

Agenda Item No: 8(i)

DERBYSHIRE COUNTY COUNCIL

CABINET

21 February 2017

Report of the Strategic Director for Children's Services

Creation of an Enhanced Resource Facility for Pupils with Profound and Multiple Learning Difficulties at Hill Top Infant & Nursery School – Children's Services

1. Purpose of Report

To provide a report to Members of Cabinet on the outcome of the initial consultation, and to consider whether or not to proceed to the publication of Statutory Notices to create an Enhanced Resource provision for pupils with Profound and Multiple Learning Difficulties (PMLD) at Hill Top Infant and Nursery School, Ashbourne.

2. Information and Analysis

The school initiated a pre-publication consultation on provision of an Enhanced Resource School (ERS) facility at Hill Top Infant and Nursery School. This has been the subject of discussion with staff, parents and governors at the school, and the Local Authority has supported the proposal in the light of the analysis of demand for this provision in this area of the County.

No responses were received to the pre-publication consultation, and the Head Teacher has reported that staff and governors are supportive of the proposal. Parents are keen for the ERS provision to be opened, reflecting the fact that the school is already a very inclusive school with a number of children with PMLD.

3. Financial Considerations

Capital funding for this ERS provision would be required from within the Children's Services Capital Programme. This would require a commitment of £125,000 if the decision is made to proceed with the project following the Statutory Consultation process. This will be subject of a report to Cabinet at the close of the consultation.

The revenue expenditure costs for running a primary enhanced resource school facility would be met by a formula allocation to the school as part of its delegated budget.

4. Human Resources Considerations

The school provides places for pupils with profound and multiple learning difficulties already, and it is anticipated that the staffing appointed at the school would continue to work with the PMLD pupils as allocated places at the ERS provision. The school's Governing Body will be responsible for making future staff appointments, in conjunction with Local Authority advisory and support staff within the Children's Services Department. National Health Service and voluntary agency colleagues will be invited to assist with this process.

5. Legal and Human Rights Considerations

Derbyshire County Council has a statutory duty under Part 3 of the Children and Families Act 2014 to make suitable provision for children and young people in its area who have Special Educational Needs, up to the age of 19.

The introduction of a Key Stage 1-2 ERS facility at an existing community primary school is a prescribed alteration under The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and the April 2016 Statutory Guidance for Proposers and Decision Makers 'Making 'prescribed alterations' to maintained schools'. In brief, a statutory procedure must be followed. The full guidance is published on www.gov.uk/government/uploads/system/uploads/attachment_data/file/514548/16-04-06_FINAL_SO_Guidance_PA_Regs.pdf.

Local Authorities making proposals for new provision must have regard to the "SEN Improvement Test", and be able to demonstrate how the proposed alternative arrangements are likely to lead to improvement in the standard, quality or range of educational provision for children with SEN. The Local Authority is required to show, in all consultation documents and reorganisation plans, how certain key factors, specified in the guidance, have been taken into account.

Cabinet would make a final decision on the proposals within 2 months from the end of the representation period. Should the Authority approve the proposals, the Church of England Diocesan Board, or the bishop of the Roman Catholic diocese could, within 4 weeks, ask for the proposals to be referred to the schools adjudicator. The Authority would be under a duty to implement any proposals it determined, which were

not referred to the adjudicator, in the form in which they had been approved.

6. Social Value Considerations

The provision of ERS places at a local primary school enables families to maintain their child at home through their early education, linking with local support groups and facilities. Within Ashbourne, an ERS is available at Queen Elizabeth Grammar School. A provision at Hill Top will ensure that there is appropriate provision and expertise at primary level. This proposal does not include a direct procurement of services but it does bring wider social value benefits.

7. Other Considerations

In preparing this report the relevance of the following factors has been considered: - prevention of crime and disorder, equality of opportunity, and environmental, health, property and transport considerations.

8. Background Papers

A file is available within the Children's Services' Development Section.

8. Officer's Recommendation

To proceed to the publication of a Statutory Notice in respect of the creation of enhanced resource provision for up to 5 pupils at Hill Top Infant and Nursery School, Ashbourne.

Jane Parfremment, Strategic Director for Children's Services

Derbyshire County Council

Hill Top Infant & Nursery School

Consultation on a Proposal by the Local Authority for the Establishment of an Enhanced Resource School Provision

Context

Hill Top Infant and Nursery School is a 3 – 7 year-olds' infant school with associated nursery provision in Ashbourne. Currently, the school has 95 pupils on roll with 35 pupils in the nursery. The Local Authority has conducted a statutory process to extend the age range of this school to create a primary school from September 2017. For some time, the school has operated a very inclusive ethos; pupils with specific physical and learning difficulties have been welcomed into the school and into the nursery and have been a part of the teaching and learning throughout the school. The school and the Local Authority have worked very closely to ensure that these pupils have achieved their maximum potential, and many parents have sought a place at the school because of this positive atmosphere and support.

Proposal

The Local Authority has proposed that Hill Top Infant and Nursery School should have a designation as an Enhance Resource School status to reflect the existing practice of the school. This was discussed at the time of proposing the extension of the age range of the school to create a primary school, and respondents to that consultation were very positive in supporting this idea. It was agreed that this would confirm and give recognition to the existing practice of the school.

Staff

The school has an excellent expertise amongst the staff, both teaching and non-teaching, in working with and supporting the pupils with special educational needs who attend the school. The designation as an Enhanced Resource School would enable the school to plan for the training and development of these staff on a more secure basis and with a longer term perspective.

Funding

Enhanced Resource Schools are funded via the High Needs Block on the basis of a commissioned number of places funded at £10,000 each at the start of each financial year, plus a top up, allocated monthly, based on actual occupancy. Top up values vary depending on the type of ERS and the key stage of the pupil.

Statutory Consultation

The consultation on this proposal will be for four weeks from 2 March 2017 to 31 March 2017.

The consultation document will be available on request from Sue Pegg, Development Manager, at the address and e-mail address below, and is available on

the school's website and on www.derbyshire.gov.uk .

Any comments, observations or objections should be sent to –

Director of Children's Services (Ref. DEV/SP),
Development Team
Chatsworth Hall
Chesterfield Road
MATLOCK
Derbyshire
DE4 3FW

Or by e-mail to

Sue.pegg@derbyshire.gov.uk

The deadline for receiving responses to this consultation is **31 March 2017**.