

Report of Director of Children and Families

Report to Executive Board

Date: 10 February 2021

Subject: Outcome of consultation on proposals to establish Resource Provision at Bishop Young Church of England (C of E) Academy and St Margaret's Church of England (C of E) Primary School



Are specific electoral wards affected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, name(s) of ward(s): Part A – Horsforth Part B – Killingbeck and Seacroft	
Has consultation been carried out?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will the decision be open for call-in?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If relevant, access to information procedure rule number: Appendix number:	

Summary

1. Main issues

- This report contains details of proposals brought forward to meet the local authority's duty to ensure sufficiency of school/learning places including Special Educational Needs and Disabilities (SEND) places. The process for making the proposed changes varies according to the nature of the change and status of the school and the process followed in respect of these proposals is detailed in this report.
- The changes that are proposed to St Margaret's C of E Primary School 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 local authority (LA) is the decision maker in this case.
- The changes that are proposed to Bishop Young C of E Academy form prescribed alterations under Department for Education advice for academy trusts, Making Significant Changes to an Open Academy (November 2019).

- For prescribed alterations for maintained schools the Local Authority is the decision maker, and for expansions relating to Academies, the Trust Board is the decision maker.
- This report is divided into two parts:

Part A - Outcome of consultation on a proposal to establish Resource Provision at St Margaret's Church of England (C of E) Primary School, Horsforth

Consultation on a proposal to establish a 12-place Resource Provision for children with complex communication difficulties including Autistic Spectrum Condition (ASC) at St Margaret's C of E Primary School with effect from September 2021 took place from 20 November to 18 December 2020. Part A of this report gives details of the outcome of this consultation, seeks approval from Executive Board to publish a statutory notice on this proposal and requests provisional approval for authority to spend (ATS) £1.1 million to deliver the proposed scheme.

Part B - Outcome of consultation on a proposal to establish Resource Provision at Bishop Young Church of England (C of E) Academy

Consultation on a proposal to establish a 30-place Resource provision for children and young people with complex communication difficulties including Autistic Spectrum Condition (ASC) at Bishop Young C of E Academy with effect from September 2021 took place from 13 November to 11 December 2020. The Abbey Multi Academy Trust met on 14 December 2020 to consider the outcome of the consultation and subsequently voted to approve the proposal to establish Resource Provision at Bishop Young C of E Academy. Part B of this report gives details of the outcome of this consultation, seeks approval from Executive Board to proceed with the project and requests provisional approval for authority to spend (ATS) £2.2 million to deliver the proposed scheme

2. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

- These proposals contribute to the city's aspiration to be the best council, the best city in which to grow up and a child friendly city. The delivery of pupil places through the Learning Places Programme is one of the baseline entitlements of a child friendly city.
- These proposals would establish Resource Provision learning places in mainstream settings, actively contributing towards achievement of the Child Friendly City aspiration to 'improve educational attainment and closing achievement gaps for children and young people vulnerable to poor learning outcomes'.
- The proposals are being brought forward to meet the Local Authority's statutory duty to ensure that there are sufficient school places for all the children and young people in Leeds. Providing Resource Provision places in areas where demand is high is an efficient use of resources which should enable more children and young people to access suitable provision within a reasonable travelling distance of where they live. The proposals offer good value for money through their capacity to support the achievement of the Best Council Plan outcome that states 'We want everyone in Leeds to do well at all levels of learning and have the skills they need for life'.
- A good quality school place also contributes towards delivery of targets within the Children and Young People's Plan such as to the 3As strategy to improve attendance, achievement and attainment.

3. Resource Implications

Part A – Proposed 12-place Resource Provision at St Margaret’s C of E Primary School, Horsforth

- Viability work is currently underway to identify the scope of works required to create a 12-place Resource Provision and when complete should give a more accurate estimate of the cost of the scheme. Current cost estimates which are based on initial viability are subject to the final scheme design being developed once survey work has been completed and are subject to various unknowns including PFI fees, abnormals/ground conditions and potential highways works.
- Once viability and detailed design works are completed, costs for the proposed scheme would be reviewed. Following design freeze the Director of Children and Families, in consultation with School Places Programme Board would be asked to approve Authority To Spend for the proposed scheme along with any necessary risk fund application, in line with the governance arrangements currently in place.

Part B – Proposed 30-place Resource Provision at Bishop Young C of E Academy

- Feasibility is currently underway to identify the scope of works required to create a 30-place Resource Provision and when complete should give a more accurate estimate of the cost of the scheme. Current cost estimates which are based on initial viability are subject to the final scheme design being developed once survey work has been completed and are subject to various unknowns including abnormals/ground conditions and potential highways works.
- Once feasibility and detailed design works are completed, costs for the proposed scheme would be reviewed. Following design freeze the Director of Children and Families, in consultation with School Places Programme Board would be asked to approve Authority To Spend for the proposed scheme along with any necessary risk fund application, in line with the governance arrangements currently in place.

The proposed schemes would be subject to planning permission which would need to be granted prior to the commencement of construction works and would be subject to relevant stakeholder consultation.

Recommendations

Executive Board is requested to:

Part A – Proposed 12-place Resource Provision at St Margaret’s C of E Primary School, Horsforth

- a) Approve the publication of a statutory notice on a proposal to establish a 12-place Resource Provision at St Margaret’s C of E Primary School with effect from September 2021;
- b) Grant provisional approval for authority to spend (ATS) £1.1m to deliver the proposed 12-place Resource Provision at St Margaret’s C of E Primary School;

- c) Note that implementation of the proposal would be subject to the response of the proposed statutory notice and on the outcome of further detailed design work and planning applications as indicated at section 4.4 of this report;
- d) Note that the proposal has been brought forward in time for places to be delivered for 2021; and
- e) Note the responsible officer for implementation is the Head of Learning Systems.

Part B – Proposed 30-place Resource Provision at Bishop Young C of E Academy

- f) Approve that the proposal to establish a 30-place Resource Provision at Bishop Young C of E Academy with effect from September 2021 progresses;
- g) Grant provisional approval for authority to spend (ATS) £2.2m to deliver the proposed 30-place Resource Provision at Bishop Young C of E Academy;
- h) Note that implementation of the proposal is subject to the outcome of further detailed design work and planning applications as indicated at section 4.4 of this report;
- i) Note that the proposal has been brought forward in time for places to be delivered for 2021; and
- j) Note the responsible officer for implementation is the Head of Learning Systems.

1. Purpose of this report

- 1.1 This report contains details of proposals brought forward to meet the Local Authority's duty to ensure a sufficiency of school places, which supports the achievement of the Best Council priority to improve educational attainment and close achievement gaps. In part A this report describes the outcome of a consultation regarding a proposal to establish Resource Provision at St Margaret's C of E Primary School and seeks a decision to publish a statutory notice in respect of this proposal. In part B this report describes the outcome of a consultation regarding a proposal to establish Resource Provision at Bishop Young C of E Academy.

2. Background information

- 2.1 A Resource Provision is additional specialist facilities on a mainstream school site for a small number of pupils who have additional learning needs. These pupils usually have Education, Health and Care Plans (EHCPs). The Resource Provisions proposed in parts A and B of this report would provide for children and young people with complex communication needs including Autistic Spectrum Condition (ASC). Pupils accessing the Resource Provisions would be on the roll of the mainstream school/academy where the provision is situated and would spend most of their time in mainstream lessons, accessing additional support as appropriate in relation to their specific needs. The Resource Provisions proposed in parts A and B of this report would both incorporate dedicated accommodation within the host school/academy.

- 2.2 The number of children and young people living in Leeds has increased over the past decade, which has resulted in rising demand for both mainstream places and specialist provision places across the city. The demand for special needs places within mainstream schools continues to grow with particular increases in complex communication difficulties which are being identified as a consequence of a substantial increase in Education, Health and Care Plan (EHCP) assessments. Demand for new Resource Provision places to be developed in key locations across the city has resulted in these proposals being brought forward at this time.

Part A – Proposed 12-place Resource Provision at St Margaret’s C of E Primary School, Horsforth

- 2.3 The proposal to establish Resource Provision has been developed through discussions between Leeds City Council and the head teacher and governing body of St Margaret’s C of E Primary School.
- 2.4 Consultation on the proposal took place between 20 November and 18 December 2020 to seek the views of parents, local residents and other stakeholders. To maximise stakeholder engagement a variety of consultation methods were used, including email communications, an online survey, online consultation sessions, social media messages and direct advertising in the local area.

Part B – Proposed 30-place Resource Provision at Bishop Young C of E Academy

- 2.5 The proposal to develop Resource Provision at Bishop Young C of E Academy has been developed through discussions between Leeds City Council, The Abbey Multi Academy Trustees and the Executive Principal of Bishop Young C of E Academy.
- 2.6 Bishop Young C of E Academy has a number of pupils already attending who have additional needs, including autism. The Abbey Multi Academy Trust is very committed to expanding the existing provision at Bishop Young C of E Academy to support the growing need in the city and in a way that supports pupils already on roll. A Resource Provision base at the academy would address both a local and wider need for this type of provision.
- 2.7 The trustee’s consultation on the proposal took place between 13 November and 11 December 2020 to seek the views of parents, local residents and other stakeholders. To maximise stakeholder engagement a variety of consultation methods were used, including email communications, an online survey, online consultation sessions, social media messages and direct advertising in the local area.

3. Main issues

- 3.1 The strategic drive to keep pupils in mainstream or with enhanced provision in mainstream school is a key priority for the city. To support this there is an identified need for additional Resource Provision places in mainstream schools, particularly for children and young people with complex communication difficulties which are being identified as a consequence of a substantial increase in Education, Health and Care Plan (EHCP) assessments.

- 3.2 In response to this, opportunities have emerged to establish a 12-place Resource Provision at St Margaret's C of E Primary School and a 30-place Resource Provision at Bishop Young C of E Academy under the Abbey Multi Academy Trust, both from September 2021.
- 3.3 The proposed specialist Resource Provisions would support children with EHCPs to attend local mainstream settings providing both a differentiated curriculum and access to mainstream social and wider curriculum activities. The proposed provisions would also potentially benefit other pupils who may be able to access some of the resources created through the scheme where appropriate.
- 3.4 Specialist staff with expertise and skills in ASC would lead the provisions, better providing for pupils sensory and learning needs and enhancing the quality of provision for pupils with Special Educational Needs.

Part A – Proposed 12-place Resource Provision at St Margaret's C of E Primary School, Horsforth

- 3.5 St Margaret's C of E Primary School was rated "Outstanding" at its most recent Ofsted inspection (November 2009). The head teacher and governors are confident that if the proposed Resource Provision were to be established at the school, existing high standards of teaching and learning could be maintained.
- 3.6 The Resource Provision would cater for all primary year groups with the learners being on the roll of St Margaret's C of E Primary School.
- 3.7 A total of 57 survey responses were received during the consultation period of which 43 (75%) either strongly supported or somewhat supported the proposal to permanently establish Resource Provision, 13 (23%) either strongly or somewhat opposed it and one (2%) neither supported nor opposed it.
- 3.8 A copy of the responses received can be requested from the Sufficiency and Participation Team at educ.school.organisation@leeds.gov.uk.
- 3.9 A summary of the views expressed by the 43 survey respondents who strongly or somewhat supported the proposal is listed below;
- 19 respondents commented on the need for additional Resource Provision places either city-wide and/or specifically in the Horsforth area.
 - 17 respondents referred to the potential benefits to teaching and learning and the positive impact of Resource Provision on children with complex communication difficulties including ASC.
 - 7 respondents expressed support for integration and inclusiveness.
 - 6 responses referred to the school's existing experience of supporting SEND children and commented that it is therefore well placed to host a Resource Provision and a further 2 respondents made specific comments about the quality of the existing SEND provision at the school.

- 5 respondents commented that there is a particular need for specialist places for children with complex communication difficulties including ASC and that there are currently insufficient specialist places for these children in mainstream settings.
- 4 respondents said the proposal would increase parental choice.
- 3 responses stated that having Resource Provision places in the Horsforth area would mean that some children with SEND would not have to travel as far to get to school.
- 3 responses referred to how the provision would enable more SEND children to attend a mainstream setting.
- 3 respondents referred to the benefits that extra facilities would bring to the school.
- 2 responses stated that the proposed provision would benefit children who do not have SEND.
- 2 responses suggested that the proposed provision would benefit children with SEND who are currently attending mainstream schools including St Margaret's C of E Primary School.
- 2 respondents commented that Resource Provision is needed because there is insufficient support available in mainstream settings for children with complex communication difficulties.

3.10 The concerns raised by respondents and responses to those concerns are stated below;

3.11 **Concern about the school's capacity to manage a Resource Provision:** Comments included concerns about leadership at the school, standards of teaching and learning, staff shortages and high staff turnover, current resources being over-stretched, some existing SEND pupils not being adequately supported and poor communication with parents and carers. The school already has a significant number of children on roll who have special educational needs and some respondents commented that existing staff do not have the necessary training, experience and skills to meet the needs of pupils with complex communication difficulties. One respondent suggested that other schools in the area might be better placed to host the proposed provision.

3.12 **Response:** St Margaret's C of E Primary School was judged to be "Outstanding" at its most recent Ofsted inspection. The most recent school performance data shows that the school performs above, and in some case well above, national averages. Attainment in reading, writing and mathematics is above the Local Authority and national average at Key Stage 2 and current Key Stage 1 data is also above national and Local Authority averages.

The Local Authority, the governing body and DBE advisors (a body that enables Church of England Diocesan Boards of Education in Northern England to work together to share resources) regularly monitor many aspects of the school's effectiveness including the school's leadership team and there are no documented current concerns.

The school communicates with parents and carers through a number of channels including Parent Mail texts and emails, Tapestry (Early Years Foundation Stage and Key Stage 1), the school website, Twitter and letters home. The school has a parent

forum group that usually meets termly with senior leaders. The parent forum has not been able to meet in person through the Covid-19 pandemic however parent forum channels of communication have been established. The leadership team works closely with the governing body to regularly review the effectiveness of communications and parents/carers are members of the governing body.

There are no current staff shortages at the school although, as in other schools, there have been staff absences since September 2020 related to the current Covid-19 pandemic.

The school is situated in an area of need for Resource Provision for children with complex communication difficulties. The school is inclusive and there are a significant number of children already on roll who have SEND including many with complex communication difficulties including ASC. Existing staff have considerable experience of meeting the needs of these children and there is also a real commitment on the part of the head teacher, leadership team and governors to making a success of the proposed provision by building on what they are already successfully doing to support children with SEND.

Existing members of staff at the school have already completed ASC training and all are level 1 AET trained (Autism Education Trust). Three staff members are level 2 AET trained and two staff members are level 3 trained. If the proposal to establish Resource Provision goes ahead the school will be seeking to ensure that all members of staff are level 2 or 3 AET trained. The school also has two lead practitioners for autism. Members of staff have received bespoke training from STARS (Specialist Training And Raising Standards) team to support the needs of pupils already on the roll of the school. If the proposal is implemented a member of the STARS team would work with the school for at least a year to oversee the SEND provision and facilitate the sharing of good practice within school.

3.13 Concern about potential negative impact on existing staff and pupils: Some respondents were concerned that the process of setting up the provision would be disruptive and others commented on potential longer term negative consequences. Some respondents raised concerns about existing teaching groups already being full and suggested that having additional children on roll would have a negative impact on teaching and learning. Some respondents were concerned that the behaviour of some children with additional needs could have a negative impact on other children and this would increase if the proposed provision was established. One respondent was concerned that the Resourced Provision might take attention and resources away from children who do not have additional needs and that these children would become less of a priority.

3.14 Response: The head teacher and governing body are confident they could successfully manage the process of establishing the Resource Provision whilst maintaining high standards of teaching and learning. All pupils and staff both new and existing would be supported through the changes.

St Margaret's C of E Primary School is popular and therefore many teaching groups already have around 30 children in them. There are also a significant number of children with SEND already on the roll of the school. The head teacher and leadership team are therefore experienced with managing full teaching groups whilst balancing the needs of all pupils. If the Resource Provision were to be established, the school would benefit from additional resources, including specially-trained staff and there would also be additional accommodation on the school site. The head teacher and

leadership team believe that this would be a potential benefit to all pupils and staff in the school as not only would it cater for the needs of children directly accessing the Resource Provision but other pupils could utilise some of these resources. Having more physical space for SEND pupils within the school would reduce the pressure on existing teaching groups even though there would potentially be more children on the roll of the school.

If a Resource Provision place was requested at the school the head teacher would work with the Special Education Needs Statutory Assessment and Provision (SENSAP) team on a case by case basis to determine if the school had the physical space and other resources to meet the child's needs. SENSAP would not look to allocate a child a place at the Resource Provision if this was incompatible with the education of other children already on the roll of the school.

3.15 **Concern was raised that there is a lack of clarity about how the provision would operate:** A small number of respondents commented that they were unsure about whether they could support the proposal because of uncertainty about how it would operate and the potential impact on staff and existing pupils.

3.16 **Response:** If the provision were to be established, the head teacher and leadership team would work closely with the Local Authority to ensure a smooth transition to hosting the provision. The Local Authority has considerable experience of setting up Resource Provision in other schools and would be able to provide guidance and support. The head teacher at St Margaret's C of E Primary School has previous experience of setting up a successful Resource Provision at another setting and the school is already working with other established providers in Leeds to understand how resources could be best utilised.

The proposal is still at a relatively early stage so it isn't yet possible to describe in detail how it would be set up however it is anticipated that once established, pupils on the roll of the Resource Provision would be supported to access up to 80% of the mainstream curriculum. Pupils would also have access to more targeted support and resources. The school would be seeking to recruit additional staff as part of the provision and there would be additional accommodation provided. Stakeholders have had opportunities through the consultation process to discuss the proposals with the head teacher, other senior leaders, governors and Leeds City Council officers. Meetings were held for members of staff and governors and two online consultation sessions took place and at each of these meetings/sessions there were opportunities for stakeholders to ask questions about how the provision might be delivered.

3.17 **Concern about the impact on the number of mainstream places available:** Some respondents were concerned that the allocation of Resource Provision places in the Reception admissions round would reduce the number of places available for other local children if they were allocated to children living in other areas of the city.

3.18 **Response:** Places at the proposed Resource Provision would be allocated through the child's Education, Health and Care Plan (EHCP). Placements at a Resource Provision are made when a family makes a preference for the setting to be named on their child's EHCP and the SENSAP team and the school are in agreement that the provision is the most appropriate educational setting to meet the child's needs. This process takes place outside of the school's normal admission arrangements (i.e. outside of the school's admission policy). If a child was allocated a place at the proposed provision and the year group was already full to its admission limit of 60

then the child would be admitted over numbers. Should the Resource Provision be established at St Margaret's C of E Primary School, a child may be allocated a place at any stage during their primary schooling and would not necessarily enter the provision in Reception. It is also possible that some children allocated places at the proposed provision would already be on roll at the school and so would not add to the number of children attending the school.

If a child's EHCP was determined prior to National Offer Day for Reception and the proposed provision was named then the child would be accounted for within the 60 pupils for that year's Reception. The setting named on a child's EHCP is determined to be the most appropriate to meet the child's needs and it is therefore possible that the child may live outside of the local area.

- 3.19 **Concern that the proposed provision was proposed to be established at a faith school:** A small number of respondents expressed a view that establishing Resource Provision at a voluntary controlled school would limit choice for families of different faiths or no faith.
- 3.20 **Response:** As the school is voluntary controlled it uses the Local Authority's admission policy and therefore does not admit children on faith-based criteria. The school already has children on roll from a variety of faiths, backgrounds and cultures and has a very inclusive ethos with values that are common with community primary schools.
- 3.21 **Concern that the proposed number of places is insufficient:** One respondent suggested that more than 12 Resourced Provision places are needed in Horsforth to meet the local need.
- 3.22 **Response:** The 12 places that are being proposed is a manageable starting point for the school and does not reflect a limit on how many places may be offered in the future. If there was an identified need for additional places in the area after the Resource Provision at St Margaret's had been established, SENSAP would work with the head teacher and governors to determine if this need could be met at the school.
- 3.23 **Concern that it would be better to establish the proposed provision at secondary level:** One respondent expressed a view that most children with complex communication difficulties do not have their needs recognised through an EHCP until they are at or near to secondary age and primary schools are better able to differentiate their offer to cater for children with these needs than secondary schools are.
- 3.24 **Response:** There is an identified need for primary Resource Provision in and around the Horsforth area for children with complex communication difficulties including ASC. The number of children and young people living in Leeds has increased over recent years and the number of ECHPs has grown alongside this. As the need for more secondary Resource Provision places emerges this will be addressed through other proposals.
- 3.25 **Concern that there is insufficient space for the additional accommodation:** One respondent commented that the school site is not large enough to accommodate the

proposed modular unit and some pupils expressed concern that play space might be compromised.

- 3.26 **Response:** If the Resource Provision were to be established at St Margaret's C of E Primary School, the intention would be to seek to locate the associated modular unit in such a way as to minimise the impact on the school's play space, in particular on the hard standing which is in use all year round.

Part B – Proposed 30-place Resource Provision at Bishop Young C of E Academy

- 3.27 Item 15 on the agenda for the Executive Board meeting on 10 February 2021, 'East Leeds Extension - Land Disposal and Delivery of Community Infrastructure' refers to the principle of establishing community infrastructure to complement the East Leeds Extension housing developments. The provision of sufficient learning places to support the new housing is an integral part of this process. If Resource Provision was established at Bishop Young C of E Academy from September 2021 it would contribute to any increased need for secondary SEND places linked to the new housing.
- 3.28 Bishop Young C of E Academy does not currently have an Ofsted rating as it has not been inspected since it was established in May 2017. The Executive Principal believes that standards of attainment and achievement at Bishop Young C of E Academy have recently improved rapidly and along with the head teacher and trustees is confident that these could be maintained were the proposed Resource Provision to be established.
- 3.29 The Resource Provision would cater for all secondary year groups (ages 11-16) with the learners being on the roll of Bishop Young C of E Academy.
- 3.30 A total of 46 survey responses were received during the consultation period of which 45 (98%) either strongly supported or somewhat supported the proposal to permanently establish Resource Provision and one (2%) strongly opposed it.
- 3.31 A copy of the responses received can be requested from the Sufficiency and Participation Team at educ.school.organisation@leeds.gov.uk.
- 3.32 A summary of the views expressed by the 45 survey respondents who strongly or who somewhat supported the proposal is listed below;
- Many respondents recognised the need for additional Resource Provision places either city-wide and/or specifically in the area where Bishop Young C of E Academy is situated.
 - Many respondents made positive comments about the academy with some saying that they value the existing support for pupils with SEND and the academy's inclusive ethos.
 - Many respondents would welcome improved specialist facilities for children and young people with SEND.

- A small number of respondents said that the proposed Resource Provision would bring benefits to teaching and learning at the academy and some said it would enhance the ethos of the academy.

3.33 The concerns raised by respondents and responses to those concerns is given below;

3.34 **Concern about negative impact on teaching and learning:** One respondent highlighted the current pressure that secondary students are facing having had their education disrupted due to the pandemic in 2020 whilst preparing for external exams. The proposed Resource Provision would mean that new students would join the academy and this would cause additional anxiety for existing students.

3.35 **Response:** The Executive Principal, head teacher and trustees are confident that they could maintain existing standards of teaching, learning and pastoral support. They believe they could effectively support all pupils, including those already attending the academy, through a process to establish Resource Provision at Bishop Young C of E Academy. The academy already has a successful provision called Ark to support pupils with additional learning needs and feels that the proposed Resource Provision would be a natural extension of this. The potential benefits to all pupils of having additional specialist resources available would enhance the support that is already on offer.

3.36 **Concern that provision in mainstream schools does not meet the needs of some SEND pupils:** One respondent stated that some SEND pupils with complex needs cannot be adequately supported in mainstream settings.

3.37 **Response:** The Local Authority looks at pupils' individual needs to consider what provision will best support them, the starting point being to make more spaces available in mainstream schools. This approach means that pupils are included within settings in their locality wherever possible, and with enhanced provision through an additional Resource Provision, improves the quality of education for these pupils. Resource Provision within mainstream settings is not expected to meet the needs of pupils with significant and complex needs and where children have more complex needs there are other options around specialist placements that can be considered.

4. Corporate considerations

4.1. Consultation and engagement

4.1.1. The process in respect of both of the proposals has been managed in accordance with the relevant legislation and with local good practice.

Part A – Proposed 12-place Resource Provision at St Margaret's C of E Primary School, Horsforth

4.1.2. Consultation on the proposal took place between 20 November and 18 December 2020 to seek the views of parents, local residents and other stakeholders. To maximise stakeholder engagement a variety of consultation methods were used, including email communications and an online survey. Information about the consultation was posted on the Leeds City Council and school websites and through

various social media platforms. Online consultation sessions were also held (for staff, parents/carers, residents and other interested stakeholders) which offered attendees an opportunity to discuss the proposal with the school leadership team and with Leeds City Council officers. Approximately 340 leaflets advertising the consultation were delivered to residents in the close vicinity of St Margaret's C of E Primary School and the school delivered posters advertising the consultation to prominent locations in the Horsforth area. The school informed parents and carers of existing pupils and details about the consultation were sent via email to primary and secondary schools in the area to share with their parents and communities. The school also sought views on the proposal from existing pupils. Information on the proposal was shared via email with all ward members, the local MP and other stakeholders including the Catholic and C of E dioceses and various parent groups including EPIC (Empowering Parents, Improving Choices) and Zig Zag Autism Leeds.

Part B – Proposed 30-place Resource Provision at Bishop Young C of E Academy

4.1.3. The trustee's consultation on the proposal took place between 13 November and 11 December 2020 to seek the views of parents, local residents and other stakeholders. To maximise stakeholder engagement a variety of consultation methods were used, including email communications and an online survey. Information about the consultation was posted on the Leeds City Council and academy websites and through various social media platforms. Online consultation sessions were also hosted by the academy (for staff, parents/carers, residents and other interested stakeholders) which offered attendees an opportunity to discuss the proposal with the school leadership team and with Leeds City Council officers. Approximately 150 leaflets advertising the consultation were delivered to residents in the close vicinity of Bishop Young C of E Academy and the academy delivered posters advertising the consultation to prominent locations in the area. The academy informed parents and carers of existing pupils and details about the consultation were sent via email to primary and secondary schools in the area to share with their parents and communities. The academy also sought views on the proposal from existing pupils. Information on the proposal was shared via email with all ward members, the local MP and other stakeholders including the Catholic and C of E dioceses and various parent groups including EPIC and Zig Zag Autism Leeds.

4.2. Equality and diversity / cohesion and integration

4.2.1. The EDCI screening forms for the proposals are attached as appendices to this report.

4.3. Council policies and the Best Council Plan

4.3.1. These proposals offer good value for money through their capacity to support achievement of the Best Council Plan outcome that states 'We want everyone in Leeds to do well at all levels of learning and have the skills they need for life'.

4.3.2. The proposals are being brought forward to meet the LA's statutory duty to ensure that there are sufficient school places for all the children and young people in Leeds. Providing Resource Provision places in areas where demand is high is an efficient use of resources which should enable more children and young people to access suitable provision within a reasonable travelling distance of where they live.

- 4.3.3.** These proposals contribute to the city's aspiration to be the best council, the best city in which to grow up and a child friendly city. The delivery of pupil places through the Learning Places Programme is one of the baseline entitlements of a child friendly city.
- 4.3.4.** Providing additional good quality specialist places in already established settings, to address increasing demand city-wide, will contribute towards the achievement of the Child Friendly City aim of 'improving educational attainment and closing achievement gaps for children and young people vulnerable to poor learning outcomes'. In turn, by helping young people into adulthood, to develop life skills, these proposals provide underlying support for the council's ambition to produce a strong economy and a compassionate city.
- 4.3.5.** A good quality school place also contributes towards delivery of targets within the Children and Young People's Plan such as to the 3As strategy to improve attendance, achievement and attainment.
- 4.3.6.** St Margaret's C of E Primary School was judged to be "outstanding" in its most recent Ofsted inspection. The Governing Body and Senior Leadership Team are confident that its dedicated staff team can meet the needs of every child who attends the school, managing the establishment of Resource Provision whilst maintaining standards.
- 4.3.7.** Bishop Young C of E Academy became part of the Abbey Multi Academy Trust in May 2017. The academy does not currently have an Ofsted rating as it has not been inspected since it was established. The Executive Principal believes that standards of attainment and achievement at Bishop Young C of E Academy have recently improved rapidly and leaders currently judge the school as good in all Ofsted framework sections and outstanding for Personal Development. The Governing Body and Senior Leadership Team are confident that its dedicated staff team can continue to meet the needs of every pupil whilst managing the establishment of the proposed Resource Provision.

Climate Emergency

- 4.3.8.** There is an identified need for primary Resource Provision places in Horsforth and the wider area and secondary Resource Provision places in Seacroft and the wider area. These proposals would meet some of this increased demand and offer increased choice so that local families are able to access Resource Provision relatively near to where they live, thus reducing journey times to and from school.
- 4.3.9.** If the proposals are approved St Margaret's C of E Primary School and Bishop Young C of E Academy would need to produce updated 'Travel Plans' which would contain a package of agreed measures to mitigate the potential impact on the highways. Leeds City Council's 'Influencing Travel Behaviour Team' would support these measures and seek to ensure safe routes to and from school by promoting walking, cycling and scootering. Progress on these matters would be monitored and support offered where appropriate.
- 4.3.10.** Existing planning policies seek to address the issue of climate change by ensuring that development proposals incorporate measures to reduce the impact on non-renewable resources. The council's Executive Board has also mandated that the authority should be carbon neutral by 2030. This will result in sustainable/ green

infrastructure being required of all future projects in order for planning permission to be granted. To this end if the proposals progress, any build schemes would explore the potential use of renewable energy and energy saving technologies, with the aim of increasing sustainability and minimising energy consumption. In parallel with this, the Energy Unit will support the design team to identify energy saving measures that can help achieve energy savings comparable to a 47% reduction in average energy consumption levels, in line with the 2025 requirements. The proposed energy efficiency standards are likely to increase the capital costs for any build schemes required, however, there is as yet insufficient benchmark data available to provide a reliable estimate of how much these additional measures would be likely to add to the cost of the schemes. Leeds City Council promotes an 'Invest to Save' strategy that allows access to funding in order to offset the enhanced capital costs. The improved energy efficiency will also reduce the school's/academy's overall running costs, as the buildings will be more economical to run long-term, eventually paying for the measures put in place.

4.3.11. Any contractors tendering for the proposed developments will need to demonstrate a robust Waste Management Plan, be registered with The Considerate Constructors Scheme, of which, the main consideration of the scheme falls into three categories: The general public, the workforce and the environment. Contractors will also need to be sympathetic to the Leeds Talent and Skills Plan by striving to employ local trades thus reducing the impact of extended travel.

4.4. Resources, procurement and value for money

4.4.1. Proposed works to enable the Resource Provision to be established at St Margaret's C of E Primary School would include the installation of a modular building on site. Implementation of the project would be subject to agreement with the Private Finance Initiative (PFI) provider and there would be fees associated with amending the PFI contract should the proposed installation of additional accommodation go ahead. The proposed Resource Provision at Bishop Young C of E Academy could be accommodated within an existing space subject to some remodelling/refurbishment work. The Abbey Multi Academy Trust has requested that Leeds City Council oversee the project work, should the proposal progress.

4.4.2. These expansions would be funded from the Learning Places Programme, primarily through Basic Need Allocations. Once the viability/feasibility stage was complete and schemes proceeded to the detailed design phase, budgets would be realigned to reflect that all parties have agreed the final design and cost estimates, which would take account of site investigations and survey information, in accordance with standard project and risk management principles. Once design freeze is reached, the precise funding packages would be detailed in the relevant Design and Cost Reports (DCRs) and the Director of Children and Families, in consultation with School Places Programme Board would be asked to approve final Authority To Spend for the proposed schemes along with any necessary risk fund application, in line with the governance arrangements currently in place.

4.4.3. The proposed schemes would be subject to planning permission which would need to be granted prior to the commencement of construction works. Schemes would also be subject to relevant stakeholder consultation.

4.5. Legal implications, access to information, and call-in

- 4.5.1. The changes that are proposed to St Margaret's C of E Primary School 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.
- 4.5.2. The changes that are proposed to Bishop Young C of E Academy form prescribed alterations under Department for Education advice for academy trusts, Making Significant Changes to an Open Academy (November 2019).
- 4.5.3. This report is subject to call in.

4.6. Risk management

- 4.6.1. These proposals have been brought forward in time to allow the Resource Provision places to be delivered for 2021. A decision not to proceed at this stage may result in fresh consultations on new proposals, and places may not be delivered in time. The Local Authority's ability to meet its statutory duty for sufficiency of school places in the short term may be at risk.
- 4.6.2. Initial discussions with the Special Purpose Vehicle about the proposals for St Margaret's C of E Primary School have been positive however the legal process associated with amending the PFI contract could take up to 6 months so there is a risk that if not approved to move to the next stage, this may not be concluded in time for the accommodation to be delivered ahead of an implementation date of September 2021.
- 4.6.3. There is also a corporate risk and legal risk associated with failing to provide sufficient school/learning places in good quality buildings that meet the needs of local communities.

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/learning places, is one of our top priorities. These proposals have been brought forward to support learners in Leeds to benefit from being able to access a Resource Provision place and so delivering our vision of Leeds as a child friendly city.
- 5.2. These places are required to ensure the authority meets its legal requirement to ensure sufficiency of specialist provision for September 2021 and beyond. There is evidence of need for Resource Provision places in the areas where these settings are located, therefore it is recommended that the proposals be approved.

6. Recommendations

Executive Board is requested to:

Part A – Proposed 12-place Resource Provision at St Margaret's C of E Primary School, Horsforth

- a) Approve the publication of a statutory notice on a proposal to establish a 12-place Resource Provision at St Margaret's C of E Primary School with effect from September 2021;

- b) Grant provisional approval for authority to spend (ATS) £1.1m to deliver the proposed 12-place Resource Provision at St Margaret's C of E Primary School;
- c) Note that implementation of the proposal would be subject to the response of the proposed statutory notice and on the outcome of further detailed design work and planning applications as indicated at section 4.4 of this report;
- d) Note that the proposal has been brought forward in time for places to be delivered for 2021; and
- e) Note the responsible officer for implementation is the Head of Learning Systems.

Part B – Proposed 30-place Resource Provision at Bishop Young C of E Academy

- f) Approve that the proposal to establish a 30-place Resource Provision at Bishop Young C of E Academy with effect from September 2021 progresses;
- g) Grant provisional approval for authority to spend (ATS) £2.2m to deliver the proposed 30-place Resource Provision at Bishop Young C of E Academy;
- h) Note that implementation of the proposal is subject to the outcome of further detailed design work and planning applications as indicated at section 4.4 of this report;
- i) Note that the proposal has been brought forward in time for places to be delivered for 2021; and
- j) Note the responsible officer for implementation is the Head of Learning Systems.

7. Background documents¹

7.1 None.

¹ 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.