



Tier 2 Provision for Vulnerable Children Capital Works (Kingsland)

Portfolio Holder: Councillor Mohon Ali, (Cabinet Member for Education and Skills)

Officer Contact: Paul Tinsley (Director of Education, Early Years and Skills)

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Paula Green (Head of SEND and Inclusion)

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Reason for Decision

There is a requirement for further educational provision and services to meet the needs of highly vulnerable children and young people across Oldham, who experience significant difficulty in accessing mainstream education without specialist support, and therefore, have substantially poorer outcomes in comparison to those less vulnerable. Their difficulties in accessing mainstream education are a direct result of their challenging lives and Special Educational Needs and/ or Disabilities (SEND), with their primary areas of need often being Social, Emotional and Mental Health (SEMH) and Communication and Interaction (including speech and language difficulties).

Along with the clear moral, ethical and social imperative for better supporting our most vulnerable children and young people, the Department for Education (DfE) have published the SEND & Alternative Provision (AP) Improvement Plan: *Right Support, Right Place, Right Time* (2023) that specifies tiers of provision that should be in place in Local Authorities nationally. There is a requirement to ensure that all of the tiers of provision and support suggested by the DfE that are needed within Oldham are available.

Project Outlines and Recommendations

In line with the SEND & AP Green Paper, the recommendation is for implementation of tier 2 support and provision for secondary aged children, commissioned from and provided by Kingsland School.

The project proposal is to replace a single storey derelict modular building (former Limehurst Youth Centre) with a new 2 storey modular building providing classrooms, practical workshops, meeting rooms, kitchen, staff areas, storage and w.c's for 36 pupils

The total cost of this project is estimated to be in the region of £1,237,500 (a total of **£1,361,250** when including 10% contingency). It is proposed that this project is funded by the LA Basic Need and/or HNPCA Grant.

Tier 2 Provision for vulnerable children

1 Background

- 1.1 Following the consultation of the SEND & Alternative Provision (AP) Green Paper (2022), several concerning themes emerged around the SEND & AP system including poor and inconsistent outcomes for many children and young people accessing AP. In response, the DfE have published the SEND & Alternative Provision (AP) Improvement Plan. Relating to Alternative Provision, the DfE have discussed an AP system with a three-tiered approach: targeted early support within mainstream school (tier 1), time-limited intensive placements in an alternative provision setting (tier 2); and longer-term placements to support a return to mainstream or a suitable post-16 destination (tier 3)
- 1.2 This development also directly supports the strengthened national inclusion agenda set out in the 2026 White Paper Every Child Achieving and Thriving. The White Paper places a clear emphasis on shifting the system “from sidelined to included,” ensuring that children with additional needs are supported earlier, remain connected to their mainstream school communities, and experience broader, more inclusive learning opportunities. By establishing a high-quality Tier 2 provision that enables short-term, time-limited interventions and reintegration support, this project aligns with the government’s ambition to build a more consistent and inclusive SEND system, reducing exclusions through proactive support and ensuring vulnerable pupils receive the right help in the right place at the right time
- 1.3 This is all within the context of statistics recently published by the Department for Education showing that in the last academic year there has been an unprecedented increase in suspension and permanent exclusion nationally; the highest since records began in 2006.
- 1.4 Permanent exclusion and suspension data in Oldham is below. In line with regional and national data, rates of suspension and permanent exclusion in secondary schools in Oldham have increased at an unprecedented rate.

Year	Permanent Exclusions	Number of incidents of suspensions	Number of pupils suspended
21/22	43	2120	937
22/23	67	2872	1182
23/24	88	3921	1475

- 1.5 In the academic year 23/24, Kingsland School worked closely with the LA and funded two support services around exclusion and suspension in Secondary Schools in Oldham. These are known as the Secondary Outreach Service and the Alternative Provision Specialist Taskforce. This has led to a reduction in exclusion and suspension, however exclusion and suspensions number remain high, with schools reporting that further Registered Alternative Provision is required
- 1.6 In addition, Oldham LA SEND Team is currently spending £1.2 million per year on externally provided Alternative Provision (AP). This funding comes directly from the high needs block of the DSG.

2 Current Position

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- 2.1 In Oldham currently there is a tier 1 preventative service limited to primary aged children (Kingsland Primary Outreach Service) and a tier 3 school provision for secondary aged children and young people (Kingsland School's Pupil Referral Unit).

The current provision and support that is in the borough does not meet the requirements of the tiered approach set out in the SEND & AP Improvement Plan. Oldham's current SEND and Inclusion strategy, and Sufficiency Strategy both include the development of the 3 tiers of provision suggested by the DfE.

There is no Tier 2 provision for primary or secondary aged pupils unless unregistered Alternative Provision (AP) is commissioned from external providers

Oldham's tier 3 provision at Kingsland School's PRU has become overcrowded at its singular site with an increasingly unsustainable population. In addition, highly vulnerable children and young people who are permanently excluded within our borough are often more likely to be involved in community issues relating to serious violence and criminality. This leads to pupils at the PRU not always being able to access the full offer of provision and support at Kingsland School's PRU due to grave safety concerns relating to some children and young people being based at the same site at the same time. Additionally, this affects pupils' chances of reintegrating into mainstream settings following a placement of intensive support, as the tier 3 model within the SEND & AP Improvement Plan suggests.

To meet the requirements of the SEND & AP Improvement Plan, Oldham requires a tier 2 service that offers time-limited intensive placements in an alternative provision setting.

- 2.2 This will ensure greater early identification of SEND to reduce permanent exclusion and increase inclusion within the mainstream schools in the borough, informing better outcomes for more children and young peoples' lives. Earlier identification of additional needs at SEND support will also contribute to less Education, Health and Care Plans (EHCPs) being required, leading to better value within the SEND system which is currently leading to financial difficulty and unsustainability in many Local Authorities nationally.

- 2.3 Consultation with secondary schools in Oldham shows significant demand for tier 2 short term intensive placement in alternative provision settings to ensure better outcomes for their vulnerable children and young people and to enable them to stay in mainstream schools.

Suspension and exclusion data over the past several years indicates that the national picture around late intervention is prevalent within Oldham. Local secondary schools report that they have many pupils who would benefit from early identification and tier 2 provision due to the complexity of their additional needs and the presentation of their difficulties within mainstream settings. Further to this, schools report that they experience difficulty with children and young people who move into borough as 'difficult transfers' with a history of difficulty in school and suspension. Of the 13 local mainstream schools who responded to research by Kingsland School around Pupils at Risk of Exclusion (PARE). The PARE panel oversaw an average of 4 cases per week, which is **approximately 156 children and young people in Oldham identified as being at high risk of exclusion during the academic year 2024/25.**

Schools report that the PARE figures are representative of children and young people whose needs and presentation would be best met through a tier 2 intervention approach, whereby they could access short term placements that focus on building a plan and package of support around a child or young person, before reintegrating them to their mainstream school (of which they would remain dual registered throughout placement)

with advice and strategies given to schools to better meet their needs. Further evidence that schools require access to tier 2 placements is found in their use of unregistered Alternative Provision. Local secondary schools report that they are spending between **£20,000 and £550,000** per year on short term AP placements with unregistered providers, with a median average of **£100,000** per year. Of the 13 schools consulted, a total of 12 unregistered providers were identified as being commissioned by schools with running costs of **£150 - £285** per pupil, per day, with one provider charging **£120** per pupil per day if a certain number of places were commissioned at once.

Local headteachers have indicated that there is difficulty with the high cost for their pupils to access AP placements currently, but that there is significant demand for them in meeting the needs of pupils and reducing their risk of exclusion. A further issue reported by some schools is confidence around the use of unregistered providers of AP due to the difference in standards with regards to Ofsted. Kingsland is a state-maintained Ofsted rated good school under the same Ofsted framework applied to any mainstream school.

- 2.4 Kingsland School would be able to offer a tier 2 'Step Out' provision for children and young people to access short term placements. These placements would be for 6-12 weeks with a total of 36 children and young people able to access placement at the same time at a suitable site in Limeside (Currently a disused former youth center known as Limehurst).

Schools would be able to block purchase places or purchase them when needed when there is capacity in the provision. Schools would complete a referral form for support that would aid information sharing around the difficulties the child or young person has been experiencing and would therefore indicate the types of support that Step Out could offer. Each case would be met with a flexible, bespoke and individualised approach that followed a strong graduated response. The support on offer would include but not be limited to: SEND support plans, therapeutic work, support with regulation, trauma informed care and support plans, core subject work (ensuring pupils don't fall behind academically due to placement) and an engaging and wide range of vocational courses with qualifications. All the support that would be on offer has been designed in consultation with the 13 mainstream secondary schools involved in the AP research conducted by Kingsland School. Pupils would be dual registered and good contact with their schools would be encouraged through visits and review meetings. An individualised reintegration package would be offered at the end of placement that would include support for the pupils as well as their mainstream school.

The placements would be for pupils identified as being at risk of exclusion, pupils experiencing difficulty in school particularly around SEMH, as well as pupils with EHCP plans identified as requiring support. This would include children and young people who have EHCPs with Education Other Than A School (EOTAS) named as placement in their plans. This would also include (where appropriate) children and young people who move into the borough under the 'difficult transfer' category, as their schools could refer them into the service for placement if there was evidence of suspension, a presentation of challenging behaviors, risk of exclusion or additional needs around SEMH.

Kingsland School is uniquely placed to offer tier 2 placements in comparison to other alternative providers, as it not only has the experience, skills and specialism, but it is a registered and state maintained school. This contrasts with other local providers who are either fee paying independent special schools, or unregistered private providers. Kingsland School differs in that all its provision and services come under the current Ofsted framework that is applicable to all of the mainstream schools locally. As a state maintained school, Kingsland also does not generate any form of profit and therefore any charge to schools for services would be at cost to continue the tier 2 offer. Schools can have greater confidence that their pupils are accessing provision through a registered

school as well as benefitting from a more cost effective approach. This could lead to schools having more notional SEND funding available for their pupils and therefore contribute to saving within the local SEND system. Further cost saving implications for the SEND system include earlier identification of need and therefore, less likelihood of EHCPs being needed. As well as the Local Authority being able to commission high quality, short and longer term placements within the Step Out provision where appropriate for children and young people who have EHCPs (including EOTAS) at a greatly reduced cost in comparison to independent special schools and unregistered AP providers, leading to better value and resource allocation within the SEND system.

3 Options/Alternatives

- 3.1 Option 1; suitable site in Limeside (Currently a disused former youth center known as Limehurst). The cost implications for building works to make them suitable for the provision are as follows: TBC (but can be solely funded via the SEND Capital Provision Funding).

Kingsland 'Step Out' Provision would need to generate income for the costs incurred for staffing the buildings identified. A reasonable cost for schools of **£90** per pupil per day will generate **£615,600** income if the provision runs at full capacity across the year (38 weeks). If the provision only ran at 50% capacity across the year this would generate **£307,800**, which would still be cost effective for the purposes of the provision costs. Any additional income generated would fund the 'top up' element and fund further tier 1 and 2 provision in consultation with Oldham Local Authority.

Base funding would be required for 36 places to ensure sustainability of the provision and the employment of initial staff to start the provision. The base funding costs would be in line with how Additional Resource Provision is funded via the DSG and would cost £10,000 per place. Totalling £360,000. This would positively impact on the £1.2 million high needs spend that is currently funding LA commissioned unregistered AP that comes at a highly increased cost.

- 3.2 Option 2; To agree to the capital costs of part remodeling the building at the Limehurst site with SEND Capital Provision Funding, however, solely rely on income generation for the staffing costs.
- 3.3 Option 3; As 3.1 but with a lower base funding element to allow for a minimum staffing level for a fully functioning Tier 2 provision that can still provide quality and ensure sustainability. This would be calculated by availability of surplus DSG in the LA budget (estimated at 50% of base funding in 3.1 - £180,000).

This would lead to risks around not meeting the requirements of the SEND & AP Improvement Plan in that the tier 2 provision would not be strong and robust enough to meet the needs of secondary schools due to capacity. This would lead to a further need for tier 3 places being required in an already overcrowded PRU. There is also then a significant risk that there continues to be a lack of earlier identification of the right support, in the right place, at the right time.

There is a very imminent and high risk that Kingsland School's PRU would become completely unsustainable due to rising levels of exclusions and an already overcrowded school. This places Oldham Local Authorities AP at significant health and safety risks, as well as significant risk with Ofsted.

4 Preferred Option

- 4.1 Option 1

Nationally suspension and permanent exclusion are at the highest rates since records began. It is very often that the most vulnerable children, young people and families are affected by this. Furthermore, many minority groups continue to be overrepresented in AP settings that cannot offer the level of educational opportunity that mainstream settings can. The SEND & AP Green Paper highlighted many issues concerning the current SEND and AP system. Historically, support has often been too reactive and not proactive enough with early enough identification. The DfE have been very clear about the 3 tiers of support needed in Local Authorities nationally to redress the concerns highlighted in the Green Paper and are highly likely to become statutory under the coming White Paper. Further to the moral, ethical and social imperative to improve outcomes for more children and young people, option 1 gives Oldham the opportunity to offer the tier 2 approach that is an integral part of ‘**a vision for a society where every child and young person can succeed**’ (DfE, SEND & AP Improvement Plan 2023).

5 **Consultation**

- 5.1 All Primary and Secondary schools including all MATS (Multi Academy Trusts) that operate in Oldham.

6 **Financial Implications (Capital)**

- 6.1 The cost of the associated works including a contingency of 10% is £1,361,250 and will be a charge to the educational capital programme 2025/26, which will be funded from the Basic Needs and/or HNPCA Grant. Any unspent budget will be returned to the provision budget. This school is OBC owned and as such can reclaim their own VAT

The cost breakdown analysis of the scheme has been included in the Appendix Document: Limehurst – 2 Storey BUDGET COSTS

Paula Buckley – Finance Manager

6.2 **Financial Implications – (Resources)**

This project will be funded from the High Needs Block of the Dedicated Schools Grant. The High Needs Block covers funding to support provision for pupils and students with SEND who require additional resources to participate in education and learning, from their early years to age 25 in a range of provision including special schools, mainstream schools, alternative provision, and independent specialist provision. The funding also contributes towards council centrally retained expenditure for High Needs.

Vicky Gibbons – Senior Accountant

7 **Legal Implications**

- 7.1 The proposal will benefit the students at the schools and further demonstrate the ongoing commitment by the Council to the education of the children of the Borough with particular emphasis upon the most vulnerable children in the borough.

Alex Bougateg - Borough Solicitor and Monitoring Officer

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- 7.2 Any contracts for the supply of works, goods or services must comply with the Council's Contract Procedure Rules and all relevant legislation/ regulations. All land transactions will need to comply with the Land and Property Protocol. All financial transactions must comply with the Financial Procedure Rules.
 - 7.3 The report author has confirmed continued compliance with the Contract Procedure Rules, Financial Procedure Rules and Land and Property Protocol.
 - 7.4 Legal issues and risks must continue to be reported, managed and mitigated through the usual finance and audit processes of the Council.
 - 7.5 The Council must be satisfied it can meet the objectives and terms and conditions and milestones of funding imposed by the funding authority including any obligation to provide match funding and to monitor, keep any necessary records and file any necessary returns. Officers must also check the terms and do not conflict with other funding conditions for the scheme/s or project/property already in place. Officers are to work with legal, finance and audit colleagues to approve and finalise the terms of any grant agreement required and must comply with the terms of any consents given regarding the reallocation of grant funding.

Rebecca Boyle - Corporate Group Solicitor

8 Equality Impact, including implications for Children and Young People

- 8.1 There are no negative implications for vulnerable groups or children and young people.

9 Key Decision

- 9.1 Yes

10 Key Decision Reference

- 11.1 EDS-03-26

12 Background Papers

- 12.1 SEND and Inclusion Strategy 2023-2027

13 Appendices

- 13.1 Limehurst – 2 Storey BUDGET COST