

Committee Name and Date of Committee Meeting

Cabinet – 16 September 2024

Report Title

Special Educational Needs and Disabilities (SEND) Hub Update

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

Yes

Strategic Director Approving Submission of the Report

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Ward(s) Affected

Borough-Wide

Report Summary

The report provides an update on the development of the Special Educational Needs and Disabilities (SEND) activity Hub in the Eric Manns building in Rotherham Town Centre, in partnership with The Rotherham Parent Carer Forum.

This is a positive opportunity to provide a SEND Activity Hub in the Town Centre that will allow the Council to improve its offer of recreational activities for children and young people with SEND.

Young people up to the age of 25 will benefit from improved support in their transition to adulthood. This will include, but not limited to, supporting digital inclusion, claiming disability related benefits, wellbeing, social skills and signposting and advice on housing. Rotherham Council Children and Young People's Service (CYPS) will continue to be able to use the building as a touch down facility in the Town Centre and will be able to use rooms to carry out direct work with children and young people as needed, developing the offer and partnership alongside the Rotherham Parent Carer Forum.

The report lays out proposals for a less than best (below market value) lease supported by a tri-partite management arrangement with Rotherham Parent Carer Forum and CYPS.

Recommendations

1. That Cabinet note the report and update regarding the development of the SEND Hub.
2. That Cabinet authorise a lease, on a peppercorn rent, therefore on a less than best consideration as defined within the Local Government Act 2000 and the General Disposal Consent (England) 2003 with Rotherham Parent Carer Forum.
3. That Cabinet authorise the Assistant Director of Property and Facilities Services, in consultation with the Assistant Director of Commissioning & Performance and the Cabinet Member for Children and Young People's Services to develop a Management Agreement with the Rotherham Parent Carer Forum, in relation to the service provision, management of the asset and associated output and outcomes.

List of Appendices Included

Appendix 1 Part A Initial Equality Screening Assessment
Appendix 2 Part B Equality Analysis Form
Appendix 3 Carbon Impact Review

Background Papers

Council Budget and Council Tax 2024-25 28 February 2024 (minute no.103 (extract - appendix 3b))

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No

Special Educational Needs and Disabilities (SEND) Hub Update

1. Background

- 1.1 On 28th February 2024 Council approved the proposed £165,000 capital investment for the development of a SEND Hub at Eric Manns as part of budget setting.
- 1.2 The building has several occupants that are currently being relocated across the Borough, where they are better able to support service provision. South Yorkshire Police are also located in the building, and again they are being moved to Riverside House, as part of wider partnership approach of utilising Council buildings more effectively with partners. All parties that are required to move will have vacated the building by the 18th of October 2024.
- 1.3 The investment is intended to improve the local offer of recreational activities for children and young people with SEND. The SEND Hub will be delivered in partnership with Rotherham Parent Carer Forum (RPCF), who will relocate from their existing premises. The Hub will provide a safe and disability friendly space to support families accessing the Town Centre. It will encourage young people with SEND to reach their full potential by developing their skills, allowing them to become more independent, confident, and part of their community.

The £165k capital investment was approved to:

(Essential)

- Provide accessible entrances throughout the building
- Lift maintenance
- Decorating and replacing flooring
 - Estimated cost **£73,910** (including contingency).
- Convert toilets into unisex toilets and changing room.
 - Estimated cost **£19,000**.

(Desirable in order of preference)

- Convert room to sensory room.
 - Estimated cost **£15,000**.
- Remove wall and form teaching catering kitchen.
 - Estimated cost **£21,600**.
- Convert external space into an accessible play area.
 - Estimated cost **£10,125**.

- 1.4 No revenue expenditure or income was associated with the capital investment proposal. The ongoing running costs of the building will be met by RPCF e.g. utilities bills and equipment repair and maintenance.
- 1.5 The building will remain the property of the RMBC. In order to ensure the building retains its value as a RMBC asset, repair and maintenance to the building will be met by RMBC.

2. Key Issues

- 2.1 The Department for Education White Paper on Special Educational Needs and Disabilities (SEND) and Alternative Provision (AP) Improvement Plan published in March 2023 outlines the government's determination to level up opportunities for all children and young people – without exception. Rotherham is just as ambitious for children and young people with SEND as for every other child.
- 2.2 The National SEND review sets out government proposals for a system that offers children and young people the opportunity to thrive, with access to the right support, in the right place, and at the right time, so they can fulfil their potential and lead happy, healthy, and productive adult lives.
- 2.3 The SEND Inspection framework considers the effectiveness of a local areas ability to ensure children and young people with SEND are valued, visible and included in their communities.
- Children and young people and parents and carers understand what community activities are available.
 - Children and young people are supported to participate, where appropriate, in activities, and to make friends and develop positive relationships.
 - Children and young people are supported to develop their confidence, resilience, and knowledge, so that they can participate in universal and specialist activities as appropriate.
- 2.4 Rotherham's SEND Self Evaluation highlights the work undertaken to ensure children and young people with SEND are valued, visible and included in their communities.
- 2.5 A variety of universal, commissioned, and bespoke activities provide opportunities for children and young people to have fun, make friends and develop positive relationships. Our Parent/Carer Forum provides opportunities for children/young people to engage in activities to allow them to feel less isolated.
- 2.6 Rotherham Family Hubs provide universal access to information, advice, activities, and support for the whole family, embracing the engagement of children/young people with SEND and their families however families with children and young people with SEND tell us that many activities do not feel inclusive.
- 2.7 The Rotherham Council Plan outlines the Council's ambition for every child to fulfil their potential and a commitment to ensuring children and young people have fun things to do and safe places to go. The Council is also committed to addressing inequalities to ensure no child is left behind, for children and young people with special educational needs and/ or disabilities and their families, the SEND Hub provides access to a safe place to go in the Town Centre, which also helps to make the rest of the Town Centre accessible.
- 2.8 Rotherham Parent Carers Forum is already working with the Rotherham Adult Neurodiverse Support service to develop a timetable of daily activities with young people and families to ensure that it provides a wide and varied offer to meet their interests and needs. Families will have access to activities on weekends and in

school holidays.

- 2.9 The availability of inclusive activities and peer support is an important factor in reducing inequality ensuring community wellbeing, not just in terms of the provision for children and young people, but also in the availability of social interaction for their parents, carers, and siblings. An accessible town centre location with co-located partners providing specialist advice and guidance will also support access to and engagement with support at the earliest opportunity.
- 2.10 Following approval of capital investment in the building at the budget setting meeting in February 2024, a project group has met monthly to progress the development.
- 2.11 The Council's Property Service are working closely with RPCF to establish their requirements for development of the building.

Initial developments include:

- Providing accessible entrances throughout the building,
 - Forming a teaching catering kitchen,
 - Converting toilets into unisex toilets and changing room,
 - Converting external space into accessible play area,
 - Decorating and replacing flooring,
 - Converting a room into a sensory room.
- 2.12 In line with the multi-agency delivery model, RPCF are working with key partners including Children and Adolescent Mental Health Services (CAMHS), Early Help, Early Years and Rotherham Youth Theatre to explore multi-agency use of the space.
- 2.13 Consideration will be needed around the future IT provision within the building, which is currently provided by the Council's IT service. Due to a number of factors, including accessibility, security and safeguarding, the Council's ability to provide a network and IT provision is limited. The Council are in a position to provide design and technical support and will work with the RPCF to understand their needs and provide adequate support.
- 2.14 Community groups or charities with observable vested interests in property are more likely to receive funding from external parties for the purposes of investment or refurbishment of the facilities provided.
- 2.15 A market rate lease would be financially prohibitive for the Rotherham Parent Carer Forum. A less than best lease supported by a tri-partite management arrangement with Rotherham Parent Carer Forum, Children and Young People's Services as programme sponsor and Asset Management would support both the Council and the RPCF to deliver their objectives.
- 2.16 The lease terms will form part of the negotiations with RPCF and will provide the most advantageous terms and length for both parties. The tri-party Management Agreement will be linked with the lease and will place a requirement on RCPF to deliver a number of agreed outputs, both in relation to management of the asset and those associated with the wider outputs and requirements of CYPS. It will be made clear that whilst the Council wish to work in Partnership with RPCF, the Management

Agreement Outputs will be closely monitored and could lead to services or asset being removed.

3. Options considered and recommended proposal

3.1 Option 1:

Retain Eric Manns as an asset maintained and operated by the Council. This option is not recommended as it requires the Council to continue to take full responsibility for the running costs associated with the property and services delivered whilst the building operates as a SEND hub. This reduces the likelihood of the RPCF being able to attract additional investment for the activities and/ or building.

3.2 Option 2:

Transfer Eric Manns to RPCF via a community asset transfer. This option is not recommended as the building has not formally been through the process identified in the community asset transfer policy (approved by Cabinet 21st October 2019).

3.3 Option 3:

It is recommended that subject to terms being agreed, Cabinet approves the grant of a lease of Eric Manns in accordance with Local Government Act 1972, but at less than best consideration based on the delivery of local social economic and environmental wellbeing powers as introduced by the Local Government.

3.4 This will support both the Council and the RPCF to deliver their objectives by providing a safe disability friendly space in the Town Centre. It will encourage young people with SEND to reach their full potential by developing their skills, allowing them to become more independent, confident, and part of their community.

3.5 The Council will work with the RPCF to develop a Management Agreement that will set out the outputs and requirements expected from all parties. The Agreement will be monitored to ensure delivery and compliance throughout the term of the Partnership and Lease agreement.

3.6 Due to the order of events required to achieve the delivery of the SEND Hub, including the reliance on other services coming out of the building, Officers may consider providing a licence to the RPCF to carry out their own works (painting, furniture removal and placement etc.) whilst a formal lease is being agreed. Any works carried out prior to formal lease agreements will be at the risk of RPCF. The authority to consider a licence is already delegated to the Assistant Director of Property and Facilities Services as part of the role as Designated Property Officer.

4. Consultation on proposal

4.1 The most recent Rotherham Parent Carer Forum Membership Survey captured feedback from parents/ carers:

"Other than those run by RPCF, we hardly ever attend any other events or activities as a family as they aren't suitable or inclusive. It is a breath of fresh air to be able to come to RPCF activities, talk to other parents in the same boat and get out of the house - definitely helps us with feeling less isolated."

4.2 Quotes from a question asking members to finish the following sentence that relate to the need for a SEND hub.

Without RPCF myself and my family...

- Wouldn't have as many opportunities to access support and events with my son.
- I'd be at home with the kids not going out or do anything as I'd be very nervous and be panicking about what people would say and do.
- I would feel a lot more isolated and less confident.
- My son would be sat at home on his games console/tablet instead he's mixing with other young people like him.
- We would be more isolated from activities as our children find it very difficult to mix with other people. Also, the parents don't understand our children.
- My young person would not be the confident, outgoing, volunteering teenager that she now is. Our family owe a lot to RPCF, and we now want to volunteer to pay a bit of that back to help other families.
- We would be very isolated, and my son's social life would be non-existent.
- I would have no chance to talk to People in similar situations.
- I would not have the confidence or knowledge to be able to ensure my son can be the best that he can be. I would also feel incredibly isolated and alone without the network of support that I have made through the forum.
- My family would not be able to have met such lovely friends both me and my husband and my son.
- I would feel a lot more isolated and my children would not have been able to access as many activities.
- Our children would not be able to participate in after school activities.
- Our family would be lost and so isolated- the forum is a lifeline.
- We would have no youth club.
- SEND children might not get THEIR voices heard.
- My son would not have been put in touch with a youth club he volunteers at
- It's an amazing service has helped me through everything including moral support.....it's made me more confident to help others who have barriers and less confidence....
- My son wouldn't be the social butterfly he is today, he can't walk or talk as good as his friends but loves every event he attends & has done for many years.
- There would be no us! Like an extended family!
- I would be lost. They have given me do much support and guidance. A very supportive group with lots of experience.
- I would feel isolated and on my own. I now know there are many others with the same battles, same challenges, same frustrations and emotions and people who understand and can support.
- There wouldn't be anything available for young children on the spectrum.
- The world for me and my family would be less fulfilled, more isolated and lonely.
- My children would not meet other children other than school.
- My life would be very different, and I wouldn't have the friendship group that I have.

5. Timetable and Accountability for Implementing this Decision

- 5.1 September 24 – Approval of specification for works.
September 24 – Occupancy licence in place to support access to building for RPCF during development of lease.
September – November 24 – Procurement of specification for works.
October 24 – RPCF and key stakeholders co-produce building design
November – March 25 – RPCF agree sub-let agreements with key partners to support sustainability.
December 24 – March 25 – Co-production of programme of activities.
December 24 – June 25 – Contractor on site.
April 25 – Cabinet update on progress.
August/September 25 – SEND Hub open for children, young people, and families.

6. Financial and Procurement Advice and Implications

- 6.1 The procurement of the works identified in this report must be undertaken in compliance with the Public Contracts Regulations 2015 or the Procurement Act 2023, whichever is the applicable legislation at the time, as well as the Council's own Financial and Procurement Procedure rules.

- 6.2 There are no direct procurement implications associated with the lease arrangement.

6.3 Finance – Capital implications

- 6.3.1 There are no direct capital cost implications associated with the lease arrangement.
- 6.3.2 Capital investment of £165K was approved by the Council (as part of the 2024/25 budget process) for the development of a SEND Hub at the Eric Manns building. The investment would cover the cost of essential and other capital works, as outlined in Paragraph 1.2, subject to formal procurement/tender process.

6.4 Finance – Revenue implications

- 6.4.1 There are no significant lease cost implications for the Council as the property would be provided at less than best consideration, as a market rate lease would be unaffordable for the Rotherham Parent Carer Forum.
- 6.4.2 Under the proposed lease arrangement, the building will remain the property of the Council, with the day-to-day premises costs (e.g., energy costs) being met by the Rotherham Parent Carer Forum.

7. Legal Advice and Implications

- 7.1 The disposal of the property by means of the proposed lease less at than best consideration is allowed for under s.123 Local Government Act 1972. Although referred to in this section, specific consent of the Secretary of state is not required for the disposal of any interest in land that the authority considers will help it to secure the promotion or improvement of the economic, social or environmental well-being of its area (as provided for in the Local Government Act 1972: General Disposal Consent

(England) 2003). It is considered that the proposal within the report meets these criteria.

7.2 A formal lease at peppercorn rent will need to be agreed and concluded between the parties in respect of the disposal of the property. Further, a management agreement between RPCF and the Council, setting out the obligations of the respective parties and any consequences for non-performance will also need to be agreed and concluded.

7.3 As set out in the report an informal Licence may be entered into prior to the formal disposal in order to facilitate the early works, referred to above.

8. Human Resources Advice and Implications

8.1 There are no direct HR implications within this report.

9. Implications for Children and Young People and Vulnerable Adults

9.1 Additional provision for children, young people and young adults with Special Educational Needs and Disability (SEND) and their families within the Borough provides more opportunity for them to reach their full potential by developing their skills, allowing them to become more independent, confident, and part of their community.

9.2 Key considerations are referenced within this 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 social inclusion measures. The SEND Hub development ensures that children, young people, and young adults with SEND needs have enhanced social opportunities and can access support in order that all children and young people have the strongest possible preparation for Adulthood.

11. Implications for CO2 Emissions and Climate Change

11.1 The project will have a carbon impact in several ways:

- Emissions from non-domestic buildings: there may be some short-term impacts in energy use while the building is being refurbished. Longer term, it is not expected that there will be significant changes in energy use and emissions.
- Emissions from transport: there are unknown transport impacts from moving the location of the hub to the Eric Manns building.
- Emissions from waste: There may be some short-term increases in waste during the refurbishment phase, which could be mitigated by waste minimisation and segregation.

- Emissions from construction and development: refurbishing an existing building is less carbon intensive than building a new building. The building is in a town centre location and is easier to reach by public transport than where the service is currently based. Monitoring of the construction process will be coordinated by Asset Management Service and Governing Bodies.

12. Implications for Partners

- 12.1 Ongoing updates are provided to key stakeholders including Parent/carers forum, health leaders, SEND services, early help and social care, school leaders, voluntary sector partners and other associated stakeholders.
- 12.2 Development of a SEND Hub in the Borough will support children, young people, and young adults with SEND to reach their full potential by developing their skills, allowing them to become more independent, confident, and part of their community.

13. Risks and Mitigation

- 13.1 Ongoing updates are provided to key stakeholders including Parent/carers forum, health leaders, SEND services, early help and social care, school leaders, voluntary sector partners and other associated stakeholders.

14. Accountable Officers

Helen Sweaton - Joint Assistant Director Commissioning, Performance and Quality.
Children and Young People's Services

Kevin Fisher - Assistant Director Property and Facilities

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp OBE	02/09/2024
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	21/08/2024
Assistant Director, Legal Services (Monitoring Officer)	Phil Horsfield	21/08/2024

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