

Cabinet Meeting

8 June 2016

Report title	Resource Base Provision at Bushbury Hill Primary School	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Claire Darke Education	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All	
Accountable director	Julien Kramer, Education	
Originating service	School Planning and Resources	
Accountable employee(s)	Bill Hague	Service Manager School Places and Transport
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Report to be/has been considered by	N/A	

Recommendation(s) for action or decision:

Cabinet is recommended to:

1. Approve the commencement of a period of Initial Consultation on the proposed formal removal of the resource base at Bushbury Hill Primary School for pupils with Social, Emotional and Mental Health (SEMH) difficulties.
2. Approve the delegation of authority to the Cabinet Member for Education, in consultation with the Director of Education, to consider the outcome of Initial Consultation on the proposed formal removal of the resource base at Bushbury Hill Primary School and to determine whether or not to proceed to Formal Consultation (Representation).

1.0 Purpose

- 1.1 This report considers the current position in relation to the resource base designated for pupils with Social, Emotional and Mental Health (SEMH) difficulties at Bushbury Hill Primary School and seeks approval to commence Initial Consultation on the proposal to remove this provision.

2.0 Background

- 2.1 As outlined within the approved Joint Special Educational Needs and Disabilities Strategy, the Council are seeking to promote inclusion, maximise young people's opportunities to be independent and enable young people with Special Educational Needs and Disabilities to be recognised as fully integrated citizens with the ability to contribute to their local community.
- 2.2 Resource Base provision across the City is commissioned by the Council and service level agreements (SLAs) are in place with individual providers/schools.
- 2.3 Council representatives are currently undertaking a review of specialist provision across the City. However, in light of the local circumstances facing Bushbury Hill Primary School (as detailed in Section 3) the proposed removal of Bushbury Hill Primary School's resource base has been expedited.

3.0 Bushbury Hill Primary School

- 3.1 Bushbury Hill Primary School (located within the Fallings Park Ward) is registered as a community primary school with resource base provision for pupils with SEMH difficulties.
- 3.2 Bushbury Hill Primary School is an improving school with strong leadership judged 'Good' by Ofsted; however in 2015 the School failed to obtain the Government's Key Stage 2 Floor Standards and outcomes for disadvantaged pupils were below expectations.
- 3.3 The School faces a number of existing challenges including:
- The School is located in an area within the top 10% for both the Overall Indexes of Deprivation and the Income Domain Affecting Children Index (2015 DCLG).
 - A high proportion of pupils in receipt of Deprivation Pupil Premium (69% in 2015/16, which equates to nearly three times the national average).
 - A high proportion of pupils requiring SEND support (25.6% in January 2016).
 - Higher than average exclusion rates.
- 3.4 In response to this challenge the Council have amended the School's local classification to B2 and established a School Improvement Board in order to support a rapid improvement in outcomes. In addition, the Governing Body of Bushbury Hill Primary School have determined that it would be beneficial for the School to cease offering resource base provision in order to enable to allow more time to focus on teaching and learning and maximise opportunities to close the gap.

- 3.5 In the 2015/16 financial year the Council commissioned and allocated funding for 10 resource base places from the School. In March 2016, there were just four children registered to the base.
- 3.6 As noted in Section 2.2, resource base places are commissioned by the Council on an SLA basis; Bushbury Hill Primary School's three year SLA ended in March 2016. To date, the Council have not commissioned any resource base places within the School for the 2016/17 financial year and there are no children on the Placement Forward Planning List seeking a place at the School.
- 3.7 In light of the challenges that Bushbury Hill Primary School is facing it is recommended that a proactive approach is adopted and that the resource base is removed in order to allow the School to focus on improving standards.
- 3.8 It is proposed that the 10 place resource base for SEMH at Bushbury Hill Primary School be removed with effect from 1 January 2017.
- 3.9 No children would be displaced as a consequence of this proposal.

4.0 Proposal and Prescribed Processes

- 4.1 When exercising functions under 'The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013', local authorities must follow statutory guidelines detailed within 'Making Prescribed Alterations to Maintained Schools – Statutory Guidance for proposers and Decision Makers' (DfE April 2016).
- 4.2 Statutory proposals are required for the establishment, removal or alteration of provision that is recognised by the local authority (LA) as reserved for pupils with Special Educational Needs in mainstream schools.

5.0 Consultation and Decision Making Timeline

- 5.1 When proposing prescribed alterations to schools LA's must follow statutory consultation and decision making processes. Subject to approval, the following timeline would apply:

27 June 2016 – 24 July 2016 (Initial Consultation)

Consultation with stakeholders including parents, staff and governors regarding the proposal.

August 2016 – Individual Executive Decision Notice

Consideration given to the responses to Initial Consultation and a decision made whether or not to proceed to Stage 1 of the statutory process.

12 September 2016 (Stage 1 - Publication)

The statutory proposal/public notice would be published.

12 September 2016 – 9 October 2016 (Stage 2 – Representation)

Representation Period (Formal Consultation) – offers stakeholders a formal opportunity to submit comments on the proposal.

2 November 2016 – (Stage 3 – Decision)

Cabinet consider the outcome of consultation and make a final decision on the proposal in line with published decision makers' guidance.

1 January 2017 (Stage 4 – Implementation)

If approved, the proposal would be implemented.

6.0 Financial implications

- 6.1 In 2015/16 the School attracted £136,244 funding for this provision based on ten places at £10,000 per place plus an additional £36,244 top up funding based on the needs of individual pupils. In 2016/17 this funding has been withdrawn from Bushbury Hill Primary and has been used to support other priorities within high needs provision for 2016/17. [OJ/190516/X]

7.0 Legal implications

- 7.1 When exercising functions under 'The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013' and 'The Education and Inspections Act 2006 – as amended by The Education Act 2011', local authorities must follow statutory guidelines detailed within 'Making Prescribed Alterations to Maintained Schools – Statutory Guidance for proposers and Decision Makers' (DfE April 2016).
- 7.2 A statutory process is required when it is proposed to establish, remove or alter provision recognised by the local authority as reserved for pupils with Special Educational Needs.
- 7.3 Such processes require compliance with the prescribed provisions to ensure sufficient consultation is undertaken and that relevant stakeholders are notified of proposals or decisions in a timely manner. [TS/16052016/B]

8.0 Equalities implications

- 8.1 An initial equality implications analysis has been completed with regard to the approved Joint Special Educational Needs and Disabilities Strategy.
- 8.2 Subject to approval to proceed, an initial equality implications analysis will be completed with regard to the proposed removal of the resource base at Bushbury Hill Primary School. This assessment will be informed by the outcome of consultation and subject to progression presented to decision makers.

9.0 Environmental implications

- 9.1 There are no environmental implications relating to this report.

10.0 Human resources implications

10.1 There are no human resource implications relating to this report.

11.0 Corporate landlord implications

11.1 There are no corporate landlord implications relating to this report.

12.0 Schedule of background papers

- Cabinet (24 February 2016) Joint Special Educational Needs and Disabilities Strategy