



## ***Delegated Decisions by Cabinet Member for Public Health & Education***

***Wednesday, 7 March 2018 at 10.00 am  
County Hall, New Road, Oxford***

### ***Items for Decision***

The items for decision under individual Cabinet Members' delegated powers are listed overleaf, with indicative timings, and the related reports are attached. Decisions taken will become effective at the end of the working day on 15 March 2018 unless called in by that date for review by the appropriate Scrutiny Committee.

Copies of the reports are circulated (by e-mail) to all members of the County Council.

**These proceedings are open to the public**

A handwritten signature in black ink that reads "PG Clark".

Peter G. Clark  
Chief Executive

February 2018

Committee Officer: **Deborah Miller**  
Tel: 07920 084239; E-mail: [deborah.miller@oxfordshire.gov.uk](mailto:deborah.miller@oxfordshire.gov.uk)

Note: Date of next meeting: 25 April 2018

**If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.**

## Items for Decision

1. **Declarations of Interest**
2. **Questions from County Councillors**

Any county councillor may, by giving notice to the Proper Officer by 9 am two working days before the meeting, ask a question on any matter in respect of the Cabinet Member's delegated powers.

The number of questions which may be asked by any councillor at any one meeting is limited to two (or one question with notice and a supplementary question at the meeting) and the time for questions will be limited to 30 minutes in total. As with questions at Council, any questions which remain unanswered at the end of this item will receive a written response.

Questions submitted prior to the agenda being despatched are shown below and will be the subject of a response from the appropriate Cabinet Member or such other councillor or officer as is determined by the Cabinet Member, and shall not be the subject of further debate at this meeting. Questions received after the despatch of the agenda, but before the deadline, will be shown on the Schedule of Addenda circulated at the meeting, together with any written response which is available at that time.

3. **Petitions and Public Address**
4. **Special Provision Capital Fund - Oxfordshire's Proposal** (Pages 1 - 10)

*Forward Plan Ref:* 2018/017

*Contact:* Barbara Chillman, Service Manager – Pupil Place Planning Tel: 07554 103418

Report by Director for Children's Services (**CMDPHE4**).

The government has committed £215 million of capital funding to help local authorities to create new school places and improve existing facilities for children and young people with special educational needs and disabilities. Oxfordshire's share of this Special Provision Fund is £2,454,466, which will be paid to the council in three equal payments, between 2018 and 2020.

In order to receive this funding the council must consult on the proposals and must then publish a short plan that sets out how they intend to invest their allocation no later than 14 March 2018.

This report sets out the proposed plan for spending this grant, and seeks approval to publish the plan.

***The Cabinet Member is RECOMMENDED to approve the immediate publication of the plan to secure Oxfordshire's Special Provision Fund allocation.***



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Division(s): All

## **CABINET MEMBER PUBLIC HEALTH & EDUCATION – 7 MARCH 2018**

### **Report on the proposed allocation of funding to be received from the government's Special Provision Fund**

#### **Report by Director of Children's Services**

#### **Introduction**

1. Local authorities must ensure there are sufficient good school places for all pupils, including those with special educational needs and disabilities (SEND). The need for SEND provision has grown in Oxfordshire in recent years related to the rising school population, and planned housing growth will ensure that the requirement continues to grow. Based on expected population growth, between 2017 and 2022 the number of children and young people with Education Health & Care Plans (EHCPs) is forecast to grow by more than 200. Not all of these pupils will attend special schools, but recent years have seen an increased reliance on high cost places in Independent and Non-Maintained Special Schools (INMSS), at a significantly higher cost than places in maintained special schools. To ensure that the needs of all children can be appropriately met, it is necessary to expand the county's special schools faster than population growth, to provide more local school places and reduce expenditure on INMSS places.
2. The Government has committed £215 million of capital funding to help local authorities create new school places and improve existing facilities for children and young people with SEND. The formula for the allocations to local authorities is based principally on projected population growth for children and young people age 2-18 between the years 2018/19 and 2020/21. Oxfordshire's share of the Special Provision Fund is £2,454,466, which will be paid to the council in three equal payments, between 2018 and 2020.
3. Before receiving this funding, the council must:
  - i. Work with education providers to agree how the capital can best be targeted.

Oxfordshire County Council has established a High Needs Review Steering Group to keep the provision for children and young people with special educational needs and disabilities (SEND) under review. This Steering Group includes representatives from the county's special and mainstream schools, and is one key mechanism through which education providers have been consulted. Through working with the Steering Group, as well as directly with schools, a draft plan for how this funding will be invested has been developed.

- ii. Consult with parents and carers of children with SEN and disabilities and young people with SEN and disabilities.

An open consultation was held between 25 January and 22 February 2018 to allow all those with an interest in provision for children and young people with special educational needs and disabilities to feed back their views on the proposed plan

- iii. Publish a plan on their local offer page showing how they intend to invest their funding.

To qualify for the funding, the plan must be published no later than 14 March 2018.

### **Identification of projects for the use of this funding**

4. Several factors have been considered when assessing how best to utilise the Special Provision Fund capital grant in Oxfordshire:

- Investment proposals need to support one of Oxfordshire's key priorities to improve the educational progress of vulnerable learners.
- Ensuring the investment is targeted at areas of need in terms of the type of need, sufficiency and quality of provision.
- Utilising the grant to achieve maximum impact from investment and make a lasting difference.
- Maximising opportunities to combine with other capital funding to secure wider investment benefits.
- Only considering realistic investment proposals which are deliverable over the required time period.

5. Based on this, and drawing upon ongoing work with Oxfordshire's special schools to identify needs and opportunities for investment, it is proposed to split the Special Provision Funding across two projects:

- Bardwell School, Bicester
- John Watson School, Wheatley (Secondary site)

Both projects have previously been identified by the council as a priority for investment to create additional SEND capacity.

6. The funding due to be received from the Special Provision Fund will be joined up with Section 106 (S106) 'developer contributions' which have been secured from housing developments to increase special school capacity, as well as with funding already identified in the county council's Capital Programme to support the provision of additional SEND places in Oxfordshire.

### **Project 1: Bardwell School, Bicester (Ofsted Good)**

7. Bardwell School accommodates pupils aged 2-19 who have Profound and Multiple Learning Difficulties (PMLD), Moderate Learning Difficulties (MLD), Severe Learning Difficulties (SLD) and also pupils on the Autistic Spectrum. There is large-scale housing growth in this area (Cherwell Local Plan; 9,764 new homes in Bicester 2014-2031) which will lead to significant growth in pupil numbers, including the need for SEND places.
8. The first phase of increasing SEND places in Bicester has recently been approved: this will provide 16 additional places by adapting the former Bicester Children's Centre for use by Bardwell School, and this is expected to complete for Easter 2018.
9. An Option Appraisal has been undertaken to explore the potential to provide further capacity and address suitability issues. The Option Appraisal concluded that expanding Bardwell School on the existing site is possible through an extension to provide a new hall (the existing school hall is undersized), kitchen and one classroom, and through internal alterations to convert the existing hall and kitchen to provide a new classroom and hygiene facilities. The project will provide 16 additional pupil places. It is proposed that this project be partly funded from the Special Provision Fund, to supplement funding already secured from Section 106 agreements.

### **Project 2: John Watson School, Wheatley (Ofsted Good)**

10. John Watson Special School provides for children aged 2-19 who have a range of special educational needs including moderate learning difficulties (MLD), severe learning difficulties (SLD), autistic spectrum disorders (ASD) and speech, language and communication needs (SLCN). Some pupils have profound and multiple learning difficulties (PMLD). The school operates on a split site with primary and secondary facilities collocated with mainstream schools in Wheatley.
11. For the Primary Site, funding has previously been identified to provide additional pupil places and address the suitability of provision and work is ongoing to identify the preferred design solution.
12. For the Secondary Site, an Option Appraisal has identified how the John Watson Secondary site could be developed to address the current shortfall of 2 classrooms and associated ancillary accommodation, and replace the sixth form accommodation currently provided in an aged prefabricated 'temporary' classroom unit. The Option Appraisal identified a preferred solution of building 4 classrooms, staffroom and ancillary facilities; this will provide 16 additional pupil places. It is proposed that this project be partly funded from the Special Provision Fund, to supplement funding already secured from Section 106 agreements.

## Consultation

13. Before receiving the funding, local authorities must consult on how the funding should be spent. In addition to consulting schools via the High Needs Block Steering Group, an online consultation was open to all parties with an interest in SEND provision, conducted via the county council's consultation website. The consultation was advertised on the Local Offer Page of the council's website, in School News, by direct email to SEND provision serving Oxfordshire, via social media, SENCO newsletter and direct mailing to parent support groups in Oxfordshire. The consultation ran from 25 January to 22 February 2018.
14. The consultation attracted 34 responses. 14 identified themselves as parents/carers of children or young people with SEND; 15 identified themselves as representing schools or organisations providing services for SEND; 5 "other" respondents were past or present teachers, governors, or professionals working in SEND.
15. 76% of respondents agreed or strongly agreed with the proposal to expand Bardwell School, with 12% disagreeing or strongly disagreeing; 59% agreed or strongly agreed with the proposal to expand John Watson School with 15% disagreeing or strongly disagreeing. There was, therefore, broad agreement with the proposed use of this funding.
16. Reasons for disagreeing with one or both projects were given as:
  - i. Need elsewhere – specifically west Oxfordshire, Abingdon and Didcot;
  - ii. Need for more provision for Social, Emotional and Mental Health (SEMH) needs or Autism Spectrum Disorder (ASD) (3 respondents).
17. Other comments submitted:
  - i. Support for the need for more places in Bicester (4 respondents) and for Bardwell's hall to be extended (6 respondents);
  - ii. There is a need for more provision for Social, Emotional and Mental Health (SEMH) needs (2 respondents) or Autism Spectrum Disorder (ASD) (3 respondents);
  - iii. There is a need for more support for mainstream schools to support inclusion (1 respondent);
  - iv. There is a need to speed up the process of completing Education, Health & Care Plans (EHCPs) (2 respondents);
  - v. Provision needs to be close to home (1 respondent).
18. In response to the objections and comments, it is noted that the Special Provision Fund is only one strand of the county council's investment programme into SEND provision. Other strands include new resource bases to increase the geographic coverage of support; planned new schools focused



on SEMH and ASD; and other expansions already funded, including at Abingdon. The projects already confirmed are itemised on the Special Provision Fund Capital Plan (Annex 1); other projects will be added as they are confirmed. Other elements of Oxfordshire's High Needs Review programme are focused on identifying better support for mainstream inclusion and speeding up the creation of EHCPs.

### **Special Provision Fund Capital Plan**

19. To qualify for the funding, local authorities must publish a Special Provision Fund Capital Plan on their local offer page by 14 March 2018. The proposed plan is attached as Annex 1.
20. As well as the projects proposed for funding specifically from the Special Provision Fund, the plan also includes other planned investment in Oxfordshire's SEND provision from 2017/18 onwards. This includes projects confirmed as of February 2018; as other projects currently at the investigation stage are confirmed, they will be added to the plan.

### **Financial and Staff Implications**

21. The Special Provision Fund cannot be used for revenue expenditure or for maintenance of existing buildings. The proposed projects will provide accommodation for four additional classes (32 places), with the resulting staffing and other costs associated. The revenue costs of these classes will be covered by High Needs Block funding, which currently pays £17,600 per place in a maintained special school. If sufficient places are not created in Oxfordshire's special schools to meet the needs of the county's growing population, places would need to be commissioned from other providers, outside of Oxfordshire or in the independent and non-maintained sector, at significantly higher cost.

### **Equalities Implications**

22. The proposed investment in special school accommodation will increase accessibility to local high-quality education provision for children and young people with special educational needs and disabilities, and therefore provides a positive equalities impact.

### **RECOMMENDATION**

**The Cabinet Member is RECOMMENDED to approve the immediate publication of the plan to secure Oxfordshire's Special Provision Fund allocation.**

**LUCY BUTLER**

Director of Children's Services

Background papers:

Annex 1: Special Provision Fund Capital Plan

Contact Officer: Barbara Chillman, Pupil Place Planning Manager, Education Sufficiency & Access

February 2018

# Special provision plan

## Input form for Local Authority to complete

Local authority	Oxfordshire	Date of last update	23/01/2018
Local authority's special provision fund allocation	£2,454,466	Total planned expenditure on projects: special provision fund	£2,454,466
Other investment the local authority plans to make in SEND capital up until 2021		Total planned expenditure on projects: other funding up until 2021	£2,717,292

The local authority is required to consult parents and carers to receive their allocation. Local authorities should use the box to the right to confirm that they have consulted with parents and carers about their plan and projects and complete the 'Consultation form' below.

The local authority is or will be consulting parents and carers and will republish this plan before receiving their allocation

### Project information form

Provision URN	Provision name and address	Provision category	Ofsted Judgement	Age range for project	Investment in additional places (£)		Number of additional places			Investment in facilities (£)		Total investment in project	Type of SEN or disability that project is designed to meet.	Additional Information about each project LAs should use this section of the table to set out more details about the aims of the project. Beyond this further information can be listed in their strategic plan or directly on their local offer page.
					Special provision fund investment in additional places	Other investment in additional places	Special provision fund additional planned places	Other investment additional planned places	Total additional planned places	Special provision fund investment in facilities	Other investment in facilities			
7002	Woodeaton Manor School	Special provision	Outstanding	Secondary	£0	£43,795	0	16	16	£0	£0	£43,795	Pupils with emotional and social difficulties	2017 - Internal alterations to create 2 additional classrooms.
7000	Kingfisher Special School Abingdon	Special provision	Good	Primary, secondary and post-16	£0	£160,000	0	8	8	£0	£320,000	£480,000	Pupils with SLD and PMLD	2017 - New 3 classroom building to replace 2 classroom prefabricated 'relocatable' type building . The project replaced 16 existing places and provided 8 new places.
3912	Willowcroft Primary School, Didcot	Special unit or resourced provision	Good	Primary	£0	£288,000	0	9	9	£0	£0	£288,000	social, emotional and mental health needs	2017 - New building to house resource base for Didcot Partnership of Schools, building completed summer 2017.
7029	Bardwell Special School, Bicester	Special provision	Good	Primary, secondary and post-16	£0	£62,963	0	16	16	£0	£0	£62,963	Pupils with SLD and PMLD	2018 - Conversion of former Children's Centre to allow Nursery to relocate and create additional 16 (?) places in main school building. School investigating scope of work.
2011	New Aureus Primary Academy Didcot	Special unit or resourced provision	Not yet inspected	Primary	£0	TBC	0	8	8	£0	£0	£0	social, emotional and mental health needs	2018 - New primary school with Special Resourced Provision for 8 full time places
7027	Fitzwaryn Special School, Wantage	Special provision	Outstanding	Primary and secondary	£0	TBC	0	10	10	£0	£0	£0	Pupils with SLD and PMLD	2018 - Academy delivered scheme involving new build and internal reorganisation to create additional pupil places.
TBC	New Secondary School SW Bicester	Special unit or resourced provision	Not yet inspected	Secondary	£0	TBC	0	8	8	£0	£0	£0	Pupils with Social, Emotional and Mental Health needs.	2019 - New 600 place 11-16 Secondary School due to open September 2019 with Special Resourced Provision for 8 full time places.
7011	John Watson Special School, Wheatley (Primary Site)	Special provision	Good	Primary	£0	TBC	0	16	16	£0	TBC	£0	Pupils with SLD and PMLD	2018 -Options being finalised for project to provide 16 additional places.
TBC	New Primary School, Southam Road, Banbury	Special unit or resourced provision	Not yet inspected	Primary	£0	TBC	0	6	6	£0	£0	£0	communication and interaction needs (autism and speech and language difficulties), physical or sensory needs	2020 - New primary school with Special Resourced Provision for 6 full time places
TBC	New West Witney Primary School	Special unit or resourced provision	Not yet inspected	Primary	£0	TBC	0	6	6	£0	£0	£0	communication and interaction needs, physical or sensory needs	2020 - New primary school with Special Resourced Provision for 6 full time places
TBC	New Special School Didcot	Special provision	Not yet inspected	Primary	£0	TBC	0	100	100	£0	£0	£0		Site reserved in Valley Park housing development for a new special school. Timescale for transfer of land and construction of new school to be confirmed.
7029	Bardwell Special School, Bicester	Special provision	Good	Primary, secondary and post-16	£859,063	£0	16	0	16	£0	£997,937	£1,857,000		Construction of new school hall and classroom and conversion of existing undersized hall to create a classroom, project will provide 16 additional pupil places. <b>Part funded from Special Provision Fund.</b> Timescale for delivery to be confirmed.
7011	John Watson School	Special provision	Good	Primary, secondary and post-16	£1,595,403	£0	16	0	16	£0	£844,597	£2,440,000		Removal of 2-classroom prefabricated 'temporary' classroom unit and construction of 4 new classrooms providing 16 additional pupil places. <b>Part funded from Special Provision Fund.</b> Timescale for delivery to be confirmed.

**Consultation form**

**Consultation for all projects:** list the groups that the local authority has consulted with and the date of the conversation.

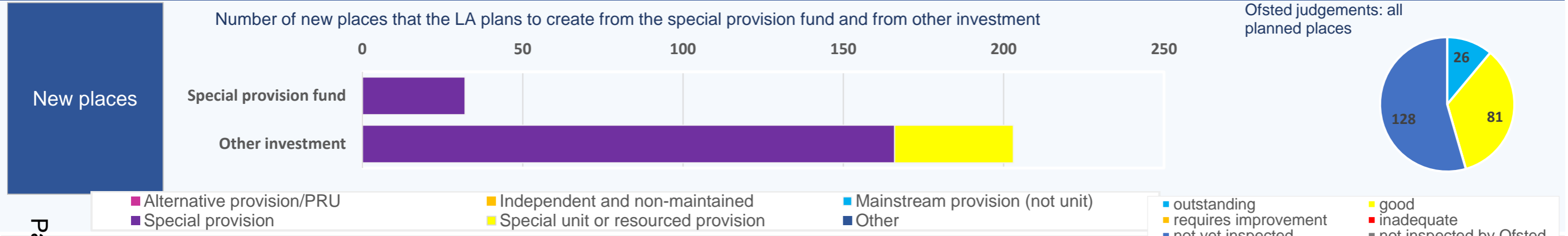
Local authorities are required to consult with parents and carers and should consult with other groups about how they plan to use their funding and set out information in the box below before they will receive their allocation.

Group	Date and method of discussion i.e. meeting or online consultation	Topic(s) of discussion	Outcome including any changes as a result of the consultation
Oxfordshire Headteacher representatives	Meeting 14 September 2017 and 1 December 2017 - High Needs Review Steering Group	Background to the DfE Special Provision Fund, Oxfordshire's allocation, the process to be followed to secure the funding, outline principles for investment.	
Oxfordshire Special School Headteacher representatives	Meeting 8 December 2017 - High Needs Review Special School Headteachers Meeting	Potential to utilise the Special Provision Fund to address historic repair and maintenance needs at existing Special Schools where the condition/suitability of the buildings have a detrimental impact.  Proposed prioritisation criteria and investment proposals to utilise the Special Provision Fund to create additional SEN school places in Oxfordshire.	Confirmation obtained from <i>SEND, Alternative Provision and Attendance Unit</i> , DfE, that the Special Provision Fund is intended to provide additional provision for children for children and young people with education, health and care plans within the local authority. It should therefore be spent through creating new (additional) places at good or outstanding provision, and improving facilities or developing new facilities rather than maintenance work which will be covered by Devolved Formula Capital funding.  Support for investment proposals to create additional pupil places at Bardwell School, Bicester and John Watson School (Secondary Site) Wheatley; utilising Special Provision Fund combined with other funding
Parents, carers and other interested groups.	25 January 2018 - 22 February 2018 Public consultation via Oxfordshire County Council on-line consultation portal	Comments sought on Oxfordshire County Council's proposals for investing the £2.4m Special Provision Fund capital allocation, combined with other capital funding, to secure additional SEN pupil places	The consultation attracted 34 responses. 14 identified themselves as parents/carers of children or young people with SEND; 15 identified themselves as representing schools or organisations providing services for SEND; 5 "other" respondents were past or present teachers, governors, or professionals working in SEND. CONT IN NEXT ROW
Parents, carers and other interested groups.	25.1.18 Online and Social Media	Details of OCC consultation placed on Oxfordshire's Local Offer Page, Sendias Oxfordshire facebook page, communicated to parent support groups in Oxfordshire via email and details included in February 2018 SENCO newsletter.	CONT FROM PREVIOUS 76% of respondents agreed or strongly agreed with the proposal to expand Bardwell School, with 12% disagreeing or strongly disagreeing; 59% agreed or strongly agreed with the proposal to expand John Watson School with 15% disagreeing or strongly disagreeing. There was, therefore, broad agreement with the proposed use of this funding. CONT IN NEXT ROW
Oxfordshire Headteachers, school staff etc	Online	Details of OCC consultation placed on 'Schools News' section of County Council Intranet	CONT FROM PREVIOUS Reasons for disagreeing with one or both projects were given as: need elsewhere and need for more provision for SEMH needs or ASD Other comments included a need for more support for mainstream schools to support inclusion and a need to speed up the process of completing Education, Health & Care Plans (EHCPs). These needs are being addressed through other projects as shown in this Plan. Other elements of Oxfordshire's High Needs Review programme are focused on identifying better support for mainstream inclusion and speeding up the creation of EHCPs.
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# Oxfordshire

Special provision fund capital plan		Total planned investment in additional places	£3,009,224	Total planned investment to improve existing schools' facilities	£2,162,534
		Total planned number of additional places	235	Total planned number of improvement projects	3
Special provision fund allocation	£2,454,466	£s investment for planned additional places	£2,454,466	£s investment in facilities	£0
		No. of additional places planned	32	No. of facilities improvement projects	0
Other funding other than the SEND capital allocation (where applicable)	£0	£s investment for planned additional places	£554,758	£s investment in facilities	£2,162,534
		No. of additional places planned	203	No. of facilities improvement projects	3

## More information about investment in provision for pupils with education, health and care (EHC) plans up until 2021



The special provision fund is to support local authorities to grow and improve provision to benefit pupils with EHC plans. The fund can be used to create new places and improve facilities for pupils with special educational needs and disabilities at existing schools. For more details see: <https://www.gov.uk/government/publications/send-provision-capital-funding-for-pupils-with-ehc-plans>.

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