

REPORT TO: Executive Board

DATE: 12th September 2024

REPORTING OFFICER: Executive Director – Children’s Services

PORTFOLIO: Children and Young People

SUBJECT: High Needs Provision Capital Allocations –
Proposed Expansion of Special Educational
Needs & Disability Provision: Statutory
Consultation

WARD(S) Borough wide

1.0 PURPOSE OF THE REPORT

1.1 In March 2024 the Council received notification from the Department for Education that it would receive a further allocation of £2.1M High Needs Provision Capital funding over a two year period to support the provision of new places and/or to expand existing provision for pupils and students with high needs.

1.2 Having previously consulted with schools on the opportunity to expand their existing Special Educational Needs and Disabilities (SEND) offer, or offer new SEND provision, this report seeks the Board’s approval to commence a statutory consultation to expand the number of SEND places available at Ashley School in Widnes through the provision of four additional classrooms to meet need for children and young people with a diagnosis of Autistic Spectrum Disorder (ASD), taking the total number of places available at the school site from 112 to 152.

2.0 RECOMMENDED: That

- 1) the Board approves commencement of a statutory consultation process for the expansion of Ashley School in Widnes for pupils with Autistic Spectrum Disorder to become a 152 place school.**
- 2) A further report is brought to the Board in December 2024 detailing the outcome of the statutory consultation and next steps.**

3.0 SUPPORTING INFORMATION

3.1 In March 2024 the Council received notification from the Department for Education that it would be allocated a further £2.1M (in addition to the £3.3M of capital funding High Needs Provision Capital Allocation previously received during 2022-24) to support the provision of new places or to expand existing provision for pupils and students with high needs (SEND).

3.2 Members approved a range of capital builds with the first tranche of funding, which, by September 2024, will have resulted in 117 additional SEND places in Halton's primary and secondary schools, and a further circa 40 additional places at Halton's special schools.

3.3 This report seeks members approval to commence with a statutory consultation to increase the SEND provision at Ashley School in Widnes, taking the total number of places available for age 11-19 students at the School from 112 to 152, through a proposal to build four additional classrooms at the school.

3.4 One of the proposed new classrooms will allow for the return to the main school site in Widnes of 8 pupils who are currently receiving their educational provision at Ashley's off-site satellite provision operating out of The Bungalow in the grounds of The Heath School in Runcorn, with the further 3 proposed new classrooms being available for additional pupils and the proposed expansion of provision at Ashley School.

3.5 The proposed timeline for the consultation is detailed below:

23 rd September 2024	Start 4 week Statutory Consultation
21 st October 2024	End 4 week Statutory Consultation
12 th December 2024	Further report to the Executive Board on outcome of statutory consultation and next steps

3.6 The Statutory consultation will be undertaken in accordance with the DfE guidance: "Making significant changes ('Prescribed alterations') to maintained schools" January 2023. The full proposal will be published on the Local Authority's website, and on the school's website, and will set out:

- how copies of the proposal may be obtained;
- that anybody can object to, or comment on the proposal; the date that the representation period ends (21st October 2024); and
- the Local Authority's address to which objections or comments should be submitted.

A brief notice must also be published in a local newspaper.

In addition, the LA will consult with:

- The school's governing body;
- the parents of every registered pupil at the school,
- Halton's special schools, and
- neighbouring local authorities.

3.7 Through this additional offer of specialist educational provision and support, Halton resident pupils will have access to provision in-borough where previously they may have attended out of borough provision which is costly both in terms of placement, and transport to facilitate attendance. Therefore, through the provision of additional in borough places, the requirement for expensive out-borough placements and associated transport costs, will significantly decrease.

4.0 **POLICY IMPLICATIONS**

4.1 The consultation on proposals to expand existing provision, which if supported, would lead to a proposed programme of expansion/capital works, that would ensure that the Council can continue to offer and expand its in-borough special educational needs provision wherever possible, will help to reduce expensive out-borough placement and associated transport costs, thereby supporting priorities within Halton's SEND Strategy and SEND Sufficiency Strategy, and meet need more locally within Halton.

4.2 The Council has a duty under the Department for Education and Department for Health's "Special educational needs and disability code of practice: 0 to 25 years" (2015) to support high quality provision to meet the needs of children and young people with SEND, with a focus on inclusive practice and removing barriers to learning. Through the offer of more localised specialist provision, the local authority can further build on its existing provision and continue to demonstrate the fulfilment of its duties in accordance with the code.

5.0 **FINANCIAL IMPLICATIONS**

5.1 Any capital works proposed will be funded from the High Need Provision Capital Allocation Grant allocated to the Council by the Department for Education.

5.2 Should the initial overall value of the project proposed exceed the amount of capital funding available, then the project will be value engineered to be met within budget. This has already been discussed with the school.

5.3 By investing in additional SEND provision in-borough the Council will reduce its High Needs expenditure, which is currently funded through the High Needs block of the Dedicated Schools Grant, a significant amount of which is currently spent on out of borough provision. It is important that preventative action is taken now to help reduce financial costs to the Council in the future, and by retaining Halton resident pupils at local provision, this will help drive down placement and travel costs for the Council longer term.

5.4 Circa £1.8M has been set aside for any proposed capital works at the School, but these costs are subject to refreshed feasibility studies and procurement processes and will be value engineered in agreement with the school to meet the capital funding available.

6.0 **IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

6.1 Improving Health, Promoting Wellbeing and Supporting Greater Independence

The proposal to expand Ashley School ensures that those children and young people with additional needs, whose needs can be met by the school are, in accordance with the SEND Code of Practice, helped in receiving successful preparation for adulthood, which includes preparation for independent living and employment.

6.2 Building a Strong, Sustainable Local Economy

None

6.3 Supporting Children, Young People and Families

Providing additional places at Ashley School will expand the offer in Halton of high quality provision to meet the needs of children and young people with SEND, evidences Halton's commitment to support the child or young person, and the child's parents, in order to facilitate the development of the child or young person. It also helps them achieve the best possible educational and other outcomes, preparing them effectively for adulthood, as set out in the Department for Education and Department of Health SEND Code of Practice.

6.4 Tackling Inequality and Helping Those Who Are Most In Need

None

6.5 Working Towards a Greener Future

None.

6.6 Valuing and Appreciating Halton and Our Community

By expanding existing provision at Ashley School, it is intended that more Halton resident pupils will have access to local specialist provision, and will therefore remain within the community, rather than having to attend out-borough specialist provision.

7.0 RISK ANALYSIS

7.1 The demand for specialist support for children and young people with SEND is increasing. By continuing to expand existing provision, and creating additional places, children and young people can receive the support they need within the borough which in turn will help to reduce expenditure within the High Needs Block of the Dedicated Schools Grant.

7.2 The Council has been allocated this funding from the Department for Education, as they also recognised a need for additional specialist places and provision in Halton, and through the proposed expansion of Ashley School, the Council will be able to demonstrate expenditure against need.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 The High Needs Provision Capital Allocation provides capital funding to deliver new places, supporting learning in specialist provision and allows Halton resident pupils to be educated in-borough where possible. The Equality Act 2010 is continually referenced throughout the SEND Code of Practice and ensures that Local Authorities and schools fulfil their obligations in this regard.

9.0 CLIMATE CHANGE IMPLICATIONS

9.1 Through the introduction of additional local provision, there will be a reduction in the number of children and young people needing out of borough provision, which in turn will help reduce fuel costs/emissions. Any new build undertaken, would comply with the latest legislation and guidance and support energy efficiency in new buildings.

10.0 REASON(S) FOR DECISION

10.1 The Council is required to demonstrate appropriate identification of need against spend from the High Needs Capital Allocation Grant.

10.2 To deliver and implement the High Needs Provision Capital Funding programme.

11.0 **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

None.

12.0 **IMPLEMENTATION DATE**

It is intended that the additional provision, if approved, could be offered from September 2026.

13.0 **LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

Document	Place of Inspection	Contact Officer
Department for Education High Needs Provision Capital Allocations guidance (March 2024).	Children's Services Directorate	Martin West
Department for Education Making significant changes ('Prescribed alterations') to maintained schools" January 2023 guidance.	Children's Services Directorate	Martin West
Department for Education and Department for Health's "Special educational needs and disability code of practice: 0 to 25 years" (2015)	Children's Services Directorate	Martin West