

## **Report to Cllr N Jupp, Cabinet Member for Education and Skills**

**October 2020**

### **Phase 2 Special Support Centres - Allocation of Funding for Design Fees**

#### **Report by Director of Property and Assets and Director of Education and Skills**

**Electoral divisions: Bognor Regis East; Felpham; Langley Green and Ifield East; Maidenbower and Worth; Angmering and Findon and Goring**

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#### **Summary**

The County Council has a statutory duty to provide sufficient school places for all children who need a place.

There is a need to reduce the number of children and young people with Special Educational Needs and Disabilities (SEND) moving from maintained schools and academies into costly out of county education provision. Increasing provision for children and young people with SEND through the creation of additional places in Specialist Support Centres (SSCs) will assist with the aim of enabling children to attend school locally.

In December 2019 Cabinet approved the proposal to develop phase two of the project for opening additional Special Support Centres in accordance with capital governance processes (decision reference [CAB03\(19/20\)](#)). Following this the County Council's Multi-Disciplinary Consultant, Faithful+Gould Ltd. (MDC) were appointed to undertake full feasibility studies for the shortlisted Phase 2 SSCs. For each location, a minimum of two options were considered and surveys were undertaken to inform cost estimates and the options appraisal.

This report seeks capital funds to progress designs for 6 of the Phase 2 SSC projects following conclusion of the feasibility phase and identification of the preferred option for each site.

The proposal will positively impact on the outcomes for children and young people with SEND and enable them to be educated locally. This is also a key objective of the County Council's [SEND and Inclusion Strategy 2019 - 2024](#).

#### **Recommendations**

The Cabinet Member for Education and Skills is asked to approve:

- (1) an allocation of £880,000 to develop the designs for 6 of the Phase 2 SSCs, providing 70 places, funded from the SEND capital allocation within the approved Capital Programme as detailed in paragraph 2.3, and

- (2) that authority is delegated to the Director of Property and Assets to take the decisions related to individual budgets, procurement exercises and contract awards for the projects to be designed.
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## **Proposal**

### **1 Background and context**

- 1.1 The County Council's Future West Sussex Plan sets out the corporate priorities and a commitment to give children the best start in life; this includes ensuring that young people are ready for school and ready for work.
- 1.2 In West Sussex there are around 20,000 children and young people with Special Educational Needs and Disability (SEND) receiving support in an early years setting, school or college, with over 5,848 of these having a Statement of Special Educational Needs (SEN) or an Education, Health and Care Plan (EHCP) as at September 2020.
- 1.3 Around 31% of West Sussex children and young people with an EHCP are placed in one of the 11 Special Schools across West Sussex. A further 10% of all placements are in Independent and non-maintained Special Schools (INMSS). These placements are usually for those children with significant physical disabilities or where maintained provision is at capacity (mainly for autism or complex social, emotional and mental health needs). These placements in INMSS are costly with an average cost of £48,000 per child, per annum, excluding transport. However, costs can be as high as £150,000 per child, per annum, depending on the needs of the child.
- 1.4 Creating these additional places helps avoid these potential costs that lead to increasing overspends in the Dedicated Schools Grant (DSG) High Needs Block.
- 1.5 The SEND and Inclusion Strategy 2019-2024, along with the accompanying implementation plan, sets out how the County Council will support the inclusion of all children and young people, with a particular focus on those with Special Educational Needs and Disabilities (SEND).
- 1.6 The vision is that all children and young people in West Sussex will, irrespective of their learning needs or abilities, gain the skills and confidence to live well in their community. They will be supported and nurtured through an educational system that responds to their circumstances and prepares them for adulthood.
- 1.7 As part of the new strategy, a review of existing specialist provision has been undertaken. In addition, the number of children with SEND that are educated in placements out of the county as their needs are not able to be met in maintained schools or Academies has also been reviewed.
- 1.8 The review identified that children with autism and/or social, emotional and mental health needs are more likely to move into independent and non-maintained schools (INMS) because it is currently not possible to meet their needs in maintained schools and academies. By creating more provision to meet these areas of need through increasing places at SSCs the County Council

will be able to reduce spending on both expensive placements at INMS and costs associated with transporting children to out of county provision

## 2 Proposal details

- 2.1 Following a review of planned places within existing Special Support Centres against current and future projected demand, the projects identified in the table below have been prioritised by the SEN Team for Phase 2 of the SSC Development Programme. The projects will ensure West Sussex children can be educated in a West Sussex setting close to home, thereby reducing costly out-county placements and ensuring children can be educated close to their homes.
- 2.2 It is proposed to increase the number of places in SSCs in mainstream schools by up to 82 additional places. This would deliver additional places for children with communication and interaction needs (COIN), including autism.
- 2.3 The report seeks approval for a capital allocation to take forward the design for the SSCs at Edward Bryant School and Felpham Community College, both in Bognor Regis ; Ifield Community College and Maidenbower Infants School in Crawley; St Margaret’s CE Primary School, Angmering and West Park Primary School, Worthing. This equates to the creation of 70 additional places as set out in the table below. The feasibility study for Worthing High School is still underway and therefore the design fees cannot be sought at this stage. The funding for the SSC at Warden Park Academy is included in a separate decision report relating to the allocation of Section 106 funds.

<b>Setting</b>	<b>Number of additional places</b>	<b>Need Type</b>	<b>Planning Area</b>
Edward Bryant School, Bognor Regis	12	COIN	Arun
Felpham Community College	12	COIN	Arun
Ifield Community College, Crawley	18	COIN	Crawley
Maidenbower Infants School, Crawley	12	COIN	Crawley
St Margaret’s CE Primary School, Angmering	12	COIN	Arun
Warden Park Academy, Cuckfield (redesignate to COIN and increase to 28 places)	8	COIN	Mid Sussex
West Park Primary School, Worthing	4	COIN	Worthing

Worthing High School (redesignate to COIN and increase to 18 places)	4	COIN	Worthing
<b>Total increase</b>	<b>82</b>		

- 2.4 The current programme for delivery of the SSCs indicates permanent accommodation will be available for Spring 2023 enabling occupation in September 2023. Individual programmes are under review to identify opportunities to reduce the programme to enable benefits to be realised sooner.

### **3 Commercial case**

- 3.1 The designs will be taken forward by the MDC
- 3.2 Options to facilitate early delivery will be investigated and delivered to maximise savings potential.
- 3.3 The additional accommodation will be utilised by the Schools to support the Special Support Centre and WSCC will put in place mechanisms to monitor that schools are achieving the required benefits.

### **4 Other options considered (and reasons for not proposing)**

- 4.1 Other sites have been considered but have not been prioritised to take forward to the design stage. This is because they are not in an area where the places are required or are not considered as the most urgent locations required to enable places to be available close to home.
- 4.2 There is also an option to do nothing but this will not offer any savings to the high needs block and will not enable children to be placed in a Special Support Centre close to home.

### **5 Consultation, engagement and advice**

- 5.1 The Capital and Assets Board (the Council's internal governance process for capital projects) has considered and supports the proposal and comments from the Board have been incorporated into the final proposal and recommendations. No material changes have been made to the proposal or the recommendations since consideration by the Board.
- 5.2 The preferred option has been chosen following review of the options through WSCC's capital governance arrangements and confirmation on the need for places and funding available.
- 5.3 The Headteacher and Governors have been fully involved in the feasibility study and they will continue to be involved in the full design work required to increase accommodation at the School.
- 5.4 The establishment of the Phase 2 Special Support Centres was subject to a separate consultation and this consultation was undertaken in Spring 2020. The outcome of the consultation exercise was positive for all proposals.

- 5.5 The details of the proposal have been shared with the local Members representing the Divisions.
- 5.6 The Cabinet Member for Finance and Resources has been consulted on this proposal.
- 5.7 The proposals will be subject to planning permission.

## **6 Finance**

- 6.1 The High Needs Block funding from the Department for Education is currently no longer sufficient to meet the increasing costs of providing for the number of children with Education Health and Care Plans (EHCPs). In March 2015 3,423 children and young people in West Sussex had EHCPs and by September 2020 this number had risen to 5,848, an increase of 581 since the beginning of 2020 which is higher than the annual increase seen over the last two financial years (401 in 2017/18 and 355 in 2018/19).
- 6.2 The main pressure area within the High Needs block continues to be placements made in the Independent and Non-Maintained Sector (INMS). Although these numbers dropped by 17 in the last quarter of 2018/19, they increased by 68 during 2019/20. In total INMS placements have increased by 178 over the last five years, but 38% of this increase has come in the last year.
- 6.3 The needs of children with Special Educational Needs and Disability (SEND) are also becoming more complex and this is driving increased financial pressures across the system. There is a shortage of local specialist educational provision to meet need, particularly in relation to Autism Spectrum Disorder (ASD) and Social, Emotional and Mental Health Needs (SEMH), and this is resulting in the County Council needing to increase the number of children educated in specialist placements with independent providers. There is also an increased demand for top-up funding across all settings.
- 6.4 The table below shows the additional draw down into the main Capital Programme required is £0.880m to progress the design work and seek planning permission.
- 6.5 The £0.880m being requested will be funded from the unallocated SEND Grant approved by the County Council in February 2020. The SEND Grant was provided by Government to enable investment and create additional places for children with SEND. The table below demonstrates the funding split and funds available based on the approved capital programme for 20/21.

	<b>Approved Capital Programme £m</b>
Special Schools - SEND Grant	4.876
SSCs Phase 1 – Basic Need	1.000
SSCs Phase 2 – Basic Need	1.845
SSCs Phase 2 – Basic Need (formerly Revenue Contribution to Capital Outlay)	1.845
Huronsdale	-0.200
Palatine	-0.270
QE2	-1.400
<b>Phase 2 SSC design fees</b>	<b>-0.880</b>
<b>Total Budget Remaining</b>	<b>6.816</b>

- 6.6 The remaining unallocated funds after the allocation for design fees for the Phase 2 SSCs is £6.816 when looking at amounts approved within the Capital Programme.
- 6.7 Any works arising from the design stages shall not exceed the available programme budget and further phases of the SEND strategy may need additional funding, possibly from S106 contributions and/or the Basic Need capital allocation.
- 6.8 The County Council’s Multi-Disciplinary Consultant (MDC) was appointed to undertake the feasibility studies. The cost of this initial stage was funded by revenue.
- 6.9 The budget requirement to complete the design phase of these projects is therefore £0.880m funded from the SEND budget within the approved Capital Programme. The table below shows the projected profile of the gross project costs.

<b>Capital Programme allocation</b>	<b>2020/21 £m</b>	<b>2021/22 £m</b>	<b>Total £m</b>
Phase 2 SSC design fees allocation	0.700	0.180	0.880
Funded by SEND Grant	0.700	0.180	0.880

## 7 Risk implications and mitigations

<b>Risk</b>	<b>Mitigating Action (in place or planned)</b>
Planning permission will not be secured for the settings where planning permission is required	Pre-application meetings will be held with Planners to identify any concerns and ensure the application incorporates all documentation required
Children who could be accommodated in mainstream settings will be placed in the SSCs at a higher cost than a mainstream setting	Individual placements to be closely considered and reviewed by the relevant team in Education and Skills
Parents will continue to opt for INMS placements rather than new places in WSCC SSCs	Education and Skills to work with parents and carers to identify the new provision and ensure comparable support to the INMS settings

## 8 Policy alignment and compliance

### 8.1 Legal Implications

The County Council's Multi Disciplinary Consultant (MDC) will be appointed to undertake the design work required. The MDC was competitively procured following an OJEU compliant procurement process. The instruction of the MDC to provide technical consultancy advice for the design of the SSCs is compliant with procurement regulations and the Council's Standing Orders. Any resulting contracts required following the design work will be procured in accordance with the Council's Standing Orders on Procurement and Contracts and PCR 2015 as applicable and Legal Services will be instructed in the usual manner.

### 8.2 Equality Duty and Human Rights Assessment

Section 149 of the Equality Act 2010 requires that public bodies, in exercising their functions, have due regard to the need to (1) eliminate discrimination, harassment, victimisation and other unlawful conduct under the Act, (2) advance equality of opportunity and (3) foster good relations between persons who share a protected characteristic and persons who do not share it. This proposal will ensure suitable designs for those with protected characteristics

### 8.3 Climate Change

The County Council's Design Guides will be adhered to in relation to the designs of the Special Support Centres. The Design Guides have recently been updated to ensure school building designs are in line with the County Council's Climate Change Strategy.

### 8.4 Crime and Disorder - None

### 8.5 Public Health – None

### 8.6 Social Value - Not application for this specific proposal.

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**Background papers** - None