

Outcome of statutory notice on a proposal to establish a resource provision at Iveson Primary School

Date: 14th December 2022

Report of: Director of Children and Families

Report to: Executive Board

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

Brief summary

This report details the outcome of statutory notice on a proposal to establish a resource provision at Iveson Primary School with effect from September 2023.

Consultation was carried out in accordance with section 19(3) of the Education and Inspections Act 2006 and with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013. The formal statutory notice period took place between 3rd October 2022 and 4th November 2022. The statutory notice yielded two responses from stakeholders during this time.

This report summarises the consultation responses and seeks approval from Executive Board on the recommendations below.

Recommendations

- a) Executive Board are asked to review the outcome of the statutory notice and approve the proposal to establish a resource provision at Iveson primary school from September 2023
- b) Note the responsible officer for implementation is the Head of Learning Inclusion.

What is this report about?

- 1 The number of children and young people living in Leeds with an Education Health and Care Plans (EHCPs) continues to increase each year, resulting in rising demand for specialist provision places across the city. Depending on their specific needs, pupils with EHCPs may attend mainstream or special schools. A resource provision caters for pupils with an EHCP who require a specialist environment within a mainstream school to support their needs. A need for this type of provision has been identified in this area of Leeds both in terms of current and long-term future need.
- 2 To address the need for specialist provision places, a proposal is being brought forward to establish a 16 place resource provision at Iveson Primary School from September 2023.
- 3 The provision will cater for pupils with complex communication difficulties and autism. The resource provision would support children with EHCPs to attend a local mainstream school, providing both a differentiated curriculum and access to mainstream social and wider curriculum activities.
- 4 Iveson Primary school was rated 'Good' by Ofsted at its most recent inspection.

What impact will this proposal have?

- 5 This proposal is being brought forward to meet the LA's statutory duty to ensure that there are sufficient specialist school places in Leeds.
- 6 This proposal contributes to the city's ambition 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.
- 7 The Equality, Diversity, Cohesion and Integration Screening (EDCI) form is attached as an appendix to this report.

How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing

Inclusive Growth

Zero Carbon

- 8 This proposal would establish resource provision learning places in a mainstream setting, 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'.
- 9 The proposal is 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 an area where demand is high is an efficient use of resources which should enable more children to access suitable provision within a reasonable travelling distance of where they live. This proposal offers good value for money through its capacity to support achievement of the Best City Ambitions of 'ensuring children in all areas of the city have the best start in life and enjoy a healthy, happy and friendly childhood' and 'ensuring young people and those changing career in later life have the skills and job opportunities which enable them to realise their potential and thrive'.

- 10 The proposal supports the council's climate agenda by reducing the need to transport children across the city to attend a resource provision. Reduced travel also positively impacts on health through reduction in the city's carbon footprint and could be attributed to improving a child's wellbeing through a shortened home to school journey time.

What consultation and engagement has taken place?

Wards affected: Weetwood Ward

Have ward members been consulted? Yes No

- 11 The process in respect of this proposal has been managed in accordance with the relevant legislation and with local good practice.
- 12 Ahead of the public consultation, the school governing body and headteacher confirmed their support for the proposal to develop the resource provision.
- 13 An initial public consultation on a proposal to establish a 16 place resource provision at Iveson Primary School with effect from September 2023 took place between 27 June and 22 July 2022. The outcome of this consultation was detailed in a report presented to Executive Board at its meeting on 21 September 2022 who approved the recommendation for the LA as proposer to publish a statutory notice in respect of the proposal.
- 14 The statutory notice was published in the Yorkshire Evening Post on 3 October 2022 and the full proposal was posted on the Leeds City Council and website. Stakeholders that were consulted included; all parent/carers at Iveson Primary School, Staff and governors at Iveson Primary School, parent support groups, all Leeds schools, all Leeds SILCs, all ward members, local MP, the Diocese and any other relevant stakeholders. Copies of the notice were displayed at the school and information about the statutory notice was shared on social media platforms.
- 15 During the five-week representation period, following publication of the statutory notice there were 2 representations received, of which both supported the proposal.
- 16 A summary of the main themes from supportive comments submitted during the statutory notice period is included below (individual respondents may have made more than one of these comments);
- There is an increasing need for this type of provision in the area and Iveson have the required space and expertise to facilitate this.
 - The city is desperate for places for pupils with SEND and it is a welcome addition to local provision.

What are the resource implications?

- 17 The estimated capital expenditure cost associated with the establishment of resource provision at Iveson Primary School is £500k inclusive of 5% LCC held contingency and a 24% optimism bias (OB) as recommended in the Treasury Green Book (24% is the lower end of Green Book OB for 'standard' buildings). The use of optimum bias is in line with City Development and the construction industry's approach to cost management at early project stages where risk pricing is not practical due to lack of survey/design information, particularly given ongoing inflationary pressures.

18 The primary school currently has surplus accommodation within its existing building. The proposal is to remodel this space to create an enhanced learning environment to meet the specialist needs of the children who would attend the resource provision. The capital scheme would be funded through the Council's High Needs Provision Capital Allocation (HNPCA).

19 Once the viability/feasibility stage of the construction project is complete and the scheme proceeds to the detailed design phase, budgets will be aligned to reflect that all parties have agreed the final design and cost estimate, which will 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 the Director of Resources and Director of City Development, will be asked to approve final Authority to Spend for the proposed scheme along with any necessary risk fund application, in line with the governance arrangements currently in place.

What are the key risks and how are they being managed?

20 A decision not to proceed with the proposal to establish the resource provision would result in the corporate risk "failure to provide sufficient school places". The provision is planned to ensure that there are sufficient specialist places available to meet demand within the Local Authority.

What are the legal implications?

21 This proposal has been brought forward by Leeds City Council with the support of the School and Governing Body. Consultation was carried out in accordance with section 19(3) of the Education and Inspections Act 2006 and with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013. The regulations set out that with any reorganisation of specialist provision at a foundation school, such as Iveson Primary School, the local authority is the proposer and the decision maker.

22 At its meeting in September 2021 Executive Board members agreed that in the future, and in response to the recommendation of the Children and Families Scrutiny Board, anonymised consultation responses be shared in full with Executive Board Members as 'background documents'. These would be published alongside the agenda papers, but not form part of the formal agenda. Executive Board members are asked to consider the summary of responses in this report as part of their decision making, with the full consultation responses being available for reference by Members if needed.

Options, timescales and measuring success

What other options were considered?

23 As part of the ongoing sufficiency review of SEND learning places, a range of options within primary schools have been considered and will continue to be as part of the ongoing planning process.

24 An SEN Improvement Test has been completed on this option which involves demonstrating how the proposal would improve the range and quality of SEND provision and enable mainstream inclusion. Iveson Primary School is a 'Good' school, has an established inclusive

ethos, is in a good location to meet specialist demand for places and has surplus accommodation.

How will success be measured?

25 If the proposal is approved the places would be delivered for September 2023 and if successful, would support more local families to access resource provision places.

What is the timetable and who will be responsible for implementation?

26 This proposal has been brought forward in time to allow additional resource provision places to be delivered for September 2023.

Appendices

- Equality, Diversity, Cohesion and Integration Screening form

Background papers

- Anonymised statutory notice responses received in relation to this proposal