

CABINET

21 April 2020

Title: Establishment of New Additional Resource Provisions (ARPs) and Expansion of the Further Education Centre at Trinity Special School	
Report of the Cabinet Member for Educational Attainment and School Improvement	
Open Report	For Decision
Wards Affected: All Wards	Key Decision: Yes
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Accountable Director: Jane Hargreaves, Commissioning Director for Education	
Accountable Strategic Leadership Director: Elaine Allegretti, Director of People and Resilience	
Summary	
<p>The Council has a statutory obligation to provide a school place for every child or young person who wants one in the borough.</p> <p>The demand for places from pupils who have Special Education Needs and Disabilities is rapidly increasing where in response the Council plans to create some additional capacity. New temporary Additional Resource Provisions (ARPs) have been set up in three schools to help meet demand.</p> <p>This report seeks approval for the permanent establishment of the three new Additional Resource Provisions (ARPs) which would specialise in autism at the following schools;</p> <ul style="list-style-type: none">• Barking Abbey Secondary School• Thomas Arnold Primary School, and• Grafton Primary School. <p>If agreed these would take effect from the summer term 2020.</p> <p>Further, the report seeks approval to expand the Further Education Centre (FEC) at Trinity School from 60 to 90 places. The FEC admits pupils from 16-19 years, all with complex and severe or profound learning difficulties. If agreed, the proposals would take effect from the start of the winter term 2020.</p>	
Recommendation(s)	
<p>The Cabinet is recommended to:</p> <p>(i) Agree the permanent establishment of three Additionally Resourced Provisions (ARPs) at the following schools for pupils with a diagnosis of autism, each to have between 12 to 24 places with effect from the summer term 2020:</p>	

- Barking Abbey Secondary School
- Thomas Arnold Primary School
- Grafton Primary School

- (ii) Agree to the expansion of the Further Education Centre (FEC) at Trinity Special School for pupils with complex and severe or profound learning difficulties by an additional 30 places, to 90 places, with effect from the start of the winter term 2020.

Reason(s)

Under statute, the Council is required to make provision for pupils or young people with special educational needs and disabilities. The council needs to create some additional capacity to meet the increase demand for pupil places who have SEND.

These proposals will assist the council in providing further specialist provision to pupils of primary and secondary school age who have complex needs related to Autism and secondly, young people between 16 and 19 years of age with complex and severe learning difficulties. The proposal would also reduce a future reliance on expensive of borough placements.

1. Introduction and Background

- 1.1 Local authorities have a statutory duty under the 1996 Education Act to provide sufficient school places and to have “particular regard for the need to secure special educational needs provision for pupils with special educational needs.” Further, the Children and Families Act 2014 introduced significant reforms to the special educational needs system which effectively increased the number of children and young people for whom a Local Authority must ensure suitable provision is available.
- 1.2 The Councils Cabinet of 22 January 2020 received a report minute 94 (School Place Planning & Capital Investment) which provided the background as to why the demand for places for pupils with Special Educational Needs and Disabilities is increasing.
- 1.3 The provision for pupils with Special Educational Needs and Disabilities is currently provided through 3 special schools, Trinity School, Riverside Bridge and Pathways for those who require a specialist placement and through Additionally Resourced Provisions (ARPs) which are attached to mainstream schools.
- 1.4 Here in developing the strategy for SEND places, the Council strives to provide a continuum of provision that strikes a balance between the need for inclusion in mainstream schools whilst access to high-quality specialist provision for those children and young people who need it.

2. Additional Resource Provisions (ARPs)

2.1 Additional Resource Provisions (ARPs) are those educational provisions set up within a mainstream schools which are designed to provide vital specialist and targeted support for pupils with long term special educational needs or disabilities (SEND). These ARPs are very popular with parents and carers as they cater for pupils and young people in a local context. With this targeted help, many pupils or young people with additional learning needs can make better, more sustained progress when they attend mainstream schools.

2.2 ARP's are additionally funded which means that that they are able to offer:

- Teaching staff and support staff with knowledge, skills, expertise and allocated time in a particular area of SEND;
- Specialist environments which support the learning, behaviour and social and emotional needs of each pupil;
- Systems to identify, plan for and track small-step progress to inform next steps;
- Education in a mainstream school but with additional specialist resources and teaching;
- Additional Educational Psychologist and specialist health input as necessary;

2.3 Each ARP specialises in a particular area of special educational needs and places are allocated according to the specific needs of the child or young person. Each ARP is an integral part of the school.

2.4 The three ARPs have been set up on a temporary basis to help manage the rapidly increased demand the Council was experiencing for pupils with Autism. Places are set out below:

	Capacity
- Barking Abbey Secondary School	12 places
- Thomas Arnold Primary School	24 places
- Grafton Primary School	24 places

2.5 Going forward and following agreement with the above schools concerned it is proposed that these ARPs will be permanently established by statutory means. This will provide a valuable long-term capacity to meet the demand for SEND places. The capacity of these permanently established ARPs will total 60 places. However, they will start with smaller numbers initially and will grow each year as the demand for places comes through.

2.6 The most recent Ofsted judgement for these schools range from good to outstanding. The willingness of the head teachers for these Schools Headteachers to have these provisions, together with their localities, further justifies these schools having an ARP.

3. Further Education Centre at Trinity Special School

3.1 The Further Education Centre at Trinity School is an existing facility which caters for young people between 16 and 19 years of age who have complex and severe or profound learning difficulties. The centre promotes the development of independent living skills within a vocational skill framework. They teach skills that enable students to live independently and to learn skills in a real and relevant environment.

The centre enables young people to follow accreditation pathways but also has a strong focus on transition for when pupils leave Trinity School Centre where they work with parents, carers and key partners in Health and Social care. The centre is highly regarded by parents and carers.

- 3.2 The existing capacity of the centre is 60 students however the demand coming through from Trinity's Schools pre-16 age cohort would indicate the need for 90 places in the future.
- 3.3 Following agreement with Trinity School it has been agreed that the centre would benefit from expanding to 90 places.

4. Consultation

- 4.1 As the Council is proposing to create new ARP provision and to expand the Trinity FEC consultation has taken place with the Governing Body of each of the Schools. Further, letters were sent to parents, carers, guardians and pupils for each of the schools on 19 November 2019.
- 4.2 Statutory Notices were published in The Barking & Dagenham Post on 23 January 2020 and placed on the Council website regarding the proposed new provisions and expansion. The notice period ended after four weeks from the date of publication on 18 February 2020. The notices have been on display at both the main public libraries in Barking and in Dagenham and on each of the School's notice boards.

5. Financial Implications

Implications completed by: Mike Maduro - Interim Investment Monitoring Officer

- 5.1 This report details three new Additional Resource Provisions (ARP's) at the following schools: Barking Abbey Secondary School, Thomas Arnold Primary School, and Grafton Primary School. Further it details the expansion of the Further Education Centre (FEC) at Trinity Special School.
- 5.2 All four schemes will be contained with the current capital programme and within the following project codes detailed below.

Project Code	Project Name	Current Approved Budget 19.20	Forecast Spend 19.20 Mth 9	Proposed Slippage 19.20 (month 9)			Life time approved budget
				Accelerate Spend	20.21 Budget	21.22 Budget	
FC03078	Barking Abbey Expansion 2016-18	5,500,000	2,100,000	3,400,000	925,740	0	6,425,740
FC04052	SEND 2018-21	1,245,716	1,900,000	-654,284	1,300,000	1,620,727	4,166,443
FC04097	Trinity Special School Expansion	250,000	250,000	0	750,000	0	1,000,000
Grand Total		6,995,716	4,250,000	2,745,716	2,975,740	1,620,727	11,592,183

- 5.3 Thomas Arnold Primary School and Grafton Primary School will be funded through the 18-21 SEND allocation and will be contained within the £4.2m funding envelope detailed above.

6. Legal Implications

Implications completed by: Lucinda Bell - Education Lawyer, Law and Governance

- 6.1 The Council as an education authority has a duty to promote high standards of education and fair access to education. It also has a general duty to secure sufficient schools in their area, and to consider the need to secure provision for children with SEN (sections 13 and 14 of the Education Act 1996). This includes a duty to respond to parents' representations about school provision. These are referred to as the school place planning duties.
- 6.2 An ARP is a specialist provision within a mainstream school. It is not a special school. Different provisions apply to proposed alterations to special schools.
- 6.3 Proposals to establish, remove or alter SEN provision at a community maintained school requires that the Local Authority making the proposal follows a statutory process, as set out in the Department of Education statutory guidance, "Making significant changes ('prescribed alterations') to maintained schools" ("the Guidance") October 2018. The proposed changes are firstly to establish new ARPs, by reorganising internally at three schools. There will be no change to the PAN for the rest of the relevant schools, but additional pupils will be admitted to this specialist provision.
- 6.4 The second proposal is to increase provision at Trinity Special School FEC, from its current capacity of 60 to 90 post 16 pupils. For this proposal we are also required to follow the same statutory process (see paragraph 9.3 above) as this is an increase in number to a community special school.
- 6.5 The Guidance describes the statutory process that must be followed in the case of prescribed alterations. This is summarised as Stage 1, publication of statutory proposal/notice, Stage 2 representation (formal consultation) for at least 4 weeks and as set out in regulations, Stage 3 decision by the Local Authority within 2 months (or it falls to the Schools Adjudicator), with any appeal to the Schools Adjudicator to be made within 4 weeks of the decision and Stage 4 implementation, with no prescribed timescale, as specified in the published statutory notice, subject to any modifications agreed by the decision-maker.

7. Other Implications

- 7.1 **Risk Management** - We need to make provision as a statutory obligation for additional pupil places in the borough and these proposals mitigate the risk of failing to provide suitable numbers of places for pupils' learning. The number of children with severe Autism, SEMH and moderate learning difficulties has increased, partly owing to the growing pupil population; hence the need for additional special needs places. The consequences of not providing more places in-borough is the increased cost of sending growing numbers of SEN children to other placements outside of the borough and this leads to less overall control over their education and reduced control of the associated financial costs.
- 7.2 **Staffing Issues** - There are no specific staffing issues although the growing demand for school places will create additional opportunities in schools for both teaching and non-teaching staff.

- 7.3 **Corporate Policy and Equality Impact** - The decision will assist the Council in fulfilling its statutory obligations to provide a school place for every child and support the intention of the Council's Vision and Priorities, including encouraging civic pride, enabling social responsibility and growing the Borough. It is part of the mitigation of Corporate Risk 31 – Inability to Provide School Places.
- 7.3.1 The short term impact of the recommendations for the coming year would be positive for customers on all counts of: race, equality, gender, disability, sexuality, faith, age and community cohesion. The longer term outlook is unlikely to be positive on the proposed funding levels as it will be difficult to address need on current budget levels.
- 7.4 **Safeguarding Adults and Children** - Adoption of the recommendations in the short term would contribute to the Council's objectives to improve the wellbeing of children in the borough, reduce inequalities and ensure children's facilities are provided in an integrated manner, having regard to guidance issued under the Childcare Act 2006 in relation to the provision of services to children, parents, prospective parents and young people.
- 7.5 **Health Issues** - The health and wellbeing board and JSNA highlight the importance of investing in early intervention and education to support children's and young people's long-term wellbeing. The evidence and analysis set out in Fair Society, Healthy Lives (Marmot Review) has been developed and strengthened by the report of the Independent Review on Poverty and Life Chances. The reports draw attention to the impact of family background, parental education, good parenting and school based education, as what matters most in preventing poor children becoming poor adults. The relationship between health and educational attainment is an integral part of our Health and Wellbeing Strategy. At this point there is no need to change the focus of the Health and Wellbeing Strategy as a result of this report.
- 7.6 **Property / Asset Issues** - This proposed decision would facilitate the improvement and renewal of Council assets.

Public Background Papers Used in the Preparation of the Report: None

List of Appendices: None