



EXECUTIVE MEMBER DECISION

REPORT OF:	Executive Member for Children, Young People and Education
LEAD OFFICERS:	Strategic Director of Children & Education (DCS)
DATE:	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.

8. RESOURCE IMPLICATIONS

This will be met by existing internal resource.

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*)

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 18th April 2023 to 5th 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).

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.

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.

VERSION: 1

CONTACT OFFICER:	<p>Sara Malone, Pupil Place Planning Coordinator</p> <p>Sarah Anderson, Place Planning and Admissions Coordinator</p> <p>Carol Grimshaw, Head of Service Schools System Support</p>
DATE:	
BACKGROUND PAPER:	<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>