
ADDITIONAL SUPPORT NEEDS PROVISION- STATUTORY CONSULTATION

Service Director Children and Young People

EXECUTIVE COMMITTEE

16 August 2016

1 PURPOSE AND SUMMARY

- 1.1 **This report requests approval to undertake a statutory consultation on the formal establishment of the new Additional Support Needs School in Earlston and the formal discontinuation of the spectrum classes at Wilton Primary School and St Ronan's Primary School; while at the same time undertaking a non-statutory consultation on the naming of the new Additional Support Needs School in Earlston.**
- 1.2 At its meeting on 24 May 2016, the Executive Committee agreed that formal statutory consultation papers be brought forward regarding the relocation of the existing provision of spectrum classes in Innerleithen Primary School and Wilton Primary School grounds and the establishment of the new Additional Support Needs provision in Earlston. It is intended that in addition to those children being re-located from the existing spectrum classes, the new provision will also be able to support other children with complex needs, not only on the Autistic Spectrum, but also those children who may have complex sensory impairments and be on placements outwith Scottish Borders.
- 1.3 During informal consultation, both local community stakeholders in Earlston and the parents of children who will be relocating as well as parents of children with additional support needs were very positive about the proposals.
- 1.4 The terms of the Schools (Consultation) (Scotland) Act 2010 requires that, before an education authority implements a "relevant proposal", it must first comply with the requirements of that Act. The Proposals to establish the new facility as a school and, to discontinue the spectrum support classes at St Ronan's and Wilton are each "relevant proposals". The Proposal Paper, including the educational benefits statement, is attached as Appendix 1. The consultation response form to the Proposal Paper is attached as Appendix 2.
- 1.5 At the same time as the formal consultation is being undertaken, it is proposed that a separate non-statutory consultation is undertaken on the naming of the new Additional Support Needs School in Earlston. The outcome of this non-statutory consultation will be brought back to the

Executive Committee in due course for approval.

2 RECOMMENDATIONS

2.1 It is recommended that the Executive Committee agrees that:

- (a) a statutory consultation be undertaken in terms of the Schools (Consultation) (Scotland) Act 2010 on the proposals to:**
 - (i) establish a new additional support needs school in Earlston; and**
 - (ii) discontinue the spectrum class at Wilton Primary School**
 - (iii) discontinue the spectrum class at St Ronan's Primary School.**

- (b) following the statutory consultation process, a further report on the Proposals be presented to Scottish Borders Council; and**

- (c) simultaneously to the statutory consultation as detailed in (a) above, a non-statutory consultation be undertaken on the naming of the new Additional Support Needs School in the village of Earlston.**

3 BACKGROUND

- 3.1 Scottish Borders Council has invested in a new Additional Support Needs provision, located in the central Borders village of Earlston, to ensure children within the Scottish Borders with complex additional support needs can be educated and cared for in a high quality fit for purpose learning environment.
- 3.2 Following detailed consideration by officers as to how to make best use this facility to maximise the educational benefits which would accrue, a report was presented to the Executive Committee (Education) on 24 May 2016. In that report the broader context of the Council's overall Additional Support Needs provision was presented to Committee, alongside the Council's aspirations of how this new build will enhance the education of the children who the Council expect to re-locate from the current spectrum classes at Wilton and St Ronan's Primary Schools to the new provision at Earlston (see background papers).
- 3.3 The new provision at Earlston will initially be for the primary aged children currently attending the existing provisions in the spectrum classes in St Ronan's, Innerleithen and in the grounds of Wilton Primary Schools. In addition to those children who will be re-located from the existing spectrum classes, but will also be able to support other children with complex needs, not only on the Autistic Spectrum, but also those children who may have complex sensory impairments and be on placements outwith Scottish Borders.
- 3.4 It was agreed that informal consultation would take place with parents of children with additional support needs and stakeholders in the community of Earlston to provide information on the new build provision in advance of the statutory consultation.
- 3.5 Officers attended Earlston Community Council and the local engagement event in June. The community stakeholders were very positive about the new provision and expressed a desire to positively promote the new provision and look at ways to support the inclusion of the provision within the community of Earlston.
- 3.6 Officers presented to the parent network, Borders Aspergers and Autism Group Support (BAAGS), for autistic children. In attendance were some of the parents of the children who will be re-locating and parents whose children currently attend other enhanced provisions as well as mainstream provision in the Scottish Borders. Overall, the parents were very positive about the investment by Scottish Borders Council in Additional Needs Support provision and the specification of the new build. They were supportive of the provision being called a school, but did not present any ideas re the possible name of the school.

4 SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010 – RELEVANT PROPOSALS

- 4.1 The terms of the Schools (Consultation) (Scotland) Act 2010 requires that, before an education authority implements a "relevant proposal", it must first comply with the requirements of that Act. The Proposals to establish the new facility as a school and, to discontinue the spectrum support classes at St Ronan's and Wilton are each "relevant proposals" and therefore that statutory consultation process must now be engaged. In

this regard, an educational benefits statement has been prepared, as has a formal proposal paper. The proposal paper is attached as Appendix 1 and that contains, as part of it, the educational benefits statement. This paper will be published and the formal consultation process will follow – as detailed in that Appendix. Education Scotland will engage in the process as also set out in the proposal paper.

- 4.2 A Consultation Report will then be compiled and taken to Full Council in December 2016. The Report will advise all stakeholders on the outcome of the statutory consultation exercise undertaken

5 NAMING OF ADDITIONAL SUPPORT NEEDS SCHOOL, EARLSTON

- 5.1 At the same time as the formal consultation is being undertaken, it is proposed that a separate non-statutory consultation is undertaken on the naming of the new Additional Support Needs School in Earlston.
- 5.2 It is intended that the outcome of the non-statutory consultation with regards to the naming of the new additional support needs school in the village of Earlston will be brought back to the Executive Committee for approval.

4 IMPLICATIONS

4.1 Financial

Financial

- a) The provision at Earlston is within the approved capital plan and is profiled to match the construction programme:

2015/2016- £481 k

2016/2017- £1156 k

2017/2018 – £6 k

The revenue consequences of the new facility are being fully developed. It is anticipated these will be met from within existing budgets by transferring existing costs within the current spectrum provisions and within the overall ASN design process. There may be savings from reduced travel costs for pupils who currently require transport outwith the Authority. If pupils who might otherwise be placed outside of the Authority to meet their educational needs choose to stay within the Authority in the new facility ,then significant savings would be accrued as external placement costs are significantly higher than the Council’s own placements.

4.2 Risk and Mitigations

- (a) There is a risk that parents continue to request to place children outwith the Authority. This risk is mitigated by consulting as widely as possible with parents of children who may be able to benefit from the facility.
- (b) It is important that parents in the Borders believe that the Council have the facilities and highly skilled staff to meet the needs of

children in the Scottish Borders with complex needs or it creates reputational risk and anxiety for parents. The provision at Earlston highlights the Council's investment in this vulnerable group of learners and will reassure parents of the Council's commitment to getting it right for every child with complex needs.

4.3 **Equalities**

- (a) An Equalities Impact Assessment has been carried out on this proposal and it is anticipated that there are no adverse equality implications.
- (b) The provision at Earlston will have a positive impact upon children and young people within the Scottish Borders irrespective of age, gender, ability, by providing fully accessible Borders based facilities for a very vulnerable group of learners.

4.4 **Acting Sustainably**

It is expected that the new centralised ASN School in Earlston will reduce travel for children with additional support needs currently attending St Ronan's Primary and Wilton spectrum support classes. It will also reduce travelling time for those children currently attending ASN education provision outwith the Borders who may now attend this new ASN school.

4.5 **Carbon Management**

- (a) There may be a slightly negative effect on carbon emissions by increasing the Council's building footprint however, this is mitigated by a reduction in the number and frequency of journeys by young people being transported out of the Scottish Borders as a consequence of the recommendations, which will have a positive impact on the Council's Carbon footprint.

4.6 **Rural Proofing**

- (a) This report does not propose any changes to any existing policies or strategy with regards to rurality. The Council transports learners with additional support needs to local schools or enhanced provisions. We would expect that the links between the primary and secondary enhanced provisions and the centrality of the new provision in Earlston will ensure that learner transport journeys are reduced including those children living in designated rural areas.

4.7 **Changes to Scheme of Administration or Scheme of Delegation**

- (a) There are no changes proposed to the Scheme of Administration or Scheme of delegation.

5 CONSULTATION

- 5.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Chief Officer HR and the Clerk to the Council have been consulted and any comments received have been incorporated into the final report.

Approved by

Donna Manson
Service Director Children and Young People **Signature**

Author(s)

Name	Designation and Contact Number
Donna Manson	Service Director Children and Young People

Background Papers:

Additional Support Needs Provision in Earlston, presented to Executive Committee on 24th May

Appendices:

Appendix 1 – Proposal Document
Appendix 2 – Consultation Response Form

Previous Minute Reference: Executive Committee (Education) 24 May 2016

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Donna Manson can also give information on other language translations as well as providing additional copies.

Contact us at Council Headquarters, Newtown St Boswells TD6 0SA.