

Title of meeting: Cabinet Member for Education - Decision Meeting

Date of meeting: 24 July 2019

Subject: Special Provision Capital Fund

Report from: Alison Jeffery
Director of Children, Families and Education

Report by: Caroline Corcoran
Head of Sufficiency, Participation and Resources - Education Service

Wards affected: All Wards

Key decision (over £250k): No

Full Council decision: No

Full Council decision: No

1. Purpose of report

- 1.1 The purpose of this report is to seek approval for the use of the proposed allocation of £537,600 notified government funding to support local authorities to create sufficient good school places for all pupils, including those with Special Educational Needs and Disabilities (SEND). The guidance indicates that the funding will be received in summer 2019.

2. Recommendations

- 2.1 **It is recommended that the Cabinet Member notes the measures required to access the funding as identified in 3.5 of this report and approves the allocation of £537,600 to support undertaking a citywide SEND accommodation review and to support works required to provide additional SEND places for complex plus pupils from September 2019.**

3. Background

- 3.1 In March 2017, the Government committed £215m of capital funding to help local authorities create new school places and improve existing facilities for children and young people with SEND. This provided Portsmouth with an allocation of £770,608 for the period 2018/19 to 2019/20. Following consultation on a plan, as required by the funding conditions, this funding was applied towards the funding of the Vanguard Centre accommodation for The Harbour School.

- 3.2 In May 2018, the Government announced a further £50m increase to this fund for local authorities, providing Portsmouth with an additional £179,211 (3 years of funding @ £59,737 per year).
- 3.3 In January 2019, the Government announced further funding, which increased the amount allocated to Portsmouth by a further £358,400, making a total increase of £537,600 on the initially notified allocation.
- 3.4 The funding is available to support local authorities to invest in improving the quality and range of provision for children and young people with SEND aged 0-25 and can be used to:
- Create new (additional) places at good or outstanding provision
 - Improve facilities or developing new facilities.
- 3.5 To access the funding, the local authority is required to:
- Consult with parents and carers of children with SEND and young people with SEND.
 - Work with Education providers to agree how the capital can best be targeted.
 - Publish the plan on the local offer website showing how the funds will be invested.
- 3.6 The required steps have been completed. As required by DfE, the plan was published on the Local Offer website by the deadline of 31st May 2019.

4. Pupil Numbers

- 4.1 There are an increasing number of pupils in the city with complex and complex plus special education needs.
- 4.2 Complex pupils are predominantly ambulant with a range of needs (Severe Learning Difficulties, Moderate Learning Difficulties and Autistic Spectrum Disorder) with pupils taught together in groups of 8 to 12. For those pupils with even more complex / greater needs such as those associated with Severe Autism or Social, Emotional and Mental Health and who are taught in smaller groups with a higher staff to pupil ratio, there are very few places available.
- 4.3 Complex plus pupils are generally non-ambulant requiring specialist equipment and facilities; for example, pupils with Moderate Learning Difficulties, Severe Learning Difficulties/Autism are taught in groups of 8 to 10 pupils; with Profound and Multiple Learning Difficulties or severe autism being taught in groups of 4 to 6.

4.4 A significant increase in demand is forecast for pupils with complex plus needs who would require a place at a specialist education facility. There are also rising numbers of complex pupils. It is predicted that by 2023 Portsmouth would have a shortage of at least 100 places.

4.5 There is already an urgent demand for complex plus places for September 2019 that cannot be met in the city. Investing in a temporary solution will help meet this immediate demand. The funding which is currently allocated for the provision of additional SEND places is insufficient to meet the costs of the capital works which are required.

5. Proposals

5.1 It is proposed that the funding is used for two specific purposes:

- a) A SEND Strategic Accommodation Review to develop an accommodation strategy for the next decade, with a view to the report supporting the business case for a new Portsmouth special school which will provide for complex and complex plus pupils.
- b) Creating temporary accommodation for complex plus pupils for September 2019. This would be achieved by refurbishing the ground floor of the old "Harbour Fratton" site as a temporary location until a new SEND school is built, and providing capital support for equipment, furniture and one-off set up costs.

5.2 The table below summarises the financial implications of the proposals.

Capital funding	
PCC allocated capital funding for urgent capital works to provide SEND places	£500,000
DfE Special Provision Fund - Capital allocation	£537,600
Total funding	£1,037,600
Proposed allocation	
a) SEND Strategic Accommodation Review to inform future capital works needed to secure sufficient SEND provision.	£17,600
b) Refurbishment of Fratton building to accommodate additional Mary Rose pupils from September 2019. This includes furniture and equipment and one-off capital set up costs	£1,020,000
Total allocation	£1,037,600

6. Consultation

- 6.1 The Council sought the views of residents, especially parents of pupils with SEND, pupils with SEND and school/academies. This included Portsmouth Parent Voice and Dynamite (group for SEND pupils). The consultation period ran from 3rd May to 24th May 2019.
- 6.2 The consultation summary is shown at Appendix A.
- 6.3 The consultation responses supported the proposals.

7. Reasons for recommendations

- 7.1 The SEND Strategic Review and SEND forecasting that has been undertaken has identified a significant increase in SEND pupils across Portsmouth.
- 7.2 To meet the needs of the increasing pupil numbers a strategic review of SEND accommodation is required in terms of capacity and suitability to meet both the current and also future needs of SEND pupils in Portsmouth.
- 7.3 The funding will enable a capital strategy masterplan for the expansion or new build of SEND facilities to be developed and will enable feasibility design studies to be produced on a range of options to meet the future needs.
- 7.4 This funding will also be used to help undertake capital works to provide temporary accommodation for complex plus pupils. The temporary works will mean that the accommodation will be suitable for up to 3 years. The provision is urgently needed for September 2019.

8. Equality impact assessment

- 8.1 The proposals allows the council to provide accommodation which meets the specific needs of complex plus pupils, and to plan future accommodation for children with SEND needs. This positively impacts on the duty of the council in terms of this group. An Equalities Impact Assessment has been undertaken.

9. Legal implications

- 9.1 The implementation of the recommendations in this report will assist the Council in complying with its statutory duties towards pupils with SEND needs in terms of the sufficiency of school places available and the suitability of school accommodation for their needs.
- 9.2 The proposed use of the additional funding will be in compliance with the conditions on which this funding is made available by central government.

10. Director of Finance's comments

- 1.1 On 12 February 2019 Council approved funding of £679,200 for additional Special School Places. This consisted of £500,000 from corporate reserves and £179,200 capital special provision grant funding announced by the Department for Education (DfE) in May 2018. Since setting the budget the DfE have announced further grant funding of £358,400 in January 2019.
- 1.2 The capital special provision fund announced by the DfE in March 2017 provides support to local authorities to make capital investments in provision for pupils with special educational needs and disabilities. The funding is not ring fenced or time bound, to enable local authorities to make the best decisions for their areas.
- 1.3 To receive the funding the authority is required to verify that they have consulted with local stakeholders including parents, young people and education providers, complete and publish how they intend to invest the funding to meet local need and confirm that the funding has been spent on capital projects. Therefore the funding will be received by the local authority following the completion of the scheme.
- 1.4 Any on-going revenue implications will be met by the school via their individual schools budget which is funded by the Dedicated Schools Grant.
- 1.5 The proposed refurbishment of the Fratton site enables the authority to place pupils with high needs at a setting within the city and close to home. Prior to identifying the Fratton site, other options were considered and none were found to be suitable within the city. The other options would be either to place the pupils in high cost independent settings at an estimated cost for eight pupils over the three year period of £1.5m, plus associated transport costs putting further pressure on budgets, or to allow pupils to be out of school and without an education place, which would be in breach of our statutory responsibilities.

1.6 It provides an interim solution to the high needs capacity within the city until the completion of the new special free school (funded by the DfE) and the finalisation of the SEND strategic accommodation review which will provide the authority with the evidence to develop a long term SEND accommodation strategy in the city.

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Signed by:

Appendices:

Appendix A - Consultation Report

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by: