

LONDON BOROUGH OF HAMMERSMITH & FULHAM

Report to: Cllr Alexandra Sanderson - Cabinet Member for Children's and Education

Date: 17 October 2022

Subject: High Needs Maintained Schools 2023/24 Place Commissioning

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Responsible Director: Jacqui McShannon, Strategic Director of Children's Services

SUMMARY

Hammersmith & Fulham (H&F) is responsible for ensuring sufficient local provision for children and young people with special educational needs. This includes ensuring there is suitable provision and sufficient numbers and types of specialist placements to meet local and regional needs in H&F.

This paper summarises the place commissioning intentions for the 2023/24 financial year at establishment level for maintained schools.

RECOMMENDATIONS

The Cabinet Member for Children's Services:

1. Approves the maintained schools place commissioning numbers for 2023/24 financial year at a total cost of £3,190,000.
2. Delegates authority to the Director of Education to finalise Service Level Agreements with schools to give effect to point 1.

Wards Affected: All

Our Values	Summary of how this report aligns to the H&F Values
Building shared prosperity	Continue the delivery of outstanding education provision for H&F children and young people to enable and empower them to reach their full potential.
Creating a compassionate council	Support the sustainability of the H&F school economy to support H&F children and young people with a range of provision that offers the right

	interventions at the right time, improving the life outcomes for children, young people, and their families.
Doing things with local residents, not to them	Maintaining high quality provision to allow further co-design with schools, parents, and partners to meet aspirations and changing needs.
Being ruthlessly financially efficient	Continued delivery of a robust education offer to meet the learning needs of H&F children and young people locally.
Taking pride in H&F	Support the H&F school community to deliver a robust education pathway for H&F children and young people. Allowing schools to continue to support H&F children and young people to play and active part in their local community, achieving paid employment, independent living, good health, and relationships.
Rising to the challenge of the climate and ecological emergency	Schools are a key partner for supporting H&F's climate agenda alongside partner organisations; building on their knowledge to design a robust climate curriculum for all settings in H&F.

Financial Impact

Setting	2022/23 Commissioned Numbers	2023/24 Proposed Commissioned Number	FY 2023/24 cost £	Additional cost impact £
Cambridge	117	129	1,290,000	120,000
Jack Tizard	70	70	700,000	0
Woodlane	100	100	1,000,000	0
Miles Coverdale (see detail below)	20	20	176,000	56,000
Total			3,166,000	176,000

Miles Coverdale Resource Unit

The proposal is to continue to commission 20 places at the resource unit within Miles Coverdale Primary School.

In the latest Summer 2022 School census, the school have recorded twenty pupils as being in the unit. Six of these pupils have an Education and Health Care Plan (EHCP) and fourteen pupils have an SEN support requirement.

The academic year (AY) 2021/22 KS1 pilot at the school has ended. This means that there are six EHCP places being filled at the unit with fourteen void places as the LA can no longer pay top-up for the fourteen SEN support pupils. This has an adverse impact on the Dedicated Schools Grant (DSG) High Needs Block (HNB).

Each void place costs £10,000 to the HNB rather than the £6,000 HNB contribution if the place is filled. The impact is shown in the table below.

A proposal to continue the previous pilot is in train and a governance report is being written. If this proposal is agreed, the place funding costs to the HNB will remain as they are for the FY 2022/23.

Miles Coverdale – impact of void places

Core Funding	FY 2022/23 Number of places	FY 2023/24 Number of places	Rate £	FY 2022/23 High Needs Block DSG £	FY 2023/24 High Needs Block DSG £
Filled places	20	6	6,000	120,000	36,000
Void places	0	14	10,000	0	140,000
Top-up	20	6	4,256	85,120	25,536
Total				205,120	201,536

Cambridge School

The proposal is to increase the number of commissioned places by twelve at an additional FY 2022/23 cost of £120,000.

This reflects the additional pupils on roll at the summer term of the AY 2021/22.

Jack Tizard School

There is no financial impact as the proposal is to maintain the number of places at Jack Tizard School at the existing commissioned level of 70.

Wood Lane High School

There is no financial impact as the proposal is to maintain the number of places at Wood Lane High School at the existing commissioned level of 100.

Implications by: Caroline Baxter, Finance Manager. 20th September 2022.

Verified by: Andre Mark, Head of Finance (Strategic Planning and Investment), 18 October 2022

Legal Implications

Section 13 of the Education Act 1996 places a duty on a Local Authority to ensure sufficient primary and secondary education provision is available to meet the needs of the population in its area including pupils with additional Special Educational Needs.

The Council also has duties under the Children and Families Act 2014 to make special educational provision for children and young people whose needs cannot reasonably be met from the resources normally available to schools and post-16 institutions

Education funded by the High Needs Block of the DSG is provided to meet the Council's statutory duties under section 19 of the Education Act 1996 to provide education for pupils needing alternative education and the Council's statutory duties under the Children and Families Act 2014 to meet the needs of pupils and young people up to the age of 25 with special educational needs.

Approval of the maintained schools place commissioning numbers contributes to the fulfilment by the Council of these obligations.

Implications by: Jade Monroe, Chief Solicitor Social Care, 14 September 2022

Background Papers Used in Preparing This Report

None

DETAILED ANALYSIS

Background and context

1. Hammersmith & Fulham have high aspirations for all children and young people and are committed to ensuring every child has the best possible start in life. Effective commissioning will ensure we can provide the right support at the right time to ensure all children reach their full potential.
2. Local Authorities have a duty to ensure there is sufficient provision locally for children and young people with special educational needs. This includes ensuring there is suitable provision and sufficient numbers and types of specialist placements to meet local need and that placement processes are effective.
3. The purpose of this paper is to set out the commissioning approach for children and young people in receipt of High Needs Funding and the operational arrangements with maintained schools to ensure high quality and good value provision and sufficient places to meet need. This has been informed by the Summer 2022 census data. This is in lieu of the SEND Sufficiency review which will inform both the future designation and commissioning arrangements for provision in H&F to meet the projected medium to long-term needs.

Approach per setting

Cambridge School

4. Cambridge School is a H&F maintained special school for young people of secondary school age. The school supports young people with MLD; severe learning difficulties; SEMH needs.
5. Place Commissioning numbers were regularised for the 2022/23 financial year to reflect the 117 students on roll at the time of the decision. Demand for Cambridge

School has continued to increase however with 129 students on roll as at the Summer 2022 census.

6. It is therefore intended to increase the place commissioned number for 2023/24 to 129 with the requirement for Cambridge to build the ordinarily available therapy offer within the resource envelope without additional funding or increase in top-up at this time.
7. There is ongoing pressure on specialist provision in London however the Council needs to take a balanced approach to growth and will therefore work collaboratively with the school to remain within the 129-place cap moving forwards.

Jack Tizard School

8. Jack Tizard is a H&F maintained special school for children and young people with profound and multiple learning difficulties.
9. Jack Tizard is currently commissioned to support 70 children and young people which is reflective of the children on roll as at the Summer 2022 census. It is recommended to maintain the current commissioning arrangements for the 2023/24 financial year.

Woodlane High School

10. Woodlane High School is a H&F maintained secondary special school. The school supports young people with SLCN; ASD; and MLD.
11. Woodlane is commissioned to support 100 young people and as at the summer 2022 census there are 103 pupils on roll. For the 2023/24 financial year we intend to maintain the current commissioned numbers of 100 on the expectation that the needs of the additional three students can be met from within the ordinarily available and existing funding the school receives.

Miles Coverdale Resource Unit

12. Miles Coverdale operates a Specialist Speech and Language Resource Base for children aged 3 to 7 years with have speech, language, and communication needs (SLCN).
13. The Miles Coverdale Resource provision is commissioned to provide 20 places for Key Stage 1 (KS1), children aged between 5 and 7, during Years 1 and 2. For the 2023/24 financial year we intend to maintain the current commissioned numbers and work with the school to remodel its offer to accommodate the needs of Key Stage 2 pupils to reduce costly out of borough placements.

Reasons for Decision

14. As detailed in the High Needs Funding Operational Guidance: 2022 to 2023: “High needs funding is provided to local authorities through the high needs block of the dedicated schools grant (DSG). Local authorities must spend that funding in line with the associated conditions of grant, and School and Early Years Finance Regulations.”
15. The high needs funding block provides local authorities with resources to support provision for children and young people with special educational needs and disabilities (SEND) from their early years to age 25, enabling both local authorities and institutions to meet their statutory duties under the Children and Families Act 2014.
16. Local authorities determine how much to set aside in their high needs budget for place and top-up funding given to institutions and have flexibility to change funded place numbers.
17. Place funding should broadly reflect both local authorities’ recent commissioning activity and strategic planning to secure suitable special educational needs and disabilities (SEND) provision and AP, in line with their statutory responsibilities and regional requirements.
18. Local authorities are required to consult with institutions in their area and discuss both current numbers of places being taken up, which will be included on the school census and special educational needs and disabilities (SEND) provision (ILR) returns, and the number of places required in future.

Equality Implications

19. There are no direct negative equality implications for groups with protected characteristics, under the Equality Act 2010, by the approval of the school place commissioning arrangements set out in the recommendations.
20. Officers anticipate a neutral impact as the funding model outlined in this report is intended to provide financial stability to schools. The report does not recommend a decrease in the place funding allocation. In some cases, the report allows for an increase in the place funding allocation.
21. In addition to place funding, individual learners also attract top-up funding to deliver to the specification in their Education, Health, and Care Plans.

Risk Management Implications

22. The paper sets out the Council’s place commissioning intentions for the 2022/23 financial year enabling both the Local Authority and local education settings to meet their statutory responsibilities by securing sufficient provision to meet local needs through commissioning activity and strategic planning.

Implications verified by: David Hughes, Director of Audit, Fraud, Risk and Insurance, 7 September 2022

Climate and Ecological Emergency Implications

23. This decision does not have direct climate and ecological implications. The main expected greenhouse gas emissions sources associated with this provision are in the energy use on-site. These are being managed separately through the council's corporate retrofit programme.
24. Schools are a key partner for supporting H&F's climate agenda alongside partner organisations; raising awareness and understanding of the climate and ecological emergency, and the steps that people can take, will remain an important part of educational provision.

Implications verified by: Jim Cunningham, Climate Policy & Strategy Lead, 12th September 2022

Consultation

25. Hammersmith & Fulham have the role of sub-regional commissioner for academies and Further Education provision located within the borough. As the Commissioner H&F must consult with settings and regional partner authorities to set the number of places to meet the needs in the local area. Consultations on the proposed commissioning intentions have been completed with all settings.

LIST OF APPENDICES

None