

30th November 2020

Agenda Item: 11

REPORT OF THE SERVICE DIRECTOR, EDUCATION, LEARNING AND SKILLS

OUTCOME OF THE CONSULTATION ON CLOSURE OF THE RESIDENTIAL UNIT AT FOUNTAINDALE SPECIAL SCHOOL

Purpose of the Report

1. This report seeks the Committee's approval to close the residential unit at Fountainsdale Special School.

Information

2. Members of the Children and Young People's Committee on 21st September approved a statutory consultation on the proposed closure of the residential unit at Fountainsdale Special School.
3. The consultation process followed the Department for Education's statutory guidance on making significant changes to maintained schools which requires Members to consider the results of the consultation on the statutory proposal. **Appendix 1** provides an outline of the consultation process.
4. Fountainsdale Special School is operated by Nottinghamshire County Council and has provision for physically disabled and sensory-impaired children and young people aged from 3 to 18 years. There are 81 pupils on roll at the school.
5. The school has a small residential unit which is adapted to meet the physical needs of children and young people. Residential care is provided during term time for pupils aged 14 to 18 years on a rota. The primary focus of this curriculum offer is to promote independence and improve social skills of the young people accessing the residential unit.
6. The residential unit is used two nights (Monday and Tuesday) for up to four young people per night for a period of 10 weeks. Over the school year the potential is for 24 students to access the unit for one night over 10 weeks.
7. Only children and young people attending Fountainsdale Special School can access the residential unit. This is the only Special School in Nottinghamshire which has any residential provision.
8. The school receives an annual budget from the High Needs Block of £116,000 to support the provision. The cost for each place per young person for a 10-night stay is £4,833.

9. A recent Ofsted inspection (February 2020) of the residential unit highlighted several issues with the unit including that:
 - the school did not meet several of the national minimum standards for residential Special Schools
 - school leaders have not ensured effective safeguarding and management arrangements. A new senior leadership team have implemented a programme of development. Improvements are evident, but not yet embedded
 - safeguarding practice is not good enough, although there are no serious failures which have resulted in actual harm.
10. Following the Ofsted Inspection, the interim Executive Headteacher who was put into place to lead the urgent response to the school's short comings recommended that the unit should be temporarily closed pending wider discussions with the County Council. The unit therefore effectively closed to Fountaindale pupils on 24th February 2020.
11. The residential unit's provision is not recorded in the Education, Health and Care Plans (EHCPs) of the current cohort of pupils. This is because all Fountaindale Special School pupils living in Nottinghamshire can access statutory short breaks through the Special Educational Needs & Disability (SEND) Local Offer, if they meet the minimum criteria.
12. The recommendation therefore is that the residential unit at Fountaindale School should be permanently closed with the option of expanding day place provision for pupils with SEND and whose EHCP recommends a specialist placement. In Nottinghamshire there is currently pressure on specialist places, and once the school is judged by Ofsted to be good, it will be possible to apply to the DfE to increase the school's Published Admissions Number (PAN).

Consultation Process and Outcomes

13. The consultation on the proposed closure of the residential unit at Fountaindale Special School ran between 22nd September and 3rd November 2020.
14. A Public Notice setting out the Statutory Proposal and the details of how to respond was published in the Nottingham Evening Post on 22nd September 2020. Other local authorities with children and young people attending Fountaindale Special School were notified of the proposal and consultation.
15. All parents and carers of children and young people attending Fountaindale Special School, school staff and governors were sent a copy of the Statutory Proposal and details of how to respond to the consultation.
16. A public meeting was held virtually via Microsoft Teams on Tuesday, 13th October. The meeting was attended by 10 people. comprised of three parents, one governor and six school staff.
17. Meetings were also held with affected staff and their trade union representatives, and the school's Governing Body.

18. A summary of the feedback from the consultation can be found in **Appendix 2**. A total of 81 responses were received to the consultation, and in addition further comments and questions were raised at the public meeting.
19. The feedback from respondents included the following key areas:
 - promoting self-help and independence
 - respite care for families
 - opportunity to spend time with school peers
 - lack of opportunities for young people with disabilities
 - value for money of the residential unit.

Other Options Considered

20. Several other options were considered prior to the consultation. All of the options would have required additional funding from the High Needs Block budget which is currently under considerable pressure, due to increasing demand for specialist educational placements. The main two options would be:
 - to address the concerns of Ofsted and reopen the unit to young people from Fountaindale Special School
 - to address the concerns of Ofsted and reopen the unit to young people from all Nottinghamshire's Special Schools to ensure an equitable offer for all young people.

Reason for Recommendation

21. It is acknowledged from the responses submitted to the consultation that the residential unit is valued by parents, carers and young people. The residential unit is primarily part of the School's curriculum offer, which is not available to young people in any other Nottinghamshire Special School. It should be noted that the development of life skills and independence can be delivered successfully as part of the ordinary school day curriculum, as it is in all other Special Schools.
22. The provision at Fountaindale Special School is not intended to provide respite care to families. Families who meet the eligibility criteria for short breaks can access the County Council's community Short Breaks offer. The focus of community short breaks is on supporting the independence of children and young people with SEND and providing respite care for their families. Short breaks also provide an opportunity for children and young people with SEND to meet peers and to form friendship groups.
23. The residential unit currently costs £116,000 per year from the High Needs Block budget which is part of the Dedicated Schools Grant and is used to support the education of all children and young people with SEND in Nottinghamshire. This budget was overspent by £1.002million last financial year and remains under considerable pressure as demand continues to increase.
24. The recommendation to permanently close the unit is because there is a greater need to increase day places for children and young people requiring specialist provision in Nottinghamshire.

Statutory and Policy Implications

25. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

26. If following the consultation the County Council decides to close the residential unit at Fountaindale Special School there will be an annual saving to the High Needs Block (Dedicated Schools Grant) budget of £116,000. It is anticipated there will be a saving of at least £19,000 during 2020-2021.

Human Resources Implications

27. All the residential staff are employed by Fountaindale Special School. There may be opportunities for redeployment within the school. Discussions have taken place with the recognised trade unions as part of the consultation process. The Human Resource Service will support the process of formal consultation with staff and the recognised trade unions, if the outcome of the consultation is to close the residential unit.

Implications for Service Users

28. All Fountaindale pupils living in Nottinghamshire can access statutory short breaks through the SEND Local Offer, if they meet the minimum criteria. The focus of community short breaks is on supporting the independence of children and young people with SEND and providing respite care for their families.

RECOMMENDATION

- 1) That Committee approves the closure of the residential unit at Fountaindale Special School.

Marion Clay
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Constitutional Comments (CEH 16/11/20)

29. The recommendation falls within the remit of Children and Young People's Committee under its terms of reference.

Financial Comments (SAS 14/11/20)

30. If following the consultation the County Council decides to close the residential unit at Fountainsdale Special School there will be an annual saving to the High Needs Block (Dedicated Schools Grant) of £116,000. It is anticipated there will be a saving of at least £19,000 during 2020-2021.

HR Comments (AW 16/11/20)

31. The staffing implications are contained within the body of the report. If the residential unit closes appropriate consultation will occur with the staff and recognised trade unions in line with the agreed redundancy and redeployment procedures.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Ofsted Inspection of Fountainsdale School (February 2020):

<https://files.ofsted.gov.uk/v1/file/50147955>

[Consultation on closure of the residential unit at Fountainsdale Special School – report to Children and Young People's Committee on 21st September 2020.](#)

Electoral Division(s) and Member(s) Affected

All.

C1403