

Wiltshire Council

Cabinet

27 July 2010

Subject: Review of Special Educational Need (SEN) Provision – Post Consultation Report

Cabinet member: Councillor Lionel Grundy – Children’s Services

Key Decision: Yes

Executive Summary

The Council has a statutory responsibility to keep Special Educational Needs (SEN) provision under review. The Joint Area Review (2008), concluded that value for money in relation to SEN provision needed to improve. It is also a priority to close the gap between the achievement of pupils with SEN, and their peers without SEN, particularly for primary aged pupils. The Review seeks to initiate a process of whole system change to address these issues with implementation from September 2011.

Proposal

The Cabinet agree that:-

1. A SEN Inclusion Service be made available to provide a wider range of SEN advice to schools.
2. An SEN Support Network be set up to co-ordinate SEN support services and outreach advice from schools.
3. The formulae for funding SEN in Resource Bases and mainstream schools be reviewed to help improve SEN provision.
4. A statutory notice be published regarding the closure of the Specialist Learning Centre for Autism at Holy Trinity Primary School, Calne.
5. A statutory notice be issued regarding the closure of the Specialist Learning Centre for Complex Needs at the Manor Primary School, Melksham, which should cease to admit pupils and the provision used to increase capacity at the school’s Autism Centre to 21 places.
6. The capacities of the Centres for Hearing Impairment (HI), Physical Impairment,(PI), Speech, Language and Communication, and ASD be adjusted as set out in the tables at paragraphs 25 and 27 in the report.
7. The capacity of the Specialist Learning Centres for Complex Needs at the following primary schools be adjusted to 20: The Avenue School, St Dunstan Church of England Primary, Frogwell Primary, King’s Park Primary, Salisbury Manor Fields Primary, Studley Green Primary, Wansdyke Community School,

and be funded according to the number of full time places commissioned by the Council on an annual basis, under the new service level agreement and formula funding arrangements. For 2011/12 the number of places, commissioned would be the same as the capacity.

8. The Specialist Learning Centres for complex needs at St Peter's Junior School and St Mary's Infant School Marlborough to develop arrangements to work together as a joint provision with a nominal capacity of 10 for each school. The centres to be funded according to the number of full time places commissioned by the Council on an annual basis, under the new service level agreement and formula funding arrangements. For 2011/12 the number of places commissioned would be the same as the capacity.
9. A statutory notice be issued for the closure of the Early Years Provision at St Mary's Marlborough so that it can become part of the Early Years SEN Network, subject to a contractor being engaged to take over the running of the provision.
10. The Specialist Learning Centres for complex needs at Westbury Junior School and Westbury Infants School to develop arrangements to work together as a joint provision with a nominal capacity of 10 each for each school. The centres will be funded according to the number of full time places commissioned by the Council on an annual basis, under the new service level agreement and formula funding arrangements. For 2011/12 the number of places commissioned would be the same as the capacity.
11. Studley Green Primary School to retain Specialist Learning Centres for Complex Needs and Speech Language and Communication Needs, and will be funded according to the number of full time places commissioned by the Council on an annual basis, under the new service level agreement and formula funding arrangements.
12. Statutory notices be published regarding the closure of:
 - a. The Specialist Learning Centre for Complex Needs at Durrington Junior School.
 - b. The Specialist Learning Centre for Complex Needs at Harnham Junior School
 - c. The Specialist Learning Centre for Complex Needs at Mere School.
 - d. The Specialist Learning Centre for Complex Needs at Zouch School in Tidworth.
13. The Specialist Learning Centre for Complex Needs at Longleaze Primary School should be retained under the new service level agreement and formula funding arrangements pending a review, starting in 2012, of all SEN provision in the North East of Wiltshire, including special school provision in the area adjacent to Swindon. The centre to have a nominal capacity of 10 places and be funded according to the number of full-time places commissioned by the Council on an annual basis. For 2011/12 the number of places commissioned would be the same as the capacity.
14. The Specialist Learning Centre for Complex Needs at Malmesbury Primary School be retained under the new service level agreement and formula funding arrangements pending a review, starting in 2012, of all SEN provision in the North East of Wiltshire, including special school provision in the area adjacent to

Swindon. The Centre to have a nominal capacity of 10 places and be funded according to the number of full-time places commissioned by the Council on an annual basis. For 2011/12 the number of places commissioned would be the same as the capacity.

15. The descriptions, age ranges and capacities of special schools be amended as set out in the table at paragraph 41 in the report.
16. All pupils moderated at Level 2 of Enhanced Learning Provision (ELP) in Secondary Schools to have a Statutory Assessment initiated as a matter of course. The current arrangement where pupils without statements can be funded through ELP be retained pending discussions on the further developments of ELP provision.

Reason for Proposals

The proposals taken together will initiate the system change needed to improve educational provision and raise the achievement of pupils with SEN by:

- Better commissioning of SEN provision to match need.
- Releasing resources to support improved provision for pupils with SEN in mainstream schools and Specialist Learning Centres in mainstream schools.
- Refocusing SEN support services to schools.
- Ensuring more consistent and focussed outreach support from specialist provision to support mainstream schools.

Carolyn Godfrey
Director of Children's Services

Wiltshire Council

Cabinet

27 July 2010

Subject: Review of Special Educational Need (SEN) Provision – Post Consultation Report

Cabinet member: Councillor Lionel Grundy – Children’s Services

Key Decision: Yes

Purpose of Report

1. To give the outcome of the consultation on the Review of Special Educational Needs (SEN) Provision that was held from 22 February to 24 May 2010.
2. To make recommendations for decisions on future provision based on the matters considered in the Review.

Background

2. Wiltshire Council has a statutory duty to keep SEN provision under review. The current review is primarily concerned with three mutually dependent areas of activity:

- Provision in Specialist Learning Centres (SLCs)
- Wiltshire Council SEN support services to schools
- Provision for pupils with SEN in mainstream schools.

The review also includes some aspects of special school provision and Enhanced Learning Provision (ELP) in secondary schools.

The Council needs to make some changes in the way it makes provision for pupils with SEN in primary schools to help reduce the SEN/non SEN achievement gap, make it possible for more children to be included in their local school and to make sure that the money spent on SEN supports the best achievements of pupils.

3. The Joint Area Review in 2008 raised concerns about value for money in the Council’s provision for SEN. The proposals in the review set out to enable more efficient use of resources whilst securing and enhancing a quality core of SEN provision for Wiltshire.
4. When comparing Wiltshire to both our Statistical Neighbours (local authorities with similar characteristics) and other South West local authorities, Wiltshire has a much lower percentage (35.6%) of pupils with Statements in mainstream schools than average (48.6% for statistical neighbours and 50.9% for South West LAs). Wiltshire has a higher percentage of statemented pupils in SLCs and other Units (13.7%) than average in other comparable LA’s (1.8% for statistical neighbours and 2.9% South West LAs). See Appendix 8.

5. The Achievement gap between pupils with SEN needs and their peers, based on pupils achieving level 4 or above in both English and mathematics, Appendix 7, shows that Wiltshire has a higher than average attainment gap for both Statistical neighbours and the South Western local authorities. The national average is 50.8% and Wiltshire is 54.5% in 2009.

6. **Consultation**

Prior to the consultation, during Autumn 2009 there were discussions with:

- Wiltshire Association of Secondary Headteachers –
- Primary Headteachers Forum
- Special School Headteachers
- Wiltshire Parent and Carers Council
- The Special Educational Needs Parents Forum
- The Children and Young Peoples Trust Disability Group
- The Children and Young Peoples Trust Executive

These discussions were in relation to the:

- Guiding Principles for SEN Service Delivery
- Special Educational Needs Service Delivery Statement

These two documents form the basis of the principles used in the Review of SEN. There was general agreement that the principles gave a firm basis for the development of SEN provision in Wiltshire.

7. The Children's Services Select Committee considered a report setting out the Review issues at its meeting on 28 January 2010. It endorsed the issues as the basis for the consultation document, together with the principles underpinning the review.
8. A wide ranging consultation was conducted, covering the period of 3 months to 24 May 2010. The consultation document (Appendix 1) was sent in hard copy to:
- All parents of children with a Statement of SEN maintained by Wiltshire Council.
 - Parents of children without a Statement of SEN who are accessing provision within the Specialist Learning Centres (SLCs).
 - Headteachers of Wiltshire schools.
 - Special Educational Needs Coordinators (SENCOs) of Wiltshire schools.
 - Chairs of governing bodies of Wiltshire schools.
 - Other local authorities that share a boundary with Wiltshire or have children with Statements of SEN placed in Wiltshire schools.
 - Health Service bodies
 - Trade Unions
 - Diocesan authorities
 - MPs with Wiltshire constituencies

The Consultation document was sent in electronic form to:

- Wiltshire Area Boards

The consultation document was also available on the Council's website. Attached to the consultation document was a response proforma with space for further comments.

9. Five consultation meetings were held in different locations and the notes from each meeting are available with the full set of written responses for access by Members of the Council the Members' Room, through the Cabinet Member for Children's Services and on the Council's website. The venues for the consultation meetings are set out on page 10 of Appendix 1. The full list of organisations consulted is set out in Appendix 9.
10. The responses to the consultation were collated with a statistical analysis completed from the proforma responses. Comments from the forms were collated in sections relating to each question. Other letters and e-mails are available in the Cabinet and Members' Rooms.
11. Three batches of consultation response forms were returned that appear to display pre-selected choices using a tick or a full stop.
12. The large number (135) of 'batched' response forms in the consultation responses means that we have to be particularly careful to fairly report individually completed forms. In Appendix 10 the individually completed forms and the 'batched' forms have been analysed separately and together, so that there is nothing to fetter the drawing of conclusions by decision makers.
13. Two petitions were received. One was received at the Salisbury public meeting from a parent from Harnham Junior School containing 114 names in response to the wording "Petition to Save our SLC" The second petition contained 3,456 names was received at County Hall from parents at Longleaze School in response to the wording "Stop the proposed closure of our Specialist Learning Centres".
14. There was consultation with children and young people through primary school councils and the Wiltshire Assembly of Youth. These responses are available to members in the Members Room.

Children from Longleaze Primary School accompanied by adult helpers visited County Hall to deliver the Longleaze petition and some response forms. They were invited to tea and had a tour of the Council Chamber.

15. Public Meetings

The attendance at public meetings was variable with only small numbers attending most meetings except those in Chippenham and Trowbridge. All comments from the public meetings were recorded and are available to Members of the Council through the Cabinet and in the Members Room.

16. Analysis of Consultation

The number of individually completed response forms returned was a small percentage of the forms sent out. Many forms expressed views on a small number of the consultation issues as these were the issues affecting consultees. There was a clear majority wishing to retain both SLCs at Studley Green.

17. A number of groups opposed the proposed closure of the Specialist Learning Centres for Complex Needs at Malmesbury and Longleaze Primary schools (Wootton Bassett). Of the individual letters, e-mails and printed leaflet responses received, 57.5% were concerned with Longleaze and 30.5% with Malmesbury. Many of these written responses did not appear to differentiate the schools' own SEN provision, for which it has its own funding, from the Specialist Learning Centre which has a Council provision function and additional resources. Many parents may have been under the false impression that all special needs provision was being withdrawn, or that the schools would not be able to continue to meet the special educational needs of pupils at the school.
18. In relation to all the proposals, concerns were expressed about transition arrangements for children currently on roll. In relation to the proposed closure of the Autism Centre at Holy Trinity Primary School (Calne) and the possible transfer of the pupils to the Manor Primary School (Melksham) the concern was in relation to the nature of the children's needs.

Main Considerations for the Council

SEN Inclusion Service

19. Overall 29% of respondents agreed, 25% disagreed and 45% expressed no opinion. A SEN Inclusion Service will enable the support for capacity building in primary schools to be improved and more advice on supporting individual pupils with specific SEN needs such as Autism, or Speech, Language and Communication Needs to be available to schools. This will build upon the enhanced level of expertise available to SENCOs following the new national training for newly appointed SENCOs. The aim is to ensure that primary schools will in the future feel confident that they will be able to call on advice and support above the level generally available in schools. This service can be created from the existing central staffing establishment through restructuring and new job descriptions, however, it may be necessary to look at alternative arrangements in the future as a result of the creation of Academies and the potential impact on the funding arrangements for this service.

Support Network

20. An SEN support Network is needed to co-ordinate centrally managed SEN Support Services and outreach providers from schools. Overall 29% of respondents agreed, 24% disagreed and 47% expressed no opinion. Currently there is some outreach through the Social Communication Intervention Team (SOCIT) and outreach from complex needs Specialist Learning Centres. There are significant issues in relation to access to this support and equity of provision across Wiltshire. In particular the number of sessions per term available as outreach from the SLCs for Complex Needs varies greatly depending on the Centre. Special School outreach does not have equity of access across Wiltshire. Therefore a new structure is needed to co-ordinate the resources available in the future, to ensure that there is a more equitable and effective offer available that does not duplicate the work of other services. Initial work on this coordinating function can be resourced by restructuring existing Local Authority posts.

Formula Funding

21. Work has been undertaken with staff of the various Specialist Learning Centres over the last year to develop service level agreements and formula funding arrangements that are needs led, transparent and responsive to changing pupil needs. Overall 46% of respondents agreed, 6% disagreed and 48% expressed no opinion. This work has reached an advanced stage in relation to Complex Needs, Autism, and Speech, Language and Communication. Proposals for changes to the formula funding scheme for these centres will be put to School's Forum for inclusion in the 2011-2014 funding cycle. Proposals for the other centres will be brought forward in the same way. The School's Forum has already agreed in principle that the service level agreements should be implemented. Funding will be on the basis of the capacity of the centre for 2011/12 and then in succeeding years according to the number of full-time places commissioned by the Council. This is set out in detail in the Service Level Agreement Document attached as Appendix 14.
22. Work has commenced with primary schools regarding changes to the mainstream SEN formula funding scheme. Funding released from the closure of centres, should this proceed, will be added to the Individual Schools Budget (ISB). Consideration will be given to transferring resources from centrally held budgets within the Dedicated Schools Grant (DSG) to the delegated Individual Schools Budget to promote early intervention by schools directly. This will help improve the percentage of funding delegated to schools, and in particular attention can be given to increasing the funding allocated through deprivation indices in line with the goals of the coalition government to reduce the achievement gaps between different groups of children and young people.

Autism Centres

23. Overall 10% of respondents agreed, 24% disagreed and 66% expressed no opinion about the proposed closure of the Autism Centre at Holy Trinity Primary School, however the pre-completed forms gave a different pattern to the individually completed forms (Appendix 10). A similar pattern was apparent in relation to the proposal concerning the Manor. The three centres for children with Autism, Charter, Woodford Valley and The Manor) are full most of the time. They have a capacity of 14 places each. The proposal to close the Specialist Learning Centre for Autism at Holy Trinity Primary School (Calne) was taken forward after initial contact from the governors of the school. The centre only has one class and therefore it is more difficult to cater for the full primary age range.
24. In Melksham there are currently two schools with Specialist Learning Centres for Complex Needs i.e. The Manor and Kings Park. The provision at Kings Park has enough capacity for the town, so the classroom currently being used for the SLC for Complex Needs at The Manor can be used for the Autism provision displaced from Holy Trinity Primary School. To take the proposals forward concerning Holy Trinity and The Manor it will be necessary for the Cabinet to agree that statutory notices school be published:
 - 24.1 To propose the closure of the Specialist Learning Centre for Autism Holy Trinity Primary School, Calne.
 - 24.2 To propose the closure of the Specialist Learning Centre for Complex Needs at the Manor Primary School, Melksham, which should cease to admit pupils and

the physical provision used to increase capacity of the ASD Resource Base to 21 places.

Hearing and Physical Impairment

25. The Specialist Learning Centres for Hearing Impairment and Physical Impairment will need to be retained, and their capacities need to reflect the future needs of Wiltshire's population. Therefore the capacities need to be adjusted as set out in the tables below. There was a higher percentage of consultation responses agreeing with this proposal amongst the individually completed responses.

Hearing Impairment and Physical Impairment Specialist Learning Centres in Mainstream Secondary Schools

SLC Information (09-10 FY Term 1 / 09-10 AY) School & Centre Type	Number of places funded 2009/10	Pupils with Statements placed by LA	Resource Base proposed capacity full-time 2011/12
HI			
Sheldon	6	6	14
Stonehenge	6	0	6
Total	12	6	20
PI			
Clarendon	12	<5	8
Trafalgar	4	<5	8
Total	16	<5	16

Hearing Impairment and Physical Impairment Specialist Learning Centres in Mainstream Primary Schools

SLC Information (09-10 FY Term 1 / 09-10 AY) School & Centre Type	Situation now		The Future
	Number of places funded 2009/10	Pupils with Statements placed by LA	Resource Base proposed capacity full-time 2011/12
HI			
Grove	8	<5	6
Sarum St Paul's	8	<5	6
Total	16	8	12
PI			
Pembroke Park	8	7	6
Total	8	7	6

26. Proposals will be discussed with Schools' Forum regarding changes to the formula for these centres to enable efficient use of resources. The formula must enable capacity to be retained in both the North/West and South/East of the county but also enable the funding to follow a reasonable allocation of planned places.

Autism/Speech, Language and Communication

27. There was a higher percentage of consultation responses agreeing with this proposal amongst the individually completed responses. The Specialist Learning Centres for Autism, and Speech and Language Needs need to be funded to a consistent pattern. Therefore it is proposed to organise the centres according to a class size of 9 for the Speech and Language Needs Centres, and 7 for the Autism Centres. This will enable a consistent needs led funding model to be proposed to Schools Forum, which will help overcome the identified funding shortfall in the Speech and Language Needs Centres. It is clear that these centres have been providing for children with increasingly complex needs, some of whom now have identified needs on the Autistic spectrum. Resources to address this shortfall will need to be found from within the Dedicated Schools Grant (DSG), from within the Individual Schools Budget (ISG), through cost reductions resulting from the closure of the identified Specialist Learning Centres for Complex Needs.

Specialist Learning Centres for Autistic Spectrum Disorders and Speech and Language needs in Mainstream Primary Schools

SLC information (09-10 FY Term 1 09-10 AY) School & Centre type	Number of places funded 2009/10	Situation Now			The Future Resource Base proposed capacity full- time 2011/12
		Pupils with Statements placed by LA	Number of pupils accessing 50% or more of week	Use, % available sessions	
Speech & Language					
Amesbury Christ the King RC	16	13	13	81	18
Corsham Primary	18	15	15	83	18
Studley Green	16	14	14	88	18
Wilton & Barford	10	9	9	90	9
Total	60	51	51		63
Autism					
Charter	14	14	14	100	14
Holy Trinity	8	<5	<5	38	0
Manor	14	14	14	100	21
Woodford Valley	12	14	14	100	14
Total	48	45	45		49

Complex Needs

28. The table in Appendix 4 regarding the Specialist Learning Centres for Complex Needs shows that the overall use of available sessions of 59% indicates a very considerable under-utilisation of resources. Overall responses to the proposal to close some of the SLCs for Complex Needs were 9% agreed, 37% disagreed and 54% expressed no opinion. As a large proportion of the people who disagreed were clearly concerned about the proposals in relation to Malmesbury and Longleaze responses these have been taken into account in the recommendations.
29. The levels of need catered for by the various Centres are inconsistent and do not enable the Council to inform parents what the SEN offer is across the county. New service level agreements and centrally managed admissions will enable this to be rectified. As there are many pupils with SEN in Wiltshire's mainstream schools, having needs at this level met successfully, it does emphasise that this provision should be for pupils with Statements at a higher level of need. Based on the assessment of need 180 places will provide sufficient capacity for the County as a whole and enable a geographical distribution to keep travelling time

to a minimum. There will be an additional expectation that the centres will provide training opportunities for local schools as part of the SEN Support Network. A new formula funding scheme will be discussed with Schools Forum, with any additional resources being dependent on the resources being released from centres that are proposed for closure. Schools Forum, at its meeting on 24 June 2010 agreed that the Service Level Agreement (Appendix 14) was the way that Resource Base provision will be commissioned in the future. Should Cabinet decide that a centre be closed or that its designation be changed, then a statutory notice would need to be issued. Transitional arrangements are set out later in this report and in Appendices 3 and 4. In the consultation there were more individually completed responses against the closure of some of the centres (23%) as against (11%) for the proposal, however 66% offered no opinion. (Appendix 10). Many of the responses were specifically concerning the proposals to close the centres at Malmesbury Primary and Longleaze Primary schools.

30. It is important that when a child has high level needs that require a Specialist Learning Centre place, then that provision is made for the whole of the primary phase in the same school. Currently there are two Specialist Learning Centres for Complex Needs based in Junior Schools without a local infants school making equivalent provision. These do not enable a child to have provision in one school for the primary phase, and the centres cannot be potentially large enough to support two teachers which is desirable. Therefore it is proposed to close both Harnham Junior (Salisbury) and Durrington Junior School Specialist Learning Centres for Complex Needs.
31. The proposal to close the Specialist Learning Centre for Complex Needs at Zouch school has not raised appreciable comment during the consultation. The school has provided a lot of outreach support to other schools but there is not the amount of high level needs in the area to warrant retaining the centre.
32. The proposal to close the Specialist Learning Centre for Complex Needs at Mere School has not raised appreciable comment during the consultation. The school has provided a lot of outreach support to other schools but there is not the amount of high level needs in the area to warrant retaining the centre.

Statutory notices should be published regarding the closure of:

- a. The Specialist Learning Centre for Complex Needs at Durrington Junior School.
 - b. The Specialist Learning Centre for Complex Needs at Harnham Junior School
 - c. The Specialist Learning Centre for Complex Needs at Mere School.
 - d. The Specialist Learning Centre for Complex Needs at Zouch School.
33. At Manor Fields Primary School in Salisbury recent building work has provided the Specialist Learning Centre for Complex Needs with accommodation that is in line with current central government recommendations for a two class centre. As this provision is centrally placed to serve the Salisbury area it is proposed to expand this centre to 20 places to provide for this part of the county. The school supports expansion of the provision.
 34. Malmesbury Primary School serves an area with a level of SEN well below the average for Wiltshire. It is clear that the school wishes to keep the centre open.

The school's own special needs provision has been historically made through the same organisational arrangements as the Specialist Learning Centre for Complex Needs. There was strongly expressed support for keeping the Centre open. The Specialist Learning Centre for Complex Needs at Malmesbury Primary School should be retained under the new service level agreement and formula funding arrangements pending a review, starting in 2012, of all SEN provision in the North East of Wiltshire, including special school provision in the area adjacent to Swindon. The Centre should have a nominal capacity of 10 places and be funded according to the number of full-time places commissioned by the Council on an annual basis. For 2011/12 the number of places commissioned would be the same as the capacity.

35. The proposal to close the Specialist Learning Centre for Complex Needs at Longleaze Primary School at Wootton Bassett has been the subject of much comment during the consultation. This included a petition and a large number of individual responses. It has become clear during the consultation that there are some geographical factors that will need further examination. The Specialist Learning Centre for Complex Needs at Longleaze Primary School should be retained under the new service level agreement and formula funding arrangements pending a review starting in 2012 of all SEN provision in the North East of Wiltshire including special school provision in the area adjacent to Swindon. The centre should have a nominal capacity of 10 places and be funded according to the number of full-time places planned by the Council. For 2010/11 the number of places funded would be the same as the capacity.
36. The Consultation revealed clear agreement for the pre-school provision at the Specialist Learning Centre at St. Mary's Marlborough to become part of the Early Years SEN Network. A statutory notice should be issued for the closure of the Early Years Provision at St Mary's Marlborough so that it can become part of the Early Years SEN Network, subject to a contractor being engaged to take over the running of the provision as part of a contract for the area.
37. There were strong representations from the local community of Studley Green to retain the two centres for Complex Needs and Speech Language and Communication needs. The statistical analysis of the consultation responses regarding whether it would be beneficial to seek another school to host one of the Specialist Learning Centre at Studley Green Primary School gave a clear majority against the proposal. Studley Green Primary School should retain Specialist Learning Centres for Complex Needs and Speech Language and Communication Needs.
38. There was clear support for the development of a joint provision to cover the primary phase at Westbury Infants and Juniors as there was no available capacity in another primary school. Both Headteachers have agreed to work together to ensure progression and continuity. Officers will work with the schools to ensure that resources and staff are managed in a sensible and efficient way within the new service level agreement arrangements. The Specialist Learning Centres for complex needs at Westbury Junior School and Westbury Infants School should develop arrangements to work together as a joint provision with a nominal capacity of 10 each.
39. There was clear support for the development of arrangements for St. Peter's Junior School and St. Mary's Infant School Marlborough to work together as there was no available capacity in another primary school. Both Headteachers

have agreed to work together to ensure progression and continuity. Together the schools will be funded as one centre in the new formula funding arrangements, and resources will be allocated separately and managed in an efficient way within the new service level agreement arrangements. The Specialist Learning Centres for complex needs at St Peter's Junior School and St Mary's Infant School Marlborough should develop arrangements to work together as a joint provision with a nominal capacity set as 10 for each school

Designation

40. The current Specialist Learning Centres in Wiltshire will in the future be known as Resource Bases as this is a nationally used term. The Speech Language and Communication Needs Centres will be known as Communication and Interaction Resource Bases.

Special Schools

41. The proposals regarding the amendment to the SEN designation, age ranges and capacities of special schools were well supported although there were some comments on individual issues.

WILTSHIRE SPECIAL SCHOOL AGE RANGES, DESIGNATIONS AND CAPACITY

Name of School Current Designation (DCSF Website)	Current Age range & Sex	Current DCSF Capacity	Residential/ Day	Proposed Designation	Proposed Age Range & Sex	Proposed capacity	Residential/ Day
Downland EBD + SpLD	11-16 Boys	63	Boarding & Day	BESD	11-16 Boys	70	Day and 22 residential places
Exeter House VI + MLD, SLD, Autism, EBD, delicate medical, PD, SpLD, Sp&Lang	2-19 Mixed	96	Day	ASD/SLD	3-19 Mixed	100	Day
Rowdeford MLD	11-16 Mixed	124	Boarding & Day	ASD/ Complex needs	11-16 Mixed	130	Day and 23 residential places
Larkrise MLD + SLD	4-19 Mixed	78	Day	ASD/SLD	3-19 Mixed	78	Day
Springfields EBD	10-16 Mixed	65	Boarding	ASD/BESD	9-16 Mixed	70	Residential places
St Nicholas SLD	2-19 Mixed	68	Day	ASD/SLD	3-19 Mixed	68	Day
Total		494				516	

42. One issue raised was about the combination of the Behaviour, Emotional and Social Difficulties (BESD) and the Autistic Spectrum Disorders designations. Some respondents were concerned about the potential effects of the joint designation on some pupils with ASD, however the Headteacher and Governors of the schools were supportive of change. What is important is to ensure that only pupils that can benefit from the provision are admitted. This will be managed

through the Central SEN Panel that makes admissions decisions. The descriptions, age ranges and capacities of special schools should be amended as set out in the preceding table, Wiltshire Special School Ages Ranges, Designations and Capacity.

43. Another issue raised by respondees was about the lack of post 16 provision at some of the schools. This will be addressed as part of the work of the Select Committee Task Group on SEN, proposed for Autumn 2010, together with the new commissioning role of the local authority for post 16 provision.

Enhanced Learning Provision

44. The proposal to ensure that all pupils admitted to Enhanced Learning Provision (ELP) in Secondary Schools would have statements of SEN was supported by parent respondees. However as this provision is in all non-selective secondary schools in Wiltshire and the resources are for pupils from that school only it is proposed to only proceed at present with a requirement for Statements of SEN to be issued for pupils who have been assessed as being at ELP2, i.e. the higher level of need. All pupils moderated at Level 2 of Enhanced Learning Provision (ELP) in Secondary Schools should have a Statutory Assessment initiated as a matter of course. The current arrangement where pupils without statements can be funded through ELP1 should be retained pending discussions on the further developments of ELP provision.

Transitional Arrangements

45. It is vital that transitional arrangements are put in place to support the needs of pupils who are within the Specialist Learning Centres for Complex Needs proposed for closure and who would still require provision at that level of need. Where pupils were admitted to such a Specialist Learning Centre, on the understanding that provision could be made to meet their needs without a Statutory Assessment/Statement of Special Educational Needs being required, it is essential that the Statutory Assessment is carried out quickly to determine the most appropriate provision for the pupil. Should the Centre close, resources can be provided through an individual Named Pupil Allowance, which will allow the pupil's needs to be met in the school where the centre currently is, or in a school local to the pupil's home. Full details of the transition arrangements are set out in Appendix 2.
46. The provision of SEN advice, support and challenge to primary schools needs to be a coherent offer across the whole of Wiltshire. Therefore the provision of this service centrally will in future enable schools to be supported according to their organisational and pupil needs. Work to create an Inclusion Support Service is underway, but until that is completed the current Learning Support Service will target support on those primary schools that currently receive outreach support from Specialist Learning Centre staff. As this support has been at a low level historically from most Centres it will be possible to assimilate it into the work of the service. The details of this transitional support for schools is set out in Appendix 3.

Environmental and Climate Change Considerations

47. It is possible that some buildings currently used will be closed, and others will extend their capacity within the confines of the current site. It is anticipated that

these changes will result in the static carbon footprint decreasing for the SEN service. At this stage it is unclear as to whether the buildings that become unoccupied would be used for other Council purposes and how any alternative uses could impact the overall carbon footprint of the authority. With more children being educated at their local schools journey distances should decrease, lowering the carbon emissions. An assumption is that with more children in local mainstream schools there may be increased need for specialist staff to commute around the county. This may increase the number of business miles claimed. This will be mitigated by ensuring staff follow the authority's green travel guidance. There are no perceived environmental management issues associated with the report. As SEN provision is under constant review, further consideration does not need to be given to the unavoidable impacts of climate change at this stage.

Equalities Impact of the Proposal

48. The review proposes a number of changes that together should mean that there will be greater inclusion. This will mean that pupils with SEN will be more likely to be able to attend their local school with appropriate levels of support so reducing the achievement gap and promoting cohesive communities.

Risk Assessment

Risks

49. **If it is not decided to proceed with the proposals:**

- There will be reduced resources to enable the reallocation of funding to correct the imbalance of SEN provision.
- The SEN budgets of mainstream schools and the budgets of SEN centres will not be enhanced and it will not be possible to provide appropriately for children with high level needs, possibly creating a requirement for expensive out of authority placements.
- The provision of SEN advice and support for mainstream schools will not be improved and the level of achievement of primary phase pupils with SEN will not improve.
- Parents of prospective special school pupils will be confused regarding the type of special needs the school is approved for and the age range and capacity of the school may not reflect the current operational position.

50. **If it is decided to proceed with the proposals:**

- Some pupils might be affected by changes to their SEN support.
- Mainstream schools may not be able to further develop their SEN expertise prior to changes in pupil provision.
- A high enough level of resources might still not be available for some children in the current centres.
- Where a number of pupils on the roll of the host school for a Centre that closes all have new Statements of SEN and Named Pupil Allowances, this could put a strain on the school budget to provide the school's financial contribution.
- A few pupils may have to travel further.
- Some schools with Complex Needs Centres may have to review their SEN budgets if the school was using some Specialist Learning Centre resources for main school SEN provision.

Mitigations

51. If it is not decided to proceed with the proposals:

- Schools Forum would have to consider reallocating funding from mainstream school budgets to correct the budget shortfalls in the SEN Centres that remain open, with the effect of disadvantaging a number of pupils in mainstream schools.
- Some Centres would have to have a reduction in planned places to reduce the amount of spare capacity and allocated funding. This could reduce the quality and sustainability of provision.
- The Inclusion Support Service would still need to be created to provide advice to mainstream schools to improve their capacity to raise standards for pupils with SEN.

52. If it is decided to proceed with the proposals:

- Each child in an SEN centre that closes will have individual transition arrangements made in conjunction with the parents and the school.
- Schools that relied on advice and support from Specialist Learning Centres will have an additional allocation of time from the Learning Support Service to help them further develop their SEN capacity.
- A transitional allowance will be provided for Centres that are closing to allow them time to adjust their budgets. This will enable the school to fund for two years the school's contribution to the funding to support the Statement where a Named Pupil Allowance is in place for a child that was in a Specialist Learning Centre. The aim will be to provide support to enable the child to remain at the school.
- A statutory assessment should be conducted for any pupil on the roll of a Specialist Learning Centre for Complex Needs identified for closure, if there is any doubt about the level of a child's needs and whether a statement of SEN is needed.
- Schools with Specialist Learning Centres that are closing will be provided with additional budget planning advice by Council staff.

Financial Implications

53. Complex Needs Centres – there will be savings arising from the proposed closures of Specialist Learning Centres for complex needs. Excluding Longleaze and Malmesbury which were originally proposed for closure these are estimated at £392,000, based on 2009/10 costs, in a full year. The transitional arrangements details in Appendix 2 will result in additional costs estimated at £35,200 in the first year (again excluding Malmesbury and Longleaze). The detailed savings are outlined in the table below using the 2009/10 cost base for comparisons.

Specialist Learning Centres – Complex Needs – Financial Implications

School	Estimate of Extra NPA Units at rate of £440 p.a.	NPA Extra Cost	Current Cost 2009/10	Additional Formula Cost	Cost reduction	Cost of Transition Allowance per year for two years
Durrington Junior	34	14,960	92,916		77,956	4,400
Harnham Junior	60	30,800	97,231		66,431	13,200
Manor	25	11,000	90,754		79,231	
Manor Fields	0	0	84,286	69,116	-69,116	
Mere	30	13,200	97,231		84,031	11,000
St Mary's Pre-School	0	0	86,288		86,288	
Zouch Primary	38	16,726	84,286		67,560	6,600
TOTAL	187	86,686	632,992		392,381	35,200
Longleaze Primary	85	37,400	97,230		59,830	13,200
Malmesbury Primary	55	24,208	82,128		57,920	8,800
TOTAL	327	148,294	812,350	69,116	510,131	57,200

54. Autism Centres – it is anticipated that the cost of the additional class in the Autism Centre in the Manor will be offset by savings from the closure of the Autism Centre at Holy Trinity. Funding models for Autism Centres are being developed and will be considered by School's Forum in time to set the budget for 2011/12. It is recommended that a transitional contingency of £9,000 be retained to fund provision for any pupils who do not transfer to The Manor. These costs are likely to be in the form of additional Named Pupil Allowances for other local schools. This transitional funding would be required at least one year.

Transport Costs

55. i. Specialist Learning Centres

There will be an impact on the cost of transport to school for those pupils attending Specialist Learning Centres for Complex Needs. Attendance will only be for whole days and this will enable transport to be delivered in a more cost effective way leading to savings within the SEN Transport Budget. It is anticipated that this will offset any additional costs arising from any children who have to travel to placements in other centres, see Appendix 13. It is further expected that over time increased inclusion in mainstream schools will further reduce transport costs to Specialist Learning Centres.

- ii. Transport to Special Schools

No significant impact is expected on the cost of adjusting transport capacity to special schools (Appendix 13). With the exception of transport costs all of the other costs of the other financial implications are within the DSG.

Utilisation of Savings

56. Resources released from the closure of some Specialist Learning Centres will be available to support the results of the needs led funding exercise being conducted in parallel to the Review of SEN Provision and also to support the review of the mainstream primary schools SEN formula. Formula reviews are being carried out for Speech, Language and Communication Centres in particular as it is felt that the current funding models are limiting provision for pupils within centres.
57. The development of the Inclusion Support Service will be undertaken from within the existing staffing establishment.
58. Redundancy costs – every effort will be made to minimise any staff redundancies arising from the closure of the Specialist Learning Centres and colleagues in HR will be working with DCE and the schools concerned to ensure opportunities for alternative employment. Currently redundancies that result in compensating savings to the overall schools' budget are allowable expenditure against the Dedicated Schools Grant, it is not proposed that any redundancy costs should be a cost pressure on the individual school concerned but they would be pressure on the overall schools' budget.

Legal Implications

59. If it is decided to change the character of a school, or to open or discontinue a school it is necessary to issue a Statutory Notice. This must be published in the press, displayed at the school and displayed in a conspicuous place in the area served by the school. A period of six weeks must be allowed for the notices to be in the public domain to ensure that there is time for any interested party to make a statutory objection. For proposals published:
 - Where there is no recorded statutory objection the decision can be confirmed by the Executive Member for Childrens' Services.
 - Where there is a recorded statutory objection the decision must be confirmed by the Cabinet.
60. A statutory notice should only be issued when it is clear that arrangements will be in place to make alternative provision for any pupils that could be displaced. It may be necessary to delay the publication of a statutory notice effected if there is doubt about the availability of alternative provision.

Options Considered

61. In relation to the proposals relating to the Inclusion Support Service, the SEN Support Network and special schools, the decision is whether to proceed with the proposals or to retain the status quo.
62. The proposals relating to formula funding are within the sphere of responsibilities of Schools Forum who will be able to consider options for changes to formulae.
63. The proposal to close the Autism provision at Holy Trinity School Calne was first raised by the governing body of the school. That proposal is related to the proposal to close the Specialist Learning Centre for Complex Needs at the Manor

School Melksham. The capacity there can then be used to expand the Autism provision so that there is still the same amount of Autism capacity available. Therefore the option of whether to close or not to close the Autism provision depends on the proposal to close the Specialist Learning Centre at the Manor. Therefore these are linked proposals if the Autism Centre at Holy Trinity is closed.

64. The proposal to close some of the Specialist Learning Centres for Complex Needs was set out in the Consultation document. It would be possible to close all of those centres or none of those centres. Alternatively it is an option to consider keeping some centres open that were proposed for closure. The more Centres that are kept open, the less funding will be available to make improved provision for pupils elsewhere. However, where issues have arisen in relation to individual Centres during the consultation period, it is necessary to take these into account. In relation to Longleaze Primary School Wootton Bassett it has been identified that there is an issue about distance from specialist provision for people living in the area to the north of Swindon. This requires further review and discussion with Swindon Local Authority. Therefore an option is to keep the Specialist Learning Centre at Longleaze Primary school open pending the results of the further review. As there is some overlap with the areas served by the Specialist Learning Centre at Malmesbury Primary school, another option could be to also keep that Specialist Learning Centre open pending the results of the review in the area around Swindon, and this is the recommendation.
65. Whilst it would not be appropriate to keep the high percentage of surplus capacity in the other Complex Needs Specialist Learning Centres it would not be sensible to close the Specialist Learning Centres at Longleaze or Malmesbury as further work needs to be completed.

Conclusions

67. The proposals to develop the Council's support services to schools for SEN should be taken forward.
68. The re-designation of special schools should proceed to the issuing of statutory notices.
69. Statutory notices should be issued to propose the closure of the Specialist Learning Centres proposed for closure in the consultation document with the exception of the Specialist Learning Centres at Longleaze and Malmesbury Primary Schools.
70. The Council should consider keeping the Specialist Learning Centres at Longleaze and Malmesbury Primary Schools open pending further review of SEN provision in the area around Swindon.

Carolyn Godfrey
Director of Children and Education

Report Trevor Daniels
Author: Head of Special Educational Needs – 01225 713762
Background None
Papers:

Appendices

1. Review of SEN Provision Consultation Document
2. Transitional Arrangements
3. Planned Inclusion Support Service Intervention During Specialist Learning Centre Transitional Period
4. Specialist Learning Centres for Complex Needs in Mainstream Schools
5. Guiding Principles for Specials Needs Service Delivery
6. Specialist Educational Needs Service Delivery Statement
7. National Indicator 104 (End of National Curriculum Year 6) Achievement gap between pupils with Special Educational Needs and their peers, based on pupils achieving level 4 or above in both English and Mathematics
8. Placement of children for whom the authority maintains a statement of special educational needs
9. Review of Educational Needs Provision Spring 2010 – List of people and interested parties who the consultation document was sent.
10. Summary of Responses to Review Questions
11. Summary of Letters, emails and additional comments
12. Analysis of short comments on response forms
13. Transport Cost Changes
14. Service Level Agreement – Complex Needs Schools Forum – 24 June 2010

Appendices - due the size of these appendices, these have been circulated to Cabinet members only but are available to other Councillors and members of the public along with the agenda on our website

<http://cms.wiltshire.gov.uk/ieListDocuments.aspx?CId=141&MId=415&Ver=4>

'Evidence pack' due the size of this information, this has been made available to members of the Cabinet, a copy has been placed in the Members' Room for inspection by and available for inspection by members of the public by contacting Democratic Services on 01225 713018.