928,000 of Section 106 payments which could be allocated to fund the bulk of a new provision and it is likely that further payments will be received in the future.

If the scheme costs more than the Section 106 funds available then alternative sources will need to be identified. Once a detailed proposal and accurate costings have been developed, the financial implications can be reassessed and raised through the appropriate channels. However, it should be noted that the financial consequences of this proposal will be addressed as far as possible as part of the 2014/2015 budget setting process.

REVENUE

The funding for the revenue costs of running any new provision will depend on whether it will be the sixth form provision of an existing special school or a further education establishment. For either, the LA is required to meet the cost of commissioning the places from the High Needs Block of the Dedicated Schools Grant (DSG) but place led costs will either be met from the DSG or met by the Education Funding Agency (EFA).

Post-16 places are funded on the basis of lagged student numbers so there is potentially a full academic year in which no funding will be allocated. There is also uncertainty at this stage in any new provision receiving sufficient funding to meet its revenue costs as the EFA has not yet confirmed funding arrangements for 2014/15.

There are also potential revenue savings/cost avoidance for the authority should young people attend in borough provision rather than costly out-of-borough placements, not only reducing cost of provision itself but also ancillary costs such as transport. It has also been suggested that developing an in house provision may help improve the independence of young people and ultimately reduce their reliance on Adult Social Care in the future. Again, this may lead to cost avoidance but it is difficult to quantify at this stage and as such, no reliance should be placed on any potential savings.

Legal implications and risks:

Currently the Authority is under a duty to secure that enough suitable education and training is provided to meet the reasonable needs of persons in their area who are over compulsory school age but under 19, and in doing so must have regard to—

- (a) the persons' ages, abilities and aptitudes;
- (b) any learning difficulties the persons may have;
- (c) the quality of the education or training;
- (d) the locations and times at which the education or training is provided.

And must—

- (a) act with a view to encouraging diversity in the education and training available to persons;
- (b) act with a view to increasing opportunities for persons to exercise choice;
- (c) act with a view to enabling persons to whom Part 1 of the Education and Skills Act 2008 applies (i.e. individuals who do not have two A level equivalent qualifications) to fulfil the duty imposed by section 2 of that Act [that they should be in full time education or training];
- (d) take account of education and training whose provision the authority think might reasonably be secured by other persons. (section 15ZA Education Act 1996)

It appears that without positive action to provide more in borough facilities for education for 16-19 year olds with SEN that the Authority may be in danger of failing to fulfil its duty under section 15ZA.

An additional provision will also assist in encouraging diversity of provision and increasing choice.

Legal advice is likely to be required to assist with the evaluation of feasibility of each of the proposals.

Human Resources implications and risks:

There will be recruitment requirements for this new service which will need to be in place prior to the commencement of the new service. As there will be the requirement

to have qualified teaching staff, the recruitment will need to take into account teaching contractual timescales. It is anticipated that there will be a requirement for one teacher and two Learning Support Assistants for every 8 pupils. It is not anticipated that there will be any impact on existing staff.

Equalities implications and risks:

This proposal is intended to improve the equality of outcomes, social inclusion and well-being of children and young people with SEND and their parents/carers.

By offering a variety of local Post-16 provision, young people will be able to attend an appropriate provision nearer to their home. This will result in fewer young people having lengthy journeys out of borough. It will also mean that life skills learnt while at Post-16 provision can be put into practice more easily in the young person's local area, leading to greater independence and social inclusion.

A full equality analysis has been carried out in relation to the potential impact of the proposals and is attached as Appendix C.

BACKGROUND PAPERS

None.

APPENDICES

Appendix A - Post-16 Strategy for young people with special educational needs and/or disabilities

Appendix B - Summary of 14-30 Consultation responses

Appendix C - Equality Analysis