

Report for: 6 February 2024

Title: Haringey Safety Valve Programme: SEND Resource Provision

Report authorised by: Ann Graham, Director: Childrens Services

Lead Officer: Caroline Brain, Assistant Director: CYP Commissioning & Programmes, Jackie Difolco, Assistant Director: Early Help, Prevention and SEND

Ward(s) affected: All

Report for Key Decision:

1. Describe the issue under consideration.

1.1 Haringey Children Service's Team have secured £7m of DfE Capital funding alongside £5.4m from the High Needs Capital grant funding and local authority contributions, to develop education provision for children and young people with special education needs and disabilities (SEND) as part of the Safety Valve Programme. This paper focuses on the capital proposals for the Safety Valve programme which were approved in principle by cabinet - refer to background paper (Safety Valve Programme Cabinet Paper 13th of September 2022).

1.2 This paper is seeking cabinet approval for the creation of six separate resource provisions to create **118** additional school age, and post 16 education places in borough for children and young people with SEND, with social emotional and mental health (SEMH), autism spectrum condition (ASC), and severe learning difficulties. These provisions will be delivered within the Safety Valve Programme funding envelope of **£12.4m**.

1.3 Two of the six provisions, Earlsmead Primary School and Riverside Secondary School have already been submitted for directors' approval under delegated authority but will remain in this report for transparency purposes. These two schemes will also feature in the exempt appendix which contains indicative costings and programme fees for all six schemes outlined in section 3.

1.4 Each provision will require a service level agreement between the local authority (lead) and the education setting where the provision is being established. This will set out the terms of and conditions of the funding arrangements for pupil placements and that the sole use of the provision is for those children identified through Haringey's SEND panel.

2. Cabinet Member Introduction

2.1 The DfE have asked Haringey to apply to become part of the 2022/23 Safety Valve Programme which is designed to assist local authorities in reducing overspends in their High Needs Block expenditure – the central government funding provided for

SEND. Currently Haringey is predicted to have a significant overspend in SEND by 2027/28, which, if left unchecked, could seriously undermine council finances. The government offer, whereby historic deficits could be eliminated, is predicated on LBH developing a series of detailed plans for systemic change, and service transformation.

2.2 This is a challenge for the Service, and one which I believe we can meet as we are already engaged on that change process of wider strategic transformation of SEND Services in Haringey. This process, underpinned currently by our Written Statement of Action is underway, in partnership with our key stakeholders in our schools, the wider education, health and care sectors, children, young people, and their families.

2.3 These capital projects provide a vital springboard for systemic changes and service transformation which is hugely welcome. The new facilities will promote bespoke provision for children with SEND close to home and contribute to more extensive and longer-term change whereby SEND resources will be prioritised for early intervention, and support; and where changes as to how and where SEND services are provided are linked to our wider education strategy.

3. Recommendations

3.1 For cabinet to approve the creation of six new SEND resource provisions (see table one below), as agreed in the original cabinet paper for the bid to the Department for Education (DfE). These form the main part of the capital projects within Haringey’s Safety Valve Programme, each provision will be delivered within the financial funding envelope of **£12.4m**.

Table One: Resource Provisions to be Approved.

Provision	Number of places	Start date for pupils (phasing)	End date for places to be filled
Primary SEMH Alexandra Primary School	10	Sept – 2025	Sept – 26/27
Primary Autism School (A) Earlsmead School	15	Sept – 2025	Sept – 27/28
Secondary and Post 16 Autism Fortismere Secondary School	34	Sept – 2025	Sept – 27/28
Secondary and post 16 SEMH Park View Secondary school	34	Sept – 2025	Sept – 27/28
Severe Learning Difficulties The Brook Primary Special School	10	Sept – 2025	Sept – 26/27
Secondary and Post 16 Complex Needs Placements Riverside School	15	Sept – 2025	Sept – 26/27
Number of placements	118		

For further background information please refer to the Safety Valve Paper submitted to cabinet in in September 2022 (see Appendix C).

3.3 Alternative options considered.

3.4 Do Nothing – This option was discounted, the cumulative DSG deficit as of 31st March 2023, was **£23.83m**, is continuing to increase and is unsustainable. If unmitigated, this is predicted to increase to **£77.6m** by 2027/28.

4. Background information

4.1 Haringey Council became part of the (DfE) Safety Valve Programme in March 2023. Haringey has agreed a Safety Valve deal until 2027-2028, with 18 projects, across three workstreams (demand management, commissioning, culture, governance, and leadership).

4.6 The Safety Valve programme identifies three key workstreams. This report focuses on the capital developments within Workstream B (Capital and Commissioning) and delivery of education support for children with education, health, and care plans.

4.2 Each of the provisions described above are in alignment with the plans submitted to the Safety Valve Programme. They will contribute to Haringey's proposals to make in excess of £50m of savings over 5 years. In total, these schemes will contribute savings of £9.3m between September 2025 and the end of the financial year end 2027/2028 and deliver a balanced budget thereafter (background paper).

5. Report

Key Programme developments

5.1 In February 2023 Children's Services created an open and transparent expression of interest process, inviting applications both primary and secondary schools across the borough to place bids for the capital investment allocated as part of the Safety Valve Programme to run SEND resource provisions.

5.2 To ensure this ran smoothly a period of intensive stakeholder engagement took place, including workshops and drop-in surgeries throughout March 2023, inviting schools to engage, challenge and request further information on the project. Once completed the application process was opened and safety valve engagement documents were shared to assist in the bid writing process for those schools that wished to apply.

5.3 By the end of March 2023, the project team received several expressions of interest (EOI) from both primary and secondary schools. The project team then mobilised a moderation group comprising of independent representatives from our local Integrated Care Board, parent, and carer representatives from SENDPower, and colleagues from Haringey's Capital Projects and Property team. The team then assessed each application with the below scoring criteria:

- a) school Ofsted rating being either Good or above.
- b) local infrastructure and School Transport parking arrangements
- c) the school's vision to provide SEND services.
- d) vision for its joint development of a SEND based curriculum with Haringey Education Partnership.
- e) financial profiling and sustainability of placements.
- f) staffing structure and teacher to student ratio.
- g) school inclusivity.

5.4 Following the moderation, the team selected the most appropriate schools based upon the needs of children in the borough, the ability to deliver a high-quality curriculum and each school's financial sustainability proforma being assessed.

5.5 Once assessed the project team visited each of the school sites to assess their viability, space allocation in accordance with SEND guidance as set out by the DfE. The team also gained the input from an independent architectural specialist to review that each site was deemed suitable for the programme, and where necessary, obtaining pre- desktop feasibility assessments. However, the risk remains that any given school may decide to remove itself from the scheme.

5.6 To ensure that schools remain updated and aware of the direction of travel for the project, the Programme and Commissioning Team, Capital Projects Property Team, and Finance Team, have all worked across departmental barriers with a collaborative approach on the preparation for each of the schemes. During the school selection process, the team began creating and implementing the necessary programme structures to ensure the successful delivery of the capital element of the Safety Valve Programme which included setting up project documentation, governance, and accountability processes.

5.7 There is an overall Capital Board for all Children's Capital Programmes chaired by the Director of Children's Services, with a subgroup responsible for implementing the Safety Valve Capital Projects, chaired by the Assistant Director for Early Help, Prevention and SEND who is the Programme Sponsor for the Safety Valve Programme.

5.8 As the programme continues to develop the team are working to set up specific sub-groups for each SEND provision. These subgroups will consist of multidisciplinary teams, with educational support, workforce development and an emphasis on strengthening the SEND curriculum, as well as keeping key stakeholders aware of the progress against each of the capital builds which will be tailored to each respective provision.

5.9 Another component of each workstream will be for Haringey's Commissioning Team to lead on the drafting and implementation of a service level agreement/contract between local authority (lead) and each of the schools outlining the required performance standards and responsibilities expected, for a time bound period to protect the council's investment.

5.10 Placements for each provision will be matched dependent upon the student's ECHP plan and a profile matching process to ensure that each placement provides

excellent outcomes for the students. This placements will be channelled through the SEND panel which is currently set up and overseen by the Head of SEND. This comprises a multidisciplinary team from a range of system partners. Progress on each of the schemes to date can be found in the Safety Valve Monthly Programme Update in appendix C: Safety Valve Programme Update.

6. Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes

6.1 The objectives of the Safety Valve programme are aligned with the priorities within Haringey's Corporate Delivery Plan 2023-2024' specifically:

Theme 3: Children and young people

- o Outcome 1: Best Start in Life – The first few years of every child's life will give them the long-term foundation to thrive.
- o Outcome 2 Happy Childhoods - All children across the borough will be happy and healthy as they grow up, feeling safe and secure in their family networks and communities.
- o Outcome 3 Successful Futures - Every young person, whatever their background, has a pathway to success for the future.

6.2 This work contributes to Haringey's SEND Strategy 2022- 2025, which contains 5 priorities, of which Priority One and Priority Two respectively, identifies the need to support children at the earliest opportunity to access the intervention they need to achieve and thrive and 'Wherever possible, we will meet the needs of Haringey's children within Haringey'. This also links to priority two within Haringey Early Years Strategy 2022 - 2026: Every child should be able to have access to the high-quality inclusive provision that is tailored to their needs'.

7. Carbon and Climate Change

7.1 The Council has set the date for a zero-carbon deadline of 2027, including core council operational buildings and all transport-related activities undertaken by the Council in the delivery of core services. The rest of the buildings from which the Council delivers services and is directly responsible for the energy bills (such as schools) will be net zero carbon as soon as it is possible the same will also apply to the resource provisions outlined in this cabinet report.

7.2 The council will continue to aim to reduce its overall energy consumption and will monitor its environmental performance, with attempt to reduce revenue spend on energy. Key partners which are required to deliver this vision include providers of currently outsourced services and other members of the council's external supply chain.

8. Statutory Officers comments (Director of Finance (procurement), Head of Legal and Governance, Equalities)

Finance

8.1 The recommendation of the report is to develop new SEND provision within 6 schools as set out in section three, creating 118 new places for children with SEND. The creation of each unit will have varying capital costs as indicated in the exempt report. The exempt report also itemises other costs associated with the delivery of capital schemes such as project management fees, surveys etc. It is currently anticipated that the construction costs plus the other costs associated with delivery will be contained within the overall budget allocation of £12.4m within the approved General Fund capital programme. Currently the budget profile is as set out below:

		2023/24 Budget	2024/25 Budget	2025/26 Budget	Total
SCHEME REF	SCHEME NAME	£,000	£,000	£,000	£,000
125	Safety Valve	500	8,661	3,250	12,411

Procurement

8.2 Strategic Procurement has been consulted in the preparation of this report, and will support commissioning teams with the procurement of suitable economic operators to deliver the capital build projects to increase SEND provision as outlined in section 3 above as set out in recommendations, in accordance with the Public Contract Regulations and Contract Standing Orders

Head of Legal & Governance

8.3 The Head of Legal and Governance (Monitoring Officer) has been consulted in drafting the report. Pursuant to Contract Standing Order 9.07.1(d) Cabinet has the power to approve the recommendations in the report. The Head of Legal and Governance (Monitoring Officer) sees no legal reasons preventing Cabinet from approving the recommendations in the report.

Equality

8.4 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act,
- advance equality of opportunity between people who share protected characteristics and people who do not,
- foster good relations between people who share those characteristics and people do not.

8.5 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex, and sexual orientation. The first part of the duty applies to marriage and civil partnership status only. Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

8.6 The proposed decision to approve the development of six educational resource provisions will affect:

- a) all children and young people with SEND
- b) schools and early years settings in Haringey

8.7 Accordingly, these provisions will positively affect the following groups who have protected characteristics: children and young people and children and young people with SEND. The data show that boys and those from Black African, British, or Caribbean backgrounds are overrepresented in the SEND population. Additionally, there is a higher proportion of children with EHCPs in areas with high levels of deprivation.

8.8 The objective of the proposed decision is to improve the Council's policies and processes in relation to the provision of education for children with SEND within the borough.

8.9 This will lead to better access, early intervention and support for children, young people with special education needs and disabilities – including those with protected characteristics who are overrepresented in the SEND population – helping address issues raised in relation to inequity of education provision across the Borough. The provisions will provide a new operating model where children will be in mainstream schools supported by a bespoke curriculum as and where needed tailored to their SEND needs. The provision also provides children with additional access to therapy rooms and sensory rooms with areas built fit for purpose locally. The pupils will be taught where their peers which will remove the stigma of out of borough placements in specialist schools.

8.10 The Council will take steps to collect demographic data on service users to identify any inequalities in service provision that may arise and to inform future equalities analysis.

8.11 The Equality Impact Assessment is provided in Appendix A of this report, outlining more information on equalities impacts.

9. Use of Appendices

Appendix A: Contains the Equality Impact Assessment

Appendix B: Exempt Information

Appendix C: [Safety Valve Programme Cabinet Paper 13th of September 2022](#)

Further supplementary information regarding the Safety Valve Programme Update can be viewed on the council's website. A hyperlink is provided here to the web page -> [here](#).