

# Report to Cabinet

**7 December 2022**

<b>Subject:</b>	Uplands Manor Primary School Making significant changes (prescribed alternations) consultation outcomes
<b>Cabinet Member:</b>	Cabinet Member for Children and Education, Councillor Simon Hackett
<b>Director:</b>	Director of Children and Education, Michael Jarrett
<b>Key Decision:</b>	Yes
<b>Contact Officer:</b>	Rachel Hill, Project Officer School Organisation and Development <a href="mailto:rachel_hill@sandwell.gov.uk">rachel_hill@sandwell.gov.uk</a>

## 1 Recommendations

- 1.1 That approval be given for the significant alternation to provide 20 Focus Provision places at Upland Manor Primary School, Addenbrooke Road, Smethwick B67 6HT, following the four-week statutory consultation.


## 2. Reasons for Recommendations

- 2.1 In June 2022 a report was presented to the Director of Children and Education, and Director of Finance: 'Evolve Programme – Minor Works at Uplands Manor Primary School to provide a Focus Provision Unit (FP)'. The report sought approval for the allocation of the High Needs Provision Capital Allocation grant funding be allocated to fund a Focus Provision Unit at Uplands Manor Primary School.
- 2.2 The Focus Provision Unit will increase the pupil numbers by providing 20 places for children with severe learning disabilities and associated needs. The DfE 'Making Significant Changes (Prescribed Alternations)



to Maintained Schools' requires that when the Local Authority is proposing a significant alteration, i.e. altering a school's existing SEN provision it must consult upon the proposal and make a formal decision to make the alteration permanent.

### 3 How does this deliver objectives of the Corporate Plan?

	<p><b>Best start in life for children and young people</b></p> <p>The recommendation in this report supports the desire of the council to focus resources on the specific needs and aspirations of the community. This contributes to the Council's Vision 2030 Ambition 1 – Raising aspirations and resilience, Ambition 3 – Young people to have skills for the future, Ambition 4 – Raising the quality of schools.</p>
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### 4 Context and Key Issues

- 4.1 As the population of Sandwell grows so does the demand for school places which also includes the demand for places in our special schools. Having undertaken an independent review (EVOLVE Review 2015-2016) of Special Educational Need (SEN) provision in Sandwell, the council and the Joint Executive Head Teacher Group (JEG) identified the need to increase SEN provision by using the full capacities of our schools, including special schools.
- 4.2 This proposal will change the school's current resource base (or Focus Provision) for pupils with Specific Language Disorders to an SEN Unit for children with Severe Learning Difficulties. Over a number of years there has been a reduction in pupils requiring places for Specific Language Disorders within the resource base as these children can now ordinarily have their needs met within their mainstream schools with additional support provided through their Education and Health Care Plan (EHCP). However, there has been a growth in the numbers of primary aged children who have severe learning needs and other associated difficulties requiring provision across Sandwell. A change in designation will accommodate children with more complex SEND needs having a specialist placement within a mainstream school environment. This is a better use of the resource available at the school and will benefit more children.



- 4.3 Building upon the good focused provision already provided by the school, educational standards are expected to be maintained / improved for children who would otherwise be placed in mainstream primary schools, where all their specific needs may not be fully met.
- 4.4 Making significant changes (prescribed alternations) to maintained schools requires the council to conduct a clear and transparent statutory consultation. Consultation must last for 4 weeks from the date of publication.

The local authority is the decision maker and will need to be satisfied that the appropriate fair and open local consultation and/or representation period has been carried out and that the proposer has given full consideration to all the responses received.

Decision-makers should not simply take account of the numbers of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most affected by a proposal – especially parents of children at the affected school(s).

Decisions must be made within a period of two months of the end of the representation period or they must be referred to the Schools Adjudicator to

- Reject the proposal
- Approve the proposal without modifications
- Approve the proposal with modifications
- Approve the proposal with or without modifications subject to certain conditions.

Details of the consultation process can be found below.

- 4.5 An Equality Impact Assessment (EIA) initial screening has been undertaken.

#### 4.6 Consultation (Customers and other Stakeholders)

The consultation was published on 14 September 2022 via the council's consultation page on the council's website. The school informed its school community, parents, carers, staff and governors. It was



published on the school communication on 16 September 2022. It was advertised in the Express and Star on the 27 September 2022.

Consultation ended on 14 October 2022. Responses received from 5 staff members, 5 governors, 1 parent governor and 1 staff governor. All responses were in support of the proposal;

*“This is a much-needed provision, with many pupils with special educational needs struggling to find suitable places. More SEN places are needed within Smethwick and in Sandwell as a whole.”*

*“As an educational provider we need to ensure that children with SEN have the same and best opportunities in life as children without difficulties and disabilities. The local area now has a higher need for this provision, and with our experienced staff this will maximise life chances and offer them opportunities equal to their peers.”*

*“Much needed provision for our area. We are well equipped to run this provision and it will also be of benefit to other SEND children in our school through increased expertise.”*

*“Fantastic provision for children across Sandwell. Much needed.”*

*“It is very much something that is needed to provide the best education for children with additional needs in our community.”*

*“A much-needed facility for the pupils with additional needs.”*

## **5 Alternative Options**

- 5.1 The pupil admission number remains the same and the former children’s centre remains empty. This would leave a shortage of special educational need places in the borough.
- 5.2 There is no alternative accommodation in the borough that could provide the places required for 2022/2023.



## 6 Implications

<p><b>Resources:</b></p>	<p>Financial implications: Capital investment of £249,000 from the High Needs Provision Capital Allocation was approved by the Director of Children and Education and Director of Finance in June 2022.</p> <p>Staffing implications: No staffing implications</p> <p>Land implications: No land implications.</p> <p>Building implications: Internal refurbishment of the building by an approved contractor.</p>
<p><b>Legal and Governance:</b></p>	<p>The School Organisation (Prescribed Alternations to Maintained Schools) (England) Regulations 2013; In relation to provision for special educational needs in a mainstream school -</p> <p>(a)the establishment of a provision that is recognised by the local authority as reserved for children with special educational needs;</p> <p>(b)a change in the type, or types of special educational provision that is recognised by the local authority as reserved for children with special educational needs; or</p> <p>(c)the discontinuance of provision which is recognised by the local authority as reserved for children with special educational needs.</p>
<p><b>Risk:</b></p>	<p>The Corporate Risk Management Strategy has been complied with – to identify and assess the significant risks associated with this decision / project. This includes (but is not limited to) political, legislation, financial, environmental and reputation risks.</p>



	The risk is that the school cannot increase its admission number to provide the focus provision for children with severe learning disabilities and associated needs. Those children would not have a school place and the council would be in breach of its statutory responsibility to provide places.
<b>Equality:</b>	An Equality Impact Assessment initial screening has been undertaken and a full Equality Impact Assessment is not required for this report.
<b>Health and Wellbeing:</b>	This proposal ensures that children can attend a school in Sandwell from September 2022 that meets their needs as planned.
<b>Social Value</b>	Ensuring every child has access to a school place, and that parents / carers continue to be able to indicate their individual preferences for school places.

**7. Appendices**

**8. Background Papers**

*None*

