

North Somerset Council

Report to the Executive

Date of Meeting: 6 September 2023

Subject of Report: Commissioning Plan to deliver three further Resource Bases and a Nurture Group across four academy schools as part of the Councils Safety Valve Capital Programme

Town or Parish: Towns of Weston super Mare and Nailsea

Officer/Members Presenting: Cllr Catherine Gibbons, Deputy Leader and Executive Member for Children's Services, Families, and Lifelong Learning and Cllr Annemieke Waite, Executive Member for Climate, Waste and Sustainability

Key Decision: Yes

Reason: it will result in the Local Authority incurring expenditure in excess of £500,000 and impacts on communities living or working in an area comprising two or more wards in the area of the Local Authority

Recommendations

This decision asks that the Commissioning Plan is agreed and seeks approval for the allocation of £3,045,000 of funding for the following projects to progress works to deliver 3 extra Resource Bases and a Nurture Group in Phase 3 of the Children's Services Safety Valve Capital Programme using the High Need Provision Capital Allocation (HNPCA), Safety Valve (SV) and assigned s106 funding as detailed below:

- Resource Bases at:
 - Hannah Moore & Grove (HMG) Infant and Junior Schools - £850,000 of HNPCA
 - Worle Academy - £985,000 made up of £468,126 of HNPCA and £516,874 of SV funding.
 - Hans Price Academy - £380,000 made up of £305,698 of HNPCA and £74,302.67 of s106 funds (XCE520)
- A Nurture Group at:
 - Christ Church CE Primary School - £830,000 made up of £174,220 of HNPCA and £655,780 of SV funds.
- To approve the increase to the capital programme for the allocation of £74,302.67 of S106 funding for Hans Price Academy.

1. Summary of Report

To seek support to the commissioning of Phase 3 of a four-phase Children's Services SEND Safety Valve Capital Programme as part of the Council's High Needs revenue deficit reduction plan.

2. Policy

The provision of the additional three Resource Bases and Nurture Group demonstrated in this report will support the Council's corporate plan objectives to improve Prosperity and Opportunity, Health and Well-being and Quality Place.

The SEND Capital Strategy builds on the North Somerset Education Strategy 2023 – 2028's 'Am I safe? Do I belong? Can I do what is expected of me?' Children and young people with SEND should be able to expect a local school place and an environment that enables their individual needs to be met.

In July 2023 we had 1,885 pupils with an Education, Health and Care Plan (EHCP). Our greatest need and gaps in local provision are around Social and Emotional Mental Health (SEMH) and Autistic Spectrum Disorder (ASD), followed by Speech and Language and Moderate Learning Difficulties (MLD) needs. All EHCP numbers are predicted to continue to increase over the next 4 years, however, at a significant lower rate than previous years if we can continue to support early intervention work and the extra support that Nurture Groups will have in allowing children/young people to remain in mainstream schools. The rate of increase will be around a 6% increase year on year for the next 5 years.

The Council has invested almost £20m within the last two years to create additional places by expanding existing specialist provisions and creating new ones. The need, however, continues to outstrip supply. In parallel, there has been a high demand for specialist places from parents and carers, reflecting to some extent historic gaps in skills and confidence within our mainstream schools to meet needs. We have worked intensively in the last 18 months to address those gaps as demonstrated within our SEND Improvement Plan and the greatly improved outcomes for children with SEND in local mainstream schools.

Recent provision of Nurture Groups is successfully meeting fundamental developmental, social and emotional need arising from early childhood experiences, trauma and attachment difficulties and preventing the escalation of need which would otherwise result in requests for specialist provision. The rate of growth in demand for children with Social, Emotional and Mental Health Needs (SEMH) in North Somerset is four times that of the national rate of growth.

Our current strategy is to build capacity within mainstream schools whilst continuing with our capital programmes to create special school places as well as making reasonable adjustments as needed. By combining the HNPCA and securing additional capital funding through the SV bid we will, across our four-phase programme, create Resource Bases and Nurture Groups across a further 13 schools as well as enabling us to support many more children with social and emotional health needs through increasing capacity and increasing the scope of the Voyage Learning Campus, our Pupil Referral Unit/Medical Needs provision.

3. Details

In March 2022 the Department for Education announced the High Needs Provision Capital Allocations (HNPCA) for the 2022/23 and 2023/24 financial years. HNPCA is paid to Local Authorities (LAs) to support the provision of places for children and young people (CYP) with special educational needs and disabilities (SEND) and those pupils requiring alternative provision (AP).

Details of the North Somerset grant allocations are listed below:

Allocations				
	2022/23 £	2023/24 £	2024/25 £	Totals £
High Needs Provision Capital Allocations (HNPCA)	1,696,470	2,713,824	TBA	4,410,294

Following internal and external consultations with schools and other SEND stakeholders, North Somerset's Director of Children's Services agreed, in October 2022, that officers would work with schools and other partners to advance capital proposals to increase SEND provisions using the HNPCA ([CY65 Outcome of the autumn 2022 high needs provision capital allocations \(n-somerset.gov.uk\)](https://www.n-somerset.gov.uk/cy65-outcome-of-the-autumn-2022-high-needs-provision-capital-allocations)).

In addition to the HNPCA, in October 2022 the DfE invited North Somerset, as part of its High Needs revenue deficit reduction plan, to submit a bid to secure additional capital to deliver building solutions to help support an increase in the availability of local SEND places so that capital investment might contribute to controlling and reducing the revenue deficit - the Safety Valve (SV) bid. North Somerset was successful in this bid and has been granted a further £2.9m grant in the 2023/24 financial year from the DfE. This allows North Somerset to deliver a 4-year delivery programme with years 3 and 4 previously unfunded within a 2-year funded delivery programme.

The SEND Safety Valve Capital Programme is also utilising s106 funding where available.

Phases 1 and 2 of the SEND Safety Valve Programme are in delivery. Phase 3 schemes, for which this decision seeks approval, are:

- 3 SEND Resource Bases, each for 10 - 12 pupils (30 - 36 new places in total):
 1. a Speech and Language primary-aged Resource Base at Hannah More and Grove Infant and Junior Schools, Nailsea.
 2. an ASD with speech, language, and communication needs secondary phase Resource Base at Hans Price Academy, Weston -super-Mare; and
 3. an ASD with anxiety secondary phase Resource Base at Worle School, Weston super Mare

Whilst the Resource Bases are to be built at the above locations, when they open, they will be available to pupils with an Education, Health and Care Plan (EHCP) where the base can meet their needs, regardless of where the pupil lives.

- 1 Nurture Group with 10 places over two half-yearly blocks per academic year at Christ Church CE Primary School.

Nurture Groups provide in-school support to pupils on roll, focusing on intervention to support the needs of pupils who have social or emotional needs, have experienced trauma and who may refuse to attend school due to anxiety-based concerns.

Phase 4 schemes, which will be a separate Commission, are for enhancements to the Voyage Learning Campus (VLC) - North Somerset's Pupil Referral Unit (PRU) – to enable this school to accommodate additional pupils, including those with anxiety and medical needs at their Baytree Road, Milton site in Weston super Mare and the purchase of a new site for their secondary-aged PRU pupils currently located in a site at Oldmixon, Weston super Mare.

4. Consultation

The HNPCA consultation was made available on North Somerset's e.consult website and sent to the following groups: All schools and governing bodies across North Somerset, MATCEOs and Trust Boards; trade unions; the local MPs; Town and Parish Councils; the Diocese of Bath & Wells; Diocese of Clifton; Weston College, Early Years Stakeholders; SEND Stakeholder groups, neighbouring LAs.

Targeted updates were also sent to the SEND Partnership Board, the Education Excellence Partnership Board, the Strategic Schools; Forum and it was also highlighted in Noticeboard (our local schools' newsletter) and our SEND partnership colleagues. Regular progress is reported to these Boards and to the CYPS Policy & Scrutiny School Organisation Steering Group.

The above schemes have been developed as a result of the consultations held.

5. Financial Implications

Costs and Funding

Discussions have been held with the schools below, with indicative designs created following visits to sites. These, along with high-level cost summaries from a Quantity Surveyor, were included in our Safety Valve bid to the DfE. These designs and costs will be further explored as part of the next stage in the delivery process.

Details of the schemes alongside the external funding streams are listed below:

Scheme	HNCPA Funding	S106	DfE SV Grant Funding	SCHEME TOTAL	Current Approved Budget	Change
	£	£	£	£	£	£
Resource Bases						
Worle School – KCE311	468,126		516,874	985,000	985,000	
Hannah More and Grove Infant and Junior Schools – KCE310	850,000			850,000	850,000	
Hans Price Academy – KCE309	305,698	74,302		380,000	305,698	74,302

Nurture Group						
Christ Church CE Primary School – KCE314	174,220		655,780	830,000	830,000	
Totals	1,798,044	74,302	1,172,654	3,045,000	2,970,698	74,302

Asset Register:

The spend will be analysed at year end and added to the Councils asset register for any NSC owned assets, all academy conversion spend will be treated as revenue expenditure allowed to be funded by capital under statute (REFCUS), and not added to the Councils asset register.

6. Legal Powers and Implications

The High Needs Provision Capital Allocations (HNPCA) are being provided as an un-ringfenced grant under section 31 of the Local Government Act 2003, subject to conditions detailed in an associated Grant Determination Letter.

Whilst it is ultimately up to LAs to determine how to best prioritise this funding to address local priorities, the DfE want to work alongside LAs to reform the current system and achieve a shared endeavour to tackle cost inflation and secure a financially sustainable high needs system. Whilst the SEND Review proposals will help to achieve these changes longer term, the DfE expects LAs to make use of the increased capital investment being made available to improve the suitability and sufficiency of high needs provision in their areas over the next three years. Funding beyond 2025 is contingent on the outcomes of future Spending Reviews and additional capital funding beyond this period cannot be guaranteed. It is therefore critical that prudent decisions are taken now to ensure the sustainability of the system for the longer term.

The Safety Valve payments have been made based on a delivery of capital schemes that can address specific barriers to unlocking savings, or support projects that can be delivered quickly to help bring the Council's Dedicated Schools Grant spending back into in-year balance. The above capital plans will improve the local provision offer in the short to medium term (so revenue savings can be achieved quickly) and will meet identified gaps in local provision.

S106 payments must be used in accordance with the conditions of the developer contribution. The allocation towards the provision at Hans Price Academy is in relation to a developer contributing to support the provision of SEND places.

7. Climate Change and Environmental Implications

The DfE is committed to supporting the Government's targets on climate change, including achieving net zero carbon emissions by 2050 target, as set out in the Climate Change Act 2008. To help LAs achieve the sustainability and design standards required to achieve net zero, HNPCA funding for 2022-24 includes an uplift to support LAs with the additional costs associated with net zero construction.

Having more local SEND places within the community assists the council in reducing our reliance on home to school transport for pupils with SEND or AP needs.

Designs will be developed with reference to the Council's policies on climate change and with consideration of the environmental implications.

8. Risk Management

The risks of the above schemes have been assessed using the Council's Risk Register tool. As these projects are to deliver new provisions, there is no risk to current service delivery, although delays will impact on the revenue savings targets as part of the Council's Safety Value agreements with the DfE.

The delivery programme should allow for the schemes to be available on time. As new provisions, each for 10 pupils, if there are to be any delays, we will work with the schools concerned to see if temporary locations for the new services can be used if needed. The highest risk is budget overspend as final costs are dependent on tender outcomes. These four projects are part of an overall programme of works across 18 schemes. Five schemes are currently in delivery. Overall, these and later schemes may need to be re-scoped or later schemes deferred to keep within the overall programme budget whilst new funding allocations are awaited.

For these specific projects the highest risk below should be noted:

Risk	Inherent Risk Score	Residual Likelihood	Residual Impact	Residual Risk Score	Comments
Budget Overspend	High	2	2	Low/Med	The briefs can be altered to keep within budgets/ overall programme limits and future changes in delivery may give some added flexibility

Each scheme will have its own risk register which will be a live document reviewed on an ongoing basis throughout the project by the North Somerset project management team and the contractor.

The Christ Church CE Primary and Hannah More and Grove Infant and Junior School schemes present the greatest project specific risks due to their technical specifications and locations on the school sites. These are being further considered as the schemes are progressed and mitigations will be identified collectively between the school, North Somerset officers and the appointed contractor.

9. Equality Implications

Have you undertaken an Equality Impact Assessment? **Yes / No**

An EIA was submitted as part of our SV bid. The Principles behind our SEND Capital Strategy are to ensure that:

- a. where possible, children and young people are educated locally
- b. where needs can be met, pupils remain supported on mainstream school sites
- c. pupils unable to attend mainstream schools temporarily are supported back to mainstream provision as soon as possible through the work of our Pupil Referral Unit (PRU), the Voyage Learning Campus

The projects we are hoping to deliver include:

- a. enhancing or making reasonable adjustments to current sites to meet individual pupils SEND needs; and
- b. creating new SEND provisions

Children and young people will need to have an EHCP (Education, Health and Care Plan) to access a Resource Base. They are small specialist units on mainstream school sites that enable children and young people to receive expert support in the areas covered by their EHCP both within the base and, where appropriate, in the mainstream setting. The aim of the base is to work with the child or young people to meet the requirements of their EHCP with an option to aid their integration in the future either into a mainstream school or into a specialist provision as needed.

The focus of the Nurture Units is to provide short-term intervention for children and young people with particular social, emotional and behavioural difficulties which is creating a barrier to learning within a mainstream class. This may be, for example, due to trauma within their family or home life, an experience that has created anxiety, pressures brought about due to financial or emotional poverty or due to sexual or identity orientation. These pupils will often not have an Education, Health and Care Plan but they need early support from staff trained in the theory and practice of Nurture. The integration of these principles across schools should remove some of these barriers and aid successful integration, good behaviour and appropriate age-related attainment. North Somerset Nurture Groups are available to the pupils at the school they are located at and offer support to 10-pupils at a time over around a 3-term basis. Having the right provision in place will provide a positive impact.

In the context of both settings, their aims are to support pupils with additional needs to meet their potential and prepare them for their next stage in secondary, further or higher education or employment.

10. Corporate Implications

The provision of the building improvements demonstrated in this report will support the Council's corporate plan objectives to improve Prosperity and Opportunity, Health and Well-being and Quality Place.

11. Options Considered

The delivery of these interventions is a corporate priority for North Somerset, determined after full consultations with the relevant stakeholders. We have worked and continue to work with schools to finalise the schemes. The DfE's SV funding is subject to us

delivering on our HNPCA and SV proposals. For this reason, no other options have been considered.

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Appendices:

None

Background Papers:

- ([CY65 Outcome of the autumn 2022 high needs provision capital allocations \(n-somerset.gov.uk\)](https://www.n-somerset.gov.uk)).
- Safety Valve Bid to the DfE that includes indicative costed schemes and designs.
- Presentation (Paper 5) to the CYPS Policy and Scrutiny Panel's School Organisation Steering Group – 9 June 2023