

# North Yorkshire Council

## Executive

19 November 2024

### Proposal to add provision for Special Educational Needs in the form of Targeted Mainstream Provision at Norton Community Primary School and Dishforth Airfield Community Primary School

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

#### **1 PURPOSE OF REPORT**

- 1.1 To provide the Executive with information upon which to make a decision on proposals published by North Yorkshire Council to add provision for Special Educational Needs in the form of Targeted Mainstream Provision at Norton Community Primary School and Dishforth Airfield Community Primary School.

#### **2 EXECUTIVE SUMMARY**

- 2.1 On 18 June 2024 the Executive Member for Education, Learning and Skills gave approval for consultation on proposals to add provision for Special Educational Needs in the form of Targeted Mainstream Provision at Norton Community Primary School and Dishforth Airfield Community Primary School. The consultation commenced on 21 June 2024 and closed on 19 July 2024.
- 2.2 On 17 September 2024 the Executive Member for Education, Learning and Skills and considered the outcome of the consultation. They agreed to publish statutory proposals on 27 September giving 4 weeks until 25 October for representations to be made.

#### **3 BACKGROUND**

- 3.1 The Education and Inspections Act 2006 sets out the procedures for making changes to a maintained school. These are detailed in School Organisation regulations and guidance.<sup>1</sup> The regulations and guidance apply to Local Authorities and governing bodies proposing to make changes to maintained schools, and to Local Authorities (including the Council’s Executive and Executive Members) acting as decision-makers.

---

<sup>1</sup> The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and Department for Education statutory guidance Making significant changes (‘prescribed alterations’) to maintained schools Statutory guidance for proposers and decision-makers, October 2024.

## **4 PROPOSALS**

### **4.1 North Yorkshire Council proposes:**

- To add provision for Special Educational Needs in the form of Targeted Mainstream Provision at Norton Community Primary School and Dishforth Airfield Community Primary School from 1 January 2025.
- Norton Community Primary School will support up to 8 full time pupils with communication and interaction (C&I) needs.
- Dishforth Airfield Community Primary School will support up to 8 full time pupils with Social, Emotional and Mental Health needs (SEMH).

## **5 RESPONSES TO STATUTORY PROPOSALS**

5.1 The Statutory Proposals were published on 27 September 2024 with a representation period of 4 weeks (Appendix 1). The public notice, placed on the school gates and in the local newspaper, invited written objections or comments to be submitted by 25 October 2024.

5.2 There has been one response to the statutory proposals received. This was from East Riding of Yorkshire Council. They stated that this proposal would not impact on East Riding and they recognise the work the authority is doing with school to ensure positive outcomes for children and young people with an Education, Health and Care Plan (EHCP).

## **6 FINANCIAL IMPLICATIONS**

6.1 The implications for revenue and capital funding were set out in the report to Executive Member for Education and Skills on 17 September 2024.

6.2 The revenue funding for each provision is c.£130,000 each year, when all places are allocated. This includes the place funding and 'top-up funding' in line with individual needs as defined in pupil Education, Health and Care Plans. There is also a one off start up cost up to a maximum of £10,000 for each new provision to cover learning resources and a provision for staff learning and development.

6.3 Capital investment will be required to ensure that the space identified for the TMPs are fit for purpose. The schools have identified their needs within their bids to host the new targeted mainstream provisions and the Council has allocated capital funds within its SEN Capital Programme to enable the works required. It is anticipated, following initial review, that the two schools need development of existing spaces within the school, no additional builds are required. It is estimated that the combined cost of both TMPs will be around £200,000. Further work is now being conducted to verify these costs subject to approval.

## **7 LEGAL IMPLICATIONS**

### **Regulations and Guidance**

7.1 The consideration and determination of school organisation proposals by the Local Authority is set out in regulations and in guidance (Appendix 2) produced by the Department for Education. Careful regard has been had to these provisions.

## **Preliminary Checks**

- 7.2 The guidance requires that the Decision Maker must consider, on receipt of each proposal, whether any information is missing; whether the published notice of the proposal complies with statutory requirements; whether the statutory consultation has been carried out prior to the publication of the notice; and whether the proposal is related to other published proposals.
- 7.3 Having undertaken an audit of these preliminary checks, the Assistant Chief Executive (Legal and Democratic Services) advises that:
- all information required has been supplied;
  - the published notice complies with statutory requirements;
  - statutory consultation has been carried out prior to publication of the notice;
  - and that the preliminary points for consideration have been dealt with sufficiently to permit the Executive Member to proceed to determine this proposal.

## **Types of Decision that can be made**

- 7.4 In considering proposals for making changes to school provision, the Executive, as Decision Maker can decide to:
- reject the proposals;
  - approve the proposals;
  - approve the proposals with a modification;
  - approve the proposals subject to them meeting a specific condition (these conditions are set out in paragraph 8 of Schedule 3 to the Prescribed Alterations Regulations, and are not considered applicable to this proposal).

## **8 EQUALITIES IMPLICATIONS**

- 8.1 A full Equalities Impact Assessment is attached as Appendix 3 (3a – Norton Community Primary School EIA, 3b – Dishforth Airfield Community Primary School EIA) and contains the following summary:

The new targeted provisions will provide an increased opportunity for children and young people with EHCPs to remain in mainstream school in the Ryedale and Harrogate, Knaresborough, Ripon areas.

Norton Community Primary School and Dishforth Airfield Community Primary School staff and young people will have access to a wider range of specialised training and professionals to meet need including therapists, specialist staff and practitioners.

## **9 CLIMATE CHANGE IMPLICATIONS**

- 9.1 A Climate Change Impact Assessment for each school has been undertaken and reviewed in respect of these proposals and are attached (Appendix 5a and 5b).
- 9.2 There is likely to be an ongoing positive impact on traffic emissions as the targeted mainstream provision may reduce travel as pupils are enabled to attend a school or

provision locally, where they can make friends and be part of their local community, rather than access provision located further from their home. There may be a small one-off negative impact on construction emissions associated with the minor capital investment required to ensure that the space identified for the targeted mainstream provision is fit for purpose.

## **10 PROCEDURE FOR THE MEETING**

10.1 The Executive agreed on 25 September 2007 that in making a decision on school organisation proposals:

(a) The Executive must have regard to decision makers' guidance published by the DfE and to the Executive Procedure Rules laid down in the North Yorkshire Council Constitution.

(b) All decisions must give reasons for the decision, indicating the main factors/criteria for the decision.

## **11 REASONS FOR THE RECOMMENDATION**

11.1 In 2020 the Local Authority launched the first phase of Targeted Mainstream Provisions. The focus for each being either Communication and Interaction (C&I) or Social and Emotional Mental Health (SEMH). The provision at Norton Community Primary School will support up to 8 full time pupils with communication and interaction (C&I) needs. The provision at Dishforth Airfield Community Primary School will support up to 8 full time pupils with Social, Emotional and Mental Health (SEMH) needs.

11.2 The Council's SEND Strategic Plan, adopted in September 2018, set out the model of targeted SEN provision to be commissioned by the council in mainstream schools. This model remains part of more recent plans including the SEND Capital Investment Programme agreed in 2023. The implementation will have an impact upon the identified gap between mainstream and special school provision and provide families with an additional option.

## **12 RECOMMENDATIONS**

12.1 That having undertaken the required preliminary checks, the Executive resolves that the four key issues listed above in paragraph 7.3 have been satisfied and there can be a determination of the proposals.

12.2 The following proposal be determined:

\* To add provision for Special Educational Needs in the form of Targeted Mainstream Provision at Norton Community Primary School.

\* To add provision for Special Educational Needs in the form of Targeted Mainstream Provision at Dishforth Airfield Community Primary School.

Stuart Carlton  
Corporate Director – Children and Young People's Service

Report prepared by Chris Reynolds - Head of SEND Strategic Planning and Resources

### List of Appendices

- Appendix 1a: Norton Community Primary School and Dishforth Airfield Community Primary School Statutory Notice
- Appendix 1b: Norton Community Primary School Statutory Proposal
- Appendix 1c: Dishforth Airfield Community Primary School Statutory Proposal
- Appendix 2: School Organisation Guidance for Decision Makers
- Appendix 3a: Norton Community Primary School Equalities Impact Assessment
- Appendix 3b: Dishforth Airfield Community Primary School Equalities Impact Assessment
- Appendix 4: Response from East Riding
- Appendix 5a: Norton Community Primary School Climate Change Impact Assessment
- Appendix 5b: Dishforth Airfield Community Primary School Climate Change Impact Assessment

### Background documents

- Children and Young People's Service – Executive Members and Corporate Director meeting 17 September 2024
- Children and Young People's Service – Executive Members and Corporate Director meeting 18 June 2024