

CABINET
10 September 2019

**SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) CAPITAL PROJECTS
– RELEASE OF FUNDS**

**Responsible Cabinet Member -
Councillor Paul Crudass, Children and Young People Portfolio**

**Responsible Director -
Suzanne Joyner, Director of Children and Adults Services**

SUMMARY REPORT

Purpose of the Report

1. To seek Members' agreement to:-
 - (a) the proposed Special Educational Needs (SEND) capital projects; and
 - (b) releasing the capital funds in relation to this programme.

Summary

2. This report seeks Cabinet approval for the release of £3,099,209 of schools capital funding to support the development of two special educational needs resource bases for pupils with Social, Emotional and Mental Health (SEMH) needs. These projects were proposed as part of the SEND Strategy which was approved by Cabinet on 5 March 2019.
3. The proposed projects are a primary SEMH unit at Red Hall Primary School for 16 pupils at a cost of £1,572,289 and a secondary SEMH unit at Rise Carr College for 15 pupils plus 4 assessment places at a cost of £1,526,920.
4. The Council has been allocated £848,837 by DFE from the Special Provision Fund and it is proposed to use £700,000 from that fund for these two projects. The remainder is to be retained to support the development of a secondary SEND resource base for pupils with Moderate Learning Difficulties (MLD). It is proposed that the remainder of the funding, £2,399,209, is drawn down from the Basic Need Capital allocation.
5. All projects will be managed in line with the Corporate Capital Process procedures.

Recommendation

6. It is recommended that Members:

- (a) agree to support the development of the SEMH units at Red Hall Primary School and Rise Carr to meet the need identified in the SEND Strategy.
- (b) agree to release £700,000 from the Special Provision Fund allocation and £2,399,209 from the Basic Need Capital allocation, with delegated authority to the Director of Children and Adult Services to manage the authorisation of this funding.

Reasons

7. The recommendations are supported by the following reasons:

- (a) Release of the funds will enable capital investment to be undertaken in the SEND areas identified with the greatest need; and
- (b) Development of the SEMH units will provide an important link in the escalation process for children and young with SEND. Hopefully reducing the number who eventually progress into specialist provision often out of area.

Suzanne Joyner
Director of Children and Adults Services

No background papers were used in the preparation of this report

Paul Richardson: Extension 6015

S17 Crime and Disorder	Capital investment to improve local facilities will contribute to the reduction of crime and disorder.
Health and Well Being	The capital projects outlined in this report will continue the Council's drive to provide buildings that enhance children's life chances and opportunities to thrive.
Carbon Impact	All work undertaken will be designed and constructed with sustainability in mind and aim to reduce the carbon footprint, and re-use energy and environmental resources.
Diversity	These projects will allow children with special educational needs to be educated in the local community.
Wards Affected	Schools located in: North Road and Red Hall & Lingfield.
Groups Affected	Children and young people of school age (5-16) in Darlington.
Budget and Policy Framework	This report does not recommend a change to the budget and policy framework.
Key Decision	This is a key decision due to the amount of funding Members are requested to release.
Urgent Decision	For the purpose of the 'call-in' procedure this does not represent an urgent matter.
One Darlington: Perfectly Placed	The Capital Programme is consistent with Aspiring Darlington: providing high quality facilities that support modern approaches to education in schools and for lifelong learning.
Efficiency	These projects should reduce the number of pupils travelling outside of the borough to specialist placements
Impact on Looked After Children and Care Leavers	The proposed projects have no specific impact on Looked After Children or Care Leavers

MAIN REPORT

Background

8. The SEND Strategy that was approved by Cabinet in March 2019 identified a number of key priorities these included:
 - (a) Ensuring that young people are in the right placement with the right support
 - (b) Building capacity in mainstream settings to enable children and young people to be education in appropriate settings locally
 - (c) Achieving 'Best Value' (human, physical and financial resources) from all our services
9. The SEND Strategy also identified a need to commission local provision to meet need and manage demand. This included a primary SEMH base, a secondary SEMH base and a secondary MLD base.
10. The increased place capacity which the introduction of the new bases will support, will help the Local Authority to address the pressures on the High Needs block which is significantly overspent. The introduction of the bases will contribute to the High Needs block recovery plan to bring the budget back into line. It is anticipated that each child placed in the new bases will save an average of £43K per pupil per academic year on the cost of an external placement to an independent special school.
11. Following a tendering exercise Red Hall Primary School came out as the successful bidder for the SEMH primary base and Rise Carr College for the SEMH secondary base. No bids were received for the secondary MLD base; however a second tendering round is underway for that provision.

Proposed Capital Works

12. Following the successful bids colleagues from the council have been working with the two schools to develop the projects and designs are now complete.
13. The Red Hall project will be made up of two classrooms with a central communal area and three 'break-out' rooms. The additional space will be an extension to the existing school building with a separate entrance for pupils but with direct access to the main school for staff.
14. The Rise Carr project will be a separate building on the site made up of two classrooms, a communal area and four 'break-out' rooms. There will be a separate access for pupils, staff access to the main site will be via a covered walkway.
15. The costs for the two projects are given in the table below and in light of DFE space and building requirements for this type of provision represent value for money. All pupils will have Education, Health and Care Plans (EHCPs) and revenue funding for the pupils will come from the high needs block.

	Total Cost	SEND Grant	Basic Need
Red Hall	£1,572,289	£350,000	£1,222,289
Rise Carr	£1,526,920	£350,000	£1,176,920
Total	£3,099,209	£700,000	£2,399,209

16. Subject to Cabinet approval it is proposed to submit planning applications for the two projects week commencing 16th September with a planned construction start date of January 2020 and occupation by September 2020.
17. A four week statutory consultation will also need to be undertaken, following Cabinet approval, for the establishment of special educational needs provision at the schools concerned. This is required under DfE statutory guidance – [‘Making significant changes \(prescribed alterations\) to maintained schools’ – October 2018](#).

Risks

18. There are a number of risks to completing these two projects on programme as the timescale is tight. These include:
 - (a) Planning, highways and other statutory body requirements impacting on the proposed projects
 - (b) Potential objections to the ‘prescribed alteration’ during the consultation
 - (c) Unforeseen site specifics or adverse weather
19. The local authority has taken a number of actions to mitigate these risks including undertaking environmental surveys and initial discussions with statutory bodies.
20. Expenditure on feasibility costs and design and survey fees to date is around £187,000. These costs have been funded ‘at risk’ from education capital.
21. A checkpoint has been put in the delivery programme for April 2020 to review the proposed completion date in case of slippage. This will allow sufficient time to reschedule the recruitment of staff and the review of placement process for potential pupils if required. The April date will also mean that any impacts of adverse weather over the winter or unforeseen site issues have been identified.