

# Public Document Pack

## Executive Member Decisions

Friday, 11th August, 2023

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### AGENDA

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Date Published: 11 August 2023  
Denise Park, Chief Executive

# Agenda Item 1

## EXECUTIVE MEMBER DECISION



<b>REPORT OF:</b>	Executive Member for Children, Young People and Education
<b>LEAD OFFICERS:</b>	Strategic Director of Children & Education (DCS)
<b>DATE:</b>	09 August 2023

**PORTFOLIO/S AFFECTED:** Executive Member for Children, Young People and Education

**WARD/S AFFECTED:** Blackburn South East

**SUBJECT: Proposed addition of a resourced provision at Shadsworth Infant School**

### 1. EXECUTIVE SUMMARY

Proposal to increase the overall capacity of school places for pupils with special educational needs and disabilities (SEND) through the addition of an SEN Unit at Shadsworth Infant School.

### 2. RECOMMENDATIONS

That the Executive Member:

- approves for the Council to commence the statutory process for making Prescribed Alterations to a Maintained School, i.e. the addition of an SEN Unit at Shadsworth Infants School
- notes that the outcome of the formal consultation (which is a key element of the statutory process) shall be considered by the School Organisation Panel who shall advise and make recommendations to the Executive Member for Children, Young People and Education and the Strategic Director of Children & Education, in relation to the further stages of the statutory process.

### 3. BACKGROUND

It is the duty of the Local Authority to ensure sufficient school places for all children and young people, including those with SEND who may need additional support or more specialist provision. Blackburn with Darwen's pupil place modelling informs of a current and predicted future shortfall of places in resourced provisions, special schools/units, and alternative provision schools. Locally and nationally the number of students with an Education, Health and Care Plan (EHCP) is on the rise and the need for special school places is increasing.

Most students with special educational needs and/or disabilities can generally be supported in mainstream schools, however a number of students are unable to access the National Curriculum at age related expectations and for those pupils a resourced provision can provide a full, broad and balanced education in an environment that is more suited to their needs.

Shadsworth Infant School currently operates as a 3 to 7 year old intake nursery and infant school. This means that the school admits children from nursery age until they reach junior school age. The addition of an SEN Unit would have no detrimental impact on admissions to the schools nursery and/or reception class. Places at the SEN Unit will be in addition to the School's published admission number (PAN).

The Prescribed Alterations Guidance says that there is a strong expectation that the Local Authority will consult interested parties prior to publication of statutory proposals in order to take account of all relevant issues. The Local Authority carried out a consultation from 18 April to 5 June 2023 and now proposes to follow the statutory process to make this change.

#### **4. KEY ISSUES & RISKS**

Places in an SEN Unit would not negatively impact on the Infant Schools Published Admissions Number, or on normal round or in year infant school admissions. Staff currently employed to work at the School will not be adversely affected.

The creation of an SEN Unit at Shadsworth Infant School will not have a detrimental effect on other local infant, primary and junior schools. In relation to the impact on other resourced provisions, special schools/units and pupil referral units, it would positively impact as it would decrease place pressure in those institutions.

The Local Authority operates a family information service called the Local Offer, which provides advice and guidance for families about supporting children and young people with special educational needs and disabilities aged 0-25 and their families. If approved, the SEN Unit will be included within the information available to families online.

Not increasing the capacity of SEN places available in Blackburn with Darwen will mean the local authority purchasing more places out of borough which are typically more costly and mean that pupils are spending large amounts of time travelling to and from school. Alternatively, more pupils may need to stay on the roll at a mainstream school, which may not be conducive to their learning and developmental needs.

#### **5. POLICY IMPLICATIONS**

None.

#### **6. FINANCIAL IMPLICATIONS**

Each place within the SEN Unit is commissioned and funded by Blackburn with Darwen Borough Council.

Typical costs for a placement in a SEN Unit that is within Blackburn with Darwen is less than that of an out of borough SEN Unit placement.

#### **7. LEGAL IMPLICATIONS**

Section 27 of the Children and Families Act 2014 places a statutory duty on Local Authorities to keep under review the educational provision, training provision and social care made in its area for children and young people who have special educational needs or a disability. The current position advises that there is a need for more places in SEND provisions to meet the rising demand.

Under the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, the Local Authority must follow the required statutory process to make the proposed change.

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## 8. RESOURCE IMPLICATIONS

This will be met by existing internal resource.

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## 9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1  Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2  In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. (*insert EIA link here*)

Option 3  In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. (*insert EIA attachment*)

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## 10. CONSULTATIONS

The guidance “Making significant changes (‘prescribed alterations’) to maintained schools, January 2023” informs that Blackburn with Darwen as the Local Authority for Shadsworth Infant School were required to undertake statutory processes to make an addition of an SEN Unit at the school. The Local Authority carried out a pre statutory publication consultation from 18<sup>th</sup> April 2023 to 5<sup>th</sup> June 2023 (Appendices 1 & 2). Results of this consultation are included in the detailed consultation analysis (Appendix 3).

Overall the Local Authority received 31 responses for this consultation. 30 of the responses supported the proposal, 1 didn’t have a view either way; but did not comment any further. There were no responses against the proposal. The consensus is an overall majority in support of the SEN Unit at Shadsworth Infant School.

As detailed within the statutory process the Local Authority will carry out a further consultation (i.e. 4 week Formal representation period).

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## 11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council’s Code of Corporate Governance.

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## 12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable.

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**VERSION:** 1

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<b>CONTACT OFFICER:</b>	<p><b>Sara Malone, Pupil Place Planning Coordinator</b></p> <p><b>Sarah Anderson, Place Planning and Admissions Coordinator</b></p> <p><b>Carol Grimshaw, Head of Service Schools System Support</b></p>
<b>DATE:</b>	
<b>BACKGROUND PAPER:</b>	<p>Appendix 1: Consultation Proposal</p> <p>Appendix 2: Consulting List – Stakeholders who were informed of the consultation.</p> <p>Appendix 3: Consultation Analysis</p>

# Consultation Proposal

<b>Local Authority: Blackburn with Darwen</b>	
<b>School: Shadsworth Infant School</b>	
<b>Proposal:</b> Consultation on the proposed addition of a resourced provision at Shadsworth Infant School for students aged 4 to 11.	
<b>Date of Implementation:</b> September 2023	
<b>Head:</b> Gillian Crompton	<b>Contact:</b> office@shadsworthinfant.blackburn.sch.uk
<b>DfE:</b> 889/2167	<b>URN:</b> 119220

## Why are we consulting?

The "Making significant changes ('prescribed alterations') to maintained schools, January 2023" informs that Blackburn with Darwen as the Admissions Authority for Shadsworth Infant School are required to undertake statutory consultation to make an addition of a resourced provision at the school. The Local Authority is keen to hear parents, carers and other interested stakeholders views on the proposal.

## Requirements for Notification and Publication

The "Making significant changes ('prescribed alterations') to maintained schools 2023" can be found at: [Making significant changes \('prescribed alterations'\) to maintained schools \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

## Background

Currently Shadsworth Infant School operates as a 3 to 7 year old intake nursery and infant school. This means that the school admits children from nursery age until they reach junior school age.

Evidence of Demand: Blackburn with Darwen has had a shortfall of places in resourced provisions, special schools, and pupil referral units, approximately 100 students are placed out of the Local Authority.

## Demographic Information

Housing: Between 2023 and 2029 there is a forecasted projection of 900 new houses to be developed in the area.

Population: The school continues to allocate all reception class places each September. Locally and nationally the number of students with an EHCP is on the rise.

## Specific Proposal

The local authority, as the admissions authority for Shadsworth Infant School, proposes to add an additional resourced provision for students aged 4 to 11 with effect from September 2023, in a purpose built extension to the existing Infant School.

Places in the resourced provision will not impact on the Infant Schools Published Admissions Numbers.

The proposal will not negatively affect staff currently employed to work at Shadsworth Infant School.

The local authority, as the admissions authority, will consider any views from the consultation exercise before making any decision on the proposal.

## How would this Increase Educational Standards?

Most students with special educational needs and/or disabilities can generally be supported in mainstream schools, however a number of students are unable to access the National Curriculum at age related expectations. The resourced provision provides an opportunity for those students to get a full well-rounded education in a setting which is more suited to their needs.

## What is the Impact on other Educational Institutions?

The addition of a resourced provision would have no impact on other local infant, primary and junior schools. In relation to the impact on other resourced provisions, special schools and pupil referral units, it would positively impact as it would decrease place pressure in those institutions.

## Who are we consulting with?

During this consultation period, we want to seek views from:

- Parents and carers of children already attending the school;
- School staff;
- Trade unions;
- School Governors;
- Primary, infant and junior schools (including any associated Academy Trust) in Blackburn with Darwen;
- Councillors and MP's;
- Resourced provisions, special schools and pupil referral units;
- Relevant local authority departments.

### Timeline for the Consultation Period

Date	Action
18 <sup>th</sup> April 2023	Start of the consultation.
5 <sup>th</sup> June 2023	End of the consultation period/deadline for submitting views to the Local Authority.
June 2023	Analysis of consultation views and preparation of information to be considered by the LA.
June 2023	Head teacher to present the consultation outcomes to Shadsworth Infant School governing body.
June 2023	Executive member decision meeting to consider views and agree future arrangements.

### When would any Changes come into Effect?

If a decision to create a resourced provision for students aged 4 to 11, at Shadsworth Infant School is agreed and approved; the arrangements would be introduced from September 2023 onwards.

### Projected Costs

Each place within the resourced provision is commissioned and funded by Blackburn with Darwen Borough Council.

### Implementation

The Local Authority as the Admissions Authority would, if the proposal was successful, begin taking applications for students aged 4 to 11 for admission to the resourced provision during the summer term, for admission in September 2023.

### How to Respond

This consultation will run from **18<sup>th</sup> April 2023** (a period of 7 weeks). **The consultation has been extended by 3 weeks to ensure people have further opportunity to comment, should they wish to do so.** You are invited to submit views in writing about the proposal above to the Local Authority. You can share your views via this online form [Online Response Form](#) , or send by post or email to the following addresses –

Blackburn with Darwen Council  
 Pupil Support & Admissions Team,  
 Children's Services & Education Department,  
 10 Duke Street,  
 Blackburn,  
 Lancashire,  
 BB2 1DH.  
 Phone: 01254 666605  
 Email: [admissions@blackburn.gov.uk](mailto:admissions@blackburn.gov.uk)

All views must be received by **5pm on Monday 5<sup>th</sup> June 2023**. Views received after this specified time and date will not be considered.

For further information please contact:

Carol Grimshaw  
 Phone: 01254 666605  
 Email: [admissions@blackburn.gov.uk](mailto:admissions@blackburn.gov.uk)

## Consultation List

<b>School Name:</b>	Shadsworth Infant School
<b>Head Teacher:</b>	Gillian Crompton
<b>URN:</b>	119220
<b>Proposal:</b>	Consultation on the proposed addition of a resourced provision at Shadsworth Infant School for students aged 4 to 11.

<b>During this consultation period, we want to seek views from:</b>	<b>Tick</b>
1. Parents and carers of children already attending the school	✓
2. School Governors	✓
3. Councillors and MP's	✓
4. All school staff including non-teaching (kitchen, maintenance etc.)	✓
5. All trade unions – even those that do not represent staff at your school	✓
6. Primary, infant and junior schools (including any associated Academy Trust) in Blackburn with Darwen.	✓
7. Resourced provisions, special schools and pupil referral units.	✓



# Consultation Analysis

**School:** Shadsworth Infant School

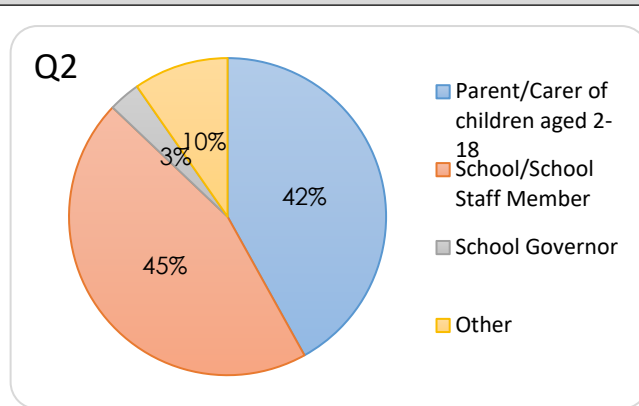
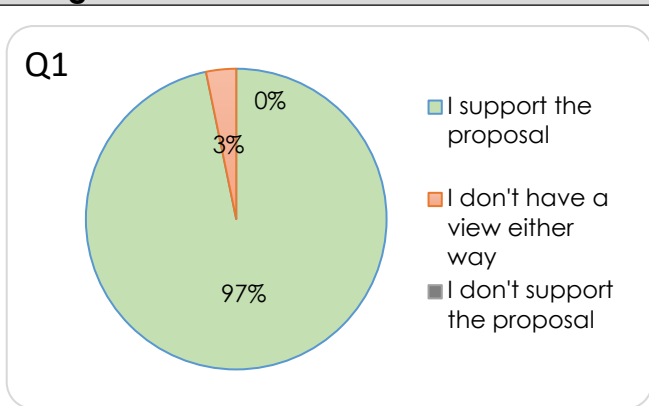
**Proposal:** Consultation on the proposed addition of a resourced provision at Shadsworth Infant School for students aged 4 to 11.

**Start Date:** 18<sup>th</sup> April 2023

**End Date:** 5<sup>th</sup> June 2023 (Extended 3 weeks)

**Q1. How do you feel about the proposed change?**

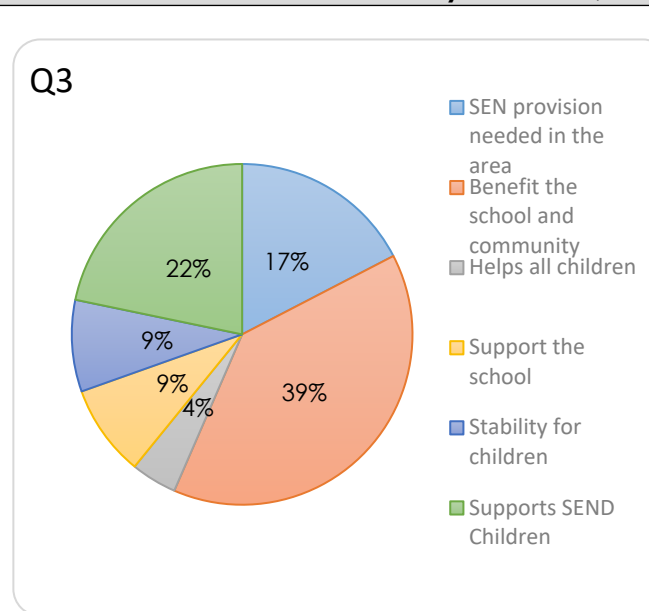
**Q2. Which of the following best describes you?**



There was a total of **31 replies** to the consultation, through email, online questionnaire, post and paper forms collected at school. There was an overall majority of **97% support** for the proposed change to go ahead. **No one was against the proposal** and the 3% that had no view either way, left no comment to rationalise their opinion.

The **majority of replies came from parents/carers and school staff** who offered their support with the proposal. The "other" category (3 people) where either unspecified from other local schools.

**Q3. Please tell us the reason for your views, or write any other comments on this proposal.**



Where responses were given for question 3 they were **all positive**. Many commented that it would be a **huge benefit to the school and to the local community** to have the resourced provision (39%). Many thought that an **SEN provision was needed in the area**, so that parents and children did not have to travel as far to get appropriate education (17%). Some felt (22%) that the provision was a good idea because it **supported children with an SEND need** that struggled to access mainstream education.

Whilst **all comments were positive**, there was a point made that whilst they supported the proposal, they felt that it **should be a provision for mainly infants**. Additionally someone also felt that the **consultation should have happened before the resourced unit was built**.

**Additional Information:**

- One response form did tick that they "do not support" the proposal, this was done in error as the information in the comment box was highlighting the positives on the proposal.

**Overall Consensus:** Supporting the Proposal.