Report to CHIEF EXECUTIVE

High Needs Provision in Mainstream Settings Capital Works (St Agnes C of E Primary School, Lees)

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Reason for Decision

This report seeks cabinet approval for a capital project that will offer additional places and enhance specialist provision for pupils with additional needs and EHCPs who are based St Agnes C of E Primary School. The project will increase local specialist capacity for children and young people with SEND, helping to meet growing demand and reduce reliance on independent and out-of-borough placements.

The report also seeks approval for the allocation of capital funding from the High Needs Provision Capital Allocation (HNPCA) and Basic Need Grant to support delivery of the scheme.

Executive Summary

This report is related to a proposal to enhance the existing provision and provide an additional specialist base for pupils with additional needs at St Agnes C of E Primary School. These proposals are now developed sufficiently for costs and proposals to be placed before Cabinet for a final agreement.

This project will create a total of 12 new places in a mainstream primary school for children with an EHCP, increasing local specialist capacity and supporting children to access education within their local community.

Currently the Local Authority has Basic Needs and High Needs Capital Allocation Funding, which is released to school upon application and consideration by panel. It is proposed that where projects will generate additional places these projects are funded from the HNPCA Grant provision

These developments reinforce Oldham's commitment to an inclusive system where specialist support is available earlier, within mainstream settings, reducing escalation of need and delivering better long-term outcomes for children and young people. This aligns directly with the government's vision that schools should be inclusive by design, with dedicated inclusion bases forming a core component of the future school estate.

Project Outline and Recommendation

St Agnes C of E Primary School

This proposal seeks approval to create up to 12 additional places within a **Specialist Inclusion Base** for children and young people with Autism Spectrum Condition (ASC). The development will increase local capacity to meet need within a mainstream school environment and forms part of Oldham's wider SEND Reform Programme.

The Specialist Inclusion Base will provide access to specialist expertise and targeted support whilst enabling children and young people to remain connected to mainstream education and school life. The provision will strengthen inclusive practice, build mainstream capacity and ensure that children can access the right support, in the right place, at the right time. The proposal contributes to a more inclusive and sustainable local system by increasing local provision, reducing reliance on placements outside a child's local community and improving outcomes for children and families.

The cost of this project is estimated to be **£619 788** which includes 20% for contingency. Any use of the 10% contingency funding would require approval from the Director of Education and Early Years. If not used, then the 20% contingency, along with any unspent grant funding would be returned to the High Needs provision budget. It is proposed that this project is funded by the High Needs Provision Capital Allocation Grant.

1 Background

1.1 Demand for resource-based provision in primary schools has risen substantially in recent years. The option recommended in this report provides an opportunity for the Council to provide funding to enhance SEND provision in line with its Corporate Priority, to provide a great start and skills for life. The proposed provision at St Agnes C of E Primary School directly supports this national agenda by developing high-quality inclusion bases within mainstream settings.

1.2 Strategic alignment

The proposal aligns with Oldham's SEND and Inclusion Strategy 2023–2027 and the Local SEND Reform Plan 2026, which seeks to strengthen inclusion, improve local sufficiency and ensure children and young people can access the right support at the right time. The development of this specialist provision will contribute to a more coherent continuum of provision across the borough, supporting positive outcomes for children and young people with SEND while helping to create a more sustainable local system.

2 Procurement Implications

2.1 There are no procurement implications arising from the report directly. Should there be a future requirement to undertake the works/goods/services through a 3rd party supplier, procurement regulations and associated processes/procedures and governance will become applicable.

3 Risk Assessments

3.1 The Council will provide all site-specific documentation before commencement of works.

4 Current Position

4.1 The Local Authority has a statutory duty to secure sufficient educational provision for children and young people with Special Educational Needs and Disabilities (SEND), including those with Education, Health and Care Plans (EHCPs). In line with Oldham's

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SEND and Inclusion Strategy 2023–2027, the Local SEND Reform Plan and the government's Every Child Achieving and Thriving reforms, the Local Authority is committed to developing a more inclusive and sustainable continuum of provision that enables children and young people to access the right support, in the right place, at the right time.

The demand for specialist provision has increased significantly in recent years, placing pressure on local capacity and resulting in a growing number of children and young people requiring independent and out-of-borough placements. The development of specialist provision will strengthen local sufficiency, expand local capacity and improve outcomes for children and young people with SEND. It will also support the long-term sustainability of the High Needs Block by reducing reliance on higher-cost placements where needs can be effectively met within Oldham.

4.2 To ensure the effective operation and long-term sustainability of the provision, the Local Authority will provide support for the admissions arrangements, placement criteria, governance arrangements, performance expectations, financial responsibilities and reporting requirements, and ongoing oversight of quality, demand and outcomes, ensuring the provision contributes to the Local Authority's sufficiency, inclusion and SEND reform objectives whilst delivering value for money.

5 Options/Alternatives

5.1 Option 1: Approve the capital investment required to establish the specialist provision at St Agnes C of E Primary School, supporting the ambitions of the SEND and Inclusion Strategy 2023–2027 and the Local SEND Reform Plan.

5.2 Option 2: Do not approve the project, resulting in a missed opportunity to increase local specialist capacity and support the delivery of the SEND and Inclusion Strategy 2023–2027 and the Local SEND Reform Plan.

6 Preferred Option

6.1 Option 1.

7 Consultation

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

8 Financial Implications

8.1 **Financial Implications (Capital)**

The cost of the associated work, including a contingency of 20% is **£619,788** and will be a charge to the educational capital programme 2026/27 and 2027/28, which will be funded from the Basic Needs Grant /High Needs Capital Provision Allocation (HNPCA). Any unspent budget will be returned to the Basic Need/HNPCA provision budget. Any use of the 20% contingency funding would require approval from the Director of Education and Early Years. If not used, then the 20% contingency would be returned to the High Needs provision budget. As the school is part of a Diocesan Trust, the grant paid by Oldham Council will include VAT. Should there be any recoverable VAT this will be returned to the Council.

The work will be commissioned directly by the school and funding paid to the school as part of a Grant Funding Agreement upon receipt of periodic claims and verification of capital expenditure and satisfactory works.

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The cost breakdown analysis has been included in the Appendix Document 306 03 Project RIBA Stage 2 Report 210726

Paula Buckley – Finance Manager

8.2 **Financial Implications – (Resources)**

The revenue costs of opening a 12-place specialist base at St Agnes CoE 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

The opening of the specialist base, creating 12 additional places would result in £166k of required revenue funding per annum from the High Needs Block, split between base and high needs top up. This would be offset, in part, by savings in other areas of the High Needs Block where the pupils may be currently accessing funding.

Vicky Gibbons – Senior Accountant

9 Legal Implications

9.1 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 Bougatef - Borough Solicitor and Monitoring Officer

9.2 The proposal is to make a grant of capital investment to expand specialist provision at St Agnes CE Primary School, supporting the ambitions of the SEND and Inclusion Strategy 2023–2027 and the Local SEND Reform Plan

9.3 Making the grant is in scope of section 1 of the Localism Act 2021 which give Local Authorities a general power of competence to do anything which an individual may do for the benefit of the authority, its area or persons resident or present in their area

9.4 Officers must work with legal colleagues to approve and formalise the terms of any grant agreement or MOU in conjunction with Finance and Audit colleagues

9.5 The Senior Responsible Officer (SRO) and Project Manager must ensure that Subsidy Control is considered in consultation with Legal Services and that all relevant assessments are made and recorded, all relevant notices are published, and all relevant regulations and legislation is complied with to the satisfaction of the Section 151 Officer and in compliance with the Financial Procedure Rules of the Council. External advice may be needed to support these activities which will be a cost to the Project. A grant can amount to a subsidy under the Subsidy Control Act 2022. Therefore, a subsidy control analysis of the grant funding and what it will be used for is essential before payment of the grant. This process will be undertaken by the Project Team led by the SRO with support and input from Legal Services, Finance and other relevant officers

9.6 In the event that any grant is determined to be a subsidy, details regarding the same must be published within three months of award for all subsidies in excess of £100,000 and the Report Author and SRO will need to liaise with Finance and Audit colleagues in this regard

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9.7 The Transparency obligations of the Council must be complied with

9.8 The terms of the Grant Agreement must be reviewed and agreed by the SRO along with legal and finance colleagues. Provisions of note and/or provisions with associated risk should be highlighted to officers for consideration

Bryan Boese –Solicitor

10 Equality Impact Assessment, including implications for Children and Young People

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

11 Key Decision

11.1 Yes

12 Key Decision Reference

12.1 KDD-26-02

13 Appendices & Background Papers

13.1 SEND and Inclusion Strategy 2023-2027
13.2 Send Reform plan 2026
13.3 Project Account Summary - St Agnes.pdf

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