

<b>Subject:</b>	<b>Special Educational Needs and Disability - Reorganisation of Special Schools and Pupil Referral Units</b>		
<b>Date of Meeting:</b>	<b>18 September 2017</b>		
<b>Report of:</b>	<b>Pinaki Ghoshal</b>		
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<b>Wards affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT**

- 1.1 This report is the latest in a series taking forward wide-ranging recommendations resulting from the review of special educational needs and disability (SEND) provision that was initiated in 2014.
- 1.2 The recommendations in this report are a significant milestone in the planned re-design of special school and Pupil Referral Unit (PRU) provision in the city, which:
- reconfigures our existing special schools and two Pupil Referral Units into three 'hubs' offering enhanced education, health support and extended day provision on one site
  - is based on a vision to improve the integrated education, health and care offer for our most vulnerable young people
  - maintains the number of special school and PRU places available
  - consolidates provision so that it runs more efficiently and more sustainably into the future
- 1.3 Specifically the report provides feedback from the recent formal representation period following the issue of statutory notices in respect of the proposals to make the required changes in respect of the following schools: Hillside school, Downs Park School, Downs View School, the Cedar Centre and Homewood College. The proposal to bring together the Pupil Referral Unit and the Connected Hub alongside Homewood College was not the subject of statutory notices, but this is a linked change.
- 1.4 On 13 June 2017 the CYPS Urgency Sub-Committee made the final decision to close Patcham House School on 31 August 2018. The intention is to open a new special facility in a mainstream school for children with similar needs to those previously met by Patcham House in September 2018. This new facility will complement the existing special facilities at Hove Park School and at BACA.

## **2. RECOMMENDATIONS**

2.1 That the Committee should confirm the proposals contained in the statutory notices and make a final decision to:

- a) expand, re-designate and extend the age range up to the age of 19 years of Hillside Community Special School, and
- b) close Downs Park Community Special School

so as to form the integrated hub for severe and complex learning difficulties in the west of the city with effect from September 2018

2.2 That the Committee should confirm the proposals contained in the statutory notices and make a final decision to:

- a) expand and re-designate Downs View Community Special School, and
- b) close the Cedar Centre Community Special School

so as to form the integrated hub for severe and complex learning difficulties in the east of the city with effect from September 2018.

2.3 That the Committee should confirm the proposals contained in the statutory notice and make a final decision to expand and extend the age range of Homewood College from 11-16 to 5-19 with effect from September 2018.

2.4 That having noted the outcome of the recent consultation (see Appendix 2 from the report to Committee on 19 June 2017), the Committee should approve the merger of the existing Pupil Referral Unit (PRU) and the Connected Hub, and the arrangements to bring the merged PRU together with Homewood College to form the integrated hub for social, emotional and mental health with effect from September 2018.

## **3. BACKGROUND INFORMATION**

3.1 The Local Authority (LA) began a wide ranging review of its provision for children with special educational needs and disabilities in 2014. There have been a number of milestones as the review has progressed towards more specific proposals for change. The review's journey is outlined in Appendix 1.

3.2 The outcome of the formal consultation on the proposed changes to the special school and PRU provision in the city was reported to CYPS committee on 19 June. The relevant section outlining responses to the consultation is included for reference in Appendix 2 of this report. This section formed part of the previous report to Committee on 19 June.

- 3.3 Having considered the responses to the consultation, the CYPS committee agreed to proceed to publish statutory notices in respect of the proposals to establish the three integrated hub provisions. The notices were published in the Brighton & Hove Independent newspaper on 30 June 2017 and on the Council's website. In addition, notices were displayed at the entrance to the schools and at other places in the local community, including the local post office and library. The statutory notice stated how the full proposal information could be obtained.
- 3.4 The statutory notice forms part of the full proposal. Copies of the full proposal were sent to the governing body, the parent/carers of every registered pupil, neighbouring local authorities, the Anglican and Catholic dioceses, local ward member, the Children and Young People Committee, the Members of Parliament for Brighton & Hove and the Department for Education (DfE). Copies of the complete proposal would have been made available to anyone who requested a copy during the publication period. However, during the statutory notice period, no requests were received for the full proposal information.
- 3.5 The closing date for representations or objections to the statutory notice was 28 July 2017. During the notice period only one response was received.
- 3.5.1 The single response was not specifically an objection to proposals to create the integrated hubs or the overall consultation process. The points raised related to the leadership arrangements and related recruitment for the proposed new integrated hubs which have been given careful consideration. The LA understands the arguments and strong feelings in relation to the recruitment of the new executive Head teachers for the integrated hubs east and west. Opportunities have been created for discussion and resolution with the relevant governing bodies and HR advice has been provided to assist governors in making the best decisions on recruitment procedures. However while the LA can provide advice and a view, the decision making in relation to recruitment is the responsibility of the relevant governing bodies not the Local Authority.
- 3.5.2 To support school governance through the re-organisation process, the LA has appointed a specialist consultant who has worked with the governing bodies of the current special schools and the PRU management committees since the early stages of the development of the proposals. Joint Committees with agreed Terms of Reference have been formed between the governing body of Hillside and the Federation (in respect of the west hub) and the governing body of Downs View and the Federation (in respect of the east hub). The Joint Committees are currently formulating proposals to enable governors from the Federation to join the governing bodies of both Downs View and Hillside schools as appropriate, and in line with current statutory regulations. This will support joint decision making over the coming year, including the arrangements for the wider leadership teams.
- 3.5.3 In the context above, it is not felt that the proposals which are the subject of this report should be changed in the light of the response received.

#### **4. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 4.1 The proposals state that the intention is to retain at least the same number of specialist placements for children with SEN and disabilities and to re-structure and re-organise provision. This approach will safeguard Dedicated Schools Grant (DSG) high needs block funding levels whilst, at the same time, delivering greater economies of scale resulting in reduced unit costs.
- 4.2 The proposed changes will enable the available funding to be used more efficiently and effectively, so that the city's special provision is sustainable into the future. These revenue savings are most likely to be realised when co-location of the schools is achieved and the economies of scale should, in particular, facilitate savings in management, administration and premises budgets.
- 4.3 In order to facilitate the necessary property changes a sum of £7.5m has been set aside in the capital programme to support the SEND review. The disposal of any surplus assets identified under this review may potentially generate capital receipts. Those receipts, less any disposal costs, will be ring-fenced to support capital investment through the Council's Capital Investment programme to enable the adaptations and improvements to the new provisions. The balance of receipts after the initial ring-fencing will be used to support the Council's future corporate capital strategy.

*Finance Officer Consulted: Steve Williams*

*Date: 14/07/17*

##### Legal Implications:

- 4.4 In order to achieve any reorganisation of provision the Local Authority must comply with School Organisation legislation - the Education and Inspections Act 2006 (EIA), associated regulations, and statutory guidance published by the Department for Education. Both the legislation and guidance set out the steps which the Local Authority must take before making any final decisions on proposals to reorganise school provision.
- 4.5 The EIA 2006 provides that the Local Authority is the decision maker on any proposals to close or make prescribed changes to schools. The Children, Young People and Skills Committee will act as the decision maker for the Local Authority on these proposals. The decision needs to have been made within two months of the end of the representation period ie by 28 September 2017. The exact process by which the decision maker carries out their decision making process is not prescribed, however it must have regard to the statutory 'Guidance for Decision-makers' published by the DfE in April 2016.
- 4.6 The Guidance states that the decision-maker will need to be satisfied that an appropriate fair and open consultation and representation period have been carried out and that the proposer has given full consideration to the responses received. The decision maker should consider the views of those affected by a proposal or who have an interest in it, and should not simply take account of

the number of people expressing a particular view. The greatest weight should be given to responses from those stakeholders likely to be most affected by a proposal, especially parents of children at an affected school.

- 4.7 When issuing a decision the decision-maker can;
- reject the proposal;
  - approve the proposal without modification;
  - approve the proposal with modifications, having consulted the LA;
  - approve the proposal-with or without modification- subject to certain prescribed conditions being met.

*Lawyer Consulted: Serena Kynaston*

*Date: 12/07/2017*

Equalities Implications:

- 4.8 An Equalities Impact Assessment was developed to inform the review and this has been updated as the review has moved towards more specific proposals for change. A commitment has been given to retain the overall number of places in special provision.

4.9 Sustainability Implications

The reconfiguration of the schools will contribute to the objective of the wider SEND review to ensure that the city's provision for children and young people with SEND is sustainable into the future by being financially viable and having the capacity to make provision to meet the diverse needs of this vulnerable group. This will help young people to achieve their potential and take their place in the community.

## **SUPPORTING DOCUMENTATION**

### **Appendices**

#### **Appendix 1**

##### **The journey of the SEND review**

In 2014 the local authority undertook a broad review of existing provision for children and young people with special educational needs and disabilities with the community, including, pupils, parent/carers, schools, education, health and care professionals, all strategic partners and the voluntary and charity sector. The LA has an ongoing responsibility to keep its provision under review, and has already made some changes in response to the new Children and Families Act 2014. There have been a number of milestones as the review has progressed towards more specific proposals for change and the review's journey is outlined here:

##### **February 2015**

###### **Joint Children & Young People Committee and Health and Wellbeing Board -**

The committee approved the recommendations arising from the wide ranging review of special educational needs and disability in the Children's Services Directorate of the council.

##### **July 2015**

###### **Health and Wellbeing Board & Children Young People and Skills Committee -**

The board and committee approved the proposal to merge the Special Educational Needs and Disabilities (SEND) Review in Children's Service and the Learning Disability (LD) Review in Adult Services.

##### **November 2015**

###### **Joint Children & Young People Committee and Health and Wellbeing Board -**

The joint meeting of the Health and Wellbeing Board and Children Young People and Skills Committee on 10 November 2015 gave approval for an engagement process with key stakeholders around proposals to integrate education, health and care provision in special schools and Pupil Referral Units.

##### **January 2016**

**Children Young People and Skills Committee -** The committee approved the proposed timeline for the engagement process and subsequent actions to reorganise special provision for children with complex needs.

##### **June 2016**

**Children Young People and Skills Committee -** The committee noted the results from the open engagement phase on special provision and approved the governance arrangements and an updated timeline for taking forward proposals.

##### **October 2016**

**Children Young People and Skills Committee -** The committee agreed that the proposals that are the subject of this report should go out to formal consultation,

including lowering the age range of Hillside and Downs View Community Special Schools and the proposed closure of Patcham House Community Special School.

**January 2017**

**Children, Young People and Skills Committee** - The committee agreed to publish statutory notices to extend the age range of Hillside and Downs View Community Special Schools. A further period of engagement about the structure of the new hubs began.

**March 2017**

**Children Young People and Skills Committee** - The committee agreed to the extension of the age range of Downs View and Hillside Community Special Schools to enable them to admit pupils from the age of two. Agreement was given to publish statutory notices in respect of the proposed closure of Patcham House Community Special School with effect from August 2018. A period of formal consultation was approved on the proposals to create three new hubs, two for those with learning difficulties and one for those with social, emotional and mental health needs.

**13 June 2017**

**A Children, Young People and Skills Urgency committee** made the final decision to close Patcham House on 31<sup>st</sup> August 2017.

**19 June 2017**

The Children, Young people and Skills committee made the decision to publish statutory notices in respect of the changes proposed to create the new integrated hubs.

## Appendix 2

### Outcome of formal consultation that ran from 15 May 2017 to 9 May 2017 and which was summarised in the report to CYPs committee of 19 May 2017

#### 1. THE PROPOSED CHANGES TO CREATE THREE NEW HUBS ACROSS THE CITY

1.1 An extensive period of engagement with the local community had preceded the local consultation period on the proposed changes to five special schools and the current two pupil Referral units, which ran from 15 March to 9 May 2017. The ethos of collaboration and coproduction underpinned the process from the initial SEND review to the creation of specific proposals.

1.2 The consultation process included a range of events for staff and parents at all affected provision, alongside other opportunities for pupils and other groups of people across the city who have an interest in SEND to discuss the proposals and give their views. During the period of the consultation, there was ongoing discussion with headteachers, governing bodies and management committees.

1.3 The report to Children, Young People and Skills Committee on 19 June 2017 set out the reasons for making the proposed changes and what follows here is a summary of the main issues raised in the local formal consultation:

##### 1.3.1 The prospect of change

Parents and were generally very happy with the current provision made for their child's needs and appreciated the high quality of the city's special provision, which are all rated good or outstanding by Ofsted. Any change that might disrupt this caused some parents and staff anxiety. However, maintaining the status quo is not an option as the city's large number of very small schools is not financially sustainable. The level of commitment from senior leaders to continuing to build on the quality offered at the moment to make the best possible provision in the future for the city's most vulnerable children and young people acknowledges the views of those who urged change, and offers reassurance that the current quality will at least be maintained or enhanced. The existing governing bodies have begun to work together in different groupings, so that the transition from one model to another is as smooth as possible for everyone. This should mitigate the concerns expressed that the mergers would result in a 'take over' of one school over another to the point of domination. Both the LA and the governing bodies have been keen to emphasise that the hubs will be deemed new organisations and the ethos developed with the shared perspective of school leaders, staff, parents and pupils. The council has agreed a long lead in time for any changes, as it is proposed that the hubs come into being on September 2018 and changes will be introduced over a number of years to minimise disruption for individual pupils. In some instances, ie the Pupil Referral Units, pupils were not always in agreement with their parents and welcomed the prospect of change, particularly new facilities and a wider

curriculum offer. The proposal to increase post 16 opportunities received very positive feedback.

### **1.3.2 The level of detail**

Although they recognised that this consultation focussed primarily on the model of provision and its legal framework, some respondents felt that they would have liked more detail about how the hubs might work on a day to day basis to be confident that they would be able to provide effectively for the needs of pupils and families. Governors and senior leaders attended the consultation meetings with parents and were able to give reassurance not only that they would want to retain the best of what currently exists and plan any changes sensitively and over time, but also that they were committed to involving parents in taking the hubs forward, so that what is provided in the future for pupils and their families is tailored to their needs. The LA would ensure that senior leaders have the feedback from the consultation so that they can use this to frame their early thinking and talk further to staff and families in the spirit of engagement and co-production.

### **1.3.3 Impact on pupils**

Whilst there was some anxiety about the impact of changes to schools with which pupils are already familiar, it was acknowledged that the development of hubs will broaden what they can offer to pupils within the learning curriculum and in their social and personal development. The continuing need for programmes tailored to the needs of individuals, with a particular focus on personalised learning was considered important to ensure that pupils maximise their potential. There was support for the new provision to be introduced over a period of time, as it was agreed that this would minimise disruption for pupils. The vast majority of pupils will remain on their current site with familiar staff. Where the needs of individual pupils might necessitate some changes, then this will be managed sensitively with a personalised plan for each pupil. Downs View School has had recent experience of a significant building work project adjacent to the school which was managed effectively to keep noise to a minimum and minimise any impact on pupils. The school's senior leaders were able to offer reassurance to parents that building work to extend the school or refurbish existing buildings would be managed similarly.

### **1.3.4 The size of the new hubs**

Many parents liked very small schools and were keen to retain the personalised approaches that current provision is able to offer. The importance of continuing to tailor provision to the needs of individuals was a clear message in the consultation feedback and school leaders were able to explain that this approach, proven to be effective, would be maintained. Some respondents were very supportive of the council's rationale for creating larger organisations which could operate more flexibly and make the best use of resources. Strategic leaders in particular acknowledged that even at the new pupil numbers they would not constitute large schools, compared to both similar provision in neighbouring LAs and the national picture and would offer exciting opportunities to do things differently.

### **1.3.5 The combination of schools to create the hubs**

Whilst recognising the need to create larger schools with greater opportunities for flexibility and efficiency, some respondents questioned the rationale for bringing together the schools in the combinations which the proposals put forward. A small number of these suggested alternatives, for example bringing together Cedar Centre and Downs Park, whose pupil populations were felt to be similar, alongside a merged Hillside and Downs View. This had been considered at an earlier stage of the review debate but not favoured, as it limited parental choice further and did not make best use of the benefits arising from the geographical location of the existing schools. Cedar Centre and Downs Park have historically been part of a Federation of three schools but this model has not enabled them to maintain an even balance of pupil numbers.

### **1.3.6 Inclusion**

The proposal to bring together a wider range of pupils with special educational needs in one hub created considerable debate. Those who supported the concept of inclusion in its broadest sense had no problem with this. However, others did not want the pupils either across the whole age range or with different needs to mix together. There was a difference in opinion about the apparent disparity between the council's commitment to inclusion and the extension of the age ranges of the new provision, although it was recognised that this increased the options available to parents. Concern was expressed about how the admission of very young children, particularly to SEMH provision, might lead to early 'labelling' of children, which was felt to be undesirable. Some parents were worried that resources might come under pressure by the demands of those with profound and multiple learning difficulties, or that the needs of those deemed less complex might be overlooked. Some health colleagues in particular suggested that the schools should be brought together according to need, rather than locality. However, the council continues to have a legal duty to meet the needs of all pupils with special educational needs and disabilities. There is confidence, based on the experience of other LAs who have developed similar provision that this can be achieved very successfully in schools with a wider range of needs. There are a number of ways in which this can be managed-by the creative use of sites, a range of groupings according to learning style, pupil need and social, emotional and communication issues. The city's current PRU provision for primary and Key Stage 4 is effectively managed on the same site, but with separate accommodation and entrances, and offers one model of using sites creatively. Some parents who have opted to educate their children with very complex needs in mainstream were keen that consideration be given to them being able to access the wider range of services which are planned to be developed within the hubs.

### **1.3.7 The breadth of the new provision**

Some parents were anxious that the needs of those pupils on the autistic spectrum were not being sufficiently addressed within the proposed changes. The current special schools all have pupils with a diagnosis of autism and this will continue. The council also plans to develop a new Special Facility in a mainstream secondary school to enable the needs of those with a range of

communication difficulties to be met. It is planned that this should open in September 2018. Additionally the LA is looking to create a small specialist unit within one of the hubs for the small number of more able pupils with autism/Asperger's syndrome, whose challenging behaviour or mental health needs mean that they cannot cope in a mainstream school. The LA acknowledged the view of some parents that a change in designation of Hillside and Downs View to the generic term of 'learning difficulties' may not reflect the full breadth of needs that the hub is intended to meet. Thus the proposed re-designation has been adjusted to 'severe and complex learning difficulties.' The hubs should be able to offer a wider range of curriculum opportunities than previously available through smaller schools and this is likely to result in a curriculum that is more tailored to the ability, needs and interests of pupils than ever before, including those on the autistic spectrum. Respondents were keen that a wide range of accreditation options would be available in the new hubs, so that individual students could explore their talents fully, and gain qualifications according to their potential. PRU pupils were particularly keen to access a wider and more creative curriculum than at present, and the creation of the SEMH hub is intended to offer increased flexibility by giving specialist staff the opportunity for staff development to work across different cohorts.

#### **1.3.8 Post 16 provision**

This was an area of the consultation which solicited strong views. Most respondents were in favour of the proposal to extend opportunities for provision beyond the age of 16. However, there were a range of views about what this might look like and who could offer this provision. Existing providers of post 16 provision for those with the most severe and complex needs at Downs View Link College preferred that this should be expanded to retain a citywide provision for this cohort of students, although it was recognised that the numbers of students would exceed the capacity of the current building. There was considerable support from those mostly closely linked with the west and citywide SEMH hubs that the creation of post 16 provision elsewhere would enable there to be a broader range of models and thus offer different pathways to adulthood. It is intended that the new provision delivered via the other hubs should focus more on enhancing opportunities for those who could access local college courses or pathways to employment with the right level of specialist help, thus creating joint ventures with other providers. It was acknowledged that the original proposal created some inequality in the proposed age ranges for post 16 provision and the LA has addressed this in response to the views expressed during the consultation. The proposed age range for the SEMH and west hub is now extended to aged 19.

#### **1.3.9 Closer working between the Pupil Referral unit and Homewood College**

The principles behind closer working between these two LA provisions received support. Whilst many saw the benefits of closer working, some were concerned about what this would mean in practice. The need to limit the number of pupils with SEMH on one site was highlighted as important to maintaining a productive learning environment, and utilising more than one site was felt to be key to the hub being able to effectively meet the diversity of need of pupils with SEMH. Linking the newly merged PRU and Homewood

College to form the new SEMH hub will enable a more flexible response to meet the LA's responsibilities towards those whose challenging needs limit their ability to access mainstream schools. The significant rise in the number of exclusions in the last year has presented a significant challenge to the LA to meet its statutory responsibilities with the existing configuration of services. The merger of the two Pupil Referral Units does not require a statutory notice to achieve the change in model, although the governance arrangements for future working will need to be established appropriately, for which negotiations between governors and the members of the management committees have already begun. The views of many respondents reinforced the need for the LA to carefully consider the appropriate use of sites to accommodate different aspects of social, emotional and mental health needs. This will be a key consideration in planning the operational structure and management of the SEMH hub.

#### **1.3.10 Integrated working**

Meeting the holistic needs of pupils though working effectively together was rated as the one of the highest priorities at an earlier stage in the SEND review. Many respondents agreed that this would be a significant benefit of how the hubs would deliver what pupils need. The allocation of the proposed additional £300,000 across the three hubs for therapies and health services was welcomed. There was support for a greater role for school leaders in joint commissioning what services can be provided, and how they might best be integrated into the hub's core offer. Early work has begun with key partners to plan for any changes that might be necessary to secure joint planning and delivery of services.

#### **1.3.11 Admissions**

Some parents whose children do not currently attend their most local special school were anxious that they would be required to move their child to the hub closest to their home address. This consultation does not propose any changes to the admission arrangements to special provision. The LA would always look to place a child in their most local school, if that school is able to offer provision appropriate to a child's needs. However, parents still have a right to express a preference, and the LA is obliged to comply with that preference as long as it would not be unsuitable for the age, ability, aptitude or SEN of the child or young person, or the attendance of the child or young person there would be incompatible with the efficient education of others, or the efficient use of resources. A very small number of pupils have dual placements with mainstream schools, and the new hub arrangements do not change the city's policy and practice on these. Hubs will be encouraged to develop increased opportunities for links with mainstream schools.

#### **1.3.12 Transport**

Some parents had queries about entitlement to home to school transport, and how this might impact on which hub a child might attend, as well as the options available to families, particularly in relation to services which might be offered via the hubs in future. The council's policy on home to school transport does not form part of this consultation. However, transport arrangements will

need to be considered carefully when the hubs develop an extended day, to ensure that equalities principles are upheld.

#### **1.3.13 Traffic**

Concerns about the impact of the creation of the hubs on local traffic were raised by a small number of respondents. As the number of children attending our special provision is not likely to change significantly, it is not envisaged that there will be an increase to the traffic involved in transporting pupils between their home and the hub. However, alterations to site access and car parking will form part of the discussions about the improvements to the new hub sites.

#### **1.3.14 Sites**

Many comments were received about the location of the new provision. A number of queries emerged about the future use of current sites. No sites in current use are likely to be relinquished until it is decided that a site is no longer needed. Respondents acknowledged that some sites are no longer fit for purpose (eg Dyke Road KS3 Pupil Referral Unit, which lacks outside space and accommodation which restricts the curriculum able to be offered there). Others will need refurbishment or new buildings. £7.5 million capital funding has been secured to spend on the improvements necessary to enable the three hubs to have the appropriate facilities to meet the needs of their new pupil population, although some doubted whether this would be sufficient. The need for the SEMH hub to be based across a number of different sites was a strong message, as SEMH encompasses both a very diverse range of needs and different patterns of provision depending on whether a pupil has an Education, Health and Care plan (EHCP) or is excluded, for example. The LA intends to address the issues about sites sensitively, working closely with colleagues in the property team to make the most creative use of available accommodation and the additional capital funding.

#### **1.3.15 Funding**

There was some scepticism about the financial case for change, a few suggesting that the proposed changes were merely a budget saving exercise. Making the proposed changes will enable the available funding to be used more efficiently and effectively, so that the city's special provision is sustainable into the future. The status quo is not an option, as there are budget deficits across a range of special provision which can no longer be netted off against historic balances or bridged by additional funding from the LA. This was a strong message to staff and parents at consultation events. It is not yet clear exactly how the new funding changes at national level would impact on the city's special provision, but school leaders were positive that a larger number of pupils in each hub and thus larger budgets would give them optimum flexibility to make the best use of available resources.

#### **1.3.16 Staffing**

Whilst many saw that the creation of the new hubs and the extension of provision in some hubs to include early years and post 16 provision might create new professional opportunities for staff, and some staff welcomed this, it was recognised that changes to the staffing structures in the hubs might

also mean seeking economies of scale over time and this would impact on staff job security. The presence of union representatives at consultation meetings with staff groups gave them confidence that the appropriate HR processes would be put in place to manage any changes. There was a widespread view that the expertise within the city's current provision was highly valued and to be retained if at all possible. The intention is to focus resources on frontline services and direct support for pupils. The attendance of governors at consultation events also gave them the opportunity to reinforce their intention to exercise sensitivity in the management of any change. Clarification was given at consultation events that the LA's role was strategic in the creation of the new model of provision, while the responsibility for developing an appropriate staffing and operational structure lies with the governing body.

## **2. CONSULTATION RESPONSES**

- 2.1 The LA received 211 responses, 203 via the online consultation portal, seven via email and one via voicemail. 12 of the responses were on behalf of groups and represented the views of a larger group of people. Over 300 people attended events or were interviewed in person or on the telephone.
- 2.2 The development of additional post 16 provision as part of the hub development was supported (55% were in favour for the Integrated Hub West, and 42% for SEMH), although in the comments there was some difference in opinion about where this should be provided and to what age. The opportunity for more integrated working alongside increased therapies and services as part of the extended day was also highlighted as a positive change in the offer to be made from the hubs. The development of the SEMH hub broadly received a balance of positive and negative comments (39% in favour, 37% against); this was generally replicated in the feedback on the other hubs too.
- 2.3 However, views from some parents and staff were less positive about the value of the proposed changes in the east and west hubs (43% in favour in the East, 42% in favour in the West). This is perhaps understandable given that in each of these hubs, proposals are for one school to 'close' as part of the merger and this was a worry for a number of staff and parents even though numbers of places would remain the same. Given the success of existing high quality educational provision, a significant number of parents and school staff were not convinced that this would be any better if delivered via a hub and this concern is reflected in the relatively high proportion of respondents who neither agreed nor disagreed. At the same time, there was recognition of the need for greater financial security for this provision and so some respondents proposed alternative ways of grouping the schools. The need for greater flexibility, economies of scale and a more sustainable model in the longer term was identified by school leaders and governors as a particularly significant benefit of the creation of the new hubs.

- 2.4 All responses to the consultation on the proposed changes to the five special schools and two Pupil Referral units were carefully reviewed by LA officers and representatives from Amaze and the Parent Carers' Council, alongside three other significant elements of consideration:
- an analysis of the current model of provision in the city which does not reflect the present pattern of need and demand for places
  - the support for change evident during the review process
  - the analysis of the current and future budget position
- 2.5 Members were informed that the principles behind the proposal to create three integrated hubs from our current provision had the support of:
- The four governing bodies concerned – Hillside, Downs View, Homewood College and the CDP Federation (Cedar Centre, Downs Park and Patcham House)
  - The management committees of the two PRUs – Brighton and Hove PRU and the Connected Hub
  - The headteachers of Hillside and Downs View Schools and the Acting Executive Headteacher of the CDP Federation
  - The Clinical Commissioning Group (specifically community paediatrics and children's mental health).
  - The Parent Carers' Council (PACC)
- 2.6 There are significant budget pressures facing all schools at this time. These have been brought about by cumulative cost pressures, such as pay rises and higher employer contributions to national insurance and pension schemes. At the end of the 2016/17 financial year special school budgets in Brighton and Hove showed a net overspend of £164,000, with three of the eight schools/PRUs having an overspend totalling £452,000. Some schools had been able to draw on historic underspends to avoid going over budget because of spiralling costs, but this is no longer sustainable. There is a considerable challenge for these schools to bring their budgets back into balance and it is likely that licensed deficit arrangements will be necessary. The economies of scale that should be delivered through the SEND Review and specifically the redesign of the special schools and Pupil Referral Units will better enable schools (hubs) to achieve balanced budgets.

### **3. DECISION MAKING**

- 3.1 Some changes were made to the original proposals in response to the feedback received during the consultation period:
- The proposed designation of the East and West Hubs was changed to severe and complex learning difficulties.
  - The proposed age range of the West and SEMH hubs was adjusted from 18 to 19, to create parity across the city.
- 3.2 The financial circumstances of those schools in a challenging financial position are not likely to be resolved under the existing school structures and

thus changes in some form needed to be made in order for the city to be able to maintain high quality special provision.

3.3 The creation of the new integrated hubs was intended to bring the following benefits:

- a) each hub would be able to provide a holistic package of support for pupils and their families through a much more integrated offer across education, health and care/respite on site
- b) proposals respond to feedback from families that they want to see better coordination across education, care and health so that personalised plans for children have a unified set of objectives and outcomes
- c) the integrated hub model supports families to build resilience and stay together by:
  - a better extended day/short break offer where needed
  - direct support to families at home where children have challenging behaviour or very complex needs
- d) the availability of provision within the city which can offer a holistic package for children with multiple needs will reduce the need to resort to expensive out of city placements
- e) parents can be assured that high quality education can be maintained in all hubs, as each hub would consist of a school which has been consistently rated as outstanding and one as good
- f) proposals extend the age range to 19 at all three hubs and allow for more support in the transition to adulthood where needed
- g) best value would be achieved through the largest proportion of funding focussed on pupils and front line services, made possible by a streamlined management structure being in place
- h) the hubs would have sufficient pupils to guarantee financial viability in the future
- i) there would be greater economies of scale when commissioning health and care services
- j) proposals allow for £7.5m to be spent on upgrading the remaining sites
- k) proposals that merge special provision reflect newer successful models of best practice around the country, including that in neighbouring LAs.

3.4 Taking everything into account, Members gave agreement to proceed with the publishing of statutory notices in respect of the proposed changes set out in section 2 of this report, which reflect the revisions referred to in 5.1 above.