

**Calderdale MBC**

**Wards Affected** All

**Cabinet** 11/03/2024



## **Increasing special school places for children with Special Education Needs**

### **Report of Julie Jenkins, Director Children and Young People's Service**

#### **1. Purpose of Report**

- 1.1 Our ambition is for every child in Calderdale to receive a high quality education and 'live a larger life'. We know that a fully inclusive system depends upon improved access to timely, high-quality specialist provision, where this is appropriate for the individual needs of the child or young person. Every child requires access to the resources, information and opportunities that enable them to thrive and feel a strong sense of belonging.
- 1.2 Calderdale has outstanding maintained primary and secondary special schools for children with additional needs. This report contains information about the growing need for specialist Special Education Needs (SEN) places for Calderdale pupils and action already undertaken to seek to meet this growing need.
- 1.3 The report sets out that, despite additional capacity already developed, there is still a significant shortfall in places required to meet the need for specialist places over the next few years. Put simply, the need for specialist placements in Calderdale outstrips capacity.
- 1.4 This report references the capital budget allocated by central government to Calderdale to enable new capacity to be developed.
- 1.5 It is recommended that Cabinet consider and agree the preferred options to increase capacity and agree the use of available land the Council has in North Halifax to develop additional provision.

#### **2. Need for a decision**

- 2.1 The decision to commit the Councils capital budget is outside officers delegation and so is the agreement to use Council owned land in North Halifax.

### **3. Recommendation**

- 3.1 The recommendation is that the Cabinet approve Option 2 and 3 and delegate authority to the Director of Children's Services in consultation with the Cabinet Member with responsibility for Children and Young People's Services to progress all necessary processes. This would enable the Council to create additional SEN specialist places in primary, secondary and new provision for children with social, emotional and mental health difficulties (SEMH).

### **4. Options considered**

Background.

- 4.1 Currently, there are insufficient specialist SEN places across the borough. This impacts on our children and young people, our families, our schools and settings and it puts pressure on the Designated Schools Budget and the High Needs Block. In 2019 there were 424 children placed in a special school and in February 2024 there are 692. This means there are 63% more children in special schools than before the pandemic. 142 of the 692 are placed in the independent provision at a higher cost than maintained schools.
- 4.2 The Council has responded to the need for additional special places by increasing:
- 10 place Autism Resource Provisions created at Central Street and Riverside School.
  - SEN Satellite Hubs operating at Withinfields School, Copley and Luddenden School.
  - 26 new places have been created at Highbury School.
  - There are plans to increase places at Ravenscliffe Secondary School this year and next.

The Council applied to the Department for Education to increase capacity through the 2022 Special Free Schools Wave, unfortunately this bid was not successful.

- 4.3 The Dedicated Schools Grant (High Needs Budget) is significantly overspent, and the Council are developing a recovery plan to address this. This budget is projected to be approaching £6m overspent by the end of the current financial year. Whilst an overspend is currently permitted by DfE the current position is that this overspend will, within the next three years, sit on the Councils balance sheet.
- 4.4 Due to the lack of specialist places (especially for pupils with more complex SEN), the number of pupils being allocated to out of borough specialist independent settings is growing year on year.

- 4.5 Indications are that there will continue to be significant increases in out of authority placements should local capacity not be increased. This will lead to further pressure on high needs funding as 'out of authority' placements are significantly more expensive than 'in authority' placements.
- 4.6 Calderdale would benefit from both an increase in the placements for pupils with General Learning Difficulties (GLD) and the addition of a new setting for pupils with Social, Emotional and Mental Health needs to reduce dependency on out of area places.
- 4.7 Ravenscliffe School has 260 pupils on roll and is stretched to unacceptable capacity. There is no room to expand at the Skircoat Road site and further expansion at Spring Hall site is problematic. There are 110 post 16 pupils on roll at the Spring Hall site.
- 4.8 Calderdale requires 100 additional places for GLD pupils. The following options therefore seek to set out how the Council could both increase local capacity for GLD pupils and to make local provision for pupils with more complex SEN challenges requiring out of area provision due to lack of local options.
- 4.9 **Option 1** - Release land In North Halifax to relocate Ravenscliffe Skircoat Green site and build a larger provision with room to expand in future. This would release the land at Skircoat Green to allow for a new SEMH provision. The Spring Hall site would remain in place for the post 16 students.
- 4.10 This would facilitate a school building that allows for pupils currently educated at Skircoat Green to learn on a newly built and more spacious site with additional capacity to take more local (GLD) pupils. The Skircoat Green site could then be redeveloped to allow for a specialist provision to meet the needs of pupils with SEMH thus reducing the current high dependency on out of borough places..
- 4.11 This option would utilise all of the currently available funding of nearly £21m and leave nothing to address significant remaining need for primary special needs places. The vacated site would be much larger than required for a new SEMH provision and there would be a significant cost in re-providing what already exists at the Skircoat site e.g. the hydrotherapy pool.
- 4.12 **Option 2** - Release land in North Halifax to develop an additional campus for Ravenscliffe School, keeping the current Skircoat Green site but releasing the Spring Hall site to develop a setting for pupils with Social Emotional and Mental Health needs. So Ravenscliffe would remain in use, with its facilities e.g. hydrotherapy pool. More physical space for students would be created by some moving to the new site along with the Spring Hall sixth form students.
- 4.13 This is a substantially less expensive option, estimated at £7 to £10 million lower cost than Option 1, (based on national average cost per pupil build calculations) and will allow officers to retain more funding to meet statutory obligations around sufficiency of provision in primary.
- 4.14 Ravenscliffe senior leaders have concerns around releasing Spring Hall after significant local investment into this site as part of the previous Ravenscliffe

expansion. The school preference would be to release the Skircoat Green site set out in Option 1.

4.15 **Option 3** – (Not possible if Option 1 favoured) In addition to Option 2, further expand the primary special school estate as follows:

4.16 Woodbank – Increase primary spaces on existing site or with an additional building. (Additional approximate 40+ spaces)

4.17 Highbury – consult on the possibility to increase primary spaces on existing site with use of the Lower Edge building. (At least an additional approximate 40+ spaces).

## **5. Financial implications**

5.1 Building additional SEN provision from new costs the LA capital (the build the adaptation, planning costs, feasibility etc.). As a very approximate guide, it costs, an average of between £65,000 and £70,000 per pupil to build additional special school place. This can vary significantly based on local site conditions and a full feasibility study would be required to determine a realistic pre-tender cost estimate for any approved scheme.

5.2 There is provision within the approved Capital Programme for additional school places, funded by DfE Basic Need Capital Grant. This grant is ring-fenced to Local Authorities to support them meeting the statutory duties for providing sufficient school places. There is just under £21m available for prioritisation for the options outlined in this report.

5.3 The revenue cost is the cost of running the provision, year on year and these costs are met from the High Needs Block (HNB). Revenue funding through the funding formula will follow each year for any additional pupil numbers. Revenue funding through the funding formula will follow each year for any additional pupil numbers.

5.4 It is difficult to provide accurate costs, at this stage as they will depend on the individual site conditions and specific scope of any commission. To determine realistic pre-tender estimates for the options suggested, feasibility studies will need to be undertaken in relation to any options believed to best meet needs as set out in this paper.

## **6. Legal Implications**

6.1 Should any of the proposals brought forward to create additional SEN capacity meet the requirement threshold to complete a full prescribed alteration under, the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 (guidance dated April 2016), then separate proposals would be brought forward for Cabinet determination as part of the delivery programme.

- 6.2 Section 14 Education Act 1996 requires a local authority to have regard to securing SEN provision is made for pupils with SEN Needs. Following enactment of The Children and Families Act 2014, the local authority retains responsibility for commissioning services for vulnerable children and young people with SEN and to keep such provision for children and young people with SEN and disabilities under review including its sufficiency (s.315 Education Act 1996), and to promote wellbeing and improve quality, working in concert with parents, young people, and providers. The Act is clear that, when considering any re-organisation of provision, decision makers must be clear how they are satisfied that the proposed alternative arrangements will lead to improvements in the standard, quality and/or range of educational provision for children with SEN.

## **7. Human Resources and Organisation Development Implications**

- 7.1 The proposals will create teaching and learning and support staff employment opportunities and recruitment to these posts will be required following Calderdale Metropolitan Borough Council recruitment procedures for Local Authority maintained provision and Academy Trust recruitment procedures where proposals are linked to Academy status schools.

## **8. Consultation**

- 8.1 Department for Education Special Provision Capital Fund Guidance (extract). Local authorities will need to:
- 8.2 Consult with parents and carers. Effective engagement with parents and carers is crucial in building and implementing a strategy that develops support for changes. This helps local authorities ensure that services will meet the needs of children and families.
- 8.3 Consult with schools, FE colleges and other institutions which offer special educational provision. Local authorities should work with providers to identify how capital investment can best improve the quality of provision available for children and young people with Education Health and Care (“EHC”) plans.
- 8.4 Consider how to invest revenue and capital funding strategically to maximise the benefit of both in the context of the current infrastructure and programmes. This might include looking at how to expand participation in an existing learning programme by making capital adjustments so that children and young people with SEN and disabilities can also attend.
- 8.5 Collaborate with other local authorities to form partnerships to work effectively across borders.
- 8.6 Consult with parents and carers of children with SEN and disabilities and young people with SEN and disabilities.
- 8.7 Work with education providers to agree how the capital can best be targeted.

- 8.8 Good practice dictates that SEND sufficiency should be kept under review as pupil numbers and needs can change over a period.

## **9. Environment, Health and Economic Implications**

- 9.1 Calderdale's Wellbeing Strategy includes goals to ensure that all children are ready for school and that all 15 year-olds have hope and aspiration. A suitable local school with learning opportunities that meet children and young people's needs is an important enabler for both of these goals.
- 9.2 It is hoped that increasing specialist school provision in Calderdale will reduce the need for travel to special schools outside of the borough and consequently reduce vehicle related carbon emissions.

## **10. Equality and Diversity**

- 10.1 The additional SEND places created within the borough will give more children and young people the opportunity to access high quality provision closer to home to meet their educational needs.
- 10.2 Section 149 of the Equality Act 2010 requires that public bodies, in exercising their functions, have due regard to the need to: i. eliminate discrimination, harassment, victimisation and other unlawful conduct under the Act, ii. advance equality of opportunity and iii. foster good relations between persons who share a protected characteristic and persons who do not share it.
- 10.3 An Equalities Impact Assessment (EIA) will be completed for future proposals for Cabinet consideration.

## **11. Summary and Recommendations**

- 11.1 The number of children in Calderdale who require a specialist placement is increasing at a significant rate. The Council is committed to developing more specialist places at both primary and secondary level so that children can access high quality education in the Borough.
- 11.2 The Council has a capital budget of £21m from the DFE to increase places. It has to address the need for more primary provision, more secondary provision, increase the available space for Ravenscliffe students and create SEMH provision.
- 11.3 The Council has land available in North Halifax on which to develop more provision with the funding available. The Options are set out and the recommendation is that Option 2 and 3 are considered as they are the most cost effective use of the funding. It would allow the Council to realise its ambition of creating additional places across primary, secondary and new SEMH provision.
- 11.4 The High Needs Block has a projected in-year overspend of £5.935m. The proposals outlined in the report are part of the financial recovery plan to operate

the Dedicated Schools Grant High Needs Block within the annual funding allocation. If agreed this will reduce the need for high numbers of newly assessed children and young people to be educated outside Calderdale and offer high quality provision in borough.

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**For further information on this report, contact:**

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**The documents used in the preparation of this report are:**

1. [Special Educational Needs and Disabilities \(SEND\) and Alternative Provision \(AP\) Improvement Plan \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)