

**Report of Director of Children's Services**

**Report to Executive Board**

**Date: 9 March 2016**

**Subject: Outcome of consultation on a proposal to cease to provide complex social, emotional and mental health provision under the West Oaks SEN Specialist School and College (Oakwood Lane site) and providing for these needs under The Wellspring Academy Trust.**



Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Gipton & Harehills	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**Summary of main issues**

This report contains details of a proposal to improve provision in Leeds to meet complex Social, Emotional and Mental Health (SEMH) needs. The changes that are proposed form prescribed alterations under the Education and Inspections Act 2006. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and accompanying statutory guidance set out the process which must be followed when making such changes. The statutory process to make these changes varies according to the nature of the change and the status of the school and the process followed in respect of these proposals is detailed in this report. The decision maker in these cases remains the Local Authority.

At its meeting in November 2015, Executive Board gave approval for consultation to take place, on a proposal to cease to provide SEMH provision at West Oaks SEN Specialist School and College (Oakwood Lane site) and provide for these needs under The Wellspring Academy Trust. This report summarises the consultation that took place between 11 January and 29 January 2016 and addresses the concerns raised during this.

## **Recommendations**

Executive Board is asked to:

Approve the publication of a Statutory Notice to cease to provide behaviour, emotional and social difficulty (BESD) provision under the governance of The West Oaks SEN Specialist School and College (Oakwood Lane site) from 31 August 2016. This is conditional on the conversion of the existing BESD SILC into a 4 – 19 SEMH sponsored academy. The provision at the Oakwood Lane site would become part of the new academy from 1 September 2016. If the academy conversion is not in place then the provision would continue at Oakwood Lane under the governance of West Oaks SEN Specialist School and College.

Note that the officer responsible for implementation is the Head of Learning Systems.

## **1 Purpose of this report**

- 1.1 This report describes the outcome of a consultation regarding a proposal to cease to provide complex SEMH provision under the West Oaks SEN Specialist School and College (Oakwood Lane site) and providing for these needs under The Wellspring Academy Trust, and seeks permission to publish a statutory notice in respect of this proposal.

## **2 Background information**

- 2.1 The city and its partners are working to address the issue of lack of appropriate support and SEMH provision by investing significantly in this vulnerable but challenging group of children and young people to ensure that the city has a world class provision for them.
- 2.2 In December 2013 the Executive Board agreed to bring together the city's three Pupil Referral Units (PRUs) and the BESD SILC under one leadership to support a more coherent offer of provision to meet the most complex needs in the city, to be delivered by The Wellspring Academy Trust.
- 2.3 Since approval was given to combine Leeds City Council's 3 PRUs and the BESD SILC under one leadership team, a significant amount of work has been carried out to identify the new sites for this provision. A decision was given by the Executive Board in November 2015 to approve the capital expenditure for this project.
- 2.4 To support this integrated and coherent provision, the Executive Board also approved a consultation on a proposal to cease SEMH provision under the West Oaks SEN Specialist School and College at the Oakwood Lane site from 31 August 2016. This would then be delivered by The Wellspring Academy Trust from 1 September 2016, if approved.
- 2.5 The consultation took place from 11 January 2016 to 29 January 2016. This included meetings with West Oaks SEN Specialist School and College staff, children and Governing Body. We also held public drop in meetings for parents, local residents and any other interested parties to attend.

## **3 Main issues**

- 3.1 To enable Leeds to deliver a fully integrated SILC and assessment provision, we consulted on ceasing to provide for SEMH needs at the Oakwood Lane site of the West Oaks SEN Specialist School and College. This will then be included under the new leadership team proposed by The Wellspring Academy Trust.
- 3.2 During the consultation period 14 responses were received. In total there were 13 responses in support of the proposal with 1 neither supporting nor opposing but felt that the school would benefit massively from being included in the plans for secondary SEMH provision across the city. A summary of the issues raised follows. A copy of the responses can be requested by emailing the Sufficiency and Participation Team at [educ.school.organisation@leeds.gov.uk](mailto:educ.school.organisation@leeds.gov.uk).

- 3.3 The governors at the West Oaks SEN Specialist School and College accept that there are demonstrable benefits to providing one clear 'continuum' of provision in the city which will provide children and young people with SEMH needs, a clear pathway of progression through primary and secondary provision. The governors have therefore indicated their full support for the changes.
- 3.4 Governors raised concerns around accuracy of the documents that had been produced for the consultation. There was an acknowledgement that there were some errors in some of the documents and assurances were given to governors that better quality assurance will take place in future.
- 3.5 Governors also felt that this proposal was a very good opportunity to provide a continuum of provision but insisted that the right level of investment goes into the Oakwood Lane site so the children can benefit from these changes.
- 3.6 Supportive comments were received about the proposal stating that it would provide consistency for children and parents and offer quality provision across all key stages.
- 3.7 Concerns raised by respondents are listed as follows;
- 3.7.1 **Concern:** There seems to be a lack of investment and facilities at the Oakwood Lane site in contrast with the significant investment in secondary provision across the city.
- 3.7.2 **Response:** Planned maintenance is required, regardless of the outcome of this consultation, at the Oakwood Lane building. This primarily constitutes fire stopping works and replacement of air handling units. Programming of this project is currently at the initial planning phase, the intrusive nature of the work is such that free access to the areas in question without impediment is essential. Subject to phasing and programme it may be necessary to decant areas of the building to facilitate this, subject to consultation and approval of the end user. In order to minimise disruption to school, and provide value for money, any essential remodelling and refurbishment works of the Oakwood Lane building will be incorporated into this planned maintenance work. The scale and specifics of this are both subject to available funding, limitations of the existing building and, more importantly, the outcome of this consultation (as any required remodelling or refurbishment work will be undertaken with the full input of the establishment running the facility to ensure successful implementation).

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 The process in respect of this proposal has been managed in accordance with the relevant legislation and with local good practice.
- 4.1.2 The consultation included drop in sessions at the Oakwood Lane site of the West Oaks SEN Specialist School and College for parents/carers, residents and other stakeholders. Officers from Children's Services were present at these sessions

to provide information on the proposal and answer any questions that attendees may have had.

- 4.1.3 Meetings were also held with the school council, staff and governing body of West Oaks SEN Specialist School and College.
- 4.1.4 Information was shared widely with key partner agencies, colleagues and parent groups.
- 4.1.5 Ward members were formally consulted during the public consultation stage, to both ensure awareness of all proposals city wide and to improve understanding of the impact of proposals in neighbouring areas. No concerns were raised.
- 4.1.6 The consultation document for this proposal was provided for all stakeholders and a summary leaflet was also produced, giving details of the proposal and information about the Wellspring Academy Trust. These documents can be found at: <http://www.leeds.gov.uk/residents/Pages/Currentschoolsconsultation.aspx> or requested from the Sufficiency and Participation Team at: [educ.school.organisation@leeds.gov.uk](mailto:educ.school.organisation@leeds.gov.uk).

#### 4.2 **Equality and Diversity / Cohesion and Integration**

- 4.2.1 An EDCI screening form has been completed indicated that a full assessment is required.
- 4.2.2 The completion date for the full EDCI assessment is 29 February 2016. The latest draft is attached at appendix 1 to this report. The final version can be requested after 29 February by emailing [educ.school.organisation@leeds.gov.uk](mailto:educ.school.organisation@leeds.gov.uk).
- 4.2.3 An SEN Improvement Test is required to evidence how this proposal will provide better outcomes for children of Leeds and this has been undertaken as part of the consultation. It is attached at appendix 2 to this report.

#### 4.3 **Council policies and Best Council Plan**

- 4.3.1 This proposal is being brought forward to meet the Council's statutory duty to ensure there are sufficient school places for children with a statement of special educational needs, or education health and care plan, which names social and emotional mental health (SEMH) as the principle need.
- 4.3.2 The proposal contributes to the city's aspiration to the Best Council and the Best City in which to grow up; a Child Friendly City, through the creation of provisions that offers children in Leeds the opportunity to benefit from outstanding, integrated provision, which best meets their behaviour needs. That, in turn, will increase attendance, attainment and progression to education, employment and training among some of the city's most vulnerable children, as set out in the Children and Young People's Plan.

#### 4.4 **Resources and value for money**

An indicative budget of £245k has been allocated for the general maintenance works, however It is not possible at this stage to quantify an indicative budget for

any essential internal remodelling and refurbishment works that may be required, as the scale and scope has yet to be determined and further consultation will need to take place with Wellspring. Once the feasibility stage is complete and the scheme moves towards the detailed design phase, the budget will be realigned to reflect the design freeze or pre-tender estimate.

#### **4.5 Legal Implications, Access to Information and Call In**

4.5.1 The processes that have been and will be followed are in accordance with the Education and Inspections Act 2006 as set out in the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007, and amended by School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.

4.5.2 This report is subject to call in.

#### **4.6 Risk Management**

4.6.1 The authority has committed to redesign the whole system of SEMH support and create a single, simple pathway with clear points of entry to achieve one of its fourteen priorities to improve outcomes for children and young people with special educational needs and/or disability. If this proposal to cease to provide SEMH provision at West Oaks SEN Specialist School and College (Oakwood Lane site) to become part of the new academy does not go ahead this would impact on the authority's ability to achieve this outcome.

### **5 Conclusions**

5.1 Our ambition is to be the best city in the country. As a vibrant and successful city we will attract new families to Leeds, and making sure that we have enough school places for the children is one of our top priorities. These proposals have been brought forward to meet that need, and following the appropriate consultation we now seek to move them to the next stage. They would ensure that children in Leeds would have the best possible start to their learning, and so deliver our vision of a child friendly city.

5.2 The authority's commitment to create a world class provision within the city by bringing together the city's three Pupil Referral Units (PRUs) and the BESD SILC under one leadership will support a more coherent offer of provision to meet the most complex needs in the city.

5.3 Working with an outstanding partner, The Wellspring Academy Trust, to convert the existing SILC and to move the existing primary provision into one new organisation. The new provision would be for learners aged from 4 – 19 and integrate specialist learning for those with social, emotional or mental health needs with assessment places. This would meet the need to provide additional SEMH capacity in the city.

5.4 During the consultation on the proposal to cease to provide SEMH provision at North East SILC Oakwood Lane has been supported, with the majority of

respondents 13 out of 14 supporting it. This report demonstrates how the concerns raised may be addressed.

## **6 Recommendations**

6.1 Executive Board is asked to:

6.2 Approve the publication of a Statutory Notice to cease to provide behaviour, emotional and social difficulty (BESD) provision under the governance of The West Oaks SEN Specialist School and College (Oakwood Lane site) from 31 August 2016. This is conditional on the conversion of the existing BESD SILC into a 4 – 19 SEMH sponsored academy. The provision at the Oakwood Lane site would become part of the new academy from 1 September 2016. If the academy conversion is not in place then the provision would continue at Oakwood Lane under the governance of West Oaks SEN Specialist School and College.

6.3 Note that the officer responsible for implementation is the Head of Learning Systems.

## **7 Background documents<sup>1</sup>**

7.1 None

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.