

Consultation meeting for staff: 7th December 22

Tracie Rees (TR) gave background to the proposal

- Looking at all council spend.
- Budget reductions from central government – putting pressure on to deliver services.
- A number of services being looked at for cutting.
- In terms of Ash Field Residential provision – paid for from the HNB – each year government gives money and this element is for special needs education. Currently this is overspent by 31st March by just under £6 million. Have to provide support for all children but not enough money from the government. 3000 children have an EHCP as well as 10,000 with SEND who are supported by mainstream schools but without an EHCP. All funded from high needs block. This has put a pressure on money they have. 9% increase in last 2 years of number of children with a plan or deemed to have a need – legal duty to provide support for and educate. Pressure on LA from the government about its spend of HNB – want to know how they'll reduce the overspend.
- Tracie has been interviewed and plan had to be sent back.
- Millgate's residential removed – reason was that it was non-educational and the support provided could be provided through the school day.
- In a position where report has been written for the consultation – seeks to consult on withdrawing the funding from September 2024. Formal consultation process extended to 9th January at request of Scrutiny Committee in October to allow more time for comments to be made.
- After consultation, information is gathered and a document is prepared for City Mayor and Executive members – they will then make the decision. The report will be shared with us before the decision is made.
- Discussed with Jenny and the governors the opportunity to use residential provision for the wider cohort – duty to provide respite and short breaks support for – have a shortage. Possibility that if we wanted to open up our provision differently. No guarantee of the funding at this point.

Staff

Will be shared with City Mayor and Executive who make the decision so that they get the full picture.

Staff member: You mentioned that the education that the pupils get in Resi can be achieved in the school day – how would this work?

TR:

- None of the EHCPs state that they need to have residential provision.
- It's more than other children get.
- Would have to look at individuals as to how this would work for individuals within the school day.

Jenny Eshelby (Principal) noted that 9 pupils have resi in and 6 within section F.

TR clarified they might mention it in them but they don't say 'must'. They've checked with legal and this means it's not a requirement on the LA to provide it.

JE asked that the language was changed as this is different to it not being included in the pupils' EHCP. JE also questioned this in general as plenty of elements of the EHCP do not say 'must' – they are not written as a list of must statements but the expectation is that what is covered in it is provided.

Staff member added that there isn't enough time to do everything that's done in resi in the school day.

TR noted that other schools don't have residential and they manage.

Staff member asked about how the LA is managing the finances.

TR explained that:

- the overspend is significant but they account for every penny of it
- they are audited and Leicester is deemed to be good and meeting need
- TR asked government/DfE what else could be done and they couldn't say
- DfE did note that it is not as bad as other authorities
- At the moment the council are not expected to pay it back – they could expect this in the future and would have to cut services elsewhere to make up the deficit

Staff member noted that Resi is just part of the school offer – therefore the EHCPs discourage the writing of it because it's just part of the school offer. When Resi stopped being funded separately to the school, the pupils were entitled to use the provision and so it no longer had to be put in the EHCPs.

TR: Children are not specifically recommended to come to Ash Field because of residential.

Staff member asked why the money is being removed from the residential department.

TR said the cost is around about 400k per year. They don't feel it is education so it doesn't have to be provided from the HNB.

Staff member said that it was being said it's not education but it can be fitted into the school day – so how is it not education?

TR said that it is a grey area. It's a 400k spend.

Union rep: Why is the residential department Ofsted inspected if it's not education?

TR: because it's registered as a special school. Children's homes are Ofsted registered

JE explained the governance and expectations of a Residential Special School under Ofsted are different to that of a children's home – and that we are registered as a school and are inspected as such.

Union rep: Why is the labour local authority so keen to cut – shouldn't they be fighting to prevent this?

TR: That's a political question so I can't answer. However, you will see that all councils are pushing back as much as they can but TR is instructed to respond to the DfE.

Staff member: is it about being education or about money.

TR: it's because it's not education and because we need to save money.

Staff member: for some of our children, the education is very different for these children – it's not maths or English – cutting this is like cutting maths and English in mainstream.

TR: but Nether Hall meet need without it.

JE stated that she was sure Nether Hall meet need but she believed that if Nether Hall were offered access to residential, they would expect their pupils to make greater progress.

TR: agreed - if we could spend more money supporting children beyond the school day, they would all have better outcomes.

Staff member: How do we make up for the amount of learning time that would be lost?

TR: adult support – most of our pupils would go onto further education. LCC are working with Leicester College to develop their offer for those who have SEND so that when they leave school (16 and beyond) more access it. It is around enhancing their functional skills, provide internships etc.

Staff member: we've learnt that the younger we can develop these skills, the greater the development they make – starting at post 19 isn't going to have the same impact.

Staff member: Leicester College currently fails children with SEND even without complex needs from personal experience.

TR: we are working with Leicester College.

TR: We know the cohorts of what's needed going through – we've shared this with Leicester College. They are saying that they can support more now that we've had that conversation to enhance the curriculum.

Staff member: reading the report, I found it quite offensive. It felt that it was written by people who didn't understand our school at all. Also, when it talked about being accessed by others in the city, it becomes a respite service, not education.

TR: in terms of the report, if you think there is something that's not right, we don't work here and whilst Clare and her team did spend time here, you can write comments in response to the report regarding anything you disagree with.

Staff member: asked how long Clare spent in Resi.

CN: a couple of hours.

TR: report can be responded to.

Staff member: but the report has gone out for the general public to review it as it stands – this means it is biased – it is not an accurate reflection and so could distort responses.

TR: you can respond to it and that will be included in the response to the decision makers. We can state the length of time spent here and any concerns regarding that.

Staff member: report is saying that the provision can be put into the school day – you haven't spent time in the school at all and so how can you make a judgement that it can't be. It seems shocking that as a council, these reports can be written that then go out and help people think it's fair or reasonable. There's a sense of bringing our school down to the level of provision at other schools – we can't just get rid of the things that are different between schools. Why not get rid of the bike lanes and focus on providing for the children who really need it.

JE clarified that we don't feel other schools are not doing a good job – they are – it's that we don't see why our provision should be reduced, just to match other schools. We should be trying to ensure every pupil who needs it, has the right provision.

TR we would like to provide it to all schools – but we don't get enough funding

Staff member: then we should be saying to the government that we don't have enough. We need more funding. Is LCC doing this?

TR: yes

Union rep:

- the report was put out after the consultation started – LCC need to go to the press to make it clear that this is happening and to encourage people to engage in the process with this information.
- I have had a letter from Peter Salisbury – he said he has been pleading with the government – I don't think working class people should be pleading or begging – we need to organise and fight for it. Perhaps the politicians can – UNISON are organising this – in the past this has been prevented rather than supported – will you support this?

TR: again this is political and needs to be relayed to the politicians

Union rep requested TR do this – TR responded that both union rep and TR could feed this back

TR: going back to non-Ash Field pupils as respite. Do have a number of children across the city who have disabilities who need respite support – carers need a break – respite provision. This is something where there is a shortage. We are looking to potentially increase that – not funded from HNB but from the general fund. For some families, there are potential breakdowns, want to support them – that is the sort of provision we are looking for. Also looking at health, some need support due to complexities. So this respite could be funded from the general fund.

Staff member: one minute it's education, then it's not education. If this money is withdrawn, then other spending will be needed from other pots. Why can't other pots fund the HNB.

TR: it's difficult as there are some things we can't fund e.g. residential here. The general fund has already been considered and it's been decided it can't come out of that.

Staff member: do you know where our residential is? It's literally a corridor between two buildings. Barnes Heath take children from all over the city – they also keep them in the day time. Our environment would not work for various needs e.g. behaviour. It would be a corridor with a lounge. It's in the centre of the school between primary and secondary – there are no extra facilities – we use the day school's. I don't think that the people making these recommendations can have been on the premises to understand this. As Ash Field students and as a residential special school, they can access all the other facilities. Barnes Heath take pupils during the day as well as the evening. If it is respite for a wide range of pupils, I can't see how the environment would work.

TR: I understand what you're saying. Barnes Heath provision has a lot of evening respite support

Staff member: even if only offered at night, there is only bedrooms, bathrooms and a lounge – it's not what would be expected for respite.

Staff member: if opened up to other children – would our children take priority? The waiting lists currently are so long to get one night especially in places that can meet our children's needs – would our children take priority so that they can get what they need?

TR: this would have to be part of any discussion for the future – we would need to look at the needs of the child who come here in the first place

JE:

- Explained what was offered re the respite to us, explaining that it was for us to take a cohort of children with complex autism who also had medical needs. That we felt this wouldn't work with the cohort we have especially in the environment that we have – the mix just wouldn't work so our pupils just couldn't attend.
- Clarified around our (govs) decision not to engage in the respite conversation until a decision is made on the current Resi provision as it stands because this is the service that we believe should stay and by engaging in the respite ideas etc, we feel it's almost accepting the decision on our current provision which we think needs to happen after the decision is officially made. We hope that the funding will remain for it as it is.

Staff member expressed difficulty for staff in the length of time not knowing and how much we care about our pupils and what happens for them.

TR: said that they are just sharing an opportunity to the school and as an academy they can't force this. TR said that in relation to the length of time, she would ensure Sir Peter Salisbury is made aware that the decision needs to be given as soon as possible after the consultation so that staff know.

Staff member: Millgate is different with fewer numbers and is respite so unsure why it's based on the same principle. They are looking at funding it themselves – we couldn't do that, it's too big a unit.

Staff member: concerned about the word respite being said so many times – we are not respite – we are education

Staff member: the date Resi opened is incorrect – it was much earlier than the date mentioned in the report. Noted that they have been working there a lot longer than the date suggested.

Staff member: there seems to be a lack of understanding of so many factors. The decision makers should come and get to know our school. Believe they would be touched by what they see as other visitors are and this would give more clarity about what we do.

TR: I can make that request.

Staff member: visits to the school from international people brings in money to the city.

Staff member: what about the money going in that has recently been announced in the budget?

TR: We don't know if this will go directly to schools – we think 3 million would be gained in the city. Even if that came to the city council, it wouldn't be enough to even cover the current deficit. Then there's the increasing numbers and places we need.

Staff member: Surely we need to keep the provision we already have given the need.

TR: We need the placements during the school day. We are looking at the options for this which will all cost money.

JE asked if the 6 million deficit was cumulative or in year.

TR cumulative.

JE asked for the in year amount.

TR said she wasn't sure but would provide this.

Staff member: feels like a 'fait a complis' and not a consultation – in the meeting, they've not taken one point and said it will be taken back – everything said has been negative in response. Don't know how the report to the decision makers can be unbiased.

TR: We will take all of the comments back. Know Jenny and govs will be sending back a response too. Staff can do this too and union reps. We do not make decisions – the executive will, using all that info.

Staff members: It feels the decision has been made – it feels this is just ticking boxes.

TR: We don't make the decision and it hasn't been made yet.