

<b>CITY OF WOLVERHAMPTON COUNCIL</b>	<b>Cabinet</b> <b>3 June 2020</b>
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<b>Report title</b>	Supporting Students with Special Educational Needs and Disabilities to Learn and Achieve	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor Dr Michael Hardacre Education and Skills	
<b>Key decision</b>	Yes	
<b>In forward plan</b>	Yes	
<b>Wards affected</b>	All Wards	
<b>Accountable Director</b>	Emma Bennett, Director of Children's Services	
<b>Originating service</b>	Special Educational Needs and Disabilities (SEND) Service	
<b>Accountable employee</b>	Amanda Newbold	Head of School Improvement Tel 01902 555882 Email <a href="mailto:Amanda.Newbold@wolverhampton.gov.uk">Amanda.Newbold@wolverhampton.gov.uk</a>
<b>Report to be/has been considered by</b>	Children and Young People Leadership Team	14 May 2020

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**Recommendation for decision:**

The Cabinet is recommended to:

1. Approve the High Needs Provision Framework.

**Recommendations for noting:**

The Cabinet is asked to note:

1. The outcome of consultation on the draft High Needs Provision Framework.
2. The amendments (in Section 5) made to the draft High Needs Provision Framework following consultation.

## **1.0 Purpose**

- 1.1 This paper provides a summary of the outcome of public consultation on the draft High Needs Provision Framework and seeks formal adoption of the strategic policy document.
- 1.2 The report highlights recommended changes to the draft policy framework following widespread public consultation.

## **2.0 Background**

- 2.1 Local authorities must ensure that there are sufficient good school places for all pupils, including those with Special Educational Needs and/or Disabilities (SEND).
- 2.2 Levels of demand for educational provision in Wolverhampton have increased significantly in recent years. This uplift has primarily been driven by a 24% increase in births between 2002 (2,807) and 2014 (3,481) (source: ONS Vital Statistics) but will also have been influenced by increased life expectancy for children born with complex disabilities and congenital conditions.
- 2.3 The Children and Families Act 2014 specifies pertinent duties placed on local authorities in relation to the provision of support for children and young people with SEND including;
  - Local authorities in England must exercise their functions with a view to securing that they identify all the children and young people in their area who have or may have special educational needs and/or a disability.
  - Local authorities in England must keep under review the educational provision, training provision and social care provision made in their area for children and young people who have special educational needs or a disability, and the educational provision, training provision and social care provision made outside their area for children and young people for whom they are responsible who have special educational needs and/or a disability.
- 2.4 On 12 September 2018, Cabinet approved the Vision for School Organisation 2018-2020; which outlines the Council's policy in relation to the planning and organisation of school provision across the city.
- 2.5 Pre-existing policy recommends that the development of provision for students with SEND is guided by the following principles:
  - "Local solutions are developed to support a reduction in the required number of out of city placements.
  - The number of transitions experienced by children with SEND should be minimised wherever possible.
  - Solutions should be developed to offer opportunities for students with SEND to attend mainstream provision, unless doing so would be incompatible with the provision of efficient education for other children." (City of Wolverhampton Council, September 2018).

- 2.6 To ensure that community needs are effectively catered for moving forwards, the draft High Needs Provision Framework was developed to proffer a detailed outline which guides the development of the high needs estate in the city. The high needs estate is made up of educational settings who are primarily supported by the high needs funding system including special schools, resource bases and alternative educational provision.
- 2.7 The scheduled refresh of the full Vision for School Organisation 2018-2020 has been delayed by current circumstances and is now expected to be consulted upon during the Autumn Term 2020. Subject to approval, the High Needs Provision Framework would form a key part of the refreshed Vision for School Organisation.
- 2.8 On 19 February 2020, Cabinet noted that the draft High Needs Provision Framework has previously benefited from widespread early pre-consultation and approved the commencement of consultation on the draft High Needs Provision Framework.

### **3.0 Consultation Process**

- 3.1 Consultation commenced on 2 March 2020 and ran until 13 April 2020.
- 3.2 At the beginning of the consultation period, consultation documentation was shared with in excess of a thousand stakeholders including;
- Children and young people with SEND via Wolverhampton Challenge Board,
  - Parents and carers of children and young people with SEND (direct email to all parents and carers registered with Wolverhampton's SEND Hub),
  - Local schools' headteachers, SENCOs and chairs of governors,
  - Wolverhampton Ward Councillors,
  - Members of Wolverhampton Schools' Forum,
  - Members of Wolverhampton's Children, Young People and Families Scrutiny Board,
  - Members of Wolverhampton's Children and Families Together Board,
  - Members of Wolverhampton's SEND and Commissioning Partnership Board,
  - Members of Wolverhampton's Health Steering Group,
  - Members of Wolverhampton's Equality and Diversity Partnership,
  - Neighbouring local authorities,
  - Educational trade union representatives,
  - Local diocesan authorities,
  - The West Midlands Regional Schools Commissioner,
  - Members of Parliament for Wolverhampton,
  - Members of ConnectEd Partnership Board,
  - Members of West Midlands School Organisation Group,
  - Members of Wolverhampton's Youth Council,
  - Voice for Parents,
  - Give Us a Break,
  - Let Us Play,
  - Wildside Activity Centre,
  - The Way Youth Zone, and
  - Barnardo's.

3.3 The consultation was hosted on the City of Wolverhampton Council's website and was further promoted via:

- Wolverhampton Community Radio,
- Electronic display screens in the Civic Centre,
- Wolverhampton Today (the City of Wolverhampton Council's Facebook page),
- The City of Wolverhampton Council's Intranet - City People,
- Wolverhampton's Information, Advice and Support Service's Facebook page,
- Voice 4 Parents' Facebook page,
- The City of Wolverhampton Council's weekly Headteachers' Bulletin,
- Presentation at the termly Director's Briefing to headteachers of schools in Wolverhampton, and
- Wolverhampton's SEND Local Offer Website.

3.4 A more accessible, easy read version of the consultation survey was available to support widespread engagement.

3.5 Consultation activity was impacted upon by Covid-19, which resulted in the cancellation of two planned consultation events; presentation and discussion at Voice for Parents' Steering Group and a focus group with members of Wolverhampton Challenge Board.

#### **4.0 Outcomes of Consultation**

4.1 The City of Wolverhampton Council received 55 responses to the consultation on the draft High Needs Provision Framework.

4.2 Consultation responses were received from a range of stakeholders including children and young people, parents/carers, members of school staff, members of schools' governing bodies and SEND professionals.

4.3 Appendix 1 provides a summary of the responses to questions relating to the policy positions proposed in the draft High Needs Provision Framework.

4.4 Appendix 2 provides a summary of the responses to the proposed commissioning priorities identified within the draft High Needs Provision Framework.

#### **5.0 High Needs Provision Framework**

5.1 Following consultation, the draft High Needs Provision Framework has been amended to ensure that local policy is clear and transparent and also to ensure that Council policy is aligned to local stakeholders' needs and aspirations.

5.2 Significant changes to the draft policy document include:

- Clarification that the policy recommendation that the vast majority of students with SEND in Wolverhampton should access mainstream schools, relates to the combined cohorts of students with an Education, Health and Care Plan and those accessing SEND support.

- In response to identified anxieties regarding the proposed circumstances under which the Council would consider the discontinuance of provision, the criteria have been tailored to ensure that the Council will only consider this course of action if closure could be implemented without denying existing students access to appropriate alternative educational provision.
- The proposed maximum sizes of special schools and Pupil Referral Units have been removed in recognition that establishment size should be determined by both practicality and community need.

5.3 The updated High Needs Provision Framework is available at Appendix 3.

## **6.0 Evaluation of alternative options**

6.1 Option one: Not approving the draft High Needs Provision Framework. This would result in the absence of a clear and transparent outline to guide the future development of the high needs estate in the City.

6.2 Option two: Approving the draft High Needs Provision Framework. This would support the provision of a clear and transparent structure to guide the future development of the high needs estate in the City.

## **7.0 Reasons for decision**

7.1 Approval of the High Needs Provision Framework would enable the publication of a clear and transparent structure to guide the future development of the high needs estate in the City.

## **8.0 Financial implications**

8.1 Central Government has allocated £365 million of capital funding nationally (the Special Provision Capital Fund) to help local authorities create new school places at good or outstanding provision and improve existing facilities for children and young people with SEND.

8.2 Wolverhampton has been allocated £1.97 million of grant funding via the Special Provision Capital Fund for 2019-2021. The Council has allocated £0.91 million to specific projects and the remaining £1.06 million is built into the current approved capital programme.

8.3 Specific change proposals that incur capital costs will be subject to future democratic reports in accordance with the Council's constitution.

[TS/18052020/O]

## **9.0 Legal implications**

9.1 Local authorities must ensure that there are sufficient good school places for all pupils, including those with Special Educational Needs and/or Disabilities (SEND).

9.2 The Children and Families Act 2014 specifies pertinent duties placed on local authorities in relation to the provision of support for children and young people with SEND including;

- Local authorities in England must exercise their functions with a view to securing that they identify all the children and young people in their area who have or may have special educational needs and/or a disability.
- Local authorities in England must keep under review the educational provision, training provision and social care provision made in their area for children and young people who have special educational needs or a disability, and the educational provision, training provision and social care provision made outside their area for children and young people for whom they are responsible who have special educational needs and/or a disability.

[TS/05012020/Q]

## **10.0 Equalities implications**

10.1 This report has equal opportunity implications as the content has direct relevance to educational provision for children and young people with SEND.

10.2 The High Needs Provision Framework has been subject to an Equality Impact Assessment and subject to approval, outcomes will be monitored accordingly.

## **11.0 Climate change and environmental implications**

11.1 There are no direct climate change and environmental implications arising from this report.

## **12.0 Human resources implications**

12.1 There are no direct human resource implications arising from this report.

## **13.0 Corporate landlord implications**

13.1 Corporate Landlord are committed to providing an inclusive approach with Education and the SEN Teams moving forward.

13.2 Capital expenditure will be managed effectively where required to ensure assets are fit for purpose and accommodate future service requirements.

## **14.0 Health and Wellbeing Implications**

14.1 Representatives of the Wolverhampton CCG and Wolverhampton's Health Steering Group were consulted on the draft High Needs Provision Framework.

14.2 The City of Wolverhampton Council and Wolverhampton Clinical Commissioning Group (CCG) are continuing to work closely to ensure that the needs of students with SEND can continue to be met effectively.

## **15.0 Covid-19 Implications**

15.1 There are no Covid-19 implications arising from the recommendations of the report.

## **16.0 Schedule of background papers**

16.1 Cabinet -19 February 2020 - [Supporting Our Most Vulnerable Children to Learn and Achieve](#)

16.2 Cabinet - 12 September 2018 - [The Vision for School Organisation 2018-2020](#)

## **17.0 Appendices**

17.1 Appendix 1 – Consultation Responses – Policy Positions

17.2 Appendix 2 – Consultation Responses – Commissioning Priorities

17.3 Appendix 3 – High Needs Provision Framework