

**TITLE OF REPORT:** Special Educational Needs and Disabilities - for Additionally Resourced Mainstream Schools (ARMS)

**REPORT OF:** Sheila Lock, Interim Strategic Director, Care, Wellbeing and Learning

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### **Purpose of the Report**

1. To seek Cabinet's approval to consultation on a proposed new model of provision for Additionally Resourced Mainstream Schools (ARMS)

### **Background**

2. The purpose of this report is to update Cabinet regarding ARMS provision in Gateshead in response to the requests made by governors of Rowlands Gill and Eslington Primary Schools to discontinue their provision at the end of the academic year 2016/17.
3. There are current pressures on our special school places within the primary sector at both Gibside and Cedars Schools with very limited availability of places for the next academic year. The future of ARMS in Gateshead needs to be considered as they form part of our continuum of provision for children with Special Educational Needs and Disabilities.
4. This report outlines the proposed approach to the future of ARMS in Gateshead for consultation. It is specifically about the type of model for Primary ARMS which the Council is proposing to introduce for 2017/18 onwards. Undertaking this approach has also enabled us to take a look at quality and consistency across the Borough to ensure all of our children and young people get an opportunity to do well.

### **Proposal**

5. A number of ARMS have closed in recent years, due mainly to the impact of SATs results on the mainstream primary school. An alternative model would be that pupils in ARMS provision could be registered with special schools with the special schools providing expert staffing and assistance on an outreach basis.
6. Initial discussions with the special school head teachers on this suggestion have taken place and they are willing to explore this model further. Further discussions were held with representative head teachers from mainstream and special schools, including two existing ARMS head teachers in December 2016.
7. It is proposed that a 'pilot' scheme is undertaken to evaluate this model, before rolling this out fully. The full details of this are set out below. Primary schools will be invited to host the model and Rowlands Gill will be asked to continue as a 'pilot' for this new model for a further academic year. This will allow officers to carefully consider the

learning in partnership with schools, parents and carers before implementing the model fully.

8. The proposals in this report are for maintained primary schools only. Secondary ARMS provision is currently located within the Thorpe and Whickham Academies and they will be reviewed separately later in 2017. The learning from the primary exercise will assist in this review

## **Recommendations**

9. It is recommended that Cabinet:
  - (i) Agrees to consult with current ARMS, special and mainstream schools on moving away from the current ARMS model and move towards establishing satellite provision from special schools, (based on type of need) which would be hosted in mainstream schools on the basis of a service level agreement.
  - (ii) Agrees to undertake further financial modelling in the light of proposed changes to High Needs Block funding.
  - (iii) Requests that Governors of Rowlands Gill Primary School consider whether they would wish to reflect on their request to close their ARMS provision and become a host school as part of a 'pilot' scheme on a model to evaluate. Primary schools will also be invited to host the model and Rowlands Gill will be asked to continue on the proposed new model basis for a further academic year.
  - (iv) Requests that Governors of Eslington Primary School consider forming a partnership with a mainstream primary school to offer satellite provision for primary aged children with Social, Emotional and Mental Health difficulties.
  - (v) Agrees to give consideration to any alternative models that may come forward during the consultation process.
  - (vi) Receives a further report in the early Summer Term 2017 on the outcome of the consultations.

For the following reason:

To meet the Council's statutory duty to promote high educational standards and to make effective use of resources.

## APPENDIX 1

### Policy Context

1. The Council has statutory duties to promote high educational standards; ensure fair access; promote diversity and ensure education is appropriate to meet the different age aptitudes and abilities of pupils in its area and make efficient use of its resources.
2. The proposals in this report are consistent with statutory duties and with the vision for children and young people as set out in Vision 2030 and Children Gateshead, the plan for children, young people and families.

### Background

3. The ARMS model of special provision was established in Gateshead in September 2010.
4. There is currently the following provision:

<u>School</u>	<u>Need</u>	<u>No.of Places</u>	<u>Vacancies</u>
<b>Primary School ARMS</b>			
Bill Quay KS2 (Cabinet previously agreed to phased closure)	Autism	6	6
Brandling KS1	Language	8	4
Brandling KS2	Language	9	0
High Spen	Hearing Impaired	10	6
Rowlands Gill KS2	Complex Needs	8	4
Swalwell	Physical Difficulties	10	0
Bede KS1 ARMS	BESD	8	4
Eslington KS2	BESD	8	3
<b>Secondary School ARMS</b>			
Charles Thorpe	General	25	7
Whickham	Autism	16	6

5. In January 2017, 27 out of 67 potential Primary ARMS places are vacant, due mainly to the previously agreed phasing out of the Bill Quay ARMS provision and the reluctance of Rowlands Gill School to accept new admissions pending further decisions on the future of the ARMS provision. This represents 40% of the potential capacity. It also represents a total of £270,000 of planned provision which is

currently not being delivered to address the needs of individual children which is clearly an inefficient use of resources.

6. Not only, therefore, does this represent funding not being effectively targeted, but it also means that other pressures required to be addressed through the High Needs Block, such as the need for early years places and additional capacity in Special Schools, cause funding difficulties and pressures.
7. Although technically provision is 'commissioned' by the Council, in reality the model of provision was implemented without employing a recognisable commissioning approach. Since 2010, commissioners and providers have experienced a number of difficulties in relation to the implementation of ARMS provision. These have resulted, principally, from the absence of a formal Service Level Agreement, and the fact that there have been significant issues to resolve about the nature of the provision. The process has suffered from a lack of transparency and clarity. Key issues raised include:
  - Inconsistency of approach in relation to ARMS provision including the true level of inclusion of children in mainstream settings
  - Lack of consistency in funding arrangements
  - Clarity of responsibility in terms of governance arrangements
  - Lack of formal commissioning arrangements
8. In order to ensure the future success of the model, to support providers in their efforts to deliver high quality inclusive provision, and to provide for an appropriate level of stability, these issues must be addressed for future years.
9. A pilot process is proposed leading to the implementation of a new model from September 2018 onwards.
10. **Firstly**, the current ARMS and Gateshead special schools would be encouraged to form collaborative partnerships to share expertise and skills.
11. **Secondly**, Mainstream primary schools would also be invited to express an interest in working in partnership with special schools to host provision initially for children with autism/social communication difficulties.
12. **Thirdly**, Governors of Rowlands Gill and Eslington Schools will be invited to reflect on their request to close their ARMS provision which was partially based on financial considerations and also on the impact of carrying SATs results for Year 6 pupils and to trial the new model which would involve Rowlands Gill working with staff from Gibside School to offer provision for children with learning difficulties and Eslington working with a mainstream school for Key Stage 2 children with social emotional and mental health difficulties.
13. **Fourthly**, all existing ARMS schools will be offered the opportunity to comment on a proposed new model which would be based on an outreach basis from Gateshead special schools. This could also enable greater movement of children between mainstream and special schools if it is considered that needs are changing or to provide additional support if needed for a temporary period. As part of this process, the Council will formally require all existing ARMS host schools to indicate their continued willingness to host a provision or to formally withdraw.

14. **Finally**, the Council will finalise the new model of provision by the end of December 2017. Where necessary this will include an invitation to new schools to host ARMS provision, and will also include any new arrangements around particular categories of need.

### **Timescales**

15. The Council intends to have a new model of ARMS in place by September 2018 with a 'pilot' model from September 2017.
16. The process starts with a commissioning intentions paper which will be sent to all schools by 28 February 2017.
17. Schools will be asked to consider their views and respond to the document by 31 May 2017.
18. The Council will formally then seek proposals from schools for hosting ARMS provision based on a revised model by 30 November 2017.
19. Statutory consultation and improvement tests will then be undertaken by 31 March 2018.
20. ARMS units operating under the new model will be in place for the start of the Autumn term (1 September 2018) or as soon as possible thereafter.

### **Numbers and types of places**

21. The Council will move away from a one size fits all model of 8 places in ARMS, to one based on predicted levels of need, which better matches the evidence base.
22. The Council will commission places in schools for a 3 year period with a review every 12 months, and an option to extend arrangements for a further 3 years. Where there is a short term drop in demand schools will be supported to maintain the provision on the understanding that unutilised resources will be re-deployed to ensure best value is maintained.

### **Funding**

23. Financial modelling will be undertaken to ensure value for money of any new ARMS model, with the Council providing funding from the High Needs Block based on assessed need. The main change from the current system will be that funding will be passported to special schools, with service level agreements established between the special school and their partner mainstream host schools. The Council will need to come up with banding descriptors and put a value on that together with an agreement between the mainstream school and the special schools on a contribution towards mainstream school running costs.
24. Each commissioned ARMS unit will be funded on the basis of £10,000 per place, with additional funding provided through specific top ups for individual needs where required.

25. The fact that all children accessing special/mainstream host schools will have an Education, Health and Care Plan (EHCP) in place will by definition have included additional assessment and support from, for example Educational Psychology. Any additional time will be built into the EHCP, and will be met by the school either through the £10,000 place funding or through top up funding if relevant.
26. The Council is currently developing integrated commissioning approaches with Gateshead / Newcastle Clinical Commissioning Group for those services commissioned by the CCG. This may result in different funding and delivery models for these services and schools will be engaged in the development of this work over the next 12 months.
27. The Council has a significantly reduced capital programme. In most cases, it will not be possible to support significant capital investment in support of a revised model for ARMS, though clearly any additional requirements around Basic Need will be built into future priorities.

### **Entry criteria**

28. In future, only children with an EHCP will be able to access a special/mainstream host placement. The special school will therefore be the named school in the Plan, and this will be decided by the SEND panel. This will remove concerns over the impact of results on the mainstream host schools.

### **Delivery models, quality and monitoring**

29. The Council will not specify how special and commissioned mainstream schools working in partnership organise for the provision to be delivered. It recognises that this is a matter for individual schools, and that a variety of approaches will be needed. The Council wishes to give schools maximum flexibility in meeting the needs of pupils and in the management of budgets. However, the Council also wants to ensure that all children receive the greatest possible opportunities for inclusion alongside their mainstream peers within primary schools.
30. The Council will however measure progress made by children placed in special/mainstream host schools, as part of the review process for EHCPs, which will have a detailed assessment of outcomes expected and levels of support required, together with anticipated costs.
31. The Council will, through the SEN Lead Inspector, work with schools to improve practice. The effectiveness of schools in meeting the needs of children in special/mainstream host school provision is clearly important, and the Council will place a greater focus on what works across provision in future years.

### **Decommissioning / what happens when units close**

32. Special/Mainstream host provision could be decommissioned by the Council on the basis of poor outcomes for children placed, though the Council will work with schools to address any quality issues, and decommissioning, due to the impact on children attending schools, will be a last resort.

33. Should the Council decommission provision from September 2018 then it will retain full responsibility for costs of redundancy. These costs would be supported until 31 December 2018.
34. For the avoidance of doubt, it is the Council's current intention that any maintained school wishing to withdraw from ARMS provision before September 2018 will not be responsible for the costs of any redundancy.
35. The sections above outline the Council's intentions for the operational arrangements for Special/Mainstream Host Schools (SMHS).
36. This section addresses the wider issue of the role of SMHS, and outlines the basis of a new approach.
37. It draws on the needs assessment work undertaken, which concluded that:
  - a. The number of planned places should be reviewed in the light of on-going pressures on special school places
  - b. SMHS should be seen as part of a planned continuum of provision
  - c. The profile of required provision is not the same for all types of need
  - d. It is impossible to evaluate the effectiveness of SMHS without evidence as to the outcomes they achieve
  - e. There is a desire to retain specialist provision in mainstream schools and also recognition that their role and function needs to be clarified.

### **Consultation**

38. The Cabinet Members for Children and Young People have been consulted.
39. Wider consultation will be undertaken with schools and other stakeholders during the period March to May 2017.

### **Alternative Options**

40. An alternative option would be to maintain the current position but this risks losing further ARMS provision and not providing sufficient places for children with SEND. Schools and other stakeholders will be invited to suggest alternative models during the consultation process.

### **Implications of Recommended Option**

41. **Resources:**
  - a) **Financial Implications** –The Strategic Director, Corporate Resources confirms that there are no significant specific financial implications identified as a result of this report. However, should any current mainstream school wish to decommission their ARMS unit, any redundancy costs would be met by the Council.
  - b) **Human Resources Implications** – The Service Director, Human Resources and Litigation confirms that the Council will consult with the trade unions about the ARMS proposal however the staffing implications will be on a provision by provision and further consultation will occur on a provision by provision basis both

with the trade unions and employees. All consultation that occurs will be in line with the relevant policy and procedure.

- c) **Property Implications** – There are no specific implications from this report but dependant on potential host schools that come forward, there may be some capital implications if new accommodation needs to be provided.

- 42. **Risk Management Implications** - No implications from this report.
- 43. **Equality and Diversity Implications** – There are some Equality and Diversity Implications arising from this report as the children attending the ARMS have a disability. Alternative provision would need to be found for those children currently attending the ARMS provision, should decision be made to close any of the provision in due course. Reviews for all children remaining in the ARMS would be held and recommendations for future placement will be managed through the SEND Panel. An Equality Impact Assessment has been undertaken on this proposal and has identified that there would be a negative impact. Mitigation would be achieved through the review of each child, and a full discussion of each alternative option as part of this process.
- 44. **Crime and Disorder Implications** – No implications from this report.
- 45. **Health Implications** - No implications from this report.
- 46. **Sustainability Implications** - No implications from this report.
- 47. **Human Rights Implications** - The Council has considered the implications of the Human Rights Act in arriving at this proposal. The Convention rights provide that no one can be denied the right to education but this does not mean that any person has the right to be educated at a particular institution. Whilst there is a right for parents to ensure education and teaching in is conformity with their religious / philosophical convictions, this does not impose a duty on the local authority to provide specific types of schools. Any such provision is provided “only so far as it is compatible with the provision of efficient instruction and training, and the avoidance of unreasonable public expenditure”.
- 48. **Area and Ward Implications** - No specific implications. Children attending the ARMS provision are resident across Gateshead.