

North Tyneside Council

Report to Cabinet

Date: 9th December 2013

ITEM 6(g)
Emotional, Social,
Behavioural Difficulties
(ESBD) Provision

Portfolio(s): Children, Young People
and Learning

Cabinet Member(s): Councillor Ian Grayson

Report from Service Area: Children Young People and Learning

Report Author: Jean Griffiths, Head of Children,
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Wards affected: All

PART 1

1.1 Purpose:

The purpose of the report is to seek Cabinet approval to enter pre-publication consultation with the local schools, community and other interested parties in respect of a review of Key Stage 1 and Key Stage 2 Emotional, Social, Behavioural Difficulties (ESBD) provision across the school estate.

1.2 Recommendation(s):

It is recommended that Cabinet:

- (a) notes the information outlined in this report;
- (b) approves the proposal to enter pre-publication consultation with the local schools, community and other interested parties in respect of the review of the Key Stage 1 and Key Stage 2 Emotional, Social, Behavioural Difficulties (ESBD) provision with effect from September 2014; and
- (c) Requests the Head of Children, Young People and Learning in consultation with the Cabinet Member responsible for Children, Young People and Learning to bring a future report to Cabinet outlining the responses to the pre-publication consultation exercise and the next steps associated with the review of the ESBD provision.

1.3 Forward Plan:

The report appears on the Forward Plan published 6 November 2013.

1.4 Council Plan and Policy Framework

The report relates to the Council Plan – Our North Tyneside 2014 – 2018. Priority 1 – Our People Will – Be supported to achieve their full potential, especially our children and young people.

1.5 Information:

1.5.1 Background

The Local Authority (LA) commissions a range of place led education provision from North Tyneside schools to support the inclusive education of children with complex needs. This includes support for those pupils with ESB.

On 18 May 2005 Cabinet received and subsequently approved a report setting out information regarding the publication of notices in relation to the establishment of a range of resourced mainstream special educational needs (SEN) provisions and the establishment of a new special school (minute CAB08/05/05 refers). The report also sought approval for the implementation of proposals following the completion of statutory notices and consideration by the then School Organisation Committee.

The proposals at that time had been brought forward following extensive consultation with parents, teachers, governing bodies, children and young people and a range of agencies including health, social services and the voluntary sector. The proposals had widespread support and would allow for the increase in choice for parents and children by extending the range of neighbourhood based mainstream provision and improving and extending the scope of special educational needs facilities across a range of schools. The additional resourced provisions (ARPs) linked to pupils with ESB were established in September 2000 and April 2005.

Officers from within Children Young People and Learning have been working for a number of months with headteachers to evaluate the current arrangements for children who require additional support with particular focus on ESB. Referral systems and procedures have been a particular focus to establish if the LA has the right type of provision across Key Stages 1 and 2 and to identify if a major gap in provision exists for pupils aged between 3 and 11 with ESB.

In addition to this, the Governing Bodies of two of the established mainstream Primary ARPs, have notified the LA that as part of the review they would be looking to de-commission the existing arrangements from the end of the summer term 2014. The LA therefore needs to evaluate the current arrangements and consider the options in moving forward to ensure that the LA can continue to provide an ESB pathway.

1.5.2 Role of the Local Authority

The L A has a statutory responsibility to ensure that there is a sufficient supply of good school places which:

- Enable children and young people to achieve high standards of educational excellence;
- Meets the needs of vulnerable learners;
- Ensure fair access to educational opportunity; and
- Promote diversity and parental choice within an area.

1.5.3 Goals

In fulfilling these responsibilities, the LA should work collaboratively with schools to:

- Deliver a strong education system that will enable all children and young people to achieve their potential and develop the skills and attributes they need for life and work in the 21st century;
- Understand the needs of children with Special Education Needs (SEN);
- Ensure the join up of key agencies in the planning, delivering and integrating of services particularly in relation to education, health and care;
- Ensure that every child and young person in North Tyneside can attend a good school in which they experience excellent teaching and
- Realise the potential of education to equalise life chances and therefore to close the attainment gap for children and young people who face social and economic disadvantage.

1.6 **Decision options:**

The following decision options are available for consideration by Cabinet:

Option 1

Formally receive the report and agree to all of the recommendations as set out in paragraph 1.2 above.

Option 2

Formally receive the report but decline to agree with its recommendations.

Option 1 is the recommended option

1.7 **Reasons for recommended option:**

Option 1 is recommended as it allows the Local authority to commence a pre-publication consultation surrounding the proposals and bring a future report back to Cabinet for further consideration.

1.8 **Appendices:**

None.

1.9 **Contact officers:**

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1.10 **Background information:**

Cabinet Report dated 18 May 2004 – Inclusive Schools for the Future – [Link to report](#)

Cabinet Report dated 31 May 2005 – Determination of Statutory Notices in relation to Inclusive Schools for the Future – [Link to report](#)

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

The revenue costs of this proposed change in school provision will be captured within the Dedicated Schools grant (or any future version there of) and therefore have no general fund implications

2.2 Legal

The LA has a legal responsibility for the education of pupils with special educational needs and is required to secure (so far as its powers enable it to do so) that efficient primary and secondary education is available to meet the needs of the population of the area (s.13 Education Act 1996). It must promote high standards and ensure fair access to educational opportunity (s.13A Education Act 1996). If, following the pre-publication consultation, changes to schools are proposed, it will be necessary to comply with the relevant legislation pertaining to all proposed changes and the proposals for changing the organisation and character of schools will be subject to the publication of relevant statutory notices to be considered at a future meeting of North Tyneside Cabinet.

2.3 Consultation/community engagement

2.3.1 Internal Consultation

The Cabinet Member for Children, Young People and Learning has been fully consulted in relation to the proposals.

2.3.2 External Consultation/Engagement

Consultation has been undertaken with the local schools and their Governing Bodies.

2.4 Human rights

There are no human rights issues directly arising from this report.

2.5 Equalities and diversity

There are no equality and diversity issues directly arising from this report. However, should the projects proceed further; Equality Impact Assessments will be carried out for the project.

2.6 Risk management

Any risks to the provision of education in the borough identified as part of the review will be monitored and appropriate steps will be taken to safeguard against those risks.

2.7 Crime and disorder

There are no crime and disorder issues directly arising from this report.

2.8 Environment and sustainability

There are no environment and sustainability issues directly arising from this report.

PART 3 - SIGN OFF

- Chief Executive X
- Head of Service X
- Mayor/Cabinet Member(s) X
- Chief Finance Officer X
- Monitoring Officer X
- Strategic Manager, Policy Partnership, Performance and Communication X

Report authors:

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