



OFFICER DECISION RECORD FORM

Directorate

People Services Directorate

Corporate Director: Paul Hewitt

Portfolio Holder: Councillor Christine Robson

Subject matter

To approve decision to implement changes in school organisation that will to create a permanent ARMS provision at Belmont School.

Date of relevant Council/Cabinet meeting (where delegations were agreed)

9 January 2019

Delegations:

At the meeting in January 2019, cabinet agreed the following recommendations:

1. Delegate authority to Corporate Director People Services, following consultation with the Portfolio Holder for Children, Schools and Young People, and consideration of consultation responses, to publish the statutory notices that will enable the increase of SEND provision in Harrow in accordance with the SEND Strategy.
2. Delegate authority to the Corporate Director People Services, following consultation with the Portfolio Holder for Children, Schools and Young People, to determine the notices that will enable the increase of SEND provision in Harrow in accordance with the SEND Strategy.

Section 1 – Summary and Recommendations

This report sets out the outcome of the published notice to convert the pilot established at Belmont School in September 2019 to create a permanent, additionally resourced provision for 12 pupils with severe and complex learning difficulties and/or autism.

Recommendations:

The Corporate Director is requested to:

Agree to determine to create a permanent additionally resourced provision for 12 pupils with severe and complex learning difficulties and/or autism at Belmont School.

Reason: (For recommendation)

No comments were received after Council published a statutory notice detailing the proposal implement changes in school organisation that will create a new additional resourced provision at Belmont Primary School by 12 places.

Section 2 – Report

Introduction

1. This report sets out the proposal to establish a special educational need provision at Belmont Primary School as a permanent provision with effect from September 2021.
2. Belmont School provided a report on the additionally resourced provision pilot which Harrow Council opened in September 2019 prior to the decision to publish a Public Notice.
3. The evidence provided by the school demonstrates that the pilot has been successful and the parents of pupils who attend the provision are extremely happy with the education that their children are receiving and would support the provision becoming permanent.

Options considered

4. The Local Authority has a statutory responsibility to provide sufficient school places for its area and to make changes to schools. To fulfil this duty, it is able to propose changes to schools through the publication and determination of statutory notices.
5. In exercising these duties Harrow Council has considered whether to make any changes and in this instance is proposing to establish a new special educational provision at Belmont School for pupils with severe and complex learning difficulties and/or autism. In considering this option the Council decided to open a pilot which temporarily created an additional 12 places in September 2019.
6. The pilot has been successful, and 12 pupils have been placed at the provision. The school are continuing on the journey to fulfil the aim of the provision to develop a clear ethos throughout the whole school that promotes inclusion, high expectations and a commitment to improve outcomes for pupils with severe learning difficulties and/or autistic spectrum disorder (ASD).
7. The provision was set up to offer inclusive education and social opportunities, alongside access to specialist intervention from teaching staff and in class support. At the time it was being developed, it was planned that there would be between 10-12 places at the provision and 4-6 staff. The provision opened for 12 pupils.
8. All pupils attending the resourced provision have an Education, Health and Care Plan (EHCP) and receive special educational support they

require from appropriately qualified staff. Any additional services from partner agencies, where required as specified on their EHC plan are also provided.

9. The Additionally Resourced Mainstream School (ARMS) provision opened in September 2019 for an interim period whilst the Local Authority and school reviewed and monitored the provision along with other options to increase permanently the provision within Harrow. This is in accordance with the Strategic Priority 1 in the SEND Strategy to increase provision in Harrow to meet growing need.
10. The pilot provision required additional and suitable accommodation to create an appropriate teaching and learning environment. An area within the school was identified and a scope of works was outlined for the pilot. The work required was carried out to establish the pilot provision in the school and enabled it to successfully open in September 2019. Temporary planning permission was agreed; this will need to be re-applied for to continue with this provision.
11. The provision is called Stargazers.

Consultation arrangements

12. Statutory notices are published for 4 weeks from Thursday 29th April until Friday 28th May 2021, in accordance with legislative requirements and DfE Guidance on making prescribed changes to schools. This allowed local residents and members of the school community time to make further comments on the proposals.
13. The Public Notice was placed in the local papers and the complete proposal details available on the website. The Public Notice invited residents to contact the Director of Education, if they had any objections or comments regarding the proposals.
14. Belmont School also informed parents at the school that the Council had placed a Public Notice proposing to make the ARMS provision at the school permanent and to contact the Council if they had any objections or comments.
15. No objections or comments have been received.
16. When the pilot provision was established, a consultation was undertaken with parents and stakeholders from Thursday 25 April to Thursday 23 May 2019 on the proposals.
17. For the pilot, 18 responses were received from the consultation and a letter from Belmont School Governing Body. Overall, the majority of respondents 12 either strongly agreed or agreed with the proposals. 5 comments were included by these respondents that referred to the need for additional SEN places and two of the responses were supportive of additional ARMS provision. One of the respondents agreed with the proposal as long as it is properly supported with sufficient funding and staff and that those staff members are also well supported and school performance was not affected. 6 respondents either disagreed or strongly disagreed. Two of the respondents not

supporting the proposal made comments. One respondent raised the point that pupils with severe learning difficulties/ASD require special needs schools and their presence will reduce the overall performance of the school. The other stated that pupils with special needs, require specially trained teachers and specially adapted curriculums and mixing SEN children with those at the school will have a negative impact on the pupils already at the school.

18. Following the consultation, a Public Notice was published as required, however no further comments were received, and approval was given to establish a pilot provision at Belmont School.
19. As a consultation was carried out for the pilot provision, the school were asked to provide a report outlining what has been achieved since Stargazers opened.
20. The report from the school (Appendix 1) details the success of the pilot scheme. It details their vision and the access to education that the school provides via their Stargazers provision for all the pupils who have access to the provision and the rest of the school.
21. The report from the school references the parental views from the parents of the pupils who access the provision. Parents have reported a positive experience both on site and during the remote learning and support from the school and the teaching staff that was on offer during the pandemic. One of the benefits that has been highlighted by a parent who has other children at the school, is that both children can go to school together without the need for transport and the parent can speak to the staff at the provision regularly.
22. The Chair of the Governing Body has written a letter (Appendix 2) to support the pilot provision becoming a permanent resource at the school and states how pleased the Governing Body are with the outcome of the provision.
23. The Headteacher has also written a letter (Appendix 3) supporting the provision and has noted the comments of the School's external Improvement Partner during her visit in Spring 2020.

"The lead is passionate about the provision and is knowledgeable about how the provision is working. He has worked with staff to articulate a vision. Children were very engaged in a range of activities including exploring play-doh, flour, ordering magnetic alphabet letters and mark making. The children were following the routines and calmly started tidying up and moving to the snack table. The staff have personalised timetables for the children and have recently introduced tray activities. The lead is using 'evidence for learning' as an assessment tool".

24. In September 2020 a report was presented to Cabinet on School Organisation matters detailing analysis of SEND data on primary categories of need and projection modelling. The data shows that there are now greater numbers of CYP in Harrow with SEND who have

increasing levels of need such that they will be identified as having severe learning difficulties (SLD). Based on actual pupil numbers of CYP who required SLD provision, between 2015 and 2019, and projections of pupil numbers and need, the projections show that, approximately 25 new children each year will require SLD special school provision. This is in addition to the Belmont places if they become permanent.

25. Analysis of SEND data and trends indicate that there will continue to be growth in demand for primary SLD special school places. The number of pupils with EHCPs has increased, over a 6-year period, by 58.4% from 1168 in January 2014 in comparison to 1851 in January 2021 39% of school age pupils with EHCPs are placed in special schools or resourced provision.
26. Prior to 2020, the growth in numbers has been largely accommodated in the primary phase through two expansions at a primary SLD special school (Woodlands School) and the development of a primary SLD resourced provision in a mainstream school (Belmont School). These developments have managed demand in the primary sector but as pupils roll through will create pressure in the secondary sector.

Next Steps

27. A statutory notice was published for 4 weeks from Thursday 29th April until Friday 28th May 2021, in accordance with legislative requirements and DfE Guidance on making prescribed changes to schools. This allowed local residents and members of the school community time to make further comments or objections to the proposals.
28. The Council now have 2 months in order to make a decision about the proposals. The options are to:
 - reject the proposal;
 - approve the proposal without modification;
 - approve the proposal with modifications, having consulted the LA and/or GB (as appropriate); or
 - approve the proposal, with or without modification – subject to certain conditions (such as the granting of planning permission) being met.
29. Based on the report and letters received from the school prior to the Public Notice being placed by the Council, Officers recommend that the proposal is approved, subject to permanent planning permission being granted.

Performance Issues

30. The total number of children and young people with a special educational need statement or Education Health and Care Plan in Harrow has increased by 508 or 45% between January 2012 (1,137) and January 2019 (1,645). In addition, the percentage of children with a statement or EHC Plan placed in a special school (Harrow maintained, academy/free school, non-maintained, or independent

special schools) has increased from 489 to 626 over the same period. This represents continued pressure and demand for more special school places. (Source: DfE Statements of SEN and EHC plans: England, 2019)

31. Schools in Harrow perform well in comparison to national and statistically similar local authorities. The vast majority of primary schools and secondary schools are judged 'good' or 'outstanding' by OfSTED. As at 31st August 2020, 92% of Harrow's primary and secondary schools are judged 'good' (48%) or 'outstanding' (44%), in line with 92% in London (48% Good, 44% Outstanding) and above 86% nationally (67% Good, 19% Outstanding) (Source: Ofsted Data View).
32. The Education Act 2011 maintains a focus on driving up standards in schools, and places more of the responsibility with the schools directly for their improvement. The role of the Local Authority in measuring performance and driving improvement has changed significantly and is reduced from its previous level.
33. The Local Authority continues to monitor key education indicators. The indicators are used locally to monitor, improve and support education at both school and local authority level. They are also used within information provided to the Department for Education.
34. There is a complex interrelationship between a number of other performance issues such as traffic congestion, road safety, traffic and parking enforcement and travel plan performance, and all these considerations are taken into account in assessing school expansion proposals.

Environmental Impact

35. The Council's over-arching climate change strategy sets a target to reduce carbon emissions by 4% a year. Schools account for 50% of the council's total carbon emissions.
36. Harrow Council passed a motion to declare a climate emergency on 18 July 2019, with the aim to make Harrow carbon neutral borough by 2030. This is a very challenging ambition and Harrow Schools are expected to adopt a more proactive approach to minimise their energy wastage and carbon footprint in line with the borough and central government's carbon reduction targets and objectives. Reducing emissions from schools is therefore a vital component in meeting the Council's target.
37. The additional provision is located in accommodation that has been converted to created learning and support spaces, including a sensory room and toilets, and a temporary mobile building. No further building works will be required to continue the provision on a permanent basis. The temporary accommodation is energy efficient addition to the existing school building and the additional emissions profile of the school has therefore been minimised so far as practicable.

38. The pupils that have been placed in the additional resourced provision live within walking distance to the school. Only 2 out of the 12 pupils are provided with SEN transport to school. As a result, the original school travel plan was not required to be adjusted. The plan is that future placements to the resourced will be for local pupils who can walk to school rather than requiring transport.

Data Protection Implications

39. There are no data protection implications arising from this report.

Risk Management Implications

40. Risk included on Directorate risk register? Yes
Separate risk register in place? Yes
41. The directorate and corporate risk management implications for the Council arising from school place planning are included on the directorate and corporate risk registers.
42. The highest priority risk for this programme is financial in respect of the programme or individual projects being unaffordable and thereby incurring additional costs to the Council. Controls are in place to ensure that funding for schemes is agreed by Capital Forum and programmes are delivered according to time and cost plans.

Procurement Implications

43. There are no procurement implications arising from this report.

Legal Implications

44. The School Standards and Framework Act 1998 places duties on local authorities as admission authorities to determine their admission arrangements. It also places responsibilities on local authorities to coordinate admission arrangements and allow parents to express a preference for a particular school. Local authorities and schools are expected to comply with the statutory school admissions code, which amongst other matters, requires the local authority to agree a fair access protocol with the majority of schools in its area.
45. There is a statutory process for making changes to schools which has been followed. This process includes a consultation and the publication of proposals with a formal representation period. The statutory requirements contained in the Education and Inspections Act 2006 and associated regulations have been followed.
46. The decision maker must take account of all consultation responses when deciding whether to determine statutory proposals. When considering consultation responses, the Council must take into account the number of responses, including the number for and against the proposals as well as the detailed comments, where relevant to the proposal. However, this does not require the Council to go with the majority view, the Council should take account of all relevant information, including financial information, consultation responses, equality implications and demand for school places and decide what is the appropriate policy decision based on this.

47. When making public law decisions, the Council must take account of all relevant information, including consultation responses, equality implications, crime and disorder concerns, financial implications and its statutory duty to provide school places.
48. The statutory guidance on making prescribed changes to schools confirms matters which should be taken into account by local authorities when determining proposals, it includes the need to deliver excellence and equity in school place planning, the need to include parents in decisions around provision of schools, the need to maintain and increase local standards of education, diversity of provision, options for extended services, journey times and travel options for pupils attending the school and that land, premises and capital are in place to implement the proposals.

Financial Implications

49. The required building works were carried out to establish the pilot provision and funded from the Special Provision Capital Fund provided by the government.
50. The staffing and other running costs of the new provision will continue to be funded from the High Needs Block of the Dedicated Schools Grant. The funding provides for £10k per commissioned place plus 'top up' funding of approx. £12K for each child in a place. The total cost is approx. £22 per filled place. If this provision was not available, then pupils would likely have to be placed in an independent special school which could cost in excess of £40k per place. In addition, there would be a higher cost of home to school transport, which is funded from the Council's general fund.

Equalities implications / Public Sector Equality Duty

51. Section 149 of the Equality Act 2010 requires that public bodies, in exercising their functions, have due regard to the need to (1) eliminate discrimination, harassment, victimisation and other unlawful conduct under the Act, (2) advance equality of opportunity and (3) foster good relations between persons who share a protected characteristic and persons who do not share it.
52. An EqlA has been carried out and there are no negative impacts on the nine protected characteristics. It is anticipated that the proposals will have a positive impact on children with special educational needs and a disability.
53. Harrow's schools are successful, inclusive and provide a diversity of provision. By acting to ensure all children in Harrow have access to a high-quality school place, Harrow is promoting equality of opportunity for all children and young people.

Council Priorities

The decisions in this report contribute to the Council priorities:

- **Improving the environment and addressing climate change**

Providing high quality local mainstream and special educational need provision schools for children close to where they live avoiding the need for excessive car journeys.

- **Tackling poverty and inequality**
Ensuring Harrow Council fulfils its statutory duties to provide sufficient school places in its area.
Everyone has access to high quality education to achieve their potential and employment prospects.
- **Building homes and infrastructure**
Providing a generational investment of some £125m into the existing schools in Harrow for the benefit of its residents.
- **Addressing health and social care inequality**
Children and young people are given the opportunities to have the best start in life and families can thrive.
- **Thriving economy**
Local opportunities for employment in schools and education.
Contributing to developing a future skilled workforce.

Section 3 - Officer Clearance

Mandatory Checks

Ward Councillors notified: NO, as it impacts on all Wards

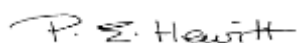
EqIA carried out: Yes, for the pilot and will be updated before the proposals are determined.

Report Contact: Rajeshree Parmar, Head of School Organisation, Admissions and Attendance, Telephone: 020 8416 8286 email: raj.parmar@harrow.gov.uk

Corporate Director of People Services

Paul Hewitt

* I do agree to the decision proposed



Signature: (Corporate Director)

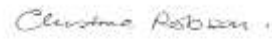
5th July 2021

Date:

For Portfolio Holder for Children, Schools and Young People

Councillor Christine Robson:

* I do agree to the decision proposed



Signature: (Portfolio Holder)

5th July 2021

Date: