

CABINET MEMBER DECISION

Date of decision – 17 JUNE 2016

STATUTORY PROPOSALS TO OPEN EARLY YEARS SPECIALIST LANGUAGE PROVISION AT BATCHLEY FIRST SCHOOL

Relevant Cabinet Member

Marc Bayliss – Cabinet Member with Responsibility for Children and Families

Relevant Officer

Catherine Driscoll – Director of Children, Families and Communities

Local Member(s)

Graham John Vickery
Robin Christopher Lunn

Recommendation

- 1. The Cabinet Member with Responsibility for Children and Families (following delegation from the Leader on 1 June 2016) is requested:**
 - (a) to approve the publication of the statutory proposal and public notice to open Early Years Specialist Language provision (to establish SEN provision at a mainstream school) at Batchley First School; and**
 - (b) to note the final decision will be made by:**
 - (i) the Cabinet Member with Responsibility for Children and Families where no objections to the Public Notice are received; or**
 - (ii) Cabinet where objections to the Public Notice are received.**

Background

1. In November 2012, Cabinet approved a review of Specialist pre-school provision in Worcestershire including Early Years Language and Nursery Plus classes. This review agreed the needs and key priorities across the county for this provision going forward.
2. In March 2014, Cabinet approved a focus on Early Years Speech, Language and Communication provision as the needs in pre-school age children were evident as the dominant demand. Cabinet agreed to move towards countywide wide district provision to ensure that specialist Early Years bases are available locally for the children that require them. Cabinet agreed to commission one specialist Early Years base in each Worcestershire district (excluding Special School Nurseries and Nursery Assessment centres) with a focus primarily on Speech & Language and to be commissioned in line with the work of the Council for High Needs provision from

September 2015. Early Years Specialist Language provision is for pre-school age children, with specific speech, language and communication difficulties and disorders who require specialist input.

3. In January 2015, the Council invited bids from organisations to deliver Early Years Specialist Language provision in each district including the Wyre Forest. The Council did not identify preferred providers, therefore entered into negotiations with the previous service providers to continue for a period of 12 months (Sept 2015 – Aug 2016).

4. From September 2015 the Council commissioned three mainstream state-funded schools to provide Early Years Specialist Language provision in three districts of Worcestershire. The following table details the 2015/16 providers of Early Years Specialist Language provision in Worcestershire:

School	District
Cranham Primary School	Worcester City
Sutton Park Community Primary	Wyre Forest
Matchborough First School Academy	Redditch

5. Following the results of the 2015 Tender exercise, in January 2016 the Council undertook further market engagement to develop the service specification and engage organisations who may be interested in delivering this service. In February 2016 the project group recommended a Tender exercise with changes to the funding model, contract length and timeline, the L & A Leadership Team in consultation with Director of Children's Services approved another tender exercise. In March 2016 the Tender was advertised. Sutton Park Primary School and Matchborough First School Academy did not bid (tender) to continue to deliver Early Years Specialist Language provision from September 2016.

6. The Council has to date identified two preferred providers to deliver Early Years Specialist Language provision from September 2016 in the districts of Worcester (Cranham Primary School) and Redditch (Batchley First School). The Council will now enter into negotiations with tenderers to identify a provider(s) to deliver the Early Years Specialist Language provision in Bromsgrove, Malvern, Wychavon and Wyre Forest for a period of three years starting as soon as possible after September 2016.

Legal, Financial and HR Implications

7. The Council has a duty to ensure sufficient early years provision for 2, 3 and 4 year olds¹ and sufficient education provision for children with Special Educational Needs and Disabilities². The Councils intention is to ensure that pre-school children with a primary Special Educational Needs (SEN) of Speech, Language and Communication can have their educational needs met by securing provision within each district of Worcestershire.

8. The results of the procurement process (tender) require the Council to follow a statutory process³ to establish, alter or remove SEN provision at a maintained

¹ <https://www.gov.uk/government/publications/early-education-and-childcare--2>

² <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

³ <https://www.gov.uk/government/publications/school-organisation-maintained-schools>

school. Batchley First School and Sutton Park Primary School are community maintained schools. The project group recommend that as the Procurement process has been followed, there is no requirement for pre-consultation on the proposals to open provision at Batchley. The proposal to close Sutton Park SEN provision will be dealt with separately to this report. Matchborough First School Academy will be required to follow the 'making significant changes to an open academy' guidance to close the early year's provision reserved for SEN pupils.

9. The Cabinet Member with Responsibility for Children and Families is requested to approve the publication of the statutory proposal and public notice to establish SEN provision at a maintained school (to open Early Years Specialist Language provision at Batchley First School).

10. The following table details the High Needs funding provided / proposed to deliver the Early Years Specialist Language provision in 2014/15, the indicative 2015/16 funding and the proposed 2016/17 funding:

	Pre-2015	Indicative 2015/16	Proposed 2016/17
Coverage	3 districts	3 districts	6 districts
Place funding	£280,000	£216,798	£376,474
Inclusion supplement (approx.)	N/A	£24,000	£39,869
	£280,000	£240,798	£416,343

11. There are human resource and financial implications as Sutton Park Primary School did not tender and the LA has not as yet identified a preferred provider in the Wyre Forest. Batchley First School will have to recruit appropriately qualified and experienced staff in time for provision to start on the 1st September 2016.

Privacy and Public Health Impact Assessments

12. No privacy or public health implications have been identified as part of this proposal.

Equality and Diversity Implications

THE COUNCIL MUST, DURING PLANNING, DECISION-MAKING AND IMPLEMENTATION, EXERCISE A PROPORTIONATE LEVEL OF DUE REGARD TO THE NEED TO:

- ELIMINATE UNLAWFUL DISCRIMINATION, HARASSMENT AND VICTIMISATION AND OTHER CONDUCT PROHIBITED BY THE EQUALITY ACT 2010
- ADVANCE EQUALITY OF OPPORTUNITY BETWEEN PEOPLE WHO SHARE A PROTECTED CHARACTERISTIC AND THOSE WHO DO NOT
- FOSTER GOOD RELATIONS BETWEEN PEOPLE WHO SHARE A PROTECTED CHARACTERISTIC AND THOSE WHO DO NOT

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An Equality Relevance Screening has been completed in respect of these recommendations. The screening did not identify any potential Equality considerations requiring further consideration during implementation.

Contact Points

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Background Papers

In the opinion of the proper officer (in this case the Director of Children's Services) the following are the background papers relating to the subject matter of this report:

- March 2014 Cabinet Report - formal proposal to make changes to the provision for pre-school aged pupils with special educational needs in Worcestershire.

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