

HAMPSHIRE COUNTY COUNCIL

Report

Decision Maker:	Executive Member for Education
Date:	19 October 2023
Title:	Additional Specialist Education Provision
Report From:	Director for Children's Services

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Purpose of this Report

1. The purpose of this report is to seek approval to consult on the establishment of a SEND satellite provision run by Riverside Community Special School, Waterlooville on the site of Mill Hill Primary School, Waterlooville. The satellite provision will create 12 additional places for children with severe learning difficulties (SLD) from January 2024.

Recommendation(s)

2. That approval be given to consult on the establishment of a satellite provision for Riverside Community Special School utilising existing accommodation at Mill Hill Primary school from January 2024.
3. That a further report is brought back to the Executive Member for Education following the public consultation period for final approval.

Executive Summary

4. Hampshire County Council is committed to ensuring that all children can access high-quality education, as near to their family and local community as possible.
5. Leaders and practitioners are highly ambitious for children and young people with Special Educational Needs and Disability (SEND) in Hampshire to succeed (Ofsted CQC (Care Quality Commission) 2020) <https://reports.ofsted.gov.uk/provider/44/80472>
6. There is a statutory duty to provide school places for all children, including those who have SEND. We are committed to further developing successful provision to meet this demand within the SEND sector.

7. The proposed additional SEND provision outlined within this report will help manage some of the school place pressures generated by the increase in the number of Education, Health and Care Plans (EHCPs) maintained by the Local Authority.
8. As of August 2023, the number of maintained EHCPs was 15,753. By 2030-31, Hampshire expect there to be c28,000 pupils who will have an EHCP if practices continue as they currently are.
9. Demand has resulted in a corresponding pressure for places in special schools and resourced provision. The County Council is committed to further developing successful provision or creating new provision where possible to meet demand for places.
10. The lack of sufficient provision within Hampshire Schools has led to an increase in placements within the independent and non-maintained sector (INMSS). The proposals contained within this report aim to build on good quality Hampshire school provision and meet the needs of children and young people within their local area. This will reduce the Local Authority's dependence upon independent and non-maintained provision (INMSS) and will aim to keep pupils as close to their home community as possible.
11. All Local Authorities have a duty to promote sustainable and active travel to school. Hampshire is made up of diverse urban and rural communities which can cause long travel times for already vulnerable children. However, having closer local provision minimises school transport costs and travel times.

Contextual information

12. Riverside Community Special School is rated by Ofsted as a Good School. Please see link to their most recent Ofsted Report:- [50227688 \(ofsted.gov.uk\)](https://www.ofsted.gov.uk/reports/50227688).
13. The school provides specialist support for 137 pupils with moderate learning difficulties (MLD), SLD and autism spectrum conditions (ASC). All pupils attending the school have an EHCP.
14. Parental demand for the school continues to be high – the Local Authority has expanded the school three times in recent years. The school continues to be subject to increasing numbers of Tribunals where it has been directed.
15. There are more Tribunals expected in the coming weeks with appeals expected if placements cannot be agreed.

16. The school has expanded in size and increased its Agreed Pupil Numbers (APN) each year to keep up with the requirements. However further short-term sustainable development on the site is not possible.
17. Net Capacity Assessments (NCAs) [NCA Programme Guide \(publishing.service.gov.uk\)](https://publishing.service.gov.uk) have been used for mainstream schools for several years. The NCA tool and methodology is used to calculate the number of children a school can accommodate, based on the size and use of the space available. Recently the DfE created an NCA tool for special schools also.
18. The NCA for Riverside Community Special School suggests that the accommodation is suitable for 121 pupils however the current APN is 137. The current number on roll is 138. The Tribunal process often continues to place additional pupils at the school even when it takes total numbers beyond the NCA and APN. This can affect safeguarding, health, and safety, staffing and the quality of education being provided at the school.
19. Mill Hill Primary School has available accommodation – this is an adjoining building, not utilised by the school and currently rented to Growing Places Ltd a third-party who use part of it for after-school and holiday provision together with a Community Pantry. The building is of a size that enables Growing Places to retain the Community Pantry and a room for the after-school club with their own access. Two classrooms and other ancillary facilities, including an external play space will then be segregated for use by Riverside School.

Finance

20. Costs to educate within a special school are considerably less than in the independent non-maintained sector (INMSS) as the table below illustrates.

Type of provision	Average revenue cost per place (March 2023)
Community Special School	£18,079
Resourced Provision (RP)	£17,636
Independent and non-maintained special school place (INMSS)	£61,200

21. It is expected that the special school place funding will be a mix of both step 5 and step 6*; dependent on individual needs this will be c£215K per year. Costs shown in Appendix 1 are currently being analysed and assured by finance colleagues.
22. The spaces being made available at Mill Hill Primary School require some minor works to make them appropriate for use by pupils with severe learning disabilities. A range of refurbishment works, upgraded toilet area, sensory room, safeguarding measures, and a new segregated play space area are required. Estimates for these works are in the region of £350,000

and will be funded in full from the Childrens Service Capital Programme.

Consultation and Equalities

23. A four-week statutory consultation will be undertaken in October & November 2023 if this proposal to consult is agreed.
24. An equality impact assessment has been submitted and draft included in appendix 2 below.

Climate Change Impact Assessment

25. No Climate Change Impact Assessment has been completed at the time of writing this paper. If the proposal is agreed, then one will be completed and it will follow.

Other Key Issues

26. Riverside Community Special School is at full capacity; therefore, we are unable to safely place any other additional pupils.

Conclusion

27. The proposals contained within this report aim to build on good quality Hampshire special school provision and meet the needs of children and young people within their local settings.
28. This will reduce the Local Authority's dependence upon independent and non-maintained provision (INMSS) and will aim to keep pupils as close to their home community as possible.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	Yes
People in Hampshire live safe, healthy and independent lives:	Yes
People in Hampshire enjoy a rich and diverse environment:	Yes
People in Hampshire enjoy being part of strong, inclusive communities:	Yes

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic.
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it.
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

Please see Appendix 2 below for draft Equalities Impact Assessment supporting this proposal.

Appendix 1

Funding

Place Funding per pupil £10,000	£120,000.00
Step 6 (£10,252) x 6	£61,512.00
Step 5 (£5,240) x 6	£31,440.00
TOTAL funding	£212,952.00

Appendix 2



Hampshire
County Council

Equality Impact Assessment

What is an Equality Impact Assessment (EIA) and why does the County Council do them?

The [Public Sector Equality Duty](#) (PSED) is an obligation within the [Equality Act 2010](#) ("the Act"), which asks public authorities, like Hampshire County Council, to give 'due regard' to equality considerations, in particular to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

This includes assessing the impact of policies and practices on individuals and communities with a protected characteristic, as defined in the Act and some other specific groups. The County Council uses EIAs to ensure it has paid 'due regard' to equalities considerations when there are changes to a service or policy, a new project or certain decisions.

EIA author	Position & Department	Contact
Richard Bayless	Assistant Strategic Development Officer Children's Services	richard.bayless@hants.gov.uk Tel:03707 794892

Title:	Satellite Site for Riverside Community Special School at Mill Hill Primary School
Related EIAs:	None

EIA for Savings Programme:

No

Service affected	Riverside Community Special School, Scratchface Lane, Purbrook, Waterlooville and Mill Hill Primary School, Mill Road, Waterlooville.
Description of the service/policy/project/project phase	<p>Riverside Community Special School provides specialist support for 137 pupils with moderate learning difficulties (MLD), SLD and autism spectrum conditions (ASC). Parental demand for the school continues to be high and the school is seeing an increase in the number of tribunals. Accommodation at the school is suitable for 121 pupils however the current number on roll is 138. The tribunal process often places additional pupils at the school even when it takes total numbers beyond what can be suitably accommodated. This can affect safeguarding, health, and safety, staffing and quality of education at the school. Mill Hill Primary School has available accommodation in an adjoining building currently rented to a third-party who use part of it for after-school / holiday provision and a Community Pantry.</p>
New/changed service/policy/project	<p>Riverside Community Special School provides specialist support for 137 pupils with moderate learning difficulties (MLD), SLD and autism spectrum conditions (ASC). Parental demand for the school continues to be high and the school is seeing an increase in the number of tribunals. Accommodation at the school is suitable for 121 pupils however the current number on roll is 138. The tribunal process often places additional pupils at the school even when it takes total numbers beyond what can be suitably accommodated. This can affect safeguarding, health, and safety, staffing and quality of education at the school. Mill Hill Primary School has available accommodation in an adjoining building currently rented to a third-party who use part of it for after-school / holiday provision and a Community Pantry.</p>

Engagement

Consultation will be undertaken following Decision Day on 15 October 2023. This will consist a four-week statutory consultation will be undertaken if proposal to consult is agreed.

This will include engagement with key stakeholders:

Parents of children attending both Riverside Community Special School and Mill Hill Primary School, Headteachers, school staff and Governing Body of the schools, Headteachers and Chairs of Governors of neighbouring schools, Havant Councillors, Local Diocese, Local MP, HCC Elected Members, Residents of the immediate areas area of Mill Hill Primary and other relevant community stakeholders

Equalities considerations - Impact Assessment

Age

Impact on public	Positive
Impact on staff	Positive
Rationale	This provision will support primary aged pupils with special education needs to thrive in an inclusive, and specialist environment; using skills and experience of Riverside Community Special School. This will provide accommodation to meet the needs of 12 primary aged pupils with Severe Learning Difficulties (SLD). The staff of Mill Hill Primary School will also benefit from working alongside; developing their skills, knowledge and training within the area of Special Educational Needs.
Mitigation	

Disability

Impact on public	Positive
Impact on staff	Positive
Rationale	<i>This project will provide accommodation to meet the needs of 12 primary aged pupils with severe learning difficulties (SLD) and allow more pupils to attend schools in their respective local communities and alongside their peer groups; have access to trained staff and specialist resources, in order to support their needs, and in an environment that can adapt accordingly in an inclusive setting. The internal alterations that are being made to the building will allow for two fully accessible classrooms and specialist ancillary facilities and staff areas. These spaces will be accessible to all pupils. With the building designed to be fully accessible it will improve accessibility for all including those which share disability as a protected characteristic, this includes existing and any newly recruited staff.</i>
Mitigation	

Gender Reassignment

Impact on public	Neutral
Impact on staff	Neutral
Rationale	There will be no change in benefits to this protected characteristic group, over and above the current circumstances and over other protected characteristics groups, therefore the impact has been assessed as neutral for both staff, children and young people.
Mitigation	

Pregnancy and Maternity

Impact on public	Neutral
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Impact on staff Neutral

Rationale	There will be no change in benefits to this protected characteristic group, over and above the current circumstances and over other protected characteristics groups, therefore the impact has been assessed as neutral for both staff, children and young people.
Mitigation	

Race

Impact on public	Neutral
Impact on staff	Neutral
Rationale	There will be no change in benefits to this protected characteristic group, over and above the current circumstances and over other protected characteristics groups, therefore the impact has been assessed as neutral for both staff, children and young people.
Mitigation	

Religion or Belief

Impact on public	Neutral
Impact on staff	Neutral
Rationale	There will be no change in benefits to this protected characteristic group, over and above the current circumstances and over other protected characteristics groups, therefore the impact has been assessed as neutral for both staff, children and young people.
Mitigation	

Sex

Impact on public	Neutral
Impact on staff	Neutral
Rationale	There will be no change in benefits to this protected characteristic group, over and above the current circumstances and over other protected characteristics groups, therefore the impact has been assessed as neutral for both staff, children and young people.
Mitigation	

Sexual Orientation

Impact on public	Neutral
Impact on staff	Neutral
Rationale	There will be no change in benefits to this protected characteristic group, over and above the current circumstances and over other protected characteristics groups, therefore the impact has been assessed as neutral for both staff, children and young people.
Mitigation	

Marriage and Civil Partnership

Impact on public	Neutral
Impact on staff	Neutral
Rationale	There will be no change in benefits to this protected characteristic group, over and above the current circumstances and over other protected characteristics groups, therefore the impact has been assessed as neutral for both staff, children and young people.
Mitigation	

Poverty

Impact on public	Neutral
Impact on staff	Neutral
Rationale	There will be no change in benefits to this protected characteristic group, over and above the current circumstances and over other protected characteristics groups, therefore the impact has been assessed as neutral for both staff, children and young people.
Mitigation	

Rurality

Impact on public	Neutral
Impact on staff	Neutral
Rationale	There will be no change in benefits to this protected characteristic group, over and above the current circumstances and over other protected characteristics groups, therefore the impact has been assessed as neutral for both staff, children and young people.
Mitigation	

Geographical Impact: Havant

Equality Statement

Additional information:

Hampshire County Council has a statutory duty to provide school places for all children including those who have special educational needs and/or a disability. The County Council is committed to further developing successful provision to meet this demand within the Special Education Needs and Disability (SEND) sector within the County of Hampshire to reduce using the more expensive private and independent school sector. This is part of an ongoing drive to seek opportunities in Hampshire Schools to expand, develop or re-designate themselves, or increase their pupil numbers, in order to meet the increasing need for SEN places.

Overview Statement:

Assessment to show that due regard has been given and that there is no requirement for a full EIA:

EIA reference number: 480

Date of production of EIA for publication: 5 October 2023