



Executive
10th October 2005

**Report from the Director of
Children & Families**

For Action

Wards Affected:
ALL

Future organisation of Special Educational Needs provision in Brent

Forward Plan Ref: C&F05/06-012

1.0 Summary

- 1.1 This report summarises the results of the extensive consultation which has taken place on improving provision for special educational needs in Brent. It sets out final proposals for the future organisation of special educational needs provision in the Authority.

2.0 Recommendations

- 2.1 There should continue to be 5 special schools in Brent (see paragraph 3.7).
- 2.2 Manor School should be re-designated as a school for primary aged children with severe learning difficulties and autism to reflect more closely the current profile of needs met by the school (see paragraph 3.9).
- 2.3 Arrangements should be piloted at Vernon House to enable a small number of temporary or part-time placements whilst a pupil remains on the roll of a Brent mainstream school (see paragraph 3.11).

- 2.4 The admission criteria for Grove Park School should be amended to enable a wider range of learning needs to be met at the school. This has already been agreed by the Governing Body at Grove Park School (see paragraph 3.13).
- 2.5 The following recommendations have revenue implications and are for approval in principle at this stage.
- i) A third secondary Pupil Referral Unit should be established for pupils with high level support needs at Key Stage 3 and 4 (see paragraphs 3.16, 3.17)
 - ii) Resourced mainstream provision for children with physical disabilities should be developed in designated primary and secondary schools across the Borough (see paragraphs 3.19, 3.20, 3.21)
 - iii) A specialist outreach service should be developed to provide consultancy support to schools on including children with a range of complex needs (see paragraph 3.22, 3.23, 3.24, 3.25).

It is also recommended that work should be undertaken by officers in consultation with the Schools Forum, to review the formula funding arrangements for special schools in light of the proposed changes set out in this report. This may have revenue implications.

Total revenue costs are estimated at £1.5 million per year (see paragraph 4.8) but will be offset by savings on out-borough placements in the medium term (see paragraph 4.17). It is noted that the above recommendations which have revenue implications can only be approved in principle at this stage and will need to be reconsidered through a further report once details of school funding arrangements for 2006/07 onwards are clearer. Consultation with the School Forum will be required on the financial implications arising from this report.

- 2.6 Significant capital investment is required to secure the necessary improvements in local provision for meeting special educational needs. All capital costs will be met from within the £7.7 million identified in the agreed 2005/8 capital investment plan. An estimated breakdown of costs is set out in paragraph 4.6.

3.0 Detail

Consultation

- 3.1 An initial consultation document, 'Improving special educational needs (SEN) provision in Brent', was published in May 2004.

- 3.2 The following broad conclusions were drawn from the first stage of consultation:
- There is a case for change in the organisation of SEN provision in Brent.
 - There is a strong and continuing role for special schools in Brent in providing for children and young people with the most complex needs.
 - Taking into account the rising population in Brent, sufficient special school places must be retained in the long-term.
 - There is a need to reduce out-borough special school placements and use Brent's own provision more effectively.
 - There should be no closures of special schools and the five special schools in Brent should be retained. However, consideration will need to be given to changing the designation of special schools where required to match the changing profile of special educational needs.
 - Alongside developments in special schools, provision for SEN in mainstream schools should be strengthened to support the inclusion of pupils with SEN in mainstream wherever possible.
 - There should be greater collaboration between special schools and mainstream schools for the benefit of all pupils.
- 3.3 A report entitled 'Review of Special Educational Needs Provision' was taken to Members in November 2004. Members endorsed the general principles outlined in 3.2 above and approved the proposal to proceed to a second stage of consultation based on these principles.
- 3.4 The second stage of consultation took place between March and May 2005. The consultation document 'Improving Special Educational Needs Provision in Brent', is attached as Appendix 1.
- 3.5 The consultation document was sent to:
- all Brent schools and governing bodies
 - teacher unions
 - all parents of Brent pupils attending out-Borough special provision
 - all parents of pupils attending a Brent special school
 - Parents forum
 - Parent Partnership Service
 - Brent Association for Voluntary Action
 - Neighbouring local education authorities and other LEAs who place pupils in Brent special schools
 - other agencies represented on the Children's Partnership Board and Children's Partnership Group

- 3.6 There were 176 responses to the consultation. A summary analysis of responses is attached as Appendix 2.

Special Schools

- 3.7 It is recommended that there be no special school closures in Brent. It is recognised that there is an important continuing role for special schools in meeting the most complex special educational needs and in supporting the work of mainstream schools in meeting SEN.

- 3.8 There has been a change over time in the range of needs met by Brent Special Schools. Some special schools are nearly always full whilst places are available at other schools. A significant number of children are educated outside of Brent because there is no available local provision. For these reasons, it is recommended that there are some changes to the range of needs met by special schools as set out in subsequent paragraphs.

Manor School

- 3.9 Manor is a special school for primary aged children, designated as providing for moderate learning difficulties and autism with associated learning difficulties. It is proposed that Manor remains a primary school but that it is re-designated as a school for severe learning difficulties and autism. This reflects the trends in placement over recent years and more accurately represents the current profile of needs met by the school.

Woodfield School

- 3.10 Woodfield is a special school for secondary aged children designated as providing for moderate learning difficulties and autism with associated learning difficulties. Following agreement by Members, 16-19 provision is currently being developed at the school. It is proposed that over time, Woodfield will cater for children with more complex learning difficulties, spanning moderate and severe learning needs, and will extend its provision for autism.

Vernon House School

- 3.11 Vernon House is designated as a special school for primary aged children with behaviour, emotional and social difficulties. No changes to the designation of the school are proposed, although it should be noted that the school does cater for complex and acute emotional and behavioural needs. It is proposed that arrangements should be piloted to enable part-time or temporary placements at Vernon House, whilst a pupil remains on a roll of a Brent mainstream school. The possibility of dual placements (i.e. part-time at Vernon House and part-time at a mainstream school) may also be considered in individual circumstances. These more flexible admission arrangements will need to be small scale and carefully planned to ensure the continuing effective education of children attending on a permanent full-time basis.

- Hay Lane School
- 3.12 Hay Lane is an all age special school for children with severe learning difficulties, children with autism and severe learning difficulties and children with profound and multiple learning difficulties. It is proposed that the school continues to meet this range of needs. The provision for autism will need to continue to be developed and significant improvements to accommodation are required.
- Grove Park School
- 3.13 Grove Park is an all age special school for children with complex physical disabilities and medical needs. It is proposed that the school will admit children with a wider range of learning needs, including profound and multiple learning difficulties. The Governing Body has already submitted amendments to the school's admission criteria in line with these proposals.
- 3.14 In the consultative documents, consideration was given to changing the age range designations of Grove Park and Hay Lane to create a primary and secondary school. However, it is proposed that both schools remain all age, with clearly defined primary and secondary departments. Through the consultation process, it has been concluded that the high quality of age-appropriate education can be maintained through this arrangement.
- 3.15 It is recommended that Hay Lane and Grove Park, although separate schools, will work in close collaboration to meet the needs of students at both schools. It is proposed that shared 16-19 provision is developed on the site, requiring a new 6th form block to be built. It is envisaged that post 16 students with autism will require a separate base.
- Secondary provision for emotional, behavioural and social difficulties
- 3.16 There was widespread support from the consultation for the proposal to establish an additional secondary Pupil Referral Unit (PRU) to cater for pupils whose needs cannot currently be met at existing Key Stage 3 and Key Stage 4 provision. Work is underway in identifying suitable premises.
- 3.17 The new provision, which will be in addition to the existing Key Stage 3 and Key Stage 4 PRU's, will meet the needs of pupils both with and without statements of special educational needs, where emotional, behaviour and social difficulties are the primary need. It is envisaged that there would be strong multi-agency support arrangements to address the educational, social care, health and therapeutic needs of pupils attending the provision. This would help to reduce the need for out-borough placement but it is acknowledged that a small number of pupils with the most complex needs will require a specialist placement, sometimes residential, outside of the Authority.

- 3.18 Current Pupil Referral Unit provision in the authority is of good quality. The new PRU will work in conjunction with the existing PRU's and would build on current good practice.

Mainstream provision for physical disability

- 3.19 All mainstream schools have a responsibility to make reasonable adjustments to promote disability access and the Authority has a rolling programme to improve accessibility in schools. However, it is not possible to achieve full accessibility in all schools due to constraints of existing buildings and there are practical difficulties in providing necessary therapy provision within school for some students.
- 3.20 It is therefore proposed that 2 primary schools and 2 secondary schools, located north and south of the Borough, are designated as additionally resourced provisions for pupils with physical disability. Parents would still have the right to express their preference for their local mainstream school or a special school. However, the development of designated mainstream schools would extend the options available for pupils with physical disabilities and would support mainstream inclusion. The designated schools would not provide separate 'unit' provision but would have full disability access, therapy provision and enhanced access to specialist training, advice and support.
- 3.21 Suitable schools have not been identified at this stage and it is recommended that expressions of interest from schools in developing designated provision is sought. It is envisaged that approximately 40 places will need to be provided in total across the Borough. We would expect that any new build schools would be designed to ensure full disability access and that opportunities arising from new builds will be full utilised.

Collaboration between special schools and mainstream schools

- 3.22 The consultation revealed widespread support for the principle of increasing collaboration between mainstream and special schools. The issue arising from the consultation concerned the practical arrangements required in order to provide maximum benefit to students.
- 3.23 It is proposed that a specialist outreach service is developed to provide consultancy support to schools on the inclusion of students with a range of complex needs. This will involve provision of advice and support to schools in developing and implementing strategies to meet complex needs, as well as other services such as staff training and loans of specialist equipment.
- 3.24 It is proposed that outreach services are brought together under a unified structure with a single point of contact for schools. This would involve establishing a central base with contracted arrangements with a range of providers from special schools and additionally resourced

provisions. It is recommended that more detailed proposals are drawn up in consultation with schools on this basis. There are already successful outreach arrangements in place for some pupils through the Brent Outreach Autism Team (BOAT) based at Fawood Nursery and sensory support services at College Green Nursery and Mora Primary School.

- 3.25 In addition to the development of specialist outreach services, it is proposed that professional development of staff in mainstream and special schools will be promoted through joint training programmes and opportunities for greater movement of staff between special and mainstream schools. Consideration should also be given to the shared use of facilities between special and mainstream schools for the benefit of all students.

Other developments

- 3.26 Arising from the consultation further work will be undertaken in the following areas
- early years provision for children with SEN and disabilities, linking to Children Centres developments
 - provision for vulnerable pupils, including those with Aspergers Syndrome
 - support for children with disabilities and their family through improved respite and leisure opportunities
- 3.27 A revised 5 year SEN and Disability Strategy, will be produced by early 2006. This will bring together education, social care and health developments as part of an integrated strategy, drawing on new partnership arrangements.

4.0 Financial Implications

Capital costs

- 4.1 There is a recognised need for significant capital investment to improve in-Borough provision for students with special educational needs. £7.7 million has been allocated for SEN developments in the 2005-2008 capital programme.
- 4.2 Agreement has already been given by Members to the establishment of 16-19 provision at Woodfield School. A budget of £600,000 has already been identified within the £7.7 million for progressing this work
- 4.3 Premises for the new Pupil Referral Unit are being sought and options are being identified and evaluated with the support of Corporate Property. This work is ongoing and it is not possible to accurately estimate capital costs at this stage. However, an estimated budget of £700,000 for Pupil Referral Unit developments has been provisionally allocated. This will also need to cover works required at the Key Stage 2 PRU to extend and improve current provision.

- 4.4 An audit of current special school and Pupil Referral Unit provision has been carried out. It has been identified that substantial work is required at Hay Lane School to improve current accommodation in line with DfES requirements. A budget of £5 million has been provisionally allocated.
- 4.5 Costs of building shared 16-19 provision at Grove Park/Hay Lane, including a discrete base for students with autism, is estimated at £1.1 million.
- 4.6 The audit has also demonstrated the need for some small scale re-modelling of other Brent special schools at an estimated cost of £300,000.

Estimated capital expenditure is as follows:

	2005/6 £million	2006/7 £million	2007/8 £million
Hay Lane improvements	-	1.0	4.0
New PRU developments	0.2	0.5	
New 16+ provision at Woodfield	0.6		
Joint 16+ provision at Hay Lane/Grove Park		1.1	
Remodelling at other special schools/PRU's		0.3	

- 4.7 The on-going capital financing charges for schemes in the council's capital programme have been allowed for in the council's General Fund budget for 2005/06 and financial projections for 2006/07 to 2008/09. The capital financing charges associated with planned capital expenditure set out in this report are contained within these amounts. It is estimated that these will amount to £26k in 2005/06, £176k in 2006/07, £513k in 2007/08 and £801k from 2008/09.'

Revenue costs

- 4.8 It is estimated that revenue costs of approximately £1.5 million will be required to implement the proposals contained in this report. The funding will need to be met from that element of school funding that is retained centrally by the local authority, and this is likely to require the approval of the Schools Forum.
- 4.9 The following costs are anticipated
- Staffing for the new Pupil Referral Unit estimated at approximately £500,000
 - Additional staffing costs (teaching and non-teaching) and enhanced therapy provision for the 4 designated mainstream schools for physical disability. The total cost is estimated at approximately £400,000
 - Changes to the weightings in the funding formula for special schools to reflect more accurately the current profile of pupils needs within the school. The total cost is estimated at approximately £300,000

- Establishment of a specialist outreach service with associated management and administration costs, supply cover costs to enable specialist staff to be released for outreach work and training and equipment costs. The total cost is estimated at approximately £300,000

All the proposals will need to be funded from with the Dedicated Schools Grant and will be phased in to the multi-year budget period as appropriate, subject to the approval of the Schools Forum.

The projected phasing is as follows:

	2006/7	2007/8
Staffing for new PRU	£300,000	£200,000
Designated mainstream schools for PD	-	£400,000
Special Schools weightings	£300,000	-
Outreach Service	£300,000	-

- 4.10 Arrangements for the revenue funding of schools will change significantly from 1st April 2006 with the introduction of the Dedicated Schools Budget (DSB), which will be funded 100% by the Dedicated Schools Grant (DSG) from the DfES. Some of the arrangements are still the subject of consultation, but there are a number of issues that will impact on the proposals in this report.
- 4.11 The DSB replaces the Schools Budget and the passporting arrangements that were previously in place. The largest element is the funding delegated to schools, but there is also a centrally retained element covering a number of SEN areas (such as out borough placement, Pupil Referral Units and pupils out of school) as well as some Early Years expenditure and some (small) other items. The minimum size of the DSB must be the equivalent of the DSG – the grant that will be received from the DfES is earmarked for the DSB and can only be spent on that. Local Authorities may, if they wish, add further funding to the DSB from their own resources, however this is unlikely to be possible with Brent’s current budget constraints.
- 4.12 There are two protections which currently apply to the Schools Budget and which will continue to apply to the DSB. The first is that schools will be guaranteed a minimum year-on-year percentage funding increase per pupil – the Minimum Funding Guarantee (MFG). The second is that the element within the DSB (formerly the Schools Budget) that the Local Authority retains for central items such as SEN cannot increase year-on-year by a greater percentage than the increase in funding delegated to schools. This protection is the Central Expenditure Limit (CEL). The restriction on the CEL can be relaxed in two circumstances – if the Schools Forum agrees to a higher increase, or if the Local Authority tops up the DSB above the level of DSG, in which case the extra funding can be spent as the Authority wishes.
- 4.13 A further requirement of the new regulations is that delegated school budgets – and the funding formula that allocates funding between schools – will be set

for more than one year. The first multi-year period will be two years (2006/07 and 2007/08); subsequently it will cover three-year periods.

- 4.14 There are a number of implications arising from the above that will impact on the proposals in this report. Firstly, the funding formula for both 2006/07 and 2007/08 must be determined prior to 1st April 2006, so that changes to special school and mainstream school funding through the formula will have to be determined during the current budget period for the next two years. Secondly, assuming that the DSB is fixed at the level of the DSG, the Minimum Funding Guarantee will mean that the flexibility to move funding between schools will be limited. How restrictive this will be will depend upon the value of the MFG percentage and the overall size of the DSB/DSG increase. However, the DfES are clearly keen to ensure that delegated school funding is protected. The third issue is that the proposals for central expenditure contained in this report will almost certainly breach the CEL and will require Schools Forum approval. Even if this is forthcoming, the extent to which funding can move will be limited by the MFG. It also has to be said that schools (and the Forum) are unlikely to look favourably on any proposal to significantly reduce the increase in delegated funding, particularly with the costs of single status and workforce reform.
- 4.15 One key to this issue will clearly be the size of the DSB/DSG – which will not be known until the RSG announcements in November. Consultation is also still ongoing as to how the DSG will be distributed nationally between authorities. The original proposal was that it should be based on the Schools Formula Spending Share (SFSS) of each authority. Because Brent spends well below SFSS, this would have been to our advantage; it would have significantly increased school funding, particularly over time, and could have helped with the issues in this report. However, following concern expressed by Local Authorities currently spending above SFSS that the proposals could lead to reduced funding for their schools, the DfES is now reconsidering its position.
- 4.16 In the light of all the above changes and uncertainties, it is suggested that all the Executive can do at this stage is to approve those recommendations that it wishes to in principle. The scope for implementing them will depend on the issues outlined above and a further report will be required later in the budget cycle when the position is clearer and the choices available to Members can be set out more precisely.
- 4.17 There will be savings achieved through implementation of these proposals through improved local provision for behavioural, emotional and social difficulties and for autism with associated learning difficulties. This will lead to less reliance on out-borough placements and associated transport costs.

The estimated impact of the proposals in the medium term is to reduce 30 out-borough placements at an average placement cost (including transport) of approximately £30,000. This equates to savings of approximately £900,000 per year, although this would not take full effect until 2008/9 at the earliest.

- 4.18 The net additional full year revenue costs to the council in the medium term are estimated at £1.4m, consisting of net running costs in the dedicated schools budget of £0.6m - £1.5m costs offset by savings of £0.9m - and a further £0.8m capital financing charges allowed for in the General Fund revenue budget (see paragraph 4.7).
- 4.19 The proposals will significantly improve the quality of SEN provision in Brent and the following positive outcomes are anticipated.
- accommodation in line with DfES requirements
 - greater parental satisfaction and increased proportion of parents expressing preference for a Brent provision rather than an out-borough provision
 - positive inspections of school SEN provision in Brent
 - reduction of surplus places in special schools
 - improved quality of SEN provision in mainstream schools and evidence of effective collaboration between mainstream and special schools

5.0 Legal Implications

- 5.1 The proposals set out in this report are in line with national guidance as set out in the government SEN strategy 'Removing Barriers to Achievement'.
- 5.2 Any significant changes to alter a school's provision for SEN are subject to a statutory consultation process. In particular certain alterations including the establishment of new schools or PRUs, or the significant alteration of schools, or the establishment or discontinuance of provision for special educational needs, are all matters which require the statutory consultation process including approval by the School Organisation Committee.
- 5.3 Brent Local Authority is under statutory duty to provide for the education all the children in its area including by providing for their special educational needs. In addition there is a statutory duty not to discriminate in the provision of education on the grounds of disability.

6.0 Diversity Implications

- 6.1 The proposals in this report are aimed at improving local provision for children and young people with a wide range of special educational needs from all areas of the community.

- 6.2 The aims of the proposals are to ensure that more children and young people with complex needs are able to be educated locally and that the educational provision they receive assists in developing their personal autonomy and ability to participate in a full range of activities in and out of school.
- 6.3 This report has been subject to screening and officers believe that there is no adverse impact arising from these proposals.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 The proposals within the report are concerned with strengthening local SEN provision, building on the existing high level of staff skills. There will be no compulsory redundancies.
- 7.2 There are likely to be some changes to staff roles and responsibilities, arising from the proposals. Appropriate consultation will take place with staff and their representatives in relation to these changes and training and development opportunities made available to staff to support them in the change process.

Background Papers

- ***SEN Best Value Review Report, December 2003***
- ***SEN Consultation document: The Case for Change, May 2004***
- ***Review of SEN provision in Brent: Executive report 15 November 2004***
- ***SEN Consultation document: Improving Special Educational Needs Provision in Brent (February 2005)***

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