



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

Wednesday, 10 July 2024

Report of the Executive Director - Children's Services

**Children's Services SEND Capital Budget (High Needs Provision Capital)
Allocations**

1. Divisions Affected

1.1 Alfreton and Somercotes, Langwith, Erewash, Chesterfield West and Amber Valley.

2. Key Decision

2.1 This is key decision because it will result in the Council incurring expenditure totalling **£4,838,000** and affects communities living or working in an area comprising two or more divisions/county electoral areas.

3. Purpose

3.1 To seek approval for allocations from the Children's Services SEND Capital allocation for projects at Swanwick School and Sports College, Stubbin Wood Nursery Block, Brackenfield SEND School, Ashgate Croft School, Alfreton Park School and Stanton Vale School.

4. Information and Analysis

4.1 In 2017, the Department for Education (DfE) allocated a £215m fund from 2018 – 2021 to support local authorities to invest in provision for

children and young people with special educational needs and disabilities (SEND) between birth and 25 years, to improve the quality and range of provision available to families within the local authority. Further investments of £50m in May 2018 and £100m in December 2018 were made, totalling £365m.

The receipt of £1,750,202 for Derbyshire's share of the funding was included in the Executive Director's report of 25 February 2020 and also advised of a future allocation of £427,606 which would bring the total allocation to £2,177,809. The report approved the allocation of funding for three small projects totalling £43,278 leaving a remaining balance was £2,134,531.

On 25 March 2021, the DfE Allocation of £2,489,980 was received into the budget leaving a remaining balance of £4,624,511.

On 29 June 2021 the Executive Director for Children's Services approved under delegated powers an allocation of £250,000 from the 2018-21 SEND capital budget for adaptations to the existing buildings to provide 2 additional places at Holbrook School for Autism, leaving a remaining balance of £4,374,511

On 23 February 2023, Cabinet approved £625,000 to Swanwick School and Sports College for a 1 classroom modular building, designed to allow for further expansion. In addition, Cabinet approved £855,000 for a 3 phased project to include internal re-modelling, modular classroom and pod at Pilsley Primary School (Chesterfield), leaving a remaining balance (after DfE further allocations of £6,233,592.02 in 22-23 and £3,945,944.27 and £2,902,881.49 in 23-24) of £15,976,929.

On 30 April 2024, The Head of Service approved £42,433 additional funding through Delegated Powers to Pilsley Primary School (Chesterfield) for completion of the above project, leaving a remaining balance (after DfE further allocations of £10,339,720) of £26,274,216

The further allocations received from the Department for Education are detailed below.

2022-23 allocation announced March 2022 - £ 6,233,592

2023-24 allocation announced March 2022 - £ 6,848,826

2023-24 allocation announced March 2023 - £10,339,720

The current unallocated balance of the SEND capital budget is **£26,274,216.**

- 4.2 Swanwick School and Sports College – modular classroom. Following the SEND sufficiency survey, it was established that there was a need to expand the project from a 1 classroom modular to a 4 classroom modular to accommodate additional places at the College. It will be necessary to negotiate a small amendment to the academy lease to the adjoining Swanwick Hall School as there is a small encroachment onto their site. The scheme has been re-costed at £2.225m. Approval is sought for a further **£1,600,000** to complete this project.

Stubbin Wood – This will be a school self-managed project to increase provision to accommodate 15 additional pupils from September 2024. The project will aim to provide permanent accommodation and suitable outside space to increase special school provision for pupils with SEND in which specialist provision is named, on a site that has been identified in partnership with TEAM Education Trust. The site belongs to Derbyshire County Council and was formally Stubbin Wood site prior to the new building on the Common Lane site. The new provision will be situated on the Burlington Avenue site with the school's current nursery. The site has the capacity to be utilised for such a development. The Local Authority will commit to support with the capital expenditure to a maximum of **£270,000**, including all professional and legal fees.

Brackenfield SEND School – Approval is sought for **£200,000** for additional classroom spaces for 15 children from September 2024. The project will aim to provide accommodation and suitable space to increase special school provision for pupils with SEND in which specialist provision is named.

Ashgate Croft School – Approval is sought for **£848,000** to provide a 4 classroom modular building as part of an SEN project. The modular building will enable additional space in which to accommodate Specialist Provision places for children with SEN, identified through the SEND sufficiency survey.

Alfreton Park School – Approval is sought for **£1,600,000** to provide a 3 classroom modular building and a 1 classroom and vocational learning space in which to accommodate 10 additional pupils by September 2024, increasing to 45 additional places by September 2025. This increase in pupil places has been identified through the SEND sufficiency survey.

Stanton Vale School – Approval is sought for **£320,000** to create additional places identified through the SEND sufficiency survey. The

allocation will enable a newly refurbished wing, creating 22 additional places by September 2024, increasing to 35 places by September 2025.

- 4.3 If the allocations set out above are approved the unallocated balance of the Children's Services SEND Capital budget will be as detailed in the Appendix 1 – Financial Implications, and have a remaining balance of **£21,436,216**.
- 4.4 On 21st May 2024, Derbyshire County Council announced their intention to allocate around £9,700,000 from the SEND Capital budget to invest in provision for children and young people with special educational needs and disabilities (SEND). Derbyshire County Council continue their work to identify need within mainstream schools, ensuring funding is allocated effectively and efficiently. This Cabinet Paper includes initial allocations, and further allocations will be included in subsequent Cabinet papers.

5. Consultation

Schools were consulted as part of the SEND sufficiency survey.

6. Alternative Options Considered

- 6.1 The SEND Capital budget is an allocation of capital from the DfE. This capital grant is to deliver new places and improve existing provision for children and young people with SEND, particularly those with more complex needs, and for those pupils that require alternative provision, which is collectively referred to as 'high needs' provision.

The grant must be spent in accordance with the terms of the grant to support the Council in its duty to ensure there are sufficient places and improve existing provision in the County children and young people with SEND and cannot be used for any alternative purposes. The proposed schemes have been identified as areas of need from a review of SEND provision within the County.

7. Implications

- 7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

8. Background Papers

- 8.1 These are held in the Children's Services Development Section.

9. Appendices

9.1 Appendix 1 – Implications

10. Recommendation(s)

That Cabinet:

- a) Notes the allocation and receipt of further funding from the DfE as detailed in 4.1.
- b) Approves the allocation of £1,600,000 from the SEND capital budget 2018-21& 2021-22 for the project at Swanwick School and Sports College.
- c) Approves the allocation of £270,000 from the SEND capital budget 2021-22 for a project at Stubbin Wood School and Nursery.
- d) Approves the allocation of £200,000 from SEND capital budget 2021-22 for a project at Brackenfield SEND School.
- e) Approves the allocation of £848,000 from SEND capital budget 2021-22 & 2022-23 for a project at Ashgate Croft School.
- f) Approves the allocation of £1,600,000 from SEND capital budget 2022-23 for a project at Alfreton Park School.
- g) Approves the allocation of £320,000 from SEND capital budget 2022-23 for a project at Stanton Vale School.

11. Reasons for Recommendation(s)

- 11.1 To ensure the Council meets its duty to ensure there are sufficient places and improve existing provision in the County for children and young people with SEND, particularly those with more complex needs, and for those pupils that require alternative provision.

12. Is it necessary to waive the call in period?

- 12.1 No

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Appendix 1

Implications

Financial

- 1.1 The financial considerations are as explained in section 2 of the report.
- 1.2 The present unallocated balance of the Children's Services SEND Capital budget is as set out in the table below (Opening Balance). The table also confirms allocations in this report and the remaining unallocated balance of the Children's Services SEND Capital Budget.

Year	Opening Balance £	Allocations in this Report	Balance £
2018-21	362,098	362,098	0.00
2021-22	2,489,980	2,489,980	0.00
2022-23	6,233,592	1,985,922	4,247,670
2023-24	6,848,826		6,848,826
2023-24	10,339,720		10,339,720
Total	26,274,216	4,838,000	21,436,216

The total of allocated funds to date (including allocations requested in this report) from the Children's Services SEND capital budget will be **£6,653,711**.

- 1.3 All goods, works and services required to undertake the identified projects in the report will be procured and awarded in accordance with the Council's Financial Regulations. In-line with the Council's Financial Regulations this report also seeks approval from Cabinet to obtain permission to commence the procurement process. The projects will be considered as included within the Council's Forward Procurement Plan and any subsequent contract award will be in accordance with the Council's Departmental Scheme of Delegation. It should be noted that these procurement exercises will normally take the form of a competitive tender process, but should it be

decided that using a Framework is the best option, a separate report will be submitted seeking approval for this.

Legal

2.1 The Education Act 1996 sets out the statutory duty on local authorities to secure sufficient school places, which they must do with regard to securing special educational provision for pupils with SEND. The Children and Families Act 2014 also places important responsibilities on local authorities (LAs) for supporting children and young people with SEND, including keeping the sufficiency of educational provision for them under review.

2.2

Human Resources

3.1 None

Information Technology

4.1 None

Equalities Impact

5.1 The proposed schemes will provide specialist provision for pupils with SEND appropriate to meet their needs in accordance with the SEND Code of Practice

Corporate objectives and priorities for change

6.1 Not applicable

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 Not applicable