

Cabinet 24 November 2017 – Item 4 – Removal (Closure) of Residential Facilities at Maplewell Hall Special School

Representation from Mr P. C. Osborne CC

I wrote to the Leader on October 1st. to express my misgivings about what I felt was a flawed report. I have tried to outline my misgivings and would look forward to hearing a rebuttal on every point.

I am an ex Chairman of Governors, Maplewell Hall school was in my ward before the boundary changes and it is a school which I have known all my life. It is a valued part of the local community and whilst I would be protective of its contributions, I have tried to write an impartial paper.

PO Comment

Reasons for recommendation.

4. Whilst the largest ever response has been made, and many responders may have highlighted the benefit of respite care, that should not disguise the benefits of educational residential provision. The school can show the positive outcome for students who have used the facility, to those who have not. Those facts seem to have been ignored

Officers response

The facts have not been ignored. The value of the residential provision is acknowledged, however the quality of provision is not the fundamental driver for the proposals. This is about ensuring that funding for SEND provision continues to be targeted to areas of greatest need. Paragraph 59 of the Cabinet report makes clear that 'The proposal to remove the residential provision does not make any judgement on the quality of the (residential) provision'.

PO Comment

5. Already stated, afterschool activities are afterschool activities and to include them in this report, is to cloud the issue at hand.

Officers response

There has been continued reference throughout the consultation to the Ofsted judgement of the residential provision. In their report from the last inspection in September 2016, Ofsted draw extensively on the value of afterschool activities to improving the residential experience, it would therefore be disingenuous to seek to separate these activities from the residential provision.

PO Comment

6. There are no pupils with the residential need on their EHCP. The council have refused to give educational residential provision even though it has been requested. Furthermore, the council has not made known its threshold for that provision and consequently, the normal process of challenge is not available to parents.

Officers response

This is incorrect. The Council has not sought to prevent the naming of residential need on any child's EHCP, however clearly the assessed needs of those pupils currently attending the school do not warrant this. The EHCP process has been conducted fairly and wholly in keeping with the legal obligations placed on the Local Authority, as set out in Part 3 Children and Families Act 2014 and the DfE 'Special Educational Needs and Disability Code of Practice: 0 to 25 years'. This provides that parents have a statutory right of appeal to an independent Tribunal at every stage of the process (eg, whether to undertake an assessment, whether or not to issue an EHC Plan, the type and level of support and the name of the school or other placement and whether to reassess following a request to do so by parents). At every stage parents can also access independent advice from the Special Education Independent Advice Service (SENDIAS) and parents are told about this in formal letters from the SEN Team and all information is published on our SEND Local Offer Website.

PO Comment

7. Every school is special. The reason no other school has that facility is irrelevant

Officers response

The Cabinet report is predicated on the needs of children of children and young people and by implication outlines the shift away from residential provision in Leicestershire, this also reflects the national picture. It is not about making comparison of the quality of facilities in one school or the next, although some parents and the local elected member have chosen to introduce this as a reason to keep the residential facilities open (making reference for example to the swimming pools in some area special schools).

PO Comment

8. The budget is being used to fund educational residence and is not there for respite care or short breaks however beneficial that might be.

Officers response

This is incorrect. Analysis of comments from the consultation and advice provided by the school clearly confirms that much of the budget is used to fund the respite provision.

PO Comment

9. HNB budgets. The council has money within its funds which could be used to help the pressure on disabled and disadvantaged children. To say that one child with disabilities is more deserving than another is unfair, every child should have an equality of opportunity.

Officers response

Paragraph 21 makes clear the position of the HNB budget. This budget overspent by £2 million in 2016/17. The £63 million budget is forecast to overspend again in 2017/18 by £1 million. This is despite an approved increase in the budget of £2.8 million. There is therefore no capacity to make further funds available. It is agreed that every child should have equality of opportunity; however

available funds do have to be targeted to those most in need. The current arrangements are inequitable as children with the same or more significant assessed needs at other schools do not have residential provision.

PO Comment

10. No budgets have been made which would give cabinet an idea of how much extra this appropriate support would cost so Cabinet are being asked to make a leap of faith and not make a decision based on facts. Cabinet has not been told exactly what appropriate support looks like. In addition, if Cabinet wished, it could make the money available by not wasting money on other schemes and increase its income without consequences for any council policy.

Officers response

The costs for social care provision if assessed as necessary for pupils (if the residential facility is closed) are expected to be low given that the majority of pupils attending Maplewell Hall School are designated as MLD, a relatively low area of SEND need. Transport costs have been identified as circa £5000 and no more, this is because the impact to minibus and taxi routes (most carrying more than one child) will be minimal.

It is not clear what schemes Mr Osborne is referring to when he suggests the Council is 'wasting money'.

PO Comment

13. Again, the report writes that a parent could appeal if their child is denied entitlement to an overnight short break from social care. The issue is about educational residential provision and the known positive outcomes from that provision.

Officers response

Paragraph 46 makes clear that for a child to be assessed as needing residential education provision, an Educational Psychologist assessment would have to indicate the need for a 24-hour curriculum to meet that child's educational needs. None of the children attending Maplewell Hall School and using the residential unit have been assessed as needing this.

PO Comment

60. The report writes and gives the impression that the school has children with MLD only, yet fails to say there is a large unit for autistic children, there are children with aspergers and there are children with behavioural difficulties. This is not the low SEND need

Officers response

The primary assessed need for the majority of pupils attending the school is Moderate Learning Difficulties, however paragraph 35 makes clear that there is also a specialist unit at the school for 20 pupils diagnosed as having a Autism Spectrum Disorder as their primary need.

PO Comment

61. The consultation document was not accurate in all aspects nor did it provide essential evidence to support the case for closure. Responses may have been made with no clear idea of the cost or outcomes.

Officers response

Information was provided in the consultation to enable consultees to make an informed response on the proposal. This included detail on the funding arrangements and the reasons for the proposal.

PO Comment

62. The occupancy rate is unlikely to be 100%. There has to be a separate facility for male and female children and there has to be provision for those autistic children who may have to be on their own. That argument has no relevance. The 16 beds available are well used and there is a waiting list.

There are 2 rooms which have been taken out of use because of a change in fire regulations but that still leaves 16 beds with no additional costs involved.

Officers response

This is incorrect. There are now 20 beds available for pupils at the School. The layout of the bedrooms over two floors is such that there is sufficient flexibility to accommodate children sleeping on their own if required. However analysis of the school register confirms that periods of low occupation are not as a consequence of high usage by pupils with ASD.

PO Comment

63. If further work will have to be done, that information should have already been done and should have formed part of a well-informed consultation. Much of the financial case has been withheld and not given to Scrutiny.

Officers response

No information has been withheld.

PO Comment

69 The accessibility of the building and consequent costs apply the main building and not just to the residential provision if that argument were to be relevant to the cabinet report.

Officers response

The residential provision is located on the first and second floor of the main building. It is not therefore possible to improve access to the bedrooms without addressing adaptations for the whole of the main building. For example, much of the accessibility costs would relate to the installation of a lift in the hallway area, which by implication would require ramps and hydraulic lifts to the main entrance to the building to access.

PO Comment

70. The paragraph is clearly starting to layout the future reasons why a decision will come to Cabinet for the full closure of the school.

The school has published the results on its web site which clearly demonstrate the outcomes, that evidence should not be ignored

Officers response

All information put forward by consultees (including the school) will be taken into account by Cabinet in considering the proposal.

PO Comment

Cabinet will have read the review published this month, Good intentions, Good enough. That review was ordered by Mr Timson MP, then Minister, and was conducted by Prof. Lenehan. That report clearly and unequivocally supports educational residential provision.

Officers response

The Dame Lehenan review refers more particularly to children requiring full time residential special school/care provisions rather than the activities of schools such as Maplewell Hall. It does not support residential provision for those children that do not require this and makes clear that many of the children and young people currently placed in residential special schools and colleges could be educated in their local communities if better support were available.

PO Comment

Maplewell Hall school is being inspected by Ofsted and hopes to yet again be judged outstanding.

Officers response

The residential provision has been inspected again by Ofsted earlier this week. The results have not yet been announced. However it is the view of the headteacher that the inspection has progressed well.

PO Comment

Every Child matters. A good quality education is the right of every child, it only comes once in a lifetime, and due weight should be given to those with learning difficulties whatever their disadvantage.

Officers response

This is accepted. The Council has carefully considered the potential impact of the proposal on pupils who attend the school as will Cabinet in considering the proposal.

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