



Officer Delegated Decision Report

DECISION UNDER DELEGATED POWERS

DECISION CANNOT BE TAKEN BEFORE 30 MARCH 2023

Title **ISLAND LEARNING CENTRE (ILC) – CHANGE OF AGE RANGE FROM 5-16 TO 11-16**

Report of **DIRECTOR OF CHILDREN’S SERVICES**

EXECUTIVE SUMMARY

1. This paper reports on the outcome of the public consultation and seeks approval to change the age-range at the Island Learning Centre (ILC) from 5-16 to 11-16, removing the current primary provision from midnight on 31 August 2023. This is a consequence of the proposed introduction of a new Primary Behaviour Service (PBS) from 1 September 2023.
2. It is proposed that the primary provision be removed from ILC and replaced by an Island based extension of Hampshire’s Primary Behaviour Service (PBS). This is an established service with a successful track record in short-term intervention, reductions in exclusion/suspension rates and good impact of work to improve policy and practice, at both individual pupil and whole school level. Its annual survey consistently shows overwhelmingly positive impact and responses from schools. Some primary schools on the Island have been purchasing PBS support ad hoc and have also benefited from input by PBS funded through the Well-being for Education Return/Recovery grant. Again, feedback has been very positive, and a number of primary schools have expressed an interest in a PBS model for Island schools.
3. In Hampshire, PBS has six physical centres geographically distributed, each offering two days of in-reach at a centre and 3 days of outreach in schools. This blend of provision works well, ensuring contact is maintained with the school, which also then retains ownership of and responsibility for the pupil. Outreach work supports both the pupil and classroom practitioners and can also be used to support the development of policy and practice at a whole school level. In general, PBS works at an early intervention level, providing support to schools, children and families; for example, consultations with individual parents and also running parenting workshops. It is this model that is being proposed for the Island.

4. An addition to the traditional PBS delivery model is the Well-being Service, introduced just over two years ago, commissioned and funded through the NHS. This service is already available to IoW as well as Hampshire, through referrals by Health colleagues. It has made PBS more well-known on the IoW and with that has come an increased appetite for a similar model and practice from some schools. Additionally, Well-being for Education Return/Recovery (WfER) funding has been used in part on IoW to facilitate PBS workshops and delivery of the Six Strands Curriculum (based on meeting SEMH needs at an early intervention stage). This has been well received.
5. PBS is not registered as a school and cannot therefore accommodate children for more than 18 hours per week as a maximum. This plays well to the blended model of short-term in-reach/outreach. Where a pupil has been permanently excluded, the local authority has responsibility to provide education from the sixth day following exclusion. In these rare instances, PBS would accommodate the pupil two days per week, with a blend of other alternative provision and/or home tutoring organised by EIS fulfilling the other three days, as is the case in Hampshire. A new school place in a different school would be expected to be sourced by EIS within six weeks of the permanent exclusion, with PBS supporting the integration. Medical/emotionally vulnerable referrals would be the responsibility of EIS, again as is the case with the Inclusion Support Service (ISS) in Hampshire, working closely with PBS.

RECOMMENDATION

6. That the Director of Children's Services, in consultation with the Cabinet Member for Children's Services, Education and Lifelong Skills, be granted full executive powers in respect of considering the outcome of the public consultation *on* changing the age-range at the Island Learning Centre (ILC) from 5-16 to 11-16, removing the current primary provision from midnight on 31 August 2023 (effective 1 September 2023) and full executive powers in respect of making a decision on whether or not to make such changes, including any incidental matters concerning this.

BACKGROUND

7. The ILC has long been a pupil referral unit (also known locally as an education centre) offering alternative provision for pupils of both primary and secondary age. Its core purpose historically has been to accommodate pupils who have been permanently excluded (PEX) and who are too medically unwell or emotionally vulnerable (EV) to attend mainstream schools, thus enabling the local authority to discharge its statutory functions through the ILC's provision. Additionally, the ILC offers in-reach and outreach provision for pupils at risk of exclusion. The ILC should be viewed as an intervention which facilitates a successful return to mainstream education; wherever possible and in the best interests of the pupil, it should not be a long-term destination or indeed a permanent placement. Single rolling other than for a permanently excluded pupil should be rare; even then, the ambition would be that a permanently excluded pupil should also return to mainstream.

8. The ILC is an important part of the wider system on the IoW, to support those pupils who are experiencing vulnerability and/or whose behaviour is unproductive and who therefore would benefit from short-term, specialist intervention.
9. The demand for primary outreach provision has increased over recent years and is now exceeding the capacity of the ILC, further compounded almost certainly by the impact of Covid-19 on lost learning, emotional well-being and schools struggling to help pupils re-gain good 'behaviour for learning' habits. Being unable to access outreach at an early intervention/prevention stage is adding to schools' growing practice to escalate earlier than might need to be the case, contributing to exclusions/suspensions, requests for in-reach provision at ILC and requests for Education, Health and Care (EHC) needs assessments.
10. The ILC has an agreed place number of 60, of which 10 are allocated to the primary provision. This number has been exceeded as there are currently 20 children on roll within primary and 73 on roll within secondary. Whilst the ILC has this number of children on roll, the full-time equivalent is closer to 83.
11. Support for primary-aged children experiencing behavioural challenges and those with medical/emotional needs which are preventing them from accessing mainstream education on the Isle of Wight currently sits within the remit of the ILC. The local authority aspires to reduce the proportion of primary-aged children experiencing exclusions/suspensions and build capacity across the system to better meet their needs at an earlier stage. This would also enable the ILC to focus on secondary provision.
12. There is a need to further strengthen capacity across the school system on the IoW to better meet social, emotional, and mental health needs, manage behaviour positively and reduce exclusion/suspension levels. Early intervention and prevention work is a key part of this, and also has a positive impact where successful on preventing unnecessary escalation, for example a request for Education Health and Care assessment. Part of early intervention is a strong outreach offer for schools and whilst the ILC does have some capacity – and funding – for this currently, it is not sufficient to meet demand in primary and to deliver a cohesive, dedicated programme of outreach.

STRATEGIC CONTEXT

13. The recommendation in this report directly links to the Corporate Plan 2021-25 priority which is to work with local communities to maintain and ensure appropriate local school provision. In addition to this it supports the commitment that through ongoing business of the council we will work with and challenge schools performance to ensure that all are good or outstanding.

Responding to climate change and enhancing the biosphere

14. It is intended that through the introduction of the PBS service to the Island it will see a decrease on transporting children across the Island. This is due to children receiving outreach support within their identified school for part of

their week, rather than a full-time placement that is currently offered to several children on role at the ILC.

The PBS Service will where possible promote active travel which will support the reduction of emissions created from transporting children to the centre by car.

Subject to the availability of funding heat decarbonisation plans will be commissioned in the near future for all Local Authority owned school buildings which supports the IWCs target to be carbon neutral by 2035.

Impact on Young People and Future Generations

15. The intention, as outlined above, would be to secure a stronger, more consistent early intervention model, reducing suspensions and exclusions, building capacity to meet need more effectively in mainstream and lessening demand for EHCP and autism assessments.

Corporate Aims

16. As set out within the corporate plan this report demonstrates the council's commitment to work with local communities to maintain and ensure appropriate local school provision, providing the best possible outcomes for children on the Island.

HUMAN RESOURCES IMPLICATIONS

17. The removal of primary provision in the ILC will likely lead to the need for a re-structure of its staff team, as there is potential for not all staff to have the skillset required to work with the secondary phase, alongside some possible reductions needed due to potential lower numbers.
18. PBS would need to recruit additional staff to deliver a service on the IoW, with those staff then being the responsibility and in the employment of Hampshire County Council. If approved these new posts will be advertised on the IWC job advert section, and the ILC staff at risk of redundancy will be encouraged to apply.
19. HR have confirmed that TUPE would not apply as PBS is a different provision to the ILC.

CONSULTATION

20. No formal process is required to change the age range of a pupil referral unit (PRU), therefore a non-statutory consultation process has been undertaken for six weeks between 13th January and 24th February 2023.
21. The Public Notice was published on the 13th January 2023 and the consultation period closed on the 24th February 2023. The notice was published on the iwight.com and information was shared by the ILC to all parents/carers.

22. The consultation also appeared in the County Press on Friday 13th January to allow other stakeholders to comment on the proposal.
23. A public meeting was held at the school on the January 2023 and 15 people attended. A separate meeting on this date was held with ILC staff.
24. Governors of the ILC have been consulted and are supportive of the expansion.
25. Consultation documentation was shared with all schools, local parish council, all IWC Members, and the local member.
26. A total of 15 individual responses were received by midnight on 24 March 2023, with an additional one received after this date. These can be summarised as follows:

	Number of responses
Concerns around the implementation timeframe (Sept 23) and the implications of this	3
Supportive that bringing pupils with complex behaviour needs into one setting is not appropriate.	1
Concerns that the Island's only in-reach centre will be closed and travel to the mainland will be required	1
Shortage of SEND places and this proposal could add to this.	1
The children placed in the ILC are not emotionally equipped to cope within a mainstream school, particularly around the safety aspect.	2
Mainstream Schools cannot cope with behavioural needs	1
Recruitment/retention of staff concerns	2
The proposal will lead to unsuitable support and increased number of exclusions for children	5
Concerns raised around the lack of detail on how the PBS model will operate on the Island, where it will be	4

located and how many children it will accommodate	
Concerns raised around the transition period for the children currently on role at the ILC and for children in mainstream requiring outreach support	6
The ILC premises are inappropriate for Secondary aged children.	3
How will the lack therapeutic services on the Island be addressed as part of this process to ensure schools have access to quality support during the three days the children will be in school.	3

27. Set out in Appendix 1 are the Council's response to the key points listed above.
28. A representation was made from the Isle of Wight Head Teacher Executive Committee and this is reflected in the responses outlined above.

FINANCIAL / BUDGET IMPLICATIONS

29. The ILC currently has an agreed pupil number of 60. It has, however, gone over number with local authority agreement in recent years, due to demand. In Autumn term over-occupancy took the total FTE to 83 pupils.
30. Funding for the ILC is £10,000 per place (currently £10,000 x 60 places = £600,000) as a baseline, plus top up £8,655 (2023/24 rate) for each pupil (FTE) who takes a place. For example, if the ILC has 55 pupils, it will be funded the £600,000 baseline plus a further £8,655 x 55 = £476,025.
31. The cost to the high needs block of the PBS model is likely to be in the region of £541,000.
32. One way of meeting the cost of the proposed model at least in part is to reduce the number of places at ILC in light of the removal of primary provision. If the proposal to remove the primary provision, which accounts for approximately 20 places, is approved this would result in a loss of funding for the ILC of £373,100. This could be used to offset the cost to the high needs block of the PBS model; however, there would remain an additional high needs block burden of approximately £167,900.
33. Since this proposal was first considered, the Government Green Paper has been published. This suggests greater stability of funding model for alternative provisions including PRUs which may or may not benefit the ILC.

34. Also, since this proposal was first considered, the Island has become part of the Safety Valve programme aimed at sustained reduction in high needs expenditure long-term and this proposal forms part of the Safety Valve agreement. The long-term gains, including financial, of stronger early intervention and the potential prevention of unnecessary escalation to an EHCP, or escalation into a more expensive placement for those children already in receipt of an EHCP needs to be factored into decision-making and may offset any additional costs.
35. There may be financial implications in respect of redundancies at ILC, dependent on the nature, scope and outcomes of any re-structure, however these payments would not be a reoccurring cost and would be on a one of basis.
36. It is estimated that £0.5m of capital funding will be required to support the proposal. Under the Safety Valve programme, the IWC has submitted a capital bid to the DfE for this project and the outcome is not yet known. In the unlikely event that funding is not allocated the High Needs Provision Capital allocation or Schools Condition Allocation budgets may be required.
37. The increase in funding being proposed is £167,900. The additional funding will come from the High Needs Block via the Dedicated School Grant (DSG). The cost of the proposal has been budgeted for from 2024/25 financial year.

LEGAL IMPLICATIONS

38. Formal guidance for making prescribed changes to schools does not apply to pupil referral units. On this basis, the non-statutory process has been followed as with any other alteration that is not prescribed. These changes require a period of at least four weeks formal consultation after the publication of a statutory proposal/notice before a decision can be made. These processes have been complied with.
39. As with community schools the local authority will remain the employer of staff in pupil referral units and will continue to be responsible for agreeing pay and conditions. The management committee will, however, have responsibility for making decisions about appointing, managing, appraising, suspending, or dismissing members of staff. In carrying out the duties with regard to this, management committees must adhere to the relevant sections of the School Staffing Regulations.

EQUALITY AND DIVERSITY

40. Consideration must be given as to whether there are any sex, race or disability discrimination issues that arise from the changes being proposed.
41. The policies of the Council in relation to equal opportunities and eliminating discrimination will continue to apply should a change be approved.
42. Council officers will work closely with the headteacher and governing body to assess any support that might be required by students and their families /

carers should the proposed changes be approved. As the ILC is only ever intended as a short term provision this work is business as usual, however it is acknowledged that individual Children's needs will need to be assessed and considered.

PROPERTY IMPLICATIONS

43. Barton Primary School, Newport, IOW has been identified as a suitable site to host the in-reach support provision as it is centrally located on the Island and has a number of support services already located on the site. The Headteacher and Governing Body have been consulted and are in support of this proposal.
44. Modular accommodation will be required to provide additional capacity on the site. If this proposal is given approval to proceed detailed work will be undertaken to ensure the accommodation is available for September 2023.

OPTIONS

45. The options that the Council have considered prior to deciding on its preferred option are:

46. OPTION A

To not change the age-range at the Island Learning Centre (ILC) from 5-16 to 11-16, meaning status quo remains.

OPTION B

To delay the removal of the primary provision at the ILC to January 2024 to allow further time to establish PBS.

OPTION C

To approve the proposed change of age-range at the Island Learning Centre (ILC) from 5-16 to 11-16, therefore removing the current primary provision from 1st September 2023.

47. Following a review of the consultation feedback and facts contained within this report a decision has been requested to approve Option C.

RISK MANAGEMENT

48. The main positive implications are in essence a reversal of the issues which led to this proposal: a more appropriate, blended and short-term approach; stronger and more consistent early intervention; greater focus on meeting SEMH need and managing behaviour through a cohesive, local authority-led approach; use of existing expertise with a track record of high-quality provision; the benefits of scale in relation to service delivery; and building capacity across the system, such that schools have greater responsibility and ownership of the issues and are better equipped to address them internally.

49. The leadership and management committee of the ILC is in support of the proposal, in order that attention can be focused on one age phase and that demand can be better met. The current ILC staffing structure comes at significant cost as it has two dedicated sets of staff for different age phases, which the management committee believes is contributing to a budget deficit.
50. As detailed within the summary of the consultation responses some schools have raised concerns around the removal of the opportunity to place their pupils exhibiting challenging behaviour in another setting, coupled with a loyalty to ILC as an Island specific provision. This is partially offset by growing support on the Island for PBS. It has been identified that further work is required with some primary headteachers and governing bodies to reassure them, and gain further support for how the model will operate if implemented.
51. The greatest challenge with the proposal is the funding, both for the new model and potentially for the ILC which already has budget challenges. This is explored in more detail in the finance section below.

EVALUATION

52. The recommendation within this report is to approve the proposed change of age-range at the Island Learning Centre (ILC) from 5-16 to 11-16, therefore removing the current primary provision from 1st September 2023. It has considered many different factors and fully considered all the feedback received during the consultation period. The recommendation will ensure a more comprehensive approach to early, short-term intervention to support the well-being and behavioural needs of primary-aged children on the Island.

APPENDICES ATTACHED

53. Appendix 1 – Response to Consultation.

Contact Point: Richard Vaughan, Strategic Manager, ☎ 821000 e-mail richard.vaughan@hants.gov.uk