

**DERBYSHIRE COUNTY COUNCIL**

**CABINET**

**13 March 2012**

**Report of the Strategic Director for Children & Younger Adults**

**DEVELOPMENT OF PROVISION FOR POST-16 STUDENTS WITH  
LEARNING DIFFICULTIES AND DISABILITIES AT HOPE VALLEY  
COLLEGE – (Young People)**

1. **Purpose of Report** To seek Cabinet's approval for the County Council to enter a partnership agreement with Hope Valley College to secure provision for Post-16 students with learning difficulties and disabilities at the academy.
2. **Information and Analysis** In April 2010, the Local Authority assumed responsibility for many of the aspects of work previously undertaken by the Learning and Skills Council. One of these responsibilities was determining the appropriate educational placement for young people and adults with complex learning difficulties and disabilities, including the use of independent specialist placements.

The pattern of provision that Derbyshire County Council inherited from the Learning and Skills Council placed considerable reliance on specialist independent providers, many of which are at some distance from Derbyshire and entail the young person living away from their home community. It was agreed by the Young People's Learning Agency (YPLA) that the budget for these placements would be apportioned according to the overall cohort size in the different local authorities; this calculation meant that, potentially, Derbyshire has a significant budget deficit when compared with the existing spend.

In response to these issues, work has been undertaken to stimulate the development of high quality local opportunities for Derbyshire residents. This reflects the County Council's commitment to meet the needs of disabled young people and adults in the County and to ensure its resources are used as effectively as possible.

Initially the developments were opportunistic but they have now reached a stage when it is possible to articulate the "vision" for Derbyshire and to describe the emerging pattern of provision across the County.

From discussions with families and disabled young people it is clear that they would like to see the following characteristics of any “educational” provision that is developed in Derbyshire:

- It is able to respond to an individual’s needs; in other words developed through the use of person centred approaches.
- Is part of an integral “package” which also addresses the young person’s care and needs and leisure interests.
- Has a clear sense of progression leading to the realisation of the young person’s ambitions.
- Is purposeful.
- Provides equity of access across the County.
- Sees the young person as a part of the local community.
- Is age appropriate.

The model that is emerging, which will meet these criteria, is to have a series of co-ordinating hubs throughout the County. Staff associated with the hubs would be charged with refining, implementing and reviewing the person centred plans which will have been developed as part of the transition pathway. The plans would address all aspects of the young person’s life and the provision would be drawn from a menu of preferred providers. It is likely that some specific elements of the educational provision will be delivered at the hubs.

### **Hope Valley College**

Hope Valley College is an academy for 11–16 year olds. It has been, for some time, a school which has been recognised by both parents and the Local Authority as one which meets the needs of disabled young people and those with severe learning difficulties effectively. The opportunities in the area for young people with learning difficulties and disabilities to continue their studies and move towards adulthood once they have finished Year 11 are extremely limited, and so young people and their families have felt that they have needed to look “outside” the County for independent specialist placements.

The proposal is for the academy to develop a learning hub on the site of Hope Valley College for disabled young people aged 16 to 18 years old. Foundation learning would be delivered on the site of the College but, one of the key roles of the hub would be to co-ordinate the

learning and wider experiences for the young people, drawing upon high quality opportunities available in the area provided by other schools, Further Education colleges, adventure centres, employers and training providers etc. These relationships will be essential in supporting the young people as they move onto the next stages of their lives, after leaving Hope Valley.

Over the two years, it is considered that, on average, the young people would spend 50% of their time at Hope Valley focusing on the functional, social and personal aspects of foundation learning. The other 50% of the time would be spent addressing the vocational dimensions of foundation learning. There would, of course, be overlap between the different elements. The programmes for individual students would be developed by using person centred approaches

It is envisaged that, once the hub is fully established, there would be 12 young people in each of the two year groups. As Hope Valley College is not currently a sixth form provider, the young people with learning difficulties and disabilities would need to be registered as learners at another school in the Peak 11 group which has a sixth form but to be based at Hope Valley College. It is anticipated that the academy will seek the Secretary of State's approval to extend its overall provision to include years 12 and 13, including specialist provision for students with learning difficulties and disabilities in the next academic year and so registration at another school will only be an issue for one year.

Planning permission is currently being sought for the County Council to build a modular building to act as the hub; this would be shared with the local multi-agency team. It would be on the site of Hope Valley College but, due to its recent conversion to academy status, the rights to the land have been retained by Derbyshire County Council.

The initial response to the planning proposals from Peak Park has been broadly favourable but there are some issues which need to be addressed, in particular securing the view of Sports England about the possible impact on the playing fields and sports' area of the school. It is unlikely that the formal planning application would be submitted until February at the earliest. This would mean that, if planning permission was granted, the building would be unlikely to be available for the beginning of the new academic year (2012/13).

Use of the Adult Education room at Hope Valley College has been negotiated as a temporary measure. A relatively small cost would be associated with this, to enable alternative arrangements to be made for the activities currently taking place in that room. The anticipated number of students for September 2012 is no more than nine.

The young people and families who would benefit from this provision need to be engaged as soon as possible in discussions about their potential placement at Hope Valley College. It is unacceptable for them to be left with uncertainty about their placement for September.

The proposal is that the County Council enters a contractual arrangement with Hope Valley College to make provision to enable up to nine students to achieve the outcomes detailed in their Statements of special educational needs and their transition plan. This would be extended in subsequent years, recognising the increasing numbers in the cohorts.

3. **Financial Considerations** This proposal is based on an invest to save model. It has been calculated that if the nine students, who have been identified as potentially benefiting from this provision, are unable to take up this option the cost would be no less, and possibly considerably more than, £500,000 per annum. This reflects the cost of independent specialist provision and also the cost of a place in a maintained special school. This level of saving would be replicated in subsequent years, given the severity of need of the prospective future cohorts of students.

Currently, funding of post-16 placements with independent specialist providers rests with the Young People's Learning Agency. However, from April 2013, the funding and responsibility for such placements are scheduled to transfer to local authorities. Whilst the proposed investment would take place in advance of this transfer, there is a strong case for creating the provision now to reduce the revenue costs from September 2012.

The annual cost of the hub, based on 24 fte students, is estimated at £431,000, significantly below the £500,000 estimated cost of alternative provision for the 9 students. The pro rata cost for the period September 2012 to March 2013, based on 9 students, is estimated at around £180k, including a £30,000 contingency to meet any one off set up costs.

It is proposed that an earmarked reserve of £180k be created to allow the proposed development to commence from September 2012. This would be funded from the forecast 2011-12 CAYA underspend. The on-going costs from April 2013 would be met from the funding transferred to the Authority referred to above.

A capital budget of £350,000 has been identified for this project from the 2008/2010 CAYA Capital Programme (Modernisation Fund). In the 2008/2010 CAYA Capital Programme, funds were identified for a project to build a Foundation Unit at Renishaw Primary School and that project was completed in 2011. At the end of the 2010/2011

financial year, the sum of £350,000 was identified as eligible to be claimed against the Early Years Quality and Access element of the Sure Start Early Years and Childcare Grant and therefore the funding was transferred to maximise the use of the Government grant thereby releasing funding for other school projects. It is that funding that is proposed for this project.

In addition to the educational benefits concerned with the Authority's functions relating to pupils with special educational needs, there will also be educational benefits relating to the functions of the College, in terms of:

- Provision for Years 12 and 13, giving continuity of education for students with learning difficulties and disabilities who have attended the College in Years 7-11.
- Further developing expertise in working with students with complex needs and person centred approaches.
- Strengthening the Senior Management Team with the appointment of an Assistant Principal who will be in charge of the provision.
- Providing a good foundation for the possibility of additional sixth form development, as part of the College's long-term development plans.
- Strengthening relationships in the community, including links with employers, leisure providers, the University of Derby, Buxton College.

4. Human Resources Considerations The staff would be employed by the academy. It is envisaged that initially the staff team would be a teacher in charge, who would be a member of the academy's senior management team, a senior community learning mentor and three community learning mentors. The academy would, however, be responsible for determining the staffing model to ensure the young people's needs are met.

5. Legal & Human Rights Considerations Both the Academy and the Council are contracting authorities within the meaning of the Public Contracts Regulations. Public co-operation between contracting authorities is potentially available, without procurement being undertaken, where there is a genuine partnership arrangement to jointly ensure the execution of a public task, where all the partners involved have a duty to perform the task and no private capital is involved. The Director of Legal Services advises that it would be reasonable for the agreement to proceed on that basis provided that the arrangement can be shown to deliver educational benefits for all partners involved. It may well be beneficial to reflect

this by involving the 'registration school', as well as the College, in the partnership agreement covering the period of involvement with the registration school.

6. **Property Considerations** Peak Planning has given initial consideration to the proposal. A formal planning application is to be submitted in the near future. The property will be owned by Derbyshire County Council and the project will be managed and procured by the Authority.
7. **Equality of Opportunity Considerations** The development of such provision would considerably enhance the opportunities available for young people with significant and complex learning difficulties and disabilities to access local learning opportunities and be active participants within the community.
8. **Other Considerations** In preparing this report the relevance of the following factors has been considered:- Prevention of Crime & Disorder, Equality of Opportunity; and Environmental, Health, Human Rights Considerations.
9. **Key Decision** No.
10. **Call In** No.
11. **Strategic Director's Recommendations That Cabinet:**
  - 11.1 agrees that the County Council enters a partnership agreement with Hope Valley College to secure provision for the 2012/13 academic year for Post-16 students with learning difficulties and disabilities at the academy;
  - 11.2 agrees to set aside the sum of £180,000 from the 2011-12 underspend as an earmarked reserve to meet the costs of the new facility for the period September 2012 to March 2013;
  - 11.3 agrees that, if the funding from the Young People's Learning Agency is not transferred to the Local Authority for April 2012, the Cabinet Member for Education receives a further report to consider the funding implications until the end of the 2012/13 academic year; and
  - 11.4 grants a capital allocation of £350,000 for this project to be funded from the 2008/10 CAYA Capital Programme (Modernisation) utilising funding released as detailed in the report.

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