

CABINET
17 DECEMBER 2015**FORMAL PROPOSAL TO CEASE THE NURSERY PLUS
PROVISION AT FRANCHE COMMUNITY PRIMARY SCHOOL**

Relevant Cabinet Member

Mr J P Champion

Relevant Officer

Director of Children's Services

Local Member

Mrs A T Hingley

Recommendation

- 1. The Cabinet Member with Responsibility for Children and Families recommends that Cabinet:**
 - (a) notes the responses to the consultation on the proposal to cease the Nursery Plus provision at Franche Community Primary School;**
 - (b) approves the publication of a Public Notice to cease the Nursery Plus provision at Franche Community Primary School from 1 April 2016;**
 - (c) authorises:**
 - (i) the Director of Children's Services to approve the proposal in respect of which no objections to the Public Notice are received; or**
 - (ii) the Cabinet Member with Responsibility for Children and Families to decide the proposal in respect of which objections to the Public Notice are received; and**
 - (d) notes the plan to re-tender for countywide Early Years Specialist Language providers in February 2016, in time for implementation by September 2016.**

Background

- 2. 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.**
- 3. Franche Nursery Plus is one of three Nursery Plus provisions in Worcestershire. Nursery Plus provision is for children between the ages of 2-5, with a range of additional needs, who require a specialist input.**

4. In March 2014, Cabinet approved a move away from Nursery Plus provision as Speech, Language and Communication needs in pre-school age children were evident as the dominant demand. Cabinet agreed to move towards countywide 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. Cabinet also agreed to retain Franche specialist provision, in addition to a speech and language base in Wyre Forest, on a time limited basis until 31 August 2015 when the new Wyre Forest School is open and able to accommodate additional pre-school aged children.

5. In January – February 2015, the Council invited bids from organisations to deliver Early Years Specialist Language provision in each district including the Wyre Forest. Franche Community Primary School did not bid (tender) to become an Early Years Language provider. An alternative Early Years Specialist Language provider was identified in Wyre Forest and has signed and agreed to the Service Level Agreement for the period September 2015 – August 2016. Early Years Specialist Language providers will be re-commissioned from September 2016.

6. From September 2015 the Wyre Forest Early Years Specialist Language provider and the new Wyre Forest Special School were both able to accommodate additional children, primarily those who would have previously been referred to Franche Nursery Plus.

7. The following table details the number of pre-school age children accommodated at Franche Nursery Plus between 2009 and 2014 by area of need:

Area of Need	2009/10	2010/11	2011/12	2012/13	2013/14	Totals
Communication and Interaction	3	7	3	1	1	15
Cognition and Learning	3	7	3	1	0	14
Sensory, Physical and Medical	3	2	1	4	3	13
Behaviour, Emotional and Social	2	1	3	6	5	17
Yearly totals	11	17	10	12	9	59

Consultation Period

8. A public consultation ran from 21 September to 16 October 2015. The link to the online survey or hardcopy survey was made available to all parents/carers, staff and Governors of Franche Community Primary School. In addition, other relevant stakeholders, including local and elected members, finance, Early Years providers, Schools, Special Educational Needs (SEN) services were notified of the consultation. The consultation was also advertised in the local newspaper.

9. A decision was taken not to hold a public meeting as no pupils were in attendance in the Nursery Plus, therefore it was unlikely that any such meeting would be well attended.

Consultation Responses

10. Three consultation responses were received, one from a parent/carer, one from a Trade Union and one from a member of 'Our Voice' (a forum for parents/carers of children and young people with disabilities and additional needs).

11. One of the respondents supported the closure as they felt it would give wider choice to parents. The other two respondents did not support the proposed closure because of the risk to jobs and services and also because they believe that schools do not offer sufficient flexibility for children with SEN.

Responses to the Issues Raised

12. The closure of this provision will not lead to any job losses. The proposal to move away from Nursery Plus provision is to focus on Speech, Language and Communication as the area of greatest need in Pre-School Age children identified with SEN. The change will ensure that children in any part of the county can have **access to suitable provision in their own locality, to ensure appropriate and timely interventions.** All children with special educational needs and disabilities have a minimum entitlement to Ordinarily Available provision, regardless of which setting they attend as set out in the Worcestershire County Council 'Ordinarily Available in Worcestershire Early Years Settings' document which is part of Worcestershire's Local Offer. Early Years settings can decide how the funding is spent (e.g. staffing, resources, SENCo non-contact time) and they will be closely monitored on the impact of their support to the child or children.

Legal, Financial and HR Implications

13. Special Educational Needs & Disability (SEND) provision is currently undergoing a major review in light of the legislative changes which came into force in September 2014, including the conversion of statements of SEN into Education, Health and Care Plans.

14. Franche Community Primary School have received £80,000 to provide the Nursery Plus. This was funded through the High Needs place funding. The place funding will be re-commissioned as Early Years Language Specialist provision from September 2016.

15. Franche Community Primary School are able to re-deploy all of the Nursery Plus staff within the school, therefore there is no risk of staff being made redundant due to the closure of the Nursery Plus provision.

Privacy Impact Assessment

16. A Privacy Impact Screening has been completed and no risks were identified for this proposal.

Equality and Diversity Implications

17. As part of the 'School Organisation (Maintained Schools) Annex B - Guidance for Decision Makers (January 2014)', any changes to provision reserved for pupils with SEN is subject to the SEN Improvement Test. The proposed alternative arrangements should lead to improvements in the standard, quality and/or range of educational provision for those children. Decision-makers should make clear how they are satisfied that this SEN improvement test has been met, including how they have taken account of parental or independent representations which question the proposer's assessment. The re-commissioning of Early Years Specialist Language provision will focus on provision within each district of Worcestershire. Currently the districts of Bromsgrove, Wychavon and Malvern do not have this specialist provision. Pre-school age children in Wyre Forest have access to an Early Years Specialist Language provision and Wyre Forest Special School.

18. A full Equality Impact Assessment (EIA) has been carried out in respect of the recommendations. This identified a positive impact for pre-school age children identified with a SEN. The recommended proposal will allow the funding to be re-distributed in the short-term to alternative provision reserved for pre-school age children with SEN and in the longer term to improve access to provision for pre-school age children with SEND in a range of educational provision with Service Level Agreements in place. Mitigating action will therefore be the re-distribution of the funding. Relevant findings will contribute to future service commissioning. The full EIA is attached as an Appendix.

Supporting Information

- Appendix – Equality Impact Assessment

Contact Points

County Council Contact Points

County Council: 01905 763763

Worcestershire Hub: 01905 765765

Email: worcestershirehub@worcestershire.gov.uk

Specific Contact Points for this report

Robert Williams, Provision Planning Manager

Tel: 01905 766249

Email: rjwilliams@worcestershire.gov.uk

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:

- Agenda and background papers for the meetings of the [Cabinet](#) held on 8 November 2012 and 6 March 2014