

**Committee Name and Date of Committee Meeting**

Cabinet – 07 August 2023

**Report Title**

Rotherham SEND Sufficiency – Rowan Centre (Forest View) Transfer

**Is this a Key Decision and has it been included on the Forward Plan?**

Yes

**Strategic Director Approving Submission of the Report**

Nicola Curley, Strategic Director of Children & Young Peoples Service

**Report Author(s)**

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**Ward(s) Affected**

Borough-Wide

**Report Summary**

The report provides an update in respect of Rowan Centre Pupil Referral Unit Site, following reports to Cabinet on 21 November 2022, 20 February 2023, and 24 April 2023 where approval was granted to close the Rowan Centre Pupil Referral Unit. Following the Department for Education (DfE) prescribed process, the Strategic Director of Children and Young People's Services was invited by Cabinet to seek formal expressions of interest to take forward long term usage of the site. This report is being brought forward to report the outcome of that process.

The report details the key activities undertaken in progressing the use of the site for education provision to meet identified need and create additional capacity with Hilltop and Kelford Special schools through a Department for Education Significant Change process.

## **Recommendations**

That Cabinet:

1. Approve the development of the Rowan site to create a new high-quality learning environment for 14-19 SEND students in the Rotherham area.
2. Approve the transfer of the building and funding release from Accessibility funding to support the development of the site to meet the requirement of the SEND needs of pupils.

## **List of Appendices Included**

Appendix 1 Part A - Initial Equality screening Assessment form  
Appendix 2 Part B - Equality Analysis Form final  
Appendix 3 Carbon impact FINAL Template

## **Background Papers**

SEN Resource Bases Cabinet Report – 19<sup>th</sup> June 2023  
SEND Sufficiency Phase 4 Cabinet paper - October 2022  
SEND Sufficiency Phase 3 Cabinet Report - November 2020  
Safety Valve Cabinet annual update report - 24<sup>th</sup> April 2023  
Proposal to close Rowan Centre Pupil Referral Unit (PRU) – following the transfer of pupils to Elements Academy Cabinet report – 24<sup>th</sup> April 2023  
Accessibility Strategy and Funding Framework – 19<sup>th</sup> June 2023

## **Consideration by any other Council Committee, Scrutiny or Advisory Panel**

None

## **Council Approval Required**

No

## **Exempt from the Press and Public**

No

## **Rotherham SEND Sufficiency – Rowan Centre (Forest View) Transfer**

### **1. Background**

- 1.1 This report is in follow up to reports to Cabinet on 21 November 2022, 20 February 2023, and 24 April 2023 where approval was granted to close the Rowan Centre Pupil Referral Unit (PRU) following the Department for Education (DfE) prescribed process. The Cabinet report on Rowan in April outlined that following the closure of the PRU, in line with the DfE process, the site would be offered to education providers for the use of education provision where there is an identified need. As part of this process the Strategic Director of Children and Young Peoples Service sought expressions of interest from education providers, Multi Academy Trusts (MAT) and Schools for usage of the site following the Cabinet support of this and decision to close the school.
- 1.2 In Rotherham, 20.4% of pupils have a statutory plan of Special Educational Need or Disability (SEND) with an Education Health Care Plan (EHCP) or are receiving SEND support (previously school action and school action plus). This compares to an average of 18.2% across all English Metropolitan Boroughs. In order that the educational needs of children and young people in the Borough with SEND can continue to be met, the Council has a responsibility to create a sufficiency of education provision to meet the needs of all pupils.
- 1.3 The Rotherham ‘Safety Valve’ Agreement aims to:
- Reduce use of independent specialist provision outside of the LA by creating appropriate capacity within Rotherham’s high needs system, with a focus on ensuring provision is high quality and value for money.
  - Develop local sufficiency arrangements, including for Rotherham’s Looked After Children.
- 1.4 The Council have identified a need for special school places in line with Rotherham Strategic Intentions:
- To ensure sufficiency of school places within Rotherham for children aged 0-19 who have identified special education needs and whose education, health and care plans identify that only special school provision can meet their identified education, health and care needs and reduce dependence on high cost out of area placements which remove children and young people from their local communities.
  - To ensure a sufficient range of provision for young people aged 16-25 to ensure that there are a variety of pathways to support young people to become confident, independent adults.
- 1.5 As part of the Rotherham Safety Valve Agreement there is a requirement for Rotherham Council to support both mainstream and special schools to improve their site accessibility to enhance outcomes for their pupils. On 19 June 2023 Rotherham Cabinet approved the updated Rotherham School Accessibility Policy with a clear funding and application process for schools to seek to apply

for capital investment to enhance their school site to be able to support a wider level of SEND need in their schools.

- 1.6 Rotherham remains committed to the SEND Strategy priority areas, including “Make Transitions to Adulthood Better and Plan Them With Me.”
- 1.7 Work undertaken by the Council with external support has identified that Rotherham Special Schools are close to or at capacity.

## **2. Key Issues**

- 2.1 Following the expression of interest for the Rowan Centre, Nexus MAT has been identified as the appropriate partner to take forward the use of the Rowan site. Three expressions of interest were received including the Nexus MAT application and two others were from non-Ofsted registered Alternative Provision providers.
- 2.2 Nexus MAT intend to build on their existing experience to develop the Rowan Centre into a high-quality learning environment for 14-19 SEND students in the Rotherham area. The Rowan Centre site would become a formal extension of the capacity of Hilltop and Kelford Special schools approved by the Regional Director of Department for Education Advisory Board. This would support Rotherham SEND sufficiency programme and also increase opportunities to sustainably grow capacity in special schools whilst utilising decommissioned Council Assets. Nexus will name the site formally known as Rowan Centre – Forest View.
- 2.3 The focus of the offer will be underpinned by the Preparation for Adulthood agenda through work-based learning, life-skills, and community participation as well as supported employment opportunities. A key aspect will be an ever-developing series of partnership programmes that provide links to employers and the world of work in the locality. The Cabinet Member for Children and Young People has visited similar models of practice to the proposed 14-19 campus in neighbouring local authorities with education leaders from the Borough to observe the impact of strong preparation for adulthood practice have a clear impact for young people with SEND.
- 2.4 The key benefits of this development are threefold:
  1. ENHANCED PATHWAYS: Improving the range and meaningfulness of learning opportunities for 14+ students leading to better preparation for work and their next steps in life
  2. IMPROVED OUTCOMES: Contributing to improvement in SEND employment rates and lowered NEET
  3. SUFFICIENT PLACES: By relocating 14-19 cohorts from our main special sites of Hilltop and Kelford we can support the Council’s sufficiency planning and High Needs Safety Valve processes by providing spaces for both younger student admissions and also continue to support the positive

process of the return of Rotherham young people currently accessing 'out of area' education to high quality education in the Borough.

2.5 The new provision will include:

- Co-production between Nexus, children, families, Rotherham Council and the Department for Education to create the new provision.
- Joint work between businesses and organisations, for example: Shared Forest school area and future community assets
- Community allotment linking to a community café (from farm to fork)
- Training and development
- Multidisciplinary workspaces
- Earlier joint working practices with schools to establish pathways and address the 'cliff edges' facing young people
- Future opportunities to grow and invest in the site to meet SEND Sufficiency needs through the ability to grow the offer to incorporate further Rotherham Special Schools accessing the campus.

2.6 Accessibility funding in line with appropriate delegations has been agreed to support the development of the site and Nexus MAT have also made a financial contribution to development of the site for use from Autumn term 2023.

2.7 Twenty-five places at Hilltop Special School will be available from Autumn term 2023 in phase 1 of the project development and a further twenty-five places will be created at Kelford Special School in phase 2 of the transition of pupils in spring term 2023.

### **3. Options considered and recommended proposal**

3.1 Option 1 (Recommended)

1. Approve the development of the Rowan site to create a new high-quality learning environment for 14-19 SEND students in the Rotherham area.
2. Approve the transfer of the building and funding release from Accessibility funding to support the development of the site to meet the requirement of the SEND needs of pupils.

3.2 This will increase the number of available special school places in Rotherham and support Rotherham children to access high quality education provision locally in line with Rotherham Strategic Intentions to ensure sufficiency of school places within Rotherham for children aged 0-25 who have identified special education needs. This is in line with previous Cabinet decisions to deliver the Rotherham Safety Valve Agreement Rotherham School Accessibility Policy.

### 3.3 Option 2

That Cabinet do not approve:

1. The development of the Rowan site to create a new high-quality learning environment for 14-19 SEND students in the Rotherham area.
2. The transfer of the building and funding release from Accessibility funding to support the development of the site to meet the requirement of the SEND needs of pupils.

3.4 This will not support The Council to deliver additional special school places in line with Rotherham Strategic Intentions to ensure sufficiency of school places within Rotherham for children aged 0-25 who have identified special education needs. This would not be in line with previous Cabinet decisions to deliver the Rotherham Safety Valve Agreement Rotherham School Accessibility Policy.

## 4. Consultation on proposal

4.1 All appropriate updates have been provided by RMBC ahead of this phase of SEND Sufficiency with key discussion the DfE, key updates have also been provided to Parent and Carers, Schools Forum, Department for Education, School Leaders forums, and associated partners including SEND Executive/Partnership Boards.

4.2 As part of work that the Council undertakes as part of the wider SEND place based partnership, a series of listening events are held with Parent and Carers across key areas of development across SEND. Previous listening events have included development of the Social, Emotional, Mental Health Free School, SEND Local Area Inspection, and Newman School development. Plans are in place for continued listening events across all areas of SEND Sufficiency Phase 4, this is in order that parents and carers are fully involved in appropriate consultation and are co-producing this phase of SEND Sufficiency in the Borough.

4.3 Ongoing updates linked to SEND Sufficiency and performance data are provided to Improving Lives Select Committee. This phase of SEND Sufficiency will also have oversight from Improving Lives Select Committee and be subject to approval of the Significant Change process at Hilltop and Kelford Special Schools overseen by Regional Director of the Department for Education Advisory Board.

## 5. Timetable and Accountability for Implementing this Decision

5.1 Approval of the significant change at Hilltop and Kelford Special Schools will be sought at the Regional Director of the Department for Education Advisory Board in August.

5.2 The plan for the first group of young pupils to access the refurbished site is early September 2023.

## **6. Financial and Procurement Advice and Implications**

- 6.1 The capital costs are to refurbish the buildings and make the educational buildings accessible to Nexus pupils. The £442k estimated spend will be funded £370k from Accessibility monies complemented by £72k contribution from Nexus. This funding is part of SEND Sufficiency Capital linked to High Needs Safety Valve agreement.
- 6.2 The provision is scheduled to open in September with 50 students transitioning from Kelford and Hilltop which will create additional capacity in their main buildings and reduce the need to place students with high cost Independent Specialist Placements (ISPs).
- 6.3 The placement costs at Hilltop and Kelford is £25,880, compared to an average pre 16 ISP cost of £62,000.
- 6.4 Part of the Rowan site is planned to be used to support the LAC sufficiency strategy (as part of the wider programme previously agreed by Cabinet) to build a two bed childrens home and this capital scheme is to be joint funded from DfE and Council earmarked resources at an estimated cost of £556k.
- 6.5 The costs on a two bed in-house residential children's home is £4.5k per week at 85% occupancy, compared to an average external residential placement of £6.1k per week.
- 6.6 There are no direct procurement implications associated with the recommendations detailed in this report.

## **7. Legal Advice and Implications**

- 7.1 Section 14 of the Education Act 1996 places a general duty upon a local authority to secure sufficient schools to provide primary and secondary education in their area and they should have particular regard to securing special education provision.
- 7.2 Following the enactment of The Children and Families Act 2014, the Local Authority retains responsibility for commissioning services for children and young people with SEN or a disability. The Local Authority is required to keep the provision for children and young people with SEN or disabilities under review, including its sufficiency (Section 315 of the Education Act 1996), and to promote wellbeing and improve quality, working in conjunction with parents, young people, and providers. This Act and its associated guidance are clear that, when considering any re-organisation of provision, decision makers must be clear how they are satisfied that the proposed alternative arrangements will lead to improvements in the standard, quality and/or range of educational provision for children with SEN or a disability.
- 7.3 In order to minimise the risk of legal challenge, the Local Authority should ensure that it is fully compliant with all relevant legislation in this area and that it continues to satisfy its statutory duties through its decision making. Furthermore,

the Council should also ensure that it continues to make decisions that satisfy the terms of the Safety Vale Agreement.

## **8. Human Resources Advice and Implications**

8.1 There is no direct HR implication within this report.

## **9. Implications for Children and Young People and Vulnerable Adults**

9.1 Additional Special Educational Needs and Disability (SEND) places created within the Borough give more children and young people the opportunity to access high quality provision to meet their educational needs and in line with parental wishes.

9.2 Key considerations are referenced within the report.

## **10. Equalities and Human Rights Advice and Implications**

10.1 Children and young people with SEND are disproportionately represented across a range of education and inclusion measures. The SEND Sufficiency programme and Accessibility funding aims to provide specialist education provision that supports identified cohorts with SEND needs to have enhanced education opportunities and provide support in order that all children and young people have the strongest possible preparation for Adulthood.

## **11. Implications for CO<sub>2</sub> Emissions and Climate Change**

11.1 All areas of SEND Sufficiency, student placed planning (inclusive of circa at least 50+ additional SEND places), and educational placements have a direct environmental impact, consideration of this element is informed in provision development and provision enhancement in the Borough due to the direct impact this will have to limiting students travelling outside the Borough. This would support reduced emissions of CO<sub>2</sub>.

11.2 Wider consideration of indirect implications or unintended consequence of work in this area has on CO<sub>2</sub> Emissions and Climate Change is considered across all partners as the Council are committed to long term targets to mitigate these areas of concern in the Borough. An environmental impact assessment has been completed and is an appendix to this report.

## **12. Implications for Partners**

12.1 Ongoing updates are provided to key stakeholders including Parent/carers forum, health leaders, school leaders, Schools Forum, and other associated stakeholders.

12.2 Development of specialist SEND provision in the Borough will enhance SEND practice for all SEND need types in the Borough and will support areas of focus to enhance SEND capacity across education system in Rotherham enhancing SEND provision in Rotherham schools.

### 13. Risks and Mitigation

- 13.1 Across all areas of this phase of SEND Sufficiency the council will adhere to guidance and advisory outline provided to Local Authorities by DfE in relation to significant changes or changes of designation for schools. Regular update meetings are held with DfE, and this will support forward planning across this phase of SEND Sufficiency.
- 13.2 Across all key decisions and internal processes, decision making has had oversight of SEND Sufficiency Board which involves all key internal parties including legal, assets, HR, procurement, transport, finance, commissioning, and education specialists.

### 14. Accountable Officers

Nathan Heath – Assistant Director, Education & Inclusion  
Neil Hardwick – Head of Finance CYPS

Approvals obtained on behalf of Statutory Officers: -

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp	24/07/23
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	21/07/23
Assistant Director, Legal Services (Monitoring Officer)	Phil Horsfield	21/07/23

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