**THE HIGHLAND COUNCIL**

**EDUCATION, CHILDREN AND ADULT SERVICES COMMITTEE**

**The proposal is to discontinue the provision of education at the Black Isle**

**Education Centre.**

**EDUCATIONAL BENEFITS STATEMENT**

THIS IS A PROPOSAL PAPER PREPARED IN TERMS OF THE EDUCATION

AUTHORITY’S PROCEDURE TO MEET THE REQUIREMENTS OF THE SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010

The Highland Council is proposing, subject to the outcome of the statutory consultation process, to discontinue the provision of education at the Black Isle Education Centre. Future provision for the young people attending the Centre will be on an inclusive basis, with support provided in their mainstream schools through the application of approved strategies.

The proposed changes, if approved, will be implemented for the beginning of the 2017-18 school session.

**Legislative Background**

* 1. The proposal is advanced within the context of all applicable legislation. Amongst other duties, education authorities are required to secure adequate and efficient provision of school education (S.1 of the Education Act 1980); and to endeavour to secure improvement in the quality of school education in schools that are managed by them (S.3 of The Standards in Scotland’s Schools Act 2000). S.15 of the 2000 Act also introduced a requirement that children should be educated in a school other than a special school, save in certain specified circumstances that are presumed to arise only exceptionally.

1.2 The Education (Additional Support for Learning) Act 2004 further specifies that every education authority must, in relation to each child and young person having additional support needs for whose school education the authority are responsible, make adequate and efficient provision for such additional support as is required by that child or young person. The Act further requires that the authority make appropriate arrangements for keeping under consideration the adequacy of the additional support provided for each such child and young person.

1.3 The Black Isle Education Centre is a rural school within the terms of the Schools (Consultation) (Scotland) Act 2010 and the Council has had regard to the provisions of that Act, in particular the special regard required for rural school closures. In this case, the closure of the Centre would have no impact on the community, (see Section 8 below), but the Council has given detailed consideration to the viable alternatives to closure (Section 3 below); and to the impact of differing travel arrangements (Section 9 below).

 **Reasons for the Proposal**

* 1. The proposal is being advanced for the following reasons:
* Use of the school campus as the necessary base for pupils has declined significantly over a sustained period.
* There are presently no young people enrolled as pupils at the Black Isle Education Centre.  Those pupils who are still attending the Centre do so on a flexible part-time basis, and could get this support in other ways.
* The Centre is located at a distance from the centres of population, where the children who benefit from these services live and should be educated.
* There is recognition that many of the buildings on site at the BIEC are in a very poor state.
* The Centre is viewed as just somewhere pupils presenting with challenging behaviour are ‘sent’.
* The BIEC can only ever provide a service to a limited number of pupils (a maximum of 12) and has limited flexibility in the support that could be given more widely. Highland Council therefore proposes to close the BIEC and to meet the needs of pupils by supporting them to maintain their mainstream placements through a more flexible approach to education and support

**Examination of Alternatives**

3.1In bringing forward this proposal for closure, the Council must give due consideration of alternative courses of action that could be considered. An alternative to closure would be to continue with the current arrangement under which the Black Isle Education Centre operates as a standalone school.

3.2 It is the Highland Council’s view that this alternative would hinder the development of an improved service to pupils with SEBN from the Black Isle Education Centre. The detail of the Council’s consideration of the alternatives is set out throughout this proposal paper and its appendices.

3.3 A second alternative would be to close the BIEC as a school but operate it as an Outreach Centre offering informal part-time provision for young people from the Moray Firth area. However, this option would still not address the major accommodation issues at the Centre (see Section 4 below).

3.4 The detail of the Council’s consideration of the alternatives is set out throughout this proposal paper and its appendices. A brief summary is at **Appendix A**.

**Current Status of the Black Isle Education Centre**

4.1 The Centre is located in a rural setting near Raddery, in the eastern part of the Black Isle. A map showing the location can be found at **Appendix B**. Currently the Centre operates as a special school for a very small number of pupils with SEBN. Historically the school has operated to an accepted capacity of 12.

4.2 Over the past 3 years the BIEC has been undergoing several significant changes to its service delivery model. In recent years the BIEC has been changing its approach to supporting pupils, decreasing the number of pupils formally enrolled whilst continuing to support pupils on a more flexible basis. In session 2014-15 a total of 22 pupils received direct support from BIEC. Currently 14 pupils receive a service although numbers fluctuate according to need and pupils referrals.

4.3 The pupils currently receiving part-time support are from a range of schools in the area, including Inverness High School, Dingwall Academy, Fortrose Academy, Millburn Academy, Inverness Royal Academy, Nairn Academy, Invergordon Academy, Cauldeen Primary, Ardesier Primary, Crown Primary, and Tain Royal Academy.

4.4 The accommodation at the Centre consists of a variety of buildings spread over the site, a number of which have become too dilapidated for use. The main building contains a dining room, which is also used as a meeting place for pupils and staff at the beginning and end of the day. This building also includes the school kitchen; servery; staff and pupil toilets; laundry room; games room; boot room; music room; and storage rooms. A separate wooden hut provides classroom space equipped with ICT, and offices for the Head Teacher and School Clerical Assistant, as well as a shared office for the Children’s Service Worker and Social Care Worker. Another hut accommodates the staffroom and provides further classroom and storage accommodation, whilst a further building houses a bike workshop. A large workshop at the back of the site is used for storage. Lastly the site includes a gym hall in its own building, a football pitch, polytunnels, and extensive bike trails. 19 acres of nearby woodland are also included within land belonging to the Council and available to the Centre.

4.5 There are additionally a number of disused buildings, most of which were previously used as residential accommodation, dating back to when the school was a residential facility

4.6 The Highland Council assesses all of its schools for Suitability and Condition, in line with the Scottish Government’s School Estate Management guidelines. Schools are assessed on a scale with the ratings “A” (good) “B” (satisfactory), “C” (poor) and “D” (bad). The Black Isle Education Centre is currently rated as “C” for educational suitability and “C” for building condition.

4.7 The current accommodation at the BIEC scores very poorly for accessibility. There are no disabled ramps; pupil toilets are located upstairs in the main building; there are no lifts; and external paths are very uneven.

4.8 It is generally recognised that the Centre’s accommodation does not meet modern expectations for the provision of education to young people with high levels of SEBN.

4.9 The most recent HMIe report was published in 2011. A copy is at **Appendix C**.Follow-up reports are at **Appendices Ci – Ciii**.

4.10 The current staffing levels are as follows:

 1 FTE Acting Head Teacher (seconded Aug 2012)

 1 FTE Social Care Worker

 1 FTE Children’s Service Worker

 1 FTE Class Teacher (on-site)

 1 FTE Class Teacher (off-site)

 1 FTE Pupil Support Assistant

 0.4 FTE Senior Clerical

 0.1 FTE Facilities Management

 Additionally the Catering and Cleaning Service employ a Cook (HC3) at 20 hours per week and a Cleaning Operative (HC2) for 9.5 hours per week.

4.11 Annual CO₂ emissions from the Black Isle Education Centre are estimated at 244.9 tonnes (2014-15 figures). Site emissions of 0.306 tones were also recorded for CO.

4.12 The consultation process for this proposal is set out in detail at **Appendix D.**

 **General Background**

5.1 This proposal has been advanced within the context of a Highland Council Review of Additional Support Needs (ASN) provision as well as previous and subsequent consultations on provision in Highland for those children and young people with Social Emotional and Behavioural Needs. It also takes account of national guidance on best practice in SEBN.

5.2 The Highland Council ASN Review made several recommendations that were specific to SEBN:

 **Recommendation 11:** Mandatory training should be provided for Head Teachers on a rolling programme…The agreed training programme should support the development of a positive ethos and inclusive practice in schools…Initial priorities should include…training in the development of emotional literacy and building positive relationships at all ages and supporting children with SEBN.

 **Recommendation 12:** Monitoring of the outcomes for children and young people with SEBN should be coordinated at a Council wide level by the Development Officer PPR and at a local level by the Area ASN Manager.

 **Recommendation 13:** There is a need for classroom teachers to have additional training on…the most effective ways of supporting children and young people with SEBN.

 **Recommendation 15:** There should be a greater level of coordination of the range of SEBN supports and specialist services, linked to a structured training programme. All staff working with pupils with SEBN will therefore be part of a network, supported by the Development Officer for Promoting Positive Relationships, to enhance the levels of skill and consistency of practice.

 **Recommendation 16:** Staff working across the Care and Learning Service should provide coordinated support to pupils with SEBN at home, in school or in the community, in line with the Highland Practice Model.

5.3 A copy of the Additional Support Needs Review is at **Appendix E.**

**Educational Benefits**

6.1 The proposal is in line with national guidance which promotes the development of a flexible support service, able to step up and step down the levels of support and intervention, appropriate to the needs of the individual child/young person, and integrated within a holistic view of the child and family, (Scottish Government 2013). Consultations carried out over a number of years in Highland have consistently mirrored this requirement for a service that promotes inclusion and re-integration for young people with SEBN.

6.2      BIEC was established as an emergency and short-term response to the closure of a residential school on that site.  It was not a planned or strategic initiative, and it was not envisaged as a long term measure.

6.3 Since the BIEC was established, legislation and policy have moved on and there is a consensus that the vast majority of children with additional support needs are best educated within their local school, through the application of the principle of inclusion. It is the responsibility of the education authority to ensure that schools have the necessary resources in terms of staff and equipment to meet the needs of all the pupils enrolled, and that appropriate support is identified and strategies targeted for successful integration.

6.4 Relevant legislation is now in line with the above principles. S.15 of The Standards in Scotland’s Schools Act 2000 established what is effectively a presumption in favour of “mainstream” education for all children in Scotland and strengthens the rights of children with additional support needs to be educated alongside their peers in a mainstream setting. The Act does recognise that mainstream schools do not necessarily represent the most suitable educational setting for every pupil but explicitly presumes that cases of children being educated within special schools will only arise exceptionally.

6.5     Accordingly, the number of children who require to attend the BIEC campus has fallen steadily, and has been either very low numbers or none for a number of years.  It is assessed that the support that will continue to be needed can be provided closer to home, including in local schools, and in more appropriate settings.

6.6       Indeed, the models of support should be flexible and adaptable, in ways that are not possible at the current location.  The nature of the provision required in Ross-shire remains under constant review, and it is envisaged that further developments will follow, to enhance local provision.

6.7      In addition, all schools are more able to support children with SEBN, as evidenced by the declining numbers attending BIEC.  As part of the Highland Practice Model, all schools follow a holistic approach based on the Needs identified within the Child’s Plan, including all assessments completed to date and all measures previously taken to support the young person.

6.8      Furthermore, the staffing resource associated with BIEC can be used as developmental capacity to support teachers and professionals in schools and other settings, as well as continuing to provide the off-site support that has been established in recent years.

6.9 In summary, the BIEC has worked well for pupils who have attended in the past, many moving on to sustain positive destinations and benefit as adults from their special school experience and the recognised expertise of the staff who have supported them. However as a school, BIEC can only ever provide a service to a limited number of pupils (max 10-12) and has been limited in the flexibility of the support that could be given.  Policy and practice has moved on and sending SEBN pupils to a separate facility is no longer seen as the most appropriate method of dealing with their needs.  In addition, the poor quality of accommodation at the BIEC will increasingly place limitations on what can be provided at the Centre. The proposal will allow pupils to be supported appropriately within their local schools. Providing early support and intervention and responding to need positively and creatively has been shown to provide educational benefits to those pupils currently receiving a service from the BIEC. The proposal represents a more inclusive approach to educating children with SEBN than would be the case if the BIEC were maintained as a separate school.

**Effects on Staff and School Management Arrangements**

7.1 Consultation with staff will take place, to consider options in light of the Statutory Consultation process. Wherever possible, the Council would wish to see staff re-deployed. Highland Council has a Redeployment and Redundancy Policy, which has the defining principle that compulsory redundancies will be avoided wherever possible. A variety of measures are used to achieve this aim, including restrictions on the recruitment of external staff to vacancies, so that staff affected by changes in service delivery may be redeployed to vacant posts. Clearly it would be premature to redeploy staff in advance of a decision on closure, but Highland Council considers compulsory redundancy only after all other options have been considered.

**Effect on the Local Community**

8.1 The local community does not currently make use of the Centre. Both the nature of the services provided at the BIEC and the poor condition of the accommodation militate against such use. No impact is expected in terms of future community use.

**Effects on School Transport**

9.1 Transport costs to BIEC have historically been high, with up to 12 boys (maximum capacity of the school), being transported by taxi. Although most taxis have transported more than one pupil, several different vehicles have been required due to the geographical spread of the pupils and the nature of their needs.

9.2 The nature of admissions and referrals to the Centre means that the transport arrangements alter on a more or less continuous basis. However, the provision of suitable transport for pupils attending the BIEC will continue under the new arrangements.

9.3 For illustrative purposes, the cost of transport to the Centre in the first 3 months of the current session was:

 August - £603.10/£60.31 per day

 September - £1,755.20/£87.76 per day

 October - £1,514.90/£126.24 per day

9.4 The proposed new arrangements will eliminate the need for pupils to be transported out of their local school to attend the BIEC, providing an efficiency saving for the Council.

**Financial Consequences**

10.1 The Table at **Appendix F** sets out the Highland Council’s assessment of the Financial Implications of the proposal.

**Equalities Impact Assessment**

11.1 A preliminary EQIA assessment is at **Appendix G.**

**Rural Impact Assessment**

12.1 A preliminary Rural Impact Assessment is at **Appendix H**.

**Mitigation of Adverse Effects**

13.1 The Care and Learning Service does not anticipate any adverse effects arising from the proposal.

**Recommendation**

14.1 Taking the above into account Highland Council recommends that The Black Isle Education Centre is formally closed. Those young people currently using the Service on a part-time basis will in future receive support from their local school.

14.2 This proposal paper is issued in terms of the authority’s procedures to meet the relevant statutory requirements*.* Following the consultation period, a report and submissions received will be presented to the Education, Children and Adult Services Committee of the Highland Council***.***