

NORTH YORKSHIRE COUNCIL

EXECUTIVE

22 AUGUST 2023

Proposal to establish a new special school provision for Autistic children aged 11-19 at the former Woodfield Community Primary School, Harrogate from 1 September 2024

Report by the Corporate Director – Children and Young People’s Service

1.0 PURPOSE OF REPORT

1.1 To report on the public consultation on a proposal to open a new special school in Harrogate, and to seek approval to proceed with the required Presumption Route process.

2.0 EXECUTIVE SUMMARY

2.1 The Council is proposing to establish a new special school provision for Autistic children aged 11-19 at the former Woodfield Community Primary School, Harrogate. The target opening date is September 2024. It is intended that the school would be a free school following the requirements set out by the Department for Education (DfE) in their January 2023 statutory guidance ‘The free school presumption – guidance for local authorities and new school proposers’.

2.2 On 30 May 2023 the Executive Member for Education, Learning and Skills approved that a consultation should be undertaken on the proposal. This consultation subsequently ran for six weeks, closing on Monday 24 July. This paper reports on the consultation responses and seeks approval to launch the required Presumption Route process.

2.3 The report is supported by a number of Appendices as listed below:

- Appendix 1 Published consultation document
- Appendix 2 List of consultees
- Appendix 3 Responses to the consultation document
- Appendix 4 Equality Impact Assessment
- Appendix 5 Climate Change Impact Assessment

3.0 BACKGROUND

3.1 Woodfield Community Primary School in Harrogate closed on 31 December 2022 following completion of the required statutory process.

The vacated buildings have been secured and are not currently in use for any purpose. There are ongoing costs associated with maintaining an empty building.

3.2 The North Yorkshire Council SEND Capital programme was approved by the Executive Member for Education, Learning and Skills on 18 April 2023.

3.3 This programme contained proposals to deploy £20.5 million of resource, to enable the Council to address shortfalls in the sufficiency of its specialist provision and

ensure that provision matches more effectively with the needs of young people in North Yorkshire requiring access to specialist provision. As part of the programme, officers identified two major developmental priorities, Social, Emotional and Mental Health (SEMH) provision in the north of the county, and secondary autism provision in a central area of the county

- 3.4 The former of these two developmental priorities should be addressed by the development of the free special school in Northallerton, which was approved by the DfE in March 2023. In terms of the secondary autism provision, a resource of £3.5 million has been earmarked to develop a provision but the capital programme did not include any specific recommendation about where the facility would be developed.
- 3.5 The Council has the potential to deploy the former Woodfield CP School as a site that could support this development.

4.0 CONSULTATION UNDERTAKEN AND ANALYSIS OF RESPONSES

- 4.1 The decision to consult on the proposal was taken by the Executive Member for Education, Learning and Skills on 30 May 2023. A consultation document (Appendix 1) was distributed to the list of consultees (Appendix 2) and published on the Council website. The consultation period ran for six weeks from 12 June 2023 to 24 July 2024.
- 4.2 The consultation feedback clearly reflected significant support for the proposal. By the closing date of 24 July 2023, 105 responses had been received and these are shown in full at Appendix 3. Almost all of the responses to the consultation, 90 out of 105 (86%), supported the proposal for the new provision. Ten (9%) of respondents said they did not agree with the proposal, four (4%) said they 'didn't know'. One respondent did not answer this question (1%).

The following section of the report summarises the main issues and concerns raised by those who responded to the consultation by completing an online response form, or submitting a written response.

5. ISSUES RAISED AND RESPONSES

- 5.1 A large number of respondents said there is a significant need for additional Autistic Spectrum Disorder (ASD) provision in this area to allow children to thrive, adding that specialist provision for children with autism is essential so that their needs can be met.
- 5.2 A number of respondents said that the site was ideal, one respondent said it was a 'perfect setting' another said it provided a safe learning environment.
- 5.3 One respondent said the proposed special school was absolutely necessary and so important for the children and the whole community. It also provides vital jobs to local specialised people and opportunities for career growth for others.
- 5.4 One consultee highlighted the need in Harrogate for this type of school provision with the increase in students, many without diagnosis, displaying autistic traits coming into secondary schools. They felt a local school group / Trust needs to be involved in the running, of this school provision which would ensure a collaborative approach to meeting the needs of these children. A community school / local Trust would also have relationships formed with families of these children which would help in the establishment of the provision.

- 5.5 Concerns were expressed over the high costs of private placements and that it was good to feel 'heard' by the Local Authority (LA) with this proposal. One parent said their child had to travel to Darlington for autism provision.
- 5.6 A Branch Secretary for the National Education Union in North Yorkshire said they welcomed the proposal, although noting that whilst it was tragic that Woodfield School was allowed to close, it is vital that the site remains an educational establishment and to re-purpose a wonderful facility to provide specialist education is positive news.
- 5.7 The Trustees of Bilton & Woodfield Community Library said they were delighted that there is a proposal to continue providing education on the site.
- 5.8 The key questions/issues raised during the consultation process are set out below with responses.

Why is the provision only for secondary pupils?

- 5.9 Although most of the responses supported the proposal, a number of respondents questioned why the provision was only for secondary provision. One respondent said there is also a significant need for primary children with autism, communication and interaction needs, adding that as Woodfield was a primary school site it would be better suited to primary aged SEND. Other suggestions were for an age 2-19 school.
- 5.10 One Headteacher of a local primary school commented on the need for a through-school or KS2-secondary offer, adding that many pupils in mainstream primary schools require specialist placements, and sadly these are all full. Targeted Mainstream Provisions (TMP) are rare, and most of these tend to be filled with pupils who are awaiting special school placements. If there were more suitable special placements, then this would lead to less pressure on the TMP model and a greater uptake from local schools. This, in turn, would lead to a fairer distribution of need across the Local Authority, which would result in more schools being able to meet the increasing levels of need that they are facing.

Response

- 5.11 In developing proposals for our wider SEND provision capital programme the LA officers identified that there are considerably more children of secondary school age that require this type of provision. Therefore, officers have prioritised available capital allocations, received by the Council from the DfE, to address this demand. The Council will continue to ensure the needs of all children are met through the commissioning of appropriate provision to meet the assessed needs of all children.

Is this the best use of the Woodfield Site?

- 5.12 A respondent questioned if this proposal was the best use of the Woodfield site and queried what other options for continuing education use of the Woodfield site were considered? For example, increasing places to meet other specialist education needs such as pupils with autism requiring semi-formal education provision or sixth form provision. This respondent also added no data was presented on rolls in secondary education which is relevant to this proposal. If primary school rolls are falling, it can be anticipated that secondary school rolls will also fall. This creates capacity within

mainstream education to meet pupils needs in different ways. For example, to use satellite units within mainstream schools for pupils with autism who require more formal secondary curriculum and associated academic accreditation routes as detailed in the proposal.

Response

- 5.13 The consultation document and report outlined why using the site for specialist provision was favoured over retaining for any potential mainstream use at some point in the future. Analysis of the needs profile of the North Yorkshire SEND population confirmed the need for this specific type of provision in this locality.

Does the proposal for this type of provision need to be reviewed?

- 5.14 A Headteacher of a local Special School thought the idea of autism provision was outdated adding that the title needs review. "With or without diagnosis" is confusing and there needs to be careful attention to the entry/admission criteria. It was highlighted that the school would benefit from very close partnership with local colleges, sixth forms and secondary schools in order to be as inclusive as possible whilst meeting accreditation needs.
- 5.15 A view of one local governing board stated that a 'hub' model in several high schools is more appropriate for access to accreditation, inclusion and a peer group. Providing for the most able pupils in an isolated setting, not linked to a high school, or college does not prepare them for society or inclusion. It also seems to undermine the strategic direction for the LA which is towards an inclusive approach with a matrix of specialist provisions. It was felt that this type of need could very readily be provided for within a mainstream setting as a hub model and that this might be a more appropriate approach given the 'type' of need which is proposed to be met there.

Response

- 5.16 Officers agree that there needs to careful attention to the entry and admission criteria. This should be based on a clear description of provision need but acknowledges individual family and cultural preferences for following a diagnostic route. The school is not to be viewed as an isolated setting and the provision offer will give due attention to the whole preparation for adulthood and social inclusion agenda. Officers believe establishing a dedicated school offers stability of provision and enhances parental and young person confidence in the offer for this particular group.

Could an outdoor/forest school/urban farm type of provision be offered on the school site?

- 5.17 One respondent asked if an outdoor/forest school/urban farm type of provision could be offered on the site as increasingly, Education, Health and Care Plans (EHCPs) name outdoor specific provision and this is only accessible through costly private providers.

Response

- 5.18 The specific offer would be a matter for the sponsoring Trust to determine, but the Council would expect some planning of the broader sensory and physical environment to be part of that offer to meet the needs of this specific client group.

Why was Springwater School not offered the Woodfield Site as a satellite to the main school provision in Starbeck?

- 5.19 There were a number of comments relating to the existing Springwater School Provision in Starbeck, and why the school was not offered the Woodfield site as a satellite, and also questioned why the plans for the school to use Meadowbank have been put on hold.
- 5.20 It was also felt that local special school Heads should have been approached for their views prior to this consultation.

Response

- 5.21 Springwater School has been prioritised within the Council's SEND capital programme to receive significant investment to expand and improve the school's facilities. Providing the Woodfield site to any other school, including Springwater School, would not have allowed the Council to deliver the proposed wholly new school.

Work is proposed to commence at Springwater School in 2024 with additional provision made available for September 2025. The project is not on hold and the aim is to increase places at the school by up to 40 pupils. Public consultation on increasing pupil numbers at the school will take place in the coming academic year.

Special School headteachers did know of the long-standing commitment to develop secondary autism provision in the central part of the county. Officers would acknowledge they were not advised in advance of this specific Woodfield proposal, but they have been included in the consultation.

Could the Forest School Site (Knaresborough) be further developed?

- 5.22 A respondent asked if the Forest School Site (Knaresborough) could be developed further to take more ASD pupils, use the vacant Woodfield site to relocate Springwater School and use the existing site to develop a 6th Form SEN provision.

Response

- 5.23 The Forest School is part of Wellspring Multi Academy Trust. Following investment prior to academy conversion the Council have not prioritised the Academy for further investment or expansion at this stage. In order to comment further on the site's potential a full and thorough assessment would need to be carried out.
- 5.24 Springwater School has already benefitted recently from investment regarding its Post 16 provision and this provision will be further enhanced with the planned expansion programme at Springwater School.

The link to the demographic data showed access denied.

- 5.25 One respondent said that the link to the demographic data shows access denied.

Response

- 5.26 The LA understands that there was a temporary technical issue accessing the data which was resolved within a 24-hour period.

How can the LA afford to fund a new SEND school when you are not making existing schools safe?

- 5.27 One respondent questioned why the LA is proposing a new school when not making existing schools safe by ensuring funding for appropriate staffing for SEND schools - pupils with 1:1 cited on their EHCP are not currently receiving this.

Response

- 5.28 This is a capital project and therefore unrelated to staffing issues in other special schools. Specific concerns about provision for individual children would typically be addressed through the annual review process.

6.0 PROPOSAL

- 6.1 It is proposed that the former Woodfield CP School site should be utilised as a base for a new special school as soon as possible, with a target opening date of September 2024.
- 6.2 Modifications to the existing buildings will be required in advance of opening and these phase one proposals are currently being developed. There is also expected to be additional accommodation introduced on site, as a second phase of development, to complement the existing buildings and allow the proposed new special school to achieve its full capacity. Given the plans for the site buildings are being developed in parallel with this consultation and report activity it is not currently possible to be certain about the opening date for the school. This will become clearer towards the end of 2023 when feasibility work is complete. Should Executive provide approval for the school to be established then all of the required 'design' work will continue at pace.
- 6.3 The modified premises are expected to be able to provide capacity for up to 50 places during the first two years of operation. The actual number of places to be commissioned in this period would be subject to discussion with the successful Trust but is expected to follow this broad model – Year 1, 20 to 25 places; Year 2, a further 20 to 30 places – to a maximum of 50 places overall.

The planning assumption is that the new provision would (subject to feasibility) ultimately operate with a capacity of up to 80 pupils on completion of all works, and that commissioned places would match the full capacity in the third year of operation.

- 6.4 The proposals do not propose any change to the activities that are accommodated in the block to the front of the Woodfield site including the Community Library and the Children's Centre.
- 6.5 The overall Presumption Route process should enable the Council to identify a suitable Academy Trust to be the delivery partner who would have the appropriate experience and skill set to operate a successful provision for this specialism in this part of the county.
- 6.6 The proposed process timetable with suggested key dates would be:

Activity	Key timetable dates
Approval to consult	30 May 2023
Consultation period (6 term-time weeks)	12 June – 24 July 2023
Consultation review and approval to launch presumption route competition	22 August 2023

	Stage 1 – Invitation for Proposals
Launch of process: National and local announcements by DfE and NYC – Competition should be 6 to 8 weeks minimum	11 September 2023
Deadline for receipt of proposals	30 October 2023
	Stage 2 – Assessment
Assessment of proposals and selection of preferred proposers (shortlist)	November 2023
Assessment Panel Interviews (if considered to be a required part of the process)	November / December 2023
Recommendation to CYPS Executive Members and confirmation of preferred sponsor.	December 2023
Proposals are sent to the Regional Director (RD)	December 2023 / January 2024
The RD will consider the LA assessments and recommendations and decide on the successful proposer There is no specified timescale for this part of the process.	Stage 3 - Decision by RD (for the Secretary of State)
	Pre-opening period
All implementation activity, staff recruitment etc	From notification of RD decision - 31 August 2024
	Opening
Target opening date	September 2024

7.0 FINANCIAL IMPLICATIONS

- 7.1 As stated at Section 3.4 a capital amount of £3.5m has been allocated in the SEND Capital Programme for all required construction costs (see p.6.2 above). Officers are cognisant that pressures currently being experienced within the construction sector could impact upon the precise design and capacity that the Council is able to take forward.
- 7.2 The successful academy sponsor would incur pre-opening revenue costs associated with establishing new provision but the funding of these costs will be a matter to be resolved between the academy sponsor and the DfE (in accordance with the DfE guidance document “Free schools – pre-opening guide”). However, the introduction of local additional specialist places in the maintained sector would provide an overall saving to the High Needs Block through savings on higher cost placements in the independent sector.

- 7.3 Analysis of the trends in new independent sector placements identifies that over the course of the last four years 95% of new placements related to young people with a primary need of autism or SEMH. The financial implications for the Local Authority budget are that independent day sector placements typically cost £65k to £70k, whereas the average cost of a special school placement is circa £23k.

The process of retrospectively assessing individual cases and reaching judgements on whether a maintained special school could have supported a young person's needs as effectively as the independent placement that was activated, is both complex and subjective, and officers have not undertaken detailed individual case studies. Nevertheless, the desktop assessment is that the majority of the independent sector placements could have been supported in academy or maintained special schools if there was sufficient capacity and schools with the appropriate designation to meet the needs of the pupils.

The average differential between the costs of independent school places and local special school provision tends to be in the region of £45k per place (although there can be significant divergence from this figure for individual cases). Officers have constructed a financial model, which factors in assumptions regarding the likely geographical location of pupils potentially needing specialist autism provision in the future and the probability of their needs being met by the type of provision under consideration in this report, etc. The model has to have a fair degree of uncertainty because of the need to make judgements about the specific characteristics of (as yet unknown) cases. However, using some judicious assumptions, the model anticipates that revenue savings of between £3 million and £4 million would accrue to the Council's High Needs budget in the first five years of operation. At this stage no assessment has been made of the likely transport cost implications (because these are even more dependent on making assumptions about as yet unknown cases) – but a previous study had concluded that the likely implications would be a reduction in the Home to School Transport liability.

8.0 LEGAL IMPLICATIONS

- 8.1 Should it be determined to pursue opening of new provision then officers would ensure compliance with all legal aspects by carefully following the requirements set out by the DfE in their January 2023 statutory guidance 'The free school presumption – guidance for local authorities and new school proposers'.

9.0 EQUALITIES IMPLICATIONS

- 9.1 An Equality Impact Assessment has been undertaken in respect of this proposal and is attached (Appendix 4).

10.0 HUMAN RIGHTS IMPLICATIONS

- 10.1 There are no Human Rights issues in relation to this decision.

11.0 CLIMATE CHANGE IMPLICATIONS

- 11.1 A climate change Impact Assessment has been undertaken in respect of this proposal and is attached (Appendix 5).

12.0 TRANSPORT

- 12.1 This proposal will introduce a centrally located position and will positively reduce travel distances for this cohort of learners and therefore reduce associated costs.

13.0 RECOMMENDATIONS

- 13.1 It is recommended that approval be given to undertake the required Presumption Route process to establish a new special school for Autistic children aged 11-19 at the former Woodfield Community Primary School in Harrogate, with a target opening date of September 2024.

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List of Appendices

- Appendix 1 Published consultation document
- Appendix 2 List of consultees
- Appendix 3 Responses to the consultation document
- Appendix 4 Equality Impact Assessment
- Appendix 5 Climate Change Impact Assessment

Background documents

- CYPS Executive Members report – Approval of consultation - 30 May 2023
- CYPS Executive Members report – SEND Capital Programme – 18 April 2023
- Executive report – Woodfield CP School closure – 25 October 2022