

NORTH YORKSHIRE COUNTY COUNCIL EXECUTIVE

8th March 2022

Review of SEND residential provision Autistic Spectrum Disorder / Learning Disability – Welburn Hall School

Report of the Corporate Director – Children and Young People's Service

1.0 PURPOSE OF THE REPORT

1.1 The purpose of this report is to:

- Inform the Council Executive of the feedback from the public consultation on the proposals for the future of residential provision at Welburn Hall school
- Seek approval from the Council Executive to implement the recommended option for residential provision at Welburn Hall School.

2.0 EXECUTIVE SUMMARY

2.1 As part of the statutory responsibilities of the Council to keep its special educational provision under review and, to ensure that the needs of children and young people with Special Educational Needs and Disabilities are met a review of residential provision for was undertaken.

2.2 Welburn Hall is one of two maintained special schools in North Yorkshire which offer 4 night per week residential provision. It provides day and residential provision for children and young people aged 8 – 19 with a range of learning and communication based needs including ASD, Speech, Language and Communication Needs (SLCN), Moderate and Severe Learning Difficulties (MLD / SLD).

2.3 Consideration was given to continuing the current residential offer at Welburn Hall, predominantly for those young people over 16, ceasing residential provision at the school entirely and altering the residential provision so that it can meet the needs of children with more complex needs. The benefits and risks of those options are outlined within this report. Option 3, which is recommended for implementation, outlines the proposal to extend Welburn Hall's residential provision to accommodate pupils from across the age range 8-19, with needs currently within their designation of SLCN and LD. It also proposes to extend the residential offer for up to 7 nights per week term time boarding where assessed care needs require this. It is suggested that 4 years would be needed to transition fully to this model. As a result of this proposed offer, benefits would include more young people with these needs being able to be educated in their local area and provide a suitable alternative to out of county residential placements within the independent sector.

2.4 The financial analysis developed in section 7 of this paper indicates that the proposals would initially increase the cost to the local authority. However, the introduction of Option 3 would provide scope to divert individual children with more complex needs away from the independent residential sector, where the cost of placements are substantially higher and therefore represent better value for money in the medium and long term.

2.5 A public consultation was held on the proposal from 14th October – 2nd December 2021 which included an online survey and a series of events for parents / carers, professionals and the general public. Work was completed with pupils to gather their views on the proposals. 74 responses were received, along with a written response from the school leadership team and Governors, and a report on feedback from pupils through the Youth

Engagement Team. The majority of responses were positive, with 84% of people agreeing or strongly agreeing with the proposal for changes to the residential provision at Welburn Hall School.

- 2.6 Some concerns were raised during the consultation about the need for adequate resourcing of the provision, including staffing, funding and facilities to ensure that it would be fit for purpose. There were also concerns about how the independent skills and social opportunities for post 16 non-residential students would be delivered. It is acknowledged that, if these proposals are approved for implementation, work will continue with the school to ensure that the provision is of high quality, adequately resourced and that there is a robust Preparation for Adulthood offer for all children.
- 2.7 It is requested that approval be given to move to implementation of the recommended option to continue with residential provision at Welburn Hall School, extending the age range from 8-19 and provide up to 7 nights per week boarding (term time only) for those with the assessed needs requiring it.

3.0 BACKGROUND AND CONTEXT

- 3.1 The Council has a statutory responsibility under the Children and Families Act 2014 to keep its special educational provision under review, to ensure sufficiency in placements to meet the needs of children and young people with special educational needs and / or disabilities (SEND).
- 3.2 Under the same Act the Council also has responsibility for ensuring that the needs of children and young people with SEND are suitably assessed and that needs are met.
- 3.3 In 2017 Dame Lenehan's review of residential special schools concluded that many of the children and young people currently in residential special schools and colleges could be educated in their local communities if better support was available. The report recommended that local authorities should, in future, work more closely with parents, clinical commissioning groups and all providers to develop a range of flexible, local solutions for these children and young people. DfE independent report template (publishing.service.gov.uk)
- 3.4 According to data published in national statistics demand for residential placements in special schools has dropped significantly over the last 5 years despite a national 24% increase in EHCPs being issued. For links to data sets see Appendix 1. Whilst the number of residential special schools has dropped by 20% the data also shows an even more significant decline in the volume of places of 29%.
- 3.5 North Yorkshire County Council has set out the vision that all children and young people with SEND in North Yorkshire should:
- Have the best educational opportunities so that they achieve the best outcomes.
 - Be able to attend a school or provision locally, as close to their home as possible, where they can make friends and be part of their local community.
 - Make progress with learning, have good social and emotional health, and to prepare them for a fulfilling adult life.
 - Wherever possible live with their family or within a family environment
- 3.6 Welburn Hall is one of two maintained special schools in North Yorkshire which offer residential (4 night) provision. Both of the schools are within the Scarborough, Whitby, Ryedale locality. Welburn Hall provides day and residential provision for children and young people aged 8 – 19. They support a range of learning and communication based needs including Autism Spectrum Condition (ASC), Speech, Language and Communication Needs, Moderate and Severe Learning Difficulties.

- 3.7 Under the current arrangements the funding for commissioned places is provided solely from the High Needs Block Budget. Funding for bespoke health or social care provision for individuals who need it is agreed on an individual basis with those service areas.
- 3.8 In addition to the 53 residential places commissioned from the two maintained schools a further 25 young people have residential placements in either an independent or out of county setting (as at review point 2020/21).

4.0 ISSUES

4.1 Welburn Hall

- 4.2 Welburn Hall currently has 70 places, in 2020/21 this included 24 young people accessing a 4 night boarding offer during term time. Currently the residential aspect of the school is provided predominantly to those attending the schools 6th form. The last 3 years have seen a decline in the number of residential placements, as shown below:

Welburn Hall School	2017/18	2018/19	2019/20	2020/21
Residential places	29	28	21	24

- 4.3 The forecast for the next 3 years, with decisions about residential placement being based on assessed care and educational needs, suggests an acceleration in this decline in demand. The forecasted numbers can be seen in the table below:

Welburn Hall School	2021 / 22	2022 / 23	2023 / 24
Residential places post 16	14	11	6

- 4.4 This has significant implications in terms of the viability of the school budget. Welburn Hall has accumulated a significant financial deficit and this is forecast to increase significantly over the next 4 years if no changes are made to the residential operation. The school was supported by a local authority efficiency review in November / December 2020. The school has responded positively to this exercise, but it considers that significantly improving its financial outlook is dependent upon resolving the financing of the residential provision and that a continuation of the existing model of residential provision would be unsustainable.
- 4.5 The school has been rated Good both for education and the residential provision during Ofsted monitoring inspections in February, May and November 2020. The most recent summary noted that “The school has sustained good progress and meets all the national minimum standards for residential schools.” (see Appendix 2)
- 4.6 The majority of children who access the 6th form residential provision, transition from Year 11 with a small number of children moving in from other schools and are predominantly from the Scarborough, Whitby, Ryedale area. Students have usually been in day placements to the end of Year 11.
- 4.7 Other maintained special schools in North Yorkshire which have 6th Form provision deliver their preparing for adulthood curriculum as part of their core offer during the traditional school day. When comparing outcomes for the pupils taking up a residential 6th form offer against other special schools there are no identifiable trends in the data which suggest better outcomes linked to day or residential provision.

5.0 ANALYSIS

- 5.1 Independent and out of county placements account for almost a third of all residential placements which at the point of the start of this review (November 2020) was costing approximately £4.6 million. These costs are funded from High Needs Block for

educational needs and from Children and Adult Social Care budgets. Further pressure continues to develop within these budgets due to the volume of children with SEND increasing.

- 5.2 LA Officers undertook an analysis of the pupils who are currently in independent or out of county placements and identified a group of cases where children and young people have been assessed as having primary needs which are aligned with Welburn Hall School's designation.
- 5.3 At the point of requiring a residential placement to meet assessed needs each of these pupils was also under 14 and were ultimately placed in out of county or independent settings as a result of the Welburn residential offer being a 4 night, post 16 offer which was unable to address the provision identified in the EHCPs.
- 5.4 Officers have identified that in order to be able to meet the assessed needs of pupils with a similar profile a 38 week full term boarding offer is required alongside a range of therapeutic provision personalised to each individual but with core input from occupational therapists and speech and language therapists.
- 5.5 A 'typical' pupil profile would be likely to have needs including little to no verbal communication and a diagnosis of ASD, little awareness of danger with resulting potential to be a risk to themselves or others at times of anxiety or frustration, and support needed for all aspects of self care. Provision would require access to therapies, total communication environments and waking support through the night to include self care. There would need to be access to a full 38 week term time residential offer for those whose care needs identified this as a requirement.

6.0 OPTIONS

- 6.1 Throughout the review and consultation, options of continuing with residential provision for post 16 students only and of ceasing residential were considered. The benefits and risks summary for these options can be found in Appendix 3.
- 6.2 It is now recommended that the following option is approved and moves to implementation.
- 6.3 Continue with residential provision at Welburn Hall School in line with the school's designation and broaden it to include Welburn Hall School's full age range and up to 7 nights per week term time only.
- 6.4 This would result in a smaller number of residential places but meet the needs of those children with a greater complexity of needs locally.
- 6.5 North Yorkshire would have residential provision for ASD / SLD for young people who need this from age 8 - 19. As a result, more young people with these needs would be able to be educated and grow up in their local area.
- 6.6 Modelling based on current and recent trends in demand for residential placements for young people aged 8 – 19 with ASD as a primary need shows a cohort of children and young people with complex needs who are currently being placed in out of county or independent settings due to a lack of maintained provision within North Yorkshire.
- 6.7 On examination of these cases, there is a distinct cohort who all share a similar profile, with ASD as their primary identified need along with significant learning difficulties and complex care needs. The assessed educational needs fall within the designation of Welburn Hall but the children and young people are unable to be placed here at present due to the current use of residential provision for the post 16 pathway. This cohort would also require access to a full 38 week termly boarding offer and a range of therapeutic provision with occupational therapist oversight.

- 6.8 Based on the trend for this profile of needs it appears reasonable that following a period of adjustment a total of approximately 10-12 places would be commissioned. A period of 4 years would be needed to transition fully to this model as the final cohort based on the current post 16 offer complete their course of study and commissioning for the new places is gradually increased.
- 6.9 Having a local maintained residential offer for 38 weeks per year may better support some children, reduce the need for 52 week placement and enable families to remain together, with the correct support provided at the right time.
- 6.10 The Local Authority and families have experienced the failure of some high cost independent provision in recent months and years. This proposal will help to mitigate the risks to families and the LA by developing high quality maintained provision that is able to meet a complex range of needs.
- 6.11 Welburn Hall will be able to assist the LA in reducing reliance on high cost independent and out of authority placements resulting in more cost efficient commissioning of places.

7.0 RISK MANAGEMENT IMPLICATIONS

- 7.1 Families and students who are currently expecting to move into residential placements in post 16 may not meet the criteria. Places will remain available for those with a professionally assessed need for residential provision and day places will remain available to children and families.
- 7.2 In order to accommodate the needs of this group the school leadership and governors will need to enable the staff team to continue to develop the skills required to ensure high quality provision for these young people. During the last 18 months the school have worked closely with the authority to develop bespoke care and education packages for young people and have demonstrated a drive, commitment and ability to meet these complex needs.
- 7.3 It has been established that some capital investment will be required to ensure the residential facility is fit for purpose for the needs outlined earlier in this report. An estimate of cost exercise has been undertaken after discussions with school leaders and the likely capital requirement is estimated to be £230,000. This level of investment can be accommodated with the current capital resource available within CYPS.

8.0 FINANCIAL IMPLICATIONS

- 8.1 Financial analysis has been based on assessing both the impact upon the high needs budget and the impact upon the overall local authority budget.
- 8.2 Given that the proposals involve the introduction of a cohort of young people both with significantly higher levels of need than the Post-16 cohort traditionally supported at Welburn Hall, and the extension of the offer to a 38-week 7-day per week offer, the proposals will require additional investment in residential funding.
- 8.3 In order to properly reflect (a) the new cohort of pupils being supported at Welburn Hall, and (b) that the school will be operating residential provision from here onwards at significantly less than the circa 30 pupils previously in their provision, the local authority is minded to make the following changes to residential funding arrangements:
- Introducing a new lump sum for residential provision at 100k per annum
 - Moving residential funding to where it is paid on the basis of commissioned places with no reduction for fewer pupils on roll and additional funding if the actual numbers go above the planned commissioned places
 - Funding for the provision to be based on 12 places in the long-term

- The funding rate for the new cohort to be informed by an assessment of the likely cost of delivery – but with a funding rate of between £70k to £90k per annum per place

8.4 These changes would need ratification from the North Yorkshire Schools Forum.

8.5 In terms of analysing the impact to the high needs budget and local authority budget, the following assumptions have been made:-

- Residential place numbers at Welburn Hall

	22-23 academic year	23-24 academic year	24-25 academic year	25-26 academic year
Traditional Post-16 cohort	11	0	0	0
New cohort	4	7	10	12

- Assumed that the funding set out in 7.3 above will be implemented.
- Traditional residential cohort - assumed that all pupils who would previously have been supported by residential placements at Post-16, will instead pursue a Post-16 curriculum on a day basis at Welburn Hall, and that no alternative placements will need to be secured.

8.6 Financial Benefits

8.7 The work to assess the financial implications of the proposed changes in residential funding has been accompanied by work to revisit the five year budget plans for Welburn Hall school, factoring in the proposed changes to residential provision. The proposals have the potential to generate a sufficient income stream to improve the financial viability of residential provision at Welburn Hall – in turn enabling the school to develop a longer-term financial recovery plan.

8.8 With maintained provision available for younger pupils and those with more complex care needs there is potential for more efficient use of the High Needs block and social care budgets and savings based upon existing demand for placements continuing in future years.

8.9 The headline analysis is that the cost of service delivery for residential placement at Welburn Hall would increase from the current level of circa £400k per annum to between £1.0 and £1.1 million (*1) . There would be a direct saving of circa £400k per annum as the existing cohort of residential pupils would over time no longer need supporting, and factoring in additional transport costs associated with more pupils travelling to the school on a daily basis, the direct additional costs resulting from the proposals would be between £600k and £800k per annum. However, the additional cost needs to be judged against the potential that the new arrangements will offer to potentially not require independent placements for individual learners. Review of existing cases and trends suggests that 8-10 such placements could be diverted delivering significant savings. (*1) The above analysis is subject of two caveats (in addition to the assumptions set out in 7.6 – 7.8 above)

- it is based at a point in time in the future when the new model is fully operational and only supporting the new cohort (potentially financial year 2025-26)
- it deploys a provisional view of the potential staffing structure for the new provision

8.10 Financial Risks

8.11 The potential to deliver the significant savings makes a compelling case for initiating change

8.12 It should be noted that the analysis about how many placements could be diverted must be speculative and the key judgement is whether the “investment” discussed in the previous section (7.9) of between £600k and £800k per annum brings sufficient benefit in terms of the potential to divert placements away from independent residential provision placements. These typically cost £200k to £250k per annum. If three or more of the residential places at Welburn Hall were to be occupied by young people who would otherwise have needed access to an independent residential placement then the model is financially viable. Analysis of existing cases has identified eight young people currently in independent residential provision where the new offer from Welburn Hall could have provided an effective support arrangement, and on that basis it is contended that the proposals offer Value for Money.

9.0 LEGAL IMPLICATIONS

9.1 Welburn Hall School’s current designation is currently 8-19 age range Local Authority maintained special school which has boarding provision. It does not state how that boarding provision is delivered. It also states type of SEN provision as SLCN; PD and MLD. The proposal described in option 3 does not include admitting children or young people whose age or needs are outside of this designation. The proposed extension of boarding offer to 7 nights per week for a total of 38 weeks per year results in a total of 266 nights. Schools which offer 295 or more nights per year must also be registered as a children’s home. Since the proposed offer would fall below this number Welburn Hall will continue to be registered by Ofsted as a school with boarding provision. There is therefore no statutory requirement to change the designation of the school under the proposals that have been outlined in option 3.

10.0 CONSULTATION UNDERTAKEN AND RESPONSES

10.1 The consultation was open for 49 days starting on 14th October 2021 until 2nd December 2021. We asked a number of questions, in a survey, about our proposals. The survey was available online, via the council’s website. Paper copies were available from Welburn Hall School and on request and an ‘easy read’ version was available on request. Copies of the consultation paperwork was also available in other formats as requested.

10.2 We asked for views on the proposals from:

- Parents and carers
- Young people
- School Staff
- Staff in early years settings, schools, and further education settings (e.g. colleges);
- Parent and carer groups, including North Yorkshire Parent Carer Voice (PCV);
- Local authority staff
- Health colleagues

10.3 Given the nature of the proposals we were consulting on we specifically targeted the current staff (including Governors), pupils and parents / carers of Welburn Hall School.

10.4 In-person meetings were held with staff of Welburn Hall at the school and work was undertaken with pupils of the school through the Youth Participation Team alongside school staff.

10.5 On-line events were held for parents / carers of Welburn Hall pupils, for professionals and there were additional on line events which were open to any interested member of the public.

10.6 There were 74 responses to the online survey. No paper copies were requested.

10.7 The responses to the question “Do you agree that North Yorkshire County Council should change the residential offer at Welburn Hall School for children and young people aged 8-

19, who have communication and interaction needs (including Autism) and / or learning disability, where there is an assessed social care need for residential provision?" were as follows:

- Strongly agree: 43 (59%)
- Agree: 18 (25%)
- Neither agree or disagree: 1 (1%)
- Disagree: 2 (3%)
- Strongly disagree: 9 (12%)

10.8 All consultation responses have been considered by the Local Authority. A draft consultation outcomes report is included at Appendix 5.

10.9 A summary of the main feedback from the consultation is outlined below:

- The majority of respondents were positive about the proposals and were clear about the potential benefits. The following areas were highlighted by several respondents:
 - a) Better options for families – children being closer to home and options of 4 or 7 night provision;
 - b) Improved outcomes for children and young people, including reassurance over quality and safeguarding as a result of it being a maintained provision;
 - c) Increasing the options open to families of children and young people with Communication and Interaction needs and / or Learning Disability;
 - d) Better value for money option available.
- There was concern through the survey responses in the following areas:
 - a) That the funding and resourcing (including staffing) of the proposed provision needed to be fit for purpose;
 - b) That there was a robust curriculum offer for those post 16 students not eligible for residential provision to develop their independence skills and social opportunities;
 - c) That the proposals focused on children and young people with a very particular need and did not address gaps in provision for other needs.

10.10 These concerns have been acknowledged and it will be important that, should the proposals move to implementation, work continues with the school to ensure that the provision not only provides value for money but is of a high standard and that the school's Preparation for Adulthood offer is robust.

10.11 Given that the focus of this consultation and proposal is for Welburn Hall School, the points raised in c) are more reflective of concerns about the wider provision for SEND in North Yorkshire rather than a concern about the specific proposal being consulted on. The Local Authority SEND Strategy has recently completed a public consultation and will seek to address wider issues of provision outside of the scope of this proposal.

10.12 Taking this into consideration, changes have not been made to the proposals and the recommendation is therefore to implement option 3:

- Continue with residential provision at Welburn for the school's designated needs but with existing residential criteria applied consistently and open to Welburn Hall School's full age range (8-19). Residential provision to be extended to be available for up to 7 nights per week during term times (38 weeks).
- This would result in a smaller number of residential places for the most complex and care led needs.

11.0 TIMELINE

11.1 It is suggested the timeline below is followed:

Activity	Date
Decision at Executive following consultation	08.03.22
Implementation begins	09.2022

12.0 REASONS FOR RECOMMENDATIONS

- 12.1 The recommendation to move forward with implementation of the recommended option is being proposed to assist the Council in discharging its duty to ensure that the provision commissioned within the authority is reflective of current and future needs.
- 12.2 Having undertaken a detailed review of current and future demand and assessed the provision requirements going forward, it is felt that this option is the mostly likely to:
- Maintain a viable residential option at Welburn Hall School
 - Ensure a more local offer of provision is established for children with more complex needs
 - Contribute to achieving the councils vision to provide a more local offer for a specific needs profile which currently are unable to be met in any of our existing special schools
 - Provide a more cost effective option for 38 week residential provision than is currently available
- 12.3 A public consultation was held between 14th October 2021 – 2nd December 2021. The majority of respondents (84%) agreed or strongly agreed with the proposal outlined. Concerns raised related to the implementation of the proposals have been acknowledged and work will continue to address these should the recommendations for implementation be approved as outlined in 9.9 – 9.14 above.

13.0 RECOMMENDATIONS

- 13.1 Executive Members are asked to note the outcome of the consultation on residential provision at Welburn Hall School, and to recommend to the Chief Executive Officer that using his emergency delegated powers he:
- Approve the recommended proposal to continue with residential provision at Welburn Hall School in line with the school's designation, and broaden it to include Welburn Hall School's full age range and up to 7 nights per week term time only.

Stuart Carlton
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COUNTY HALL, NORTHALLERTON

24 February 2022

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Appendices:

1. Data sources for national statistics
2. Monitoring visits and Ofsted reports
3. Options
4. Consultation Report
5. Consultation outcomes report
6. Consultation summary
7. Consultation - Pupil voice report
8. Equality Impact Assessment