

**25<sup>th</sup> April 2022****Agenda Item: 14****REPORT OF THE SERVICE DIRECTOR, EDUCATION, LEARNING AND  
SKILLS****ESTABLISHMENT OF TWO ADDITIONAL POSTS WITHIN THE HEALTH  
RELATED EDUCATION TEAM AND THE EDUCATION PARTNERSHIP TEAM****Purpose of the Report**

1. To seek approval for the temporary establishment of an additional 2 full-time equivalent (FTE) Teacher (Mainscale - UPS3) posts within the Health Related Education Team and 1 permanent FTE Education Other than at School Senior Professional Practitioner (Grade B) post, and 1 permanent FTE Education Other than at School Professional Practitioner (Grade 5) post within the Education Partnership Team. Both of these teams sit within Education, Learning and Skills and all four posts can be funded from the increased levels of High Needs Block Funding available to support pupils with Special Educational Needs & Disability in Nottinghamshire.

**Information****Health Related Education Team**

2. The Local Authority has a statutory duty under section 19 of the Education Act 1996 to make educational provision for pupils who for health reasons are unable to attend school and for whom provision is not being made. These arrangements are provided by specialist teachers and teaching assistants from the Health Related Education Team which up until 31<sup>st</sup> March 2020 formed part of the extended services at Fountaindale School. On 1<sup>st</sup> April 2020, they became part of the Council's Education, Learning and Skills division. Pupils remain on the roll of their school throughout their provision. There are two main categories of pupils in receipt of provision:
  - (1) Those with a physical or medical condition which prevents them from attending school. This could be due to post-operative recovery or life limiting conditions (such as cancer) or an illness lasting more than 15 days.

- (2) Those experiencing severe anxiety about attending school. This might include those with a psychological, psychiatric or mental health issue where school requires support and guidance to put appropriate provision in place.
3. The Health Related Education Team has reported considerable pressures in providing guidance to schools and supporting pupils. This year 172 pupils have required direct support in comparison to 106 in 2020-2021. The number of requests for advice and guidance have also increased. Lockdown has appeared to have an impact upon the social, emotional and mental health of children and young people and upon the resilience and capacity of schools. The Health Related Education Team is increasingly having to work with young people for longer due to the complexity of cases. Last year 40% of pupils needed more than 15 weeks provision, some significantly more, whereas the year before 17% had 15 weeks of support.
4. The current pressures on the Health Related Education Team mean that they are now operating a waiting list for pupils requiring support. This is a statutory responsibility for Nottinghamshire County Council so it is essential that we respond to this new level of need.
5. It is not yet known whether this rise in number and complexity of Health Related Education Team social emotional and mental health referrals is linked to the impact of Coronavirus and the recent lockdowns. As a consequence this proposal for two additional Health Related Education Team Teachers is proposed on a temporary basis for the next two years.

### **Education Partnership Team**

6. The Local Authority also has a statutory duty under section 19 of the Education Act 1996 to make educational provision for pupils who have been permanently excluded and also for those who for health or other reasons cannot currently attend a school. The Local Authority should ensure that the education that the children receive is of good quality and allows each child to take appropriate qualifications. This provision should also prepare children and young people to return to the mainstream education system at the earliest opportunity. The Local Authority is expected to address the needs of individual pupils and to ensure that they are effectively safeguarded.
7. There are clear processes in place in Nottinghamshire to ensure that alternative education is commissioned for pupils who do not have a school place, and for those pupils for whom a placement in a mainstream or specialist school environment would currently be inappropriate. The Virtual School, the Partnership Team, the Fair Access Team and the Integrated Children's Disability Service all have a need to commission such provision.
8. These children and young people are particularly vulnerable and the Local Authority teams involved currently work together to fulfil the duties placed upon them to ensure that these children and young people are enabled to access appropriate education, that they are attending and achieving, that their wellbeing, safeguarding and/or special educational needs are being met and that they are returned to a mainstream or specialist education setting at the earliest opportunity.
9. In February 2022 there are currently 286 pupils accessing Education Other than at School (EOTAS), 147 of these have an Education, Health and Care Plan. The Local Authority currently employs four EOTAS Professional Practitioners who work within the Partnership

Team to monitor the attendance, wellbeing and progress of pupils accessing alternative education provision commissioned by Nottinghamshire County Council because they have been permanently excluded, because they have no school place and are not yet ready to be placed in a school, or because they have Education, Health and Care Plans.

10. The Partnership Team has evolved clear processes and procedures that support children and families of EOTAS of statutory school age. They work in close partnership with the Fair Access Team, the Looked After Children Team and the Integrated Children Disability Service all of whom commission EOTAS provision.
11. It would be equitable if the same level of support was provided in future years to those children and young people with Education, Health and Care Plans who are post 16 and are educated through EOTAS to ensure that these vulnerable young people receive a high level of support.

### **Funding for these posts**

12. The allocation of an additional £9.92m High Needs Block funding (part of the Dedicated Schools Grant) to Nottinghamshire County Council for the financial year 2022-2023 provides an opportunity for the Local Authority to create these four posts.

### **Other Options Considered**

13. The current structure remains in place which would:
  - a) mean that Nottinghamshire County Council could not fulfil the statutory duty to meet the needs of pupils with Health Related Education needs as demand is currently at risk of exceeding the support available.
  - b) post 16 pupils with an Education, Health and Care Plan placed by the Local Authority in alternative provision settings would not receive the same level of support and challenge as those pupils of statutory school age.
14. Health Related Education support could be procured on an ad hoc basis by commissioning the additional provision from agency staff who would not have the same links to schools and academies to ensure that pupils were accessing the most appropriate curriculum, and would not be best placed to reintegrate pupils to school. This option would create additional expense.

### **Reason/s for Recommendation/s**

15. The addition of these four posts uses an element of the additional High Needs Block funding in a way that:
  - a) ensures that pupils with Health Related Education Needs are able to access an appropriate education until they are able to return to school or a longer term education plan has been put in place by their school
  - b) an equitable level of support can be provided to Post 16 EOTAS pupils who have an Education, Health and Care Plan.

## **Statutory and Policy Implications**

16. 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**

17. The additional costs of the posts is £181,768. This is broke down as follows :-
- 2 FTE Health Related Education Team Teacher (Mainscale - UPS 3) posts is £106,326 (£53,163 per FTE) per annum
  - 1 FTE Education Other than at School Senior Professional Practitioner (Grade B) post is £47,303 per annum
  - 1 FTE Education Other than at School Practitioner (Grade 5) post is £34,306 per annum.

The funding required has been included in the High Needs Block funding allocation for 2022-2023. This was shared with the Schools Forum on 26<sup>th</sup> February 2022.

## **Human Resources Implications**

18. The staff would be appointed subject to the Council's recruitment process.

## **RECOMMENDATION/S**

- 1) That approval is given to the temporary establishment of an additional 2 FTE Health Related Education Team Teacher (Mainscale - UPS3) posts within the established Health Related Education Team, and the permanent establishment of 1 FTE Education Other than at School Senior Professional Practitioner (Grade B) post and 1 FTE Education Other than at School Professional Practitioner (Grade 5) within the Education Partnership Team.

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### **Constitutional Comments (LW 23/03/22)**

19. Children and Young People's Committee is the appropriate body to consider the content of the report.

### **Financial Comments (MDN 28/03/22)**

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The funding required has been included in the High Needs Block funding allocation for 2022-2023, this includes £9.92m of extra funding added to the High Needs Block. This was shared with the Schools Forum on 26<sup>th</sup> February 2022.

### **HR Comments (BC 25/03/22)**

21. The staffing implications are contained within the body of the report. Posts will be recruited to in line with the vacancy control and recruitment 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.

Education Act 1998

### **Electoral Division(s) and Member(s) Affected**

All.

C1559