

City of Wolverhampton Council

SCHOOLS' FORUM

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| Date | 03 December 2020 |
| Report title | Support for City Residential Independent Living Provision |
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1.0 Summary

- 1.1 Penn Hall School currently provides residential independent living and respite provision for its pupils. The provision is located in the Manor House located on the Penn Hall site and is currently graded "Good" and was "Outstanding" for the previous 11 years.
- 1.2 Due to ongoing funding pressures faced by the school the residential provision it provides for its pupils is no longer viable for the school to fully subsidise/maintain.
- 1.3 Residential provision is not required as part of the education, health and care plans of any of the pupils at Penn Hall currently.
- 1.4 However, it is recognised that residential, independent living and respite provision is a valuable addition to the City's offer for children and young people with special educational needs and disabilities. The ability to maintain or develop independent living provision aligns with the aspirations of our young people to lead an 'ordinary life' and the Council's priority to create an inclusive city.
- 1.5 As a result, the Headteacher of Penn Hall School (at the request of the City of Wolverhampton Council) presented a paper to the Schools' Forum High Needs Sub-Group on 7 November 2019. The paper highlighted the risks to the residential provision and suggested options on how it could be maintained/developed further including extending access to students from settings across the City.
- 1.6 The costs of the residential provision to the school were set out in detail in the presentation and amount to a total cost to deliver per year of £173,358.
- 1.7 Following discussion on the proposals submitted, the Schools' Forum High Needs Sub-Group resolved to support the City of Wolverhampton Council's recommendation to retain an independent living skills residential provision subject to the following conditions and parameters:
 - a. Funding should be found from the projected headroom in the high needs block for 2020-2021 to fund the continuing residential provision at Penn Hall for one year to allow for the development of a citywide offer based at Penn Hall. This should be to the value of £136,948.

- b. The gap between the £136,948 and ongoing running costs of £173,358 has been met by Penn Hall School for the financial year 2020-2021.
- c. Over the one-year window a specification will be drawn up by the City of Wolverhampton Council for the proposed new city residential provision, the specification to include agreement on:
 - Legal Status of the provision
 - Gatekeeping and access
 - Eligibility criteria
 - A sustainable funding model
 - Outcomes to be delivered/worked towards
 - Safeguarding
 - Other issues that may arise.

1.8 A working group, including representatives from Penn Hall, Schools' Forum High Needs Sub-Group, Special Heads and the City of Wolverhampton Council was established to progress the specification as outlined above.

2.0 Penn Hall School Residential Working Group recommendations

- 2.1 The Penn Hall School Residential Working Group was established to:
- Explore and make recommendations regarding the potential development of City-wide independent living provision at Penn Hall School
 - Develop a service model for any proposed provision
 - Provide a structured forum for partners to develop the specification and service model
 - Ensure that any proposals regarding city independent living provision are co-produced with parents/carers and children and young people
 - Ensure that any recommended service model is sustainable.

3.0 Access and Eligibility Group

3.1 Consideration was given to several models, with each one reviewing increased access to the facility beyond Penn Hall children. City-wide provision was deemed unviable, due to staffing requirements for both School and NHS staff for children of all SEN need types, and the subsequent capital adaptations that would need to be implemented, alongside additional travel arrangements.

3.2 Recommendations

- a. Access to the residential facility will be expanded to Green Park School & Tettenhall Wood School.
- b. Children currently accessing the facility continue to do so, ensuring continuity of support and provision, however, future referrals will be made through a 3 School Panel process and priority will be given to those children who have residential provision within their Education, Health and Care Plan (EHCP).

4.0 Registration and Governance Group

4.1 Recommendations:

- a. It is recommended that the residential provision continues to be maintained by Penn Hall School staff, with referrals made through a three School panel process.
- b. The Short Breaks element will be maintained through the school as part of the current model, however, governance and management will need to be reconsidered under any new Short Breaks model.

5.0 Operational Model Group

5.1 This Operational and Outcomes working group discussed possible alternative operating models and the group propose:

5.2 That Penn Hall School continue to run the setting for residential placements available during the school year. Therefore offering 39 weeks of operation per academic year providing a Monday to Friday respite service (i.e. 4 nights per week over 5 days).

5.3 The 39-week operation would be made available to two other special schools – Identified as Green Park School & Tettenhall Wood School. The three schools would have equal availability to the facility – i.e. 13 weeks per academic year for each school. The facility can accommodate up to 6 children and young people per night. Therefore, a potential of 234 children and young people could access the facility across the three schools, staying a full week in the facility per visit or alternatively a night a week for a block of time or any other variation which would suit the needs of the individual.

5.4 For this proposal it is anticipated that to offer the facility to the two other special schools named the annual operating costs as previously advised would not increase significantly. However, a full review of the staffing costs and other logistical areas such as transport needed for a cross school facility offer would need to be examined. The principal is that if funding for the facility is approved and awarded to Penn Hall School in their annual budget then the other two Special Schools should see no material effect on their annual budget.

5.5 Recommendations:

- a. The above operating model be adopted to provide respite care across the three identified special schools.
- b. Whilst not currently in place, in future, placements could also be booked by parents and carers as part of any new short breaks model and either fully staffed by residential staff and/or jointly supported by parents/carers.

5.5 The facility is further utilised over the 39-week academic year operation by:

- Weekends and School holidays – The facility would be made available to Short Breaks to coordinate commissioned breaks for individuals or groups of young people. Used by Short Breaks to support the findings from the SEND Commissioning and Partnership Board Review of Short Breaks
- Wrap Around Care. The facility could offer some wrap around care for the Penn Hall School community. This could be an income generator but additional staffing would need to be considered.

- Facility Hire – The school could develop under its current Letting SLA with the local authority more hires of the Residential building facilities and grounds. The lettings rates for room hire or ground hire would need to be examined to determine a competitive letting rate per hour that would support the additional staffing costs of providing access and support for the facility. This development could include the offer of the venue as a hire facility for a family or party to use as a holiday let, which could also support the findings of the Short Breaks review – Appendix 1.

5.6 For the above additional facility use options these all operate outside of the current financial operating model for the 39 week residential facility and therefore all areas would need to be costed to see how much contribution can be maximised from the models.

6.0 Finance and Sustainability Group

6.1 Consideration was given to the recommended operating model, with analysis on financial implications. Various funding models were considered, with most ruled unviable due to the irregular income streams. Parental contributions and yearly fundraising was not deemed sustainable or ensured future viability due to the year on year variances in this funding stream. However, aspects of each will be a part of the recommended option;

6.2 Recommendations:

- a. With the increased accessibility of the new operating model, the financial costs of a High Needs DSG fully funded residential facility in the city was demonstrated to be better value for money and a cost-effective provision for the city. As such, it was agreed to recommend that the full cost of this enhanced accessibility provision to meet the needs of more children from 3 Schools and with varying needs is met by the High Needs Dedicated Schools Grant as an ongoing commitment (a sum of £173,358)
- b. An annual financial report will be produced by Penn Hall School and City of Wolverhampton Council finance officers on the running costs of the new residential facility and presented to the Schools Forum High Needs Funding sub-group each year. Any additional revenue funding provided by matrix top up funding from those children where residential provision forms part of their EHCP, parental contributions or fundraising activity (and in future, Short Breaks funding) will be offset against the DSG commitment, and a decision taken on how to reinvest or make a financial return on the funding at this meeting.
- c. It is, as yet, unclear what the new Short Breaks operating model will be, but Penn Hall School Residential Facility will form part of that offer, potential recognised by the Operational Model Group. Any net profit of revenue funding from this new operating model for the facility will in future years form part of the report and decision making as set out in recommendation (b). Estimates based on the recommendations of the Short Break review completed in 2019, range from £12,500 to £58,700 which would offset the requested High Needs DSG for the residential facility significantly.

7.0 Commissioning a new City-wide residential facility

- 7.1 Whilst it was determined that City-wide access to the Penn Hall residential facility was not a viable option, consideration was given to the opening of a new city-wide residential facility that would provide admissions for any child requiring this level and type of support from across any school or setting in the City.
- 7.2 Mapping of new residential provision commissioned or due to be opened by other Local Authorities was carried out, to assess the feasibility and likely costs in considering this for Wolverhampton. There are a limited number of Local Authorities who have commissioned or will be commissioning new specialist residential provision, with a greater number reducing, amending or decommissioning. The mapping exercise of Local Authorities *Special Provision Plans* submitted to the DfE as a condition of the Specialist Provision Capital Funding highlighted a limited number who would utilise this funding for Specialist Residential projects.
- 7.3 These projects were reviewed to understand likely costs for commissioning new specialist residential provision with City-wide access in Wolverhampton. The majority of funding for this type of provision was targeted on reorganising existing provision rather than opening new facilities.
- 7.4 Opening new provision would either need to be fully funded, including acquisition or identification of a site, by the Local Authority or we would need to submit an application through the DfEs Free School process (Wave 14 applications closed on 14 November 2019 and no new Wave has yet been announced) A new fully funded Local Authority facility is estimated to cost around £1.5 - £2.8m. These costs would be significantly reduced should we be able to source a suitable site under Local Authority ownership, that would require minimal capital adaptations. None has been sourced to date.
- 7.5 Alternatively, we could undertake a *register your interest* process from all schools and academies who would wish to provide this facility themselves. Due diligence would need to take place on the feasibility and costs of opening this city wide facility at an existing school or setting. The costs for this cannot be determined at this stage.
- 7.6 Under all the scenarios above, the timescales for opening a new City-wide facility were determined too long a process to be able to replace the recommended option for Penn Hall. The earliest any new City-wide provision could be opened is 2022, which if agreed as the alternative to Penn Hall would leave Wolverhampton without any specialist residential provision for a 2-year period.
- 7.7 As such, SEN Commissioners will begin an additional review of our residential provision requirements, identifying where this has been stated within existing children's EHCPs and assessing the demand. Once the demand and need has been established we will explore options for any new City-wide provision, with capital costs for new builds or expansions sourced from discussions around sales of existing redundant estate assets or utilising any new round of Specialist Provision Capital Funding we receive.

8.0 Short Breaks Model and the role for Penn Hall School

- 8.1 The Short Breaks Review recommendations paper is attached as Appendix 1 to this report.
- 8.2 As part of the SEND Systems Review, the short breaks review recommendations will be formulated into a new operating model. The review recommendations were;

Recommendation 1: A clear definition of what we mean by short breaks for 0-25-year olds and who is eligible for them is adopted and publicised. This should include clear eligibility and assessment criteria as well as a well-defined local offer with particular regard to changing eligibility and potential financial contributions at transition points.

Recommendation 2: The short breaks offer should be accessed and delivered through a clear and discernible “branded offer”. The offer should include universal and targeted but free to access services and activities as well as those for which a personal budget/direct payment will be required.

Recommendation 3: It is seen as vital by parents that there be no apparent link between short breaks/respite and safeguarding as this is a barrier by some families. There should be a specific single point of access for support with respite activities (short breaks).

Recommendation 4: All funding associated with the five categories of short breaks set out in section 4 below should be amalgamated into a single budget to support respite activity. In addition, consideration should be given to this including the Childrens’ Carers Grant.

Recommendation 5: Short breaks funding should be delivered through personal budgets and direct payments as a preferred route. The activity and scope of what short breaks funding can be used for should support our personalisation and co-production principles and not be limited to a fixed framework of commissioned activity.

Recommendation 6: Currently commissioned and grant funded activity should be reviewed with a view to disestablishing existing arrangements in support of recommendations 4 and 5 above. This should be done at appropriate points over time depending on current framework arrangements.

Recommendation 7: Information for families on the short breaks offer in Wolverhampton needs to be more widely publicised, transparent and accessible. Therefore, a comprehensive communications plan should be developed, implemented and regularly updated in support of recommendation one above.

Recommendation 8: The process to access respite support (short breaks funding) is made easier and more transparent. Eligibility should be based on need and clearly stated in all communications and there is an accessible single point of entry for access to respite support (short breaks). As per recommendations 2 and 3 applications should not be associated with the MASH or safeguarding and should be done through the short breaks branded offer.)

Recommendation 9: That relevant current data (e.g. access rates, current available provision, demographics, etc) are reviewed, gaps identified and proposals for closing the gaps and a regular reporting process are adopted.

Recommendation 10: Pursuant to the other recommendations a task and finish group should remain in place to support City of Wolverhampton council to co-produce and develop its offer over the next year.

8.3 It is to be expected that due to contractual and grant agreements as well as the time required to implement the recommendations, new short breaks offer, and brand will not be in place prior to Spring 2022 and may not be wholly in place until 2023.

9.0 Final Recommendations for Penn Hall School residential provision

9.1 Option 1 – Agreement to fully fund an enhanced access Residential Facility

The new operating model meets the requirements placed upon it from the Schools Forum High Needs Funding Sub-Group, by opening access to 2 additional referring schools. Further, a secure ongoing financial funding commitment ensures a viable facility, whilst the opportunity to reduce the DSG commitment through additional revenue streams offsets these costs. An enhanced facility will also increase likely additional revenue contributions as a key part of a new Short Breaks model.

- 9.2 The provision has been rated outstanding by Ofsted 12 years in a row during its annual Ofsted inspection, not only for the nurturing approach of staff, but also for the support children and young people receive to develop their independent living skills. This is a unique provision in Wolverhampton offering a holistic approach, which allows children and young people to transfer and master skills in a safe, home from home environment.
- 9.3 The provision is currently offered to children and young people with a range of learning needs, including SLD and PMLD as well as complex physical and medical needs. There is also provision for children and young people with communication and interaction needs, including ASD. This means the provision has huge potential to be opened up to a greater number of young people with this wide range of needs, and can meet the needs of children in the 2 new referring Schools.
- 9.4 SEN Commissioners will begin an additional review of our residential provision requirements, identifying where this has been stated within existing children's EHCPs and assessing the demand. Once the demand and need has been established we will explore options for any new City-wide provision, with capital costs for new builds or expansions sourced from discussions around sales of existing redundant estate assets or utilising any new round of Specialist Provision Capital Funding we receive.

10.0 Option 2 - Closure of Residence from April 2020

- 10.1 This is a unique local authority provision, which has been Ofsted rated 'Outstanding' for the last 12 years. Without funding the provision will be required to close from April 2020.
- 10.2 The risks as a result of closure are as follows:
- Immediate impact on the education of children and young people in Wolverhampton which has been rated 'Outstanding' by Ofsted
 - Impact on families
 - Loss of employment for 4 permanent members of staff and associated redundancy costs
 - Loss of an enhanced accessible SEN asset which is already set up, fully adapted and accessible with experienced, trained staff
 - Continued maintenance costs for a Grade 11 listed building as there would be a requirement on the local authority to maintain and secure this building even if it was left empty
 - Relocation cost to house Physiotherapy and Occupational Therapy staff to an offsite location as these NHS services currently occupy 3 upstairs rooms in the same facility
 - Negative publicity for the local authority and the school
 - Pressure on council Short Breaks Obligation, as although this is an extended learning offer it has the added bonus of providing children, young people and families with Short Breaks. As this would no longer be the case in the event of closure, this pressure would be felt by the Short Breaks budget, as families would seek this through social care assessment. Further, the enhanced facility would be a part of significant new Short Breaks offer and could jeopardise the success of the new model.
- 10.3 These risks cannot be underestimated in terms of their far-reaching impact. These are risks that Penn Hall School have been endeavouring to mitigate for the past two years through a school budget, which is under significant pressure and through fundraising. The

school will continue to ensure all funding streams are explored and will inform all stakeholders of this robust process to seek funding, as part of the consultation process. The cost of saving this facility is £173,358 per annum currently, and this is now being sought as a recurring expenditure to prevent closure.

11.0 Option 3 - Closure of Penn Hall Residential Facility from April 2020 and commencement of work to open a new City-wide residential facility as a replacement.

11.1 Under all the scenarios for opening new City-wide specialist residential provision at an alternative site, the timescales were determined too long a process to be able to replace the recommended option for Penn Hall. The earliest any new City-wide provision could be opened is 2022, which if agreed would leave Wolverhampton without any specialist residential provision for a 2-year period. SEN Commissioners will begin an additional review of our residential provision requirements, identifying where this has been stated within existing children's EHCPs and assessing the demand. Once the demand and need has been established, we will explore options for any new City-wide provision, with capital costs for new builds or expansions sourced from discussions around sales of existing redundant estate assets or utilising any new round of Specialist Provision Capital Funding we receive.

12.0 Implications and Next Steps

- a. A full service specification will be drafted, detailing the requirements of the service, the panel process for increased accessibility across three schools, and the referrals process and EHCP/admissions criteria.
- b. Capital and Accommodation changes to be funded from the Special Provision Capital Fund; Some adaptations will be required to the building to make the facility accessible to all needs types, and to enhance its offer for any new Short Breaks model.

| Special provision fund: Allocations for local authorities from 2018-19 to 2020-21 | | | | | | | | |
|--|----------------------|----------|----------|----------|--------------------------|--------------------------------|--------------------------------------|----------------------|
| Published January 2019. The £50m and £100m top-ups will be paid together in 2019-20, once LAs have published their plans as described in the guidance. | | | | | | | | |
| LA Number | Local Authority name | 2018-19 | 2019-20 | 2020-21 | LA's original allocation | £50m top-up announced May 2018 | £100m top-up announced December 2018 | New total allocation |
| 336 | Wolverhampton | £386,190 | £386,190 | £386,190 | £1,158,571 | £269,435 | £538,870 | £1,966,876 |

12.1 Spending commitments to a number of projects have already been made, with several completed or in building phase. A total of **£460,876** remains unspent from City of Wolverhampton Council's total SPCF allocation, and some of this could be utilised for the purposes of improvements to this residential facility. A further paper will be brought back to the Schools Forum High Needs Funding sub-group in early 2021 to agree the budget for this work.

13.0 Decision

13.0 Members of Schools' Forum are recommended to:

1. Commit to the use of £173,358 of the High Needs Block to fund an increased access Penn Hall Residential facility on an ongoing annual basis (noting the approach to offset some of this financial commitment and the reporting and approval process to do so).
2. Agree to an additional review of demand for City-wide residential provision and instruct Special Educational Need commissioners to begin exploring options for opening a new facility to meet this demand.
3. Note the new operating model for an independent living skills residential provision for eligible children and young people from three settings across Wolverhampton.
4. Note that a further paper on Capital implications will be presented in early 2021.