

From: Roger Gough, Cabinet Member for Children, Young People and Education

Matt Dunkley, CBE, Corporate Director of Children, Young People and Education

To: Children's, Young People and Education Cabinet Committee – 28th June 2019

Subject: **Special Provision Capital Fund**

Classification: **Unrestricted**

Past Pathway of Paper: None

Future Pathway of Paper: Proposals requiring a key decision will be brought to the Children's, Young People and Education Cabinet Committee at a later date.

Electoral Division: All

Summary: The paper outlines the proposal to use the Special Provision Capital Fund to increase Autistic Spectrum Provision across the County and the outcome of the public consultation to this effect.

Recommendation(s):

The Children's, Young People and Education Cabinet Committee is asked to:

- a) note the outcome of the consultation.
- b) comment on the proposal to use the Special Provision Capital Fund to increase Autistic Spectrum Disorder (ASD) Provision across the County, whilst noting that key-decisions on the matter would be submitted to the Cabinet Committee at a later date.

1. Introduction

1.1 In 2017 Central Government announced an initiative to provide capital funding to local authorities to support the provision of SEND places. Kent was allocated £6.6m, spread over three financial years - 2018-19, 2019-20 and 2020-21. In 2019, Government announced further funding, with Kent receiving an extra £4.6m taking the total received to £11.2m

1.2 The capital allocation can be used:

- Create new (additional) places at good or outstanding provision.
- Improve facilities or develop new facilities.
- Expand existing provision, including at the same site or at a different site.
- Reconfigure provision to make available space for additional places or facilities.
- Re-purpose areas so that they meet the needs of pupils with special educational needs and disabilities.

- Other capital transactions that result in new (additional) places or improvements to facilities.
- Investing in provision that is located in another local authority where this supports providing good outcomes for children in their area.

1.2 This report informs Members on the progress of the projects funded by the initial allocation in 2017, how we propose to use the second tranche of £4.6m to increase ASD provision, the reasons for this proposal and the results of the public consultation on this proposal.

2. Progress on Initial Projects

2.1 In 2017, the first tranche of funding was allocated towards three projects:

i) Meadowfield School

Meadowfield School is a special school in Sittingbourne for pupils with Profound, Severe and Complex Needs (PSCN). Swale District has one of the highest prevalences of EHC plans of all Kent districts. As the sole special school in the District it was under extreme pressure to admit additional pupils. The Special Provision Capital Fund partially funded the expansion of the School from 209 places to 348 places and to add nursery provision. Phases 1 and 2 have been completed. Phase 3 commences after Easter 2019 which will provide the final elements of the accommodation needed.

ii) Whitfield Aspen Primary School

Dover does not have a dedicated special school for pupils with PSCN. The Specialist Resource Provision (SRP¹) at Whitfield Aspen School, known as Aspen 1, provides for this need type. It offers a unique inclusive environment. The popularity of the SRP with parents means the SRP is consistently oversubscribed. To meet the growing needs of primary aged pupils locally, the School is expanding onto a satellite site (opening in 2020). The Special Provision Capital Fund has enabled 8 new classrooms to be planned into the satellite site, increasing the number of specialist places offered in the Aspen provision to 112. The new classrooms are expected to be completed for September 2020.

iii) Stone Bay School

Stone Bay is a special school in Broadstairs. It is the County's only maintained special school for pupils with ASD and Severe Learning Difficulties (SLD). The expansion has supported meeting the rising demand for places, by creating new KS2 classes to accommodate a further 14 pupils.

3. Proposed allocation of the additional funding

3.1 In order to access the additional funding, KCC is required to update and publish how we propose to use the Special Provision Capital Fund, and to consult stakeholders on the proposals. The consultation ran between 01 May 2019 and 05 June 2019.

The 'Special Provision Plan' plan can be accessed via the link:

¹ Specialist resourced provisions (SRPs) support pupils with education, health care plans who require a level of specialist teaching not usually available in a mainstream school, but because of the additional resourcing and skills available through the SRP can thrive in the mainstream environment.

- 3.2 We propose to use the additional funding to support the commissioning of additional specialist provision for pupils with ASD. This supports our agreed strategy, as set out in the Commissioning Plan for Education Provision in Kent 2019-23 and the SEND Strategy 2017-19.
- 3.2 The Commissioning Plan for Education Provision in Kent 2019-23 (KCP) identified the demand for SEND provision across the County and how we intended to address that demand over the next three years. It identified that ASD continues to be the most prevalent and fastest growing need type across the County. As of January 2018, ASD as the primary need type accounted for 40% of all Education, Health and Care plans in Kent compared to the national figure of 28.2%. Increasingly, our special schools of all designations are seeing an increase in the numbers of pupils for whom ASD is their primary need. Additional ASD provision across the County will enable more pupils with ASD to attend provision specifically tailored to meet their needs which in turn will release provision for pupils with other need types in existing special schools.
- 3.3 Figure 1 outlines the number of ASD places commissioned in SRPs and special schools across the four areas of the County for September 2019. It shows a disproportionate spread of provision, with significantly fewer specialist places for pupils with ASD in the South of the County (Ashford, Dover and Folkestone and Hythe Districts) than other areas.

Figure 1: Number of ASD places by Area in Kent as of September 2019

Area	ASD Places commissioned for September 2019		
	SRP places	Special School Places	Total places September 2019
North	107	76*	183
South	48	0	48
East	103	256	359
West	97	316	413
Total places	355	648	1003

*These places are located at the satellite of Broomhill Bank School. The Main School site is based in Tunbridge Wells (West Kent).

- 3.4 The Commissioning Plan set out where we expect ASD places to be added by 2022-23 (Figure 2). The majority of these will be provided by free schools approved by the DfE (Snowfields Academy, a 168 ASD provision in Maidstone and The Aspire Free School, a 168 place provision in Swale). The proposal for the additional Special Provision Capital Fund money is to focus on the South of the County which has least provision, and on SRPs to increase the range of provision available to parents.

Figure 2: Additional ASD places to be commissioned by 2022-23

Area	Additional ASD places planned
North	40
South	182
East	238

West	183
Total places	643

4. Outline of individual proposals

4.1 Three of the five proposals have already been reported to the Children's, Young People and Education Cabinet Committee and approved by the Cabinet Member for Children, Young People and Education. These being the construction of new schools (which included ASD SRPs), at Chilmington Green PS (Ashford) and Ebbsfleet Green PS (Dartford), and the opening of a SRP at East Borough PS (Maidstone). The further two proposals, a new 168 place ASD provision at the former Walmer Science College (Dover) and the SRP at Garlinge PS (Thanet) are subject to statutory school organisation processes. A report on both proposals outlining any decisions to be made will be brought to the CYPE CC.

Proposal 1: Commissioning a new 168 place ASD provision in Dover District within the former Walmer Science College buildings.

There is no ASD specialist provision in Dover, indeed the South of the County has the lowest number of specific specialist ASD places of all areas. Presently pupils with ASD as their primary need, who require specialist provision are either attending one of the District special school provisions which offer excellent support to pupils with a wide variety of need types, are being supported in the independent sector within the District or are travelling out of the District for their education.

Our proposal is to commission a 168 place ASD provision located in the former Walmer Science College. Presently the buildings are unoccupied, with the exception of the Phoenix Centre which is home to the pupil referral unit for Dover and Thanet, the Enterprise Learning Alliance. A new special school for ASD will enable pupils to receive specialist support in a provision specifically adapted for pupils with ASD. The provision could be either part of a Profound, Severe and Complex Needs school (a satellite²), or a standalone school for pupils with ASD. A further, more detailed report, will come to the CYPECC for comment in the 2019-20 academic year.

Proposal 2: Open a new ASD specialist resourced provision at Chilmington Green Primary School, Ashford.

The pressure for primary specialist ASD places in Ashford is growing. Presently, pupils in need of specialist ASD provision in the District are accommodated within either a special school, the independent sector or the one primary school with an ASD SRP (Ashford Oaks Primary School).

The need for further specialist ASD provision is to be addressed through the addition of a 14 place SRP for ASD in Chilmington Green Primary School. This school opened in September 2018 in temporary accommodation. The staff and pupils will transfer to the permanent accommodation on the Chilmington Green development in September 2020 at which point the SRP will open.

Proposal 3. Open a new ASD specialist resourced provision for primary aged pupils at East Borough Primary School, Maidstone.

² Satellite provisions are extensions to schools on a separate site.

Maidstone District has one primary school with an ASD SRP (Langley Park Primary Academy). This provision is under pressure. The addition of a further SRP will afford more Maidstone District primary aged pupils, who would benefit from the additional specialist support, the opportunity to attend a mainstream school rather than specialist provision.

Proposal 4. Open a 32 place ASD specialist resourced provision at Garlinge Primary School, Thanet.

Presently, there are two special schools in Thanet that are designated for ASD (Laleham Gap and Stone Bay). Both schools are significantly under pressure. There is no specialist provision within mainstream primary schools. The addition of a SRP at Garlinge Primary School will offer an alternative for those pupils where a mainstream school would be the most suitable provision, subject to the additional support a SRP can offer. A statutory school organisation process has to be completed including a public consultation. The results of this will be reported to the CYPECC in the 2019-20 academic year.

Proposal 5. Open a 15 place ASD specialist resourced provision for primary aged pupils at Ebbsfleet Green in the Ebbsfleet Development, Dartford.

Dartford District will be subject to significant house building in future years. Up to 10,000 homes are planned within the Ebbsfleet Valley development, which is already well underway. The pressure for specialist ASD provision is already being felt within the development and across the District as a whole. This can be supported initially by commissioning a 15 place ASD SRP provision in the new primary school (opening September 2020). Opening this provision will enable pupils in need of specialist ASD provision to attend a school within their home locality.

5 The consultation process

5.1 The consultation period ran between Wednesday 01 May 2019 and Wednesday 05 June 2019. The consultees included:

- Parents and carers of children with SEN and disabilities (via schools and the Space 2 be Me charitable organisation)
- Schools, FE colleges and independent provisions
- KCC members
- Neighbouring local authorities
- Clinical Commission Groups

5.2 37 responses to the consultation have been received. The consultees were given the opportunity to respond to each of the proposals separately with figure 3 outlining the number of responses to the individual proposals. A summary of the comments received in can be found in Appendix 1. The responses to the proposal to commission a 168 ASD provision in Dover were overwhelmingly positive with 35 responses for and none against. However, around one quarter of the responses to the proposals for SRPs were against the proposals. Comments received would suggest that there is a lack of clarity around the roles and responsibilities of the SRP and that there is the need for a clear strategy as to the role of SRPs in the future.

It is our view that SRPs are a critical element of the SEND strategy. When working effectively they offer excellent support to the pupils on roll, are able to support the wider workforce within the host school and contribute to the overall expertise in the district. However, it is clear that following this consultation, and the recent SEND

inspection, we need to ensure that the role and remit of the SRPs is clear not only within the provision itself but also to schools, officers and parents across the County.

Figure 3: Responses to the consultation

Proposal	Yes	No	Undecided	Total responses
1- 168 place provision in Dover	35	0	2	37
2- ASD SRP at Chilmington Green PS	21	8	4	33
3- ASD SRP at East Borough PS	20	7	6	33
4- ASD SRP at Garlinge PS	20	8	5	33
5- ASD SRP at Ebbsfleet Green PS	20	7	6	33

6. Financial Implications

- 6.1 a. Capital – The Special Provision Capital Fund provides additional money to support the Council deliver the school places required to meet the needs of those children and young people with special educational needs. The initial tranche of £6.6m is included in the CYPE basic need budget with the further £4.6m to follow. Agreement to meeting the costs of the individual projects proposed in this paper will be sought via the normal governance processes.
- b. Revenue – Special school and SRP places will be funded in line with the Primary and Secondary Schools Funding Guidance 2019-20.
- c. Human – Schools will appoint additional staff as required, as the school size increases, and the need arises.

7. Vision and Priorities for Improvement

- 7.1 The proposals will help to secure our ambition that “Every child and young person should be able to go to a good or outstanding Early Years setting and school, have access to the best teaching, and benefit from schools and other providers working in partnership with each other to share the best practice as they continue to improve” as set out in Vision and Priorities for Improvement 2018-2021.

8. SEND Strategy 2017-19

- 8.1 This proposals supports two of the overarching aims of the SEND Strategy 2017-19:
- Improve the educational, health and emotional wellbeing outcomes for Kent’s children and young people with SEN and disabilities.
 - Address the gaps in provision for children and young people with SEN and disabilities, improve the quality of provision, develop the broadest range of providers, and encourage a mixed economy of provision.

9. Equalities Impact Assessment

- 9.1 An Equality Impact Assessment (EIA) has been completed as part of the consultation. To date no comments have been received and no changes are required to the Equality Impact Assessment. However, our work on the EIA has identified possible indirect discrimination of children with ASD in the following groups: Girls, Black, Asian and Minority Ethnic (BAME) groups or those children and young people in families with strong religious or cultural beliefs. Research recently published by the National Autistic Society would suggest that children and young people in these protected groups are less likely to receive an ASD diagnosis. Consideration will be given to this issue as we review KCC’s SEND Strategy, (due

for review this year). We will review the current training offer to further support knowledge and understanding of the potential presentation of ASD characteristics in these protected groups.

10. Recommendation(s)

The Children's, Young People and Education Cabinet Committee is asked to:

- a) note the outcome of the consultation.
- b) comment on the proposal to use the Special Provision Capital Fund to increase Autistic Spectrum Disorder (ASD) Provision across the County, whilst noting that key-decisions on the matter would be submitted to the Cabinet Committee at a later date.

11. Background Documents

11.1 Vision and Priorities for Improvement

<http://www.kent.gov.uk/about-the-council/strategies-and-policies/education-skills-and-employment-policies/vision-and-priorities-for-improvement>

11.2 'Working Together, Improving Outcomes' Kent's Strategy for Children and Young People with Special Educational Needs and Disabilities 2017-2019

https://www.kent.gov.uk/_data/assets/pdf_file/0012/13323/Strategy-for-children-with-special-educational-needs-and-disabilities.pdf

11.3 Commissioning Plan for Education Provision in Kent 2019-23

<http://www.kent.gov.uk/education-and-children/schools/education-provision/education-provision-plan>

12. Contact details

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Outline of comments received during the consultation period

Proposal 1: Commissioning a new 168 place ASD provision in Dover District within the former Walmer Science College buildings.

Comments in agreement:

- *I support/fully support, agree with the need for this proposal (10 comments)*
- *We need ASD provision in Dover District as currently the only types of provision are for Social, Emotional and Mental Health needs and the Profound, Severe and Complex Needs SRP at Whitfield Aspen.*
- *Additional SEN places are needed to ensure independent specialist provisions are not used where LA provision doesn't exist. This is a huge drain on finances and isn't always a suitable educational offer. (2 comments)*
- *There is no provision for ASD pupils in this area while an increasing number of children are being diagnosed with ASD. This puts a huge strain on mainstream schools.*
- *Children are not receiving appropriate provision and even if they have specialist provision named on EHCPs and Educational Psychologist reports as there is no space for them. This had an adverse effect on these children and their peers.*
- *There is a lack of secondary provision for ASD children in the area and too many children are attending independent provisions, costing the LA far too much money.*
- *Specialist provision would allow our ASD pupils to access provision close to their home, and local schools would be able to benefit from the specialism through professional development.*
- *The Walmer School site consists of good quality buildings and grounds and is in desperate need of being harnessed and used effectively. An all-through provision would be highly desirable. If the proposal would be to use the site as a multi-use provision (ASD, Complex Needs, PRU) then I feel that the quality of provision for ASD would risk becoming less precise and specialist.*
- *We are in desperate need of this specialist support in the area. Currently, children are either in mainstream or a specialist provision (which is not suited for their needs) where their wellbeing is low, and anxieties are increased. We have a school site that is not being used and could be utilised for substantial impact.*
- *Currently pupils with ASD in the Dover District are often schooled and provided transport to Thanet provision ASD specialised units. If this District had some provision it would reduce the pressure on Thanet also which then may not require additional provision at Garlinge Primary School.*
- *The provision would increase support for parents/carers of pupils with ASD and would enhance the understanding of ASD across the community.*
- *There is a significant imbalance in provision for ASD across the county, and this is most evident in the South area, where there is currently no specialist school, other than that provided by the (still relatively few) number of SRP places.*
- *Have other sites been considered and if so where?*
- *Has any consideration been given to the development of a 'Free School' provision in Dover?*

Comments undecided

- *We believe that to meet the needs of children and young people with Autism a distinct, specialist provision has the best opportunity to create the education environment to meet those children and young people's needs.*

- *We know that the number of children and young people with a primary need of Autism who are educated in independent schools is high. We are also aware that long journey times for children and young people with Autism often poorly punctuates a school day and hence their educational experience. As a communication and interaction school meeting the needs of over 180 children with autism, located within 14 miles from Walmer, we would welcome the opportunity to collaboratively work with and support this school if it should be commissioned. As a governing body we consider that this can be best achieved working through an established network of specialists such as KSent.*

Responses to SRP proposals.

Comments in agreement

- *There is a real need for more schools across Kent to have the best provision for children with ASD as the number of children with ASD is increasing, so it would be wonderful to see all these schools increasing or opening up new provisions for ASD.*
- *(In regard to Chilmington Green) there are very few primary places in this area and central area to get to for West and South Kent. Adding provision would reduce the need to buy place in independent schools. (2 comments)*
- *(In regard to East Borough) Although the situation in West Kent does not appear as acute as in the South, it is clear that there is a need for increased provision for primary aged pupils in the area in order to ease the pressure on the existing SRP.*
- *(In regard to Garlinge) Because of the range of needs demonstrated by pupils with ASD, the proposal to increase provision to provide specialism for children who may be able to thrive in an SRP within a mainstream school should be supported. This will complement the provision for children with more complex needs in the two special schools in the area.*
- *(In regard to Ebbsfleet Green) There is the need for specialist provision in the area, based around the significant growth in housing that will put further strain on provision that is already stretched.*

Comments from those undecided and against the SRPs:

- *(In regard to the proposal for the SRP at Chilmington Green) Undecided due to lack of knowledge of the Service Level Agreement and how the funds are allocated for outreach/in reach provision into the district. Recent SRPs have been inaccessible to the district's children and schools and if this is due to lack of capacity perhaps a review of the SRP approach would be sensible before committing funds time and energy to this model.*
- *Seems to be a lack of clarity over the role of SRPs by the LA. (2 comments)*
- *When children are given an EHCP and need some sort of specialist provision, the local officers are not routinely recommending SRPs as a viable and appropriate alternative to special schools or independent placements.*
- *There needs to be a clearer strategy about the purpose and future roles of SRPs in the SEN local offer for all SEN designations. Expansions such as these should form part of that. Heads and senior staff working in SRPs should be part of a consultation alongside the LA officers as part of this work. (2 comments)*
- *With the recent poor outcomes from the joint commission inspection, it would be an ideal opportunity for KCC to review the roles and responsibilities of SRPs and to be clear that SRPs have a future in the provision of pupils with identified special need before it creates multiple new sites. Input from Head teachers and SENCOs is essential as it will provide far greater evidence for future structures of SEN provision across Kent rather than isolated consultations such as this.*

- *Primary places are being created, where will pupils go at secondary level? (3 comments)*
- *(In regard to the SRP at Ebbsfleet Green PS) Could this wait, whilst areas already under pressure are addressed.*