

Public Document Pack



EXECUTIVE DECISION DAY NOTICE

Executive Lead Member for Children's Services Decision Day

Date and Time Wednesday 8th June 2022 at 3.00pm

Place Remote Meeting - Remote

Enquiries to members.services@hants.gov.uk

Carolyn Williamson FCPFA
Chief Executive
The Castle, Winchester SO23 8UJ

FILMING AND BROADCAST NOTIFICATION

This decision day is being held remotely and will be recorded and broadcast live via the County Council's website.

AGENDA

DEPUTATIONS

To receive any deputations notified under Standing Order 12.

KEY DECISIONS (NON-EXEMPT/NON-CONFIDENTIAL)

- 1. CHILDREN'S SERVICES CAPITAL PROGRAMME UPDATE** (Pages 3 - 20)

To consider a report of the Director of Children's Services regarding the updated Children's Services Capital Programme for 2022/23.

- 2. APPROVAL TO SPEND REQUEST FOR SPECIAL EDUCATIONAL NEEDS (SEN) DISCRETIONARY PAYMENTS** (Pages 21 - 26)

To consider a report of the Director of Children's Services seeking approval to spend on Special Educational Needs (SEN) discretionary support under a new framework agreement being procured.

NON KEY DECISIONS (NON-EXEMPT/NON-CONFIDENTIAL)

- 3. ADDITIONAL SPECIALIST PROVISION FOR HAMPSHIRE** (Pages 27 - 38)

To consider a report of the Director of Children's Services providing feedback on the statutory public notice periods and seeking to obtain final approval for the several projects to proceed.

4. THE FUTURE OF HATHERDEN CHURCH OF ENGLAND (AIDED) PRIMARY SCHOOL, ANDOVER – END OF PUBLIC NOTICE REPORT
(Pages 39 - 52)

To consider a report of the Director of Children's Services providing feedback on the statutory public notice period and to seeking obtain final approval for the proposed closure of Hatherden Church of England (Aided) Primary School, Andover.

KEY DECISIONS (EXEMPT/CONFIDENTIAL)

Not Applicable.

NON KEY DECISIONS (EXEMPT/CONFIDENTIAL)

Not Applicable.

ABOUT THIS AGENDA:

On request, this agenda can be provided in alternative versions (such as large print, Braille or audio) and in alternative languages.

The press and public are welcome to observe the public sessions of the decision day via the webcast.

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Lead Member for Children's Services
Date of Decision:	8 June 2022
Decision Title:	Children's Services Capital Programme Update
Report From:	Director of Children's Services and Director of Corporate Resources – Corporate Services

Contact name: Peter Colenutt, Assistant Director, Strategic Development and Capital Delivery, Children's Services and Adults' Health & Care

Tel: 0370 779 1969 **Email:** peter.colenutt@hants.gov.uk

Recommendation(s)

1. That the revised capital programme cash limit of £71.791m for 2022/23 be approved.
2. That the revised 2022/23 capital programme as set out in Appendix 1 be approved, along with the amendments to the 2022/23 capital programme.
3. That the following variations to the 2022/23 capital programme be approved:
 - It is recommended that DfE grant funding of £0.787m be added to the 2022/23 capital programme to create a new children's home at Hayter House, Romsey.
 - It is recommended that resources of £0.7m are allocated from the 2022/23 capital programme for the new nursery provision at Burley Primary School.
 - It is recommended that resources of £0.7m are allocated from the 2022/23 capital programme for the new nursery provision at Denmead Junior School, Waterlooville.
 - It is recommended that resources of £2.417m (including fees) are allocated from the 2022/23 capital programme for the expansion of Mark Way School, Andover.
 - It is recommended that resources of £0.8m be added to the capital programme to create a new nursery provision at Park View Primary, Basingstoke.
 - It is recommended that resources of £0.7m are allocated from the 2022/23 capital programme for the new nursery provision at Poulner Infant School, Ringwood.

- It is recommended that resources of £16.961m be added to the capital programme to support SEND priorities.
 - It is recommended that resources of £0.506m be added to the 2022/23 capital programme for improvements at Swanwick Lodge.
4. It is a recommendation to Cabinet that the uncommitted funding of £18.801m as set out in Appendix 2 be carried forward from 2021/22 to the 2022/23 capital programme.
 5. It is recommended that approval be given to the Director of Children's Services to determine those sites that require modular buildings for the 2022/23 academic year and that the sites listed at Appendix 3 be noted.
 6. That the projects approved under delegated powers by the Director of Children's Services in Appendix 4 are noted.

Executive Summary

7. This report sets out the updated Children's Services Capital Programme for 2022/23.
8. The report has been prepared in consultation with the Executive Lead Member for Children's Services (ELMCS).

Background

9. The Children's Services Capital Programme is based on government grants, capital receipts, developer contributions and local resources.

Basic Need Allocation 2023/24 and 2024/25

10. The most recent Capital announcement by The Department for Education (DfE) for 2023/24 and 2024/25 Basic Need Allocations did not allocate any capital funding to Hampshire. Whilst this is disappointing, it was somewhat expected. The DfE capital allocations have largely caught up with the requirement and delivery of school places. There is the potential for a zero or low capital allocation in 2025/26 as the DfE assesses the impact of the free school places they directly fund. At this stage, it is unclear exactly how this will be calculated, with guidance from the DfE awaited.
11. On the 28 March 2022 the DfE announced specific School Condition Allocations for 2022/23 to maintain and improve the condition of the school estate. Hampshire County Council received £23.085m, a small reduction of £0.306m on the 2021/22 allocation. This is welcome news and will assist in improving the quality of the school estate.

SEND (High Needs Provision Capital Allocations) 2022/23 – 2023/24

12. In April 2021, the Department for Education announced an investment of £1.4 billion to create new high needs places and improve existing provision. The High Needs Capital Provision Allocations (HNPCA) were announced on 29 March 2022 with Hampshire County Council being allocated £16.961m in 2022/23 and £14.376m in 2023/24.
13. The HNPCA will support the provision of places for children with Special Educational Needs and Disabilities (SEND). The funding is intended for places needed for the 2023/24 academic year and beyond. Details of projects to help manage the pressure on school places will be brought to a future decision day.

Revised Capital Programme 2021/22

14. Following the approval to carry forward resources by the County Council at its meeting on 17 February 2022 and other Programme amendments, the revised cash limit for the programme is shown in Table 1.

Table 1 - Revised 2021/22 Cash Limit	£'000
Cash Limit reported 14 January 2022	49,049
Minstead Study Centre – reduction in cash limit required	-4
Brookfield School - Contribution to MUGA	200
Removal of Michens Lane, Bramley (Bramley CE Primary) developer contribution	-100
Removal of Kennel Farm, Basingstoke (Park View Primary) developer contribution	-60
Cash Limit Transfer to P&R – Basic Need	-260
Beech Tree Close, Oakley (Oakley Infant) developer contribution	21
Projects and resources carried forward to 2022/23	-18,801
Totals	30,045

Carry Forward from 2021/22

15. A total of £35.671m will be carried forward in to 2022/23. This includes resources and projects (totalling £16.87m) from the updated 2021/22 capital programme which was approved on 14 January 2022. Of the £18.801m resources carried forward, £9.048m is already committed.
16. The £9.753m uncommitted funding will be added to the 2022/23 capital programme. Following the amendments in Table 2, the contingency figure for the programme is £12.597m. Given the overall value of the programme and continuing pressures this is considered a prudent sum. A detailed breakdown of these projects and allocations is attached at Appendix 2.

17. Taking in to account the changes since the programme was last approved on 14 January 2022 (including those proposed in this report), the revised cash limit is shown in Table 2.

Table 2 - Revised 2022/23 Cash Limit	£'000
Cash Limit reported 14 January 2022	32,530
Project deferrals from 2021/22	18,801
Capital Receipts applied	1,150
DfE – New Hayter House Children’s Home grant	787
DfE – New Swanwick Lodge Grant awards	506
DfE – Increase in Devolved Formula Capital (DFC) Grant	5
South West Rail Grant – Bohunt School	126
Boorley Green, Eastleigh (Boorley Park Primary), developer contribution	8
Kennel Farm, Basingstoke (Park View Primary) developer contribution	800
Silent Gardens, Liphook (Bohunt School) developer contribution	117
DfE – New High Needs Provision Grant	16,961
Totals	71,791

Amendments to the 2022/23 Capital Programme

Hayter House new Children’s Home, Romsey

18. The County Council was successful in bidding for and securing a grant of £787,000 towards a new children’s home provision. The new home will provide provision for 3 young people with complex needs. The accommodation will be designed so that it can flex between self-contained units and shared accommodation as the needs of the young people change. The estimated cost of the refurbished building is £1.2m (including fees) and the new places are expected to be available for April 2023.

19. Therefore, it is recommended that resources of £1.2m (including fees) are allocated from the 2022/23 capital programme. A detailed project appraisal will be brought to a future decision day.

Denmead Junior School, Waterlooville

20. There is a shortfall of nursery places in the wider Waterlooville area that has been assessed as a high priority for additional places. Following discussions with Denmead Junior School, it is proposed to provide an additional 40 places on the Denmead Junior School site. The decision as to whether the modular solution will be purchased new, or an existing unit moved from another school site has yet to be concluded. However, the County Council will ensure that its resources are managed in the most efficient way.

21. Therefore, it is recommended that resources of £0.7m (including fees) are allocated from the 2022/23 capital programme. A detailed project appraisal will be brought to a future decision day.

Little Deer's Nursery, Burley

22. The proposed relocation of Little Deer's Nursery from its existing site to Burley Primary School was reported at £0.5m (including fees) on 15 March 2021.

23. Detailed design work and industry engagement has indicated that the scheme is likely to be more expensive than originally estimated. This is because of continuing inflation in the construction sector as well as the nature of the project.

24. Therefore, it is recommended that resources of £0.7m (including fees) are allocated from the 2022/23 capital programme. A detailed project appraisal will be brought to a future decision day.

Mark Way School, Andover

25. The proposed expansion to Mark Way School was reported at £2.18m (including fees) on 14 January 2022.

26. Detailed design work and industry engagement has indicated that the scheme is likely to be more expensive than originally estimated. This is because of continuing inflation on both labour and materials in the construction sector.

27. Therefore, it is recommended that resources of £2.417m (including fees) are allocated from the 2022/23 capital programme.

Park View Primary, Basingstoke

28. Park View Primary school caters for children from the ages 2 – 11 with the nursery age children (2-4) currently accommodated in an on-site modular building. With the projected increase in nursery age children to 40 it is proposed to relocate these children in the main school building which will require internal alterations to create the nursery teaching spaces, a staff office and additional toilets. The project is estimated to cost £0.8m (including fees) and will allow for better integration of pupils within the nursery environment. The scheme is expected to start in February 2023 and complete in June 2023.

29. Therefore, it is recommended that resources of £0.8m (including fees) are added to the 2022/23 capital programme. A detailed project appraisal will be brought to a future decision day.

Poulner Infant School, Ringwood

30. The proposed relocation of the nursery provision currently situated within the Poulner Infant school building to new accommodation was reported at £0.487m (including fees) on 11 November 2020.
31. Detailed design work and industry engagement has indicated that the scheme is likely to be more expensive than originally estimated. This is because of continuing inflation in the construction sector as well as the nature of the project.
32. Therefore, it is recommended that resources of £0.7m (including fees) are allocated from the 2022/23 capital programme. A detailed project appraisal will be brought to a future decision day.

Swanwick Lodge, Fareham

33. The DfE recently awarded Swanwick Lodge Secure Children's Home grants totalling £0.506m to support the replacement of the staff alarm and pager system and internal improvements. The grant has been awarded on the basis that works will be completed by March 2023.
34. Therefore, it is recommended that resources of £0.506m (including fees) are added to the 2022/23 capital programme.

Access improvements in schools

35. As in previous years, funding has been made available to fund access improvements to mainstream schools, both at a pupil-led and strategic level.
36. Therefore, it is recommended that the projects listed at Appendix 4 are approved from the capital programme for 2022/23.

Modular Classrooms

37. The use of high-quality modular buildings can be a solution for some accommodation pressures. Such buildings are relatively quick to install and provide for a good quality learning environment, meeting the most recent building regulations. For some schools, modular classrooms may be the only expansion solution, whilst others may find a mixture of both permanent and modular accommodation.
38. Details of the location of planned modular buildings required for September 2022 are listed for information in Appendix 3. In some cases, the units will be rented due to the shorter-term requirement, whilst others will be purchased recognising a longer-term pressure in those locations. In both cases, the movement of existing owned modular buildings will also be considered. The sites currently listed in Appendix 3 may need to be

updated following pupil data received later in the academic year. The actual needs of sites will be determined following receipt of updated information on pupil places required for the September 2022 intakes. It is recommended that approval be given to the Director of Children's Services to determine those sites that require modular buildings for the 2022/23 academic year.

Action taken by the Director of Children's Services

39. Under delegated powers and following consultation with the Executive Lead Member for Children's Services, the actions set out in Appendix 4 have been taken and it is recommended that these approvals are noted.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	Yes
People in Hampshire live safe, healthy and independent lives:	Yes
People in Hampshire enjoy a rich and diverse environment:	Yes
People in Hampshire enjoy being part of strong, inclusive communities:	Yes

Other Significant Links

Links to previous Member decisions:		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
Children's Services Capital Programme 2017/18 to 2019/20	7917	18 January 2017
Children's Services Capital Programme update	n/a	19 June 2017
Children's Services capital programme update	n/a	20 September 2017
Direct links to specific legislation or Government Directives		
<u>Title</u>		<u>Date</u>

Section 100 D - Local Government Act 1972 - background documents	
<p>The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)</p>	
<u>Document</u>	<u>Location</u>
None	

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

Equality and diversity objectives will be considered on an individual project basis by conducting Equality Impact Assessments and are not considered at this stage or within this report.

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Revised Children's Services Capital Programme 2022/23

Category	Project	Estimated Starts Value £'000
Primary School Projects	Liphook Infant & Junior, Liphook	1,048
	Park View Primary, Basingstoke	800
	Poulner Infant, Ringwood	700
	Sharps Copse Primary, Havant	1,850
	South Farnborough Junior, Farnborough	450
	Stanmore Primary, Winchester	500
Secondary School Projects	Secondary School Improvements	194
	Bohunt School, Liphook	243
	Brookfield Secondary, Fareham	754
	Swanmore College, Winchester	148
	Winton Academy, Andover	6,600
Special Schools & Resourced Provision	Special School Improvements	1,333
	St Francis Special School, Fareham	600
	Berewood Primary, Havant	750
	Icknield School, Andover	2,800
	Pinewood Infant, Farnborough	200
	Special High Needs Provision Grant	1,442
	Henry Tyndale School satellite at Park Children's Centre, Farnborough	1,100
	Hollywater School, Bordon	530
	Mark Way School, Andover	2,417
	Riverside School, Waterlooville	500
	New High Needs Grant	16,961
	SEND Grant Improvements	76
	Post 16 Resourced Provisions	1,981
Other Improvement Projects	School Suitability Programme	2,566
Block Votes	Access Improvements in Schools	750
	Early Years/Childcare Sufficiency	600
	Denmead Junior School, Waterlooville	700
	Little Deer's Day Nursery, Burley	700
	Furniture & Equipment	250
	Health & Safety	400
	Healthy Pupils Capital Fund	87
	Minor Works	580
	Modular Classroom Replacement	2,000
	Projects Funded by Developer Contributions	8
	Schools' Devolved Formula Capital (DFC)	3,354
	Contingency	12,597
Children's Social Care	Foster Carers	721
	Adaptation Equipment	250
	New Children's Home – Hayter House, Romsey	1,200

Appendix 1

Category	Project	Estimated Starts Value £'000
	Swanwick Lodge	1,051
	Total	71,791

Children's Services Capital Resources 2022/23

	£'000	£'000
Cash Limit reported 14 January 2022		32,530
Project deferrals from 2021/22	18,801	
Capital Receipts applied	1,150	
DfE Grant – Hayter House	787	
DfE Grants – Swanwick Lodge	506	
DfE – Increase in Devolved Formula Capital (DFC) Grant	5	
South West Railway Grant – Bohunt School	126	
Boorley Green (Boorley Park Primary) Developer Contribution	8	
Kennel Farm (Park View Primary) developer contribution	800	
Silent gardens (Bohunt School) Developer Contribution	117	
DfE – High Needs Grant	16,961	
Total Resources		71,791

Social Care	Project	Funding Source	Year	£'000
New Forest Area	First floor extension	Social Care	2022/23	100
New Forest Area	Ground Floor extension	Social Care	2021/22	10
New Forest Area	Ground Floor extension	Social Care	2022/23	8
East Hants Area	Ground floor extension	Social Care	2022/23	15
East Hants Area	Ground floor extension	Social Care	2022/23	19
Eastleigh Area	Ground floor extension	Social Care	2022/23	15
Test Valley Area	Ground floor adaptations	Social Care	2021/22	21
	Total			188

Capital Programme 2021/22

Schemes Not Started by 31 March 2022 – To Be Carried Forward to 2022/23

Scheme	Value £'000	Anticipated Start Date	Reasons for deferral and Re-scheduling
Poulner Infant, Christchurch	537	July 2022	Consultation over project details
Brookfield School, Fareham	754	May 2022	Consultation over project details
Swanmore College, Swanmore	148	May 2022	Consultation over project details
Secondary School Improvements	194	Various	Projects planned during 2022
Special High Needs Provision Grant	1,869	Various	Specifications being finalised for named projects
SEND Grant (Including Post-16 College Grants)	2,057	July 2022	Consultation over project details
Special School Improvements	933	Various	Specifications being finalised for named projects
Minor Works	280	July 2022	Specifications being finalised for named projects
School Improvement Projects	1,789	Various	Specifications being finalised for named projects
School Suitability Programme	566	Various	Specifications being finalised for named projects
Health & Safety	251	Various	Projects planned during 2022
Furniture and Equipment*	142	Various	Planned F&E for future named projects
Healthy Pupils Capital Fund*	87	Various	Specifications being finalised for named projects
Modular Classroom replacement	1,640	Various	Projects planned during 2022 to meet increasing demand
Access Improvements in Schools*	651	July 2022	Projects planned during 2022
Foster Carers	413	Various	Projects being planned during 2022
Swanwick Lodge, Fareham	545	July 2022	Projects being planned during 2022
Adaptation Equipment*	208	Various	Projects planned during 2022
Contingency	5,737	Various	Inflation and abnormal costs
Total	18,801		

Note: *Schemes controlled on an expenditure basis.

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New Modular Classrooms 2022/23

School	NCA October 2021	Actual NOR October 2021	Forecast NOR January 2025	Cost £'000	Requirement
Cornerstone CE (VA) Primary, Whiteley	315	225	155	600	HCC Owned – Additional approval for the removal of large 29 Bay school Cornerstone CE (VA) Primary and reinstatement of grounds.
Denmead Junior School, Waterloooville	-	-	-	400	Purchase/HCC Owned – New 40 place Early Years setting to meet increased local demand.
Riverside Community Special School, Waterloooville	128	128	137	400	HCC Owned – Installation of owned double unit to provide teaching space for additional pupils.
Winton Academy, Andover	900	823	976	500	HCC Owned – Installation of large 29 Bay school.
Total				1,900	

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Actions by Director of Childrens Services

School	Project	Funding Source	Year	Cost £'000
Ashley Junior, New Milton	Expansion of SLD Resourced Provision	SEN	2022/23	60
Bohunt School, Liphook	New pathways	Developer Contribution	2022/23	243
Brockhurst Primary, Gosport	Internal H&S alterations	Health & Safety	2022/23	15
Burgate School, Fordingbridge	Hygiene room improvements and handrails	AIS	2022/23	22
Castle Hill Primary, Basingstoke	Kitchen expansion	Minor Works	2022/23	142
Crestwood School, Eastleigh	Atrium floor improvements	Cash limit adjustment	2021/22	260
Crofton Anne Dale Junior, Fareham	Internal H&S Alterations	Health & Safety	2022/23	35
Fareham College, Fareham	Hygiene room refurbishment	High Needs Provision Grant	2022/23	60
Havant & South Downs College, Havant	Hygiene room refurbishment	High Needs Provision Grant	2022/23	70
Micheldever CE Primary, Winchester	Purchase of land	Capital Receipt	2022/23	22
Norman Gate School, Andover	Create new classroom	High Needs Provision Grant	2022/23	190
Rowhill School, Aldershot	New internal and external doors	Minor Works	2022/23	100
Sarisbury Junior, Fareham	Internal and external access improvements	AIS	2022/23	23
South View Infant, Basingstoke	External improvements	Minor Works	2021/22	100
Winton Academy, Andover	New MUGA (part of 1fe expansion)	Basic Need	2022/23	402
Woolton Hill Junior, Basingstoke	External H&S works	Health & Safety	2022/23	15
Total				1,759

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HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Lead Member for Children's Services
Date:	8 June 2022
Title:	Approval to Spend Request for Special Educational Needs (SEN) Discretionary Payments
Report From:	Director of Children's Services

Contact name: Laura Timms

Tel: 07751150358

Email: Laura.timms@hants.gov.uk

Purpose of this Report

1. The purpose of this report is to seek approval to spend on Special Educational Needs (SEN) discretionary support under a new framework agreement being procured. The framework agreement is being put in place to ensure spend is compliant with procurement regulations, to improve the quality of provision and to ensure that outcomes for pupils are met. In accordance with the Council's scheme of delegation, Executive Lead Member approval is required for spend over £2m.

Recommendation(s)

2. It is recommended that the Executive Lead Member approves spend against the new SEN discretionary spend framework agreement of up to £109m over 12 years (four years, plus two extension options of four years each).

Executive Summary

3. This report seeks to identify the current total discretionary payments spend, outline the work undertaken to review different elements of this spend and proposed developments, and explain the spend that this framework agreement will cover.
4. Discretionary spend is expenditure against part of the high needs block which is part of the ring-fenced Dedicated Schools Grant. The total discretionary spend in the financial year 2021-22 was £13.4m, covering a range of support including SEN support and alternative provision.
5. Current spot purchase arrangements will be improved through the procurement of a framework agreement which will also introduce reporting by providers against Key Performance Indicators and rigorous quality checks.

Contextual information

6. Hampshire County Council (HCC) support approximately 13,262 children and young people who have an Education Health and Care Plan (EHCP). Of these, in the region of 500 require specialist services that will form part of the scope of the new framework agreement.
7. A review of discretionary payments spend was undertaken which identified four key areas of spend:
 - (i) Additional support to schools (e.g. Learning Support Assistants)
 - (ii) Therapies
 - (iii) Packages of support (meaning support which is coordinated by an external provider)
 - (iv) 'Other' (included within this would be specialist teachers experienced in Autistic Spectrum Conditions, music therapy, equine therapy, rebound therapy, play therapy, tutors etc).
8. The aim of these discretionary services is to deliver bespoke, short-term interventions to support engagement or re-engagement with the pupil's education, training, or employment setting. Currently services are spot purchased through 65 providers to meet the needs of pupils in this manner.
9. The new framework will focus on outcomes for pupils, increase quality assurance and will enable compliance in a flexible manner.
10. HCC have approached neighbouring local authorities with a view to potentially joining the framework agreement. At this time, they felt unable to commit to the arrangement HCC are putting in place.
11. The proposal is to have an open framework agreement under the light-touch procurement regulations. This means providers can join at any time. The framework will have six:
 - Lot 1 – Tutoring (QTS qualified)
 - Lot 2 – Tutoring (non QTS qualified)
 - Lot 3 – Speciality Teachers
 - Lot 4 – Regulated services supporting education
 - Lot 5 – Other services supporting education
 - Lot 6 – Registered Physiotherapy
12. Each lot has a price cap, meaning that if providers bid above the capped amount, they will be automatically excluded. Services will be awarded to the best value provider within each lot who is able to meet the outcomes identified at the lowest cost.
13. In accordance with the scheme of delegation, the Director of Children's Services has given approval to procure the framework agreement for up to 12 years (4+4+4), and it is planned to go out to tender in May 2022 with individual packages of services (call offs) being ready for delivery in

September 2022.

14. Approval to spend from September 2022 under this framework agreement is being requested.

Finance

15. Spend on discretionary SEN services has been increasing due to the growing number of pupils with Education Health and Care Plans (EHCPs) and the shortage of SEN school provision. Current approval for support services is overseen by the assistant service managers in SEN.
16. The framework value has been calculated based on current spend (£4.3m), anticipated growth in EHCPs and cost of living increases, making a total contract value of up to £109m. Framework values identified the maximum expenditure under the agreement however there is no commitment to making this level of spend. This is existing spend against the High Needs budget, overseen by the County Education Manager for Inclusion.

Performance

17. Successful framework providers will be required to complete termly reporting against Key Performance Indicators. Quality checks will be undertaken upon application to the framework agreement and as required during its term.

Consultation and Equalities

18. N/A

Climate Change Impact Assessment

19. The outcome of the climate impact assessment was minimal, there will be slight reduction in travel as services are commissioned in localities and some provision may be virtual.

Conclusions

20. It is recommended that the Executive Lead Member approves spend against the new SEN discretionary spend framework agreement of up to £109m over 12 years (four years, plus two extension options of four years each).

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	Yes
People in Hampshire live safe, healthy and independent lives:	Yes
People in Hampshire enjoy a rich and diverse environment:	No
People in Hampshire enjoy being part of strong, inclusive communities:	Yes

Other Significant Links

Links to previous Member decisions:	
<u>Title</u>	<u>Date</u>
Direct links to specific legislation or Government Directives	
<u>Title</u>	<u>Date</u>
Children and Families Act 2014 (legislation.gov.uk)	2014
SEND Code of Practice January 2015.pdf	2015

Section 100 D - Local Government Act 1972 - background documents	
<p>The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)</p>	
<u>Document</u>	<u>Location</u>
None	

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

The recommendation in this report is that it will have a low impact on groups with protected characteristics. The only protected characteristic effected will be disability which will have a positive public impact as this project will increase oversight and management of providers being commissioned and will encourage the local market to development increasing the amount of suitable local provision.

CLIMATE CHANGE IMPACT ASSESSMENTS

Climate Change Adaptation

A full assessment of climate change vulnerability was not completed as the initial vulnerability assessment showed that the project is at minimal risk from the climate vulnerabilities because the services to be provided will be across the county and will be bespoke to each individual pupils at the time the service is delivered. Therefore, the vulnerability to climate change is minimal as the only risks are any that may be affecting the school sites currently.

Carbon Mitigation

Carbon emissions from this project arise from service providers travelling to and from pupils' schools or other locations to deliver services (tutoring, therapy etc.). these circumstances have existed for several years, and providers may find themselves travelling large distances across the county to be able to meet the needs of the individual pupils.

Carbon emissions will be mitigated under the new framework by ensuring that when providers tender, they only select an area of the county that they can deliver their service in. This will mean that providers will only be called off by the SEN Service if they are local to the pupil and are able to meet their needs locally, this will reduce their carbon impact from travelling. Some services (tutoring) may also be available virtually which they have not been offered as before. This will mean that travel in these cases will cease completely, and the carbon impact will be minimal.

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Lead Member for Children's Services
Date:	8 June 2022
Title:	Additional Specialist Provision for Hampshire
Report From:	Director of Children's Services

Contact name: Bernadette Dawes, Inclusion Commissioning Manager

Tel: 0370 7790226

Email: bernadette.dawes@hants.gov.uk

Purpose of this Report

1. The purpose of this report is to provide feedback on the statutory public notice periods and obtain final approval for the following projects to proceed:
 - a. the proposed satellite extension of Henry Tyndale School, Farnborough, utilising accommodation at the former Park Children's Centre, Aldershot.
 - b. the proposed expansion of Norman Gate School, Andover.
 - c. the proposed Resourced Provision at Pinewood Infant School, Farnborough.

Recommendations

2. To make a prescribed alteration to Henry Tyndale School, Farnborough, (category of school: Special) to expand from 153 places to 188 places utilising the former Park Childrens Centre, Aldershot, with effect from 1 September 2023.
3. To make a prescribed alteration to Norman Gate School, Andover, (category of school: Special) to expand from 93 places to 105 places, with effect from 1 September 2022.
4. To make a prescribed alteration to Pinewood Infant School, Farnborough, (category of school: community) to expand from 105 places to 113 places, with effect from 1 September 2022.
5. That approval be given to the following proposals: published by Hampshire County Council under Section 19 (1) of the Education and Inspections Act 2006: to make a prescribed alterations to Henry Tyndale School, Norman Gate School, and Pinewood Infant School.

Executive Summary

6. Hampshire County Council has a statutory duty to provide school places for all children, including those who have special educational needs and/or a disability. The County Council is committed to further developing successful provision to meet this demand within the Special Education Needs and Disability (SEND) sector.
7. The proposed additional SEND provision outlined within this report will help manage some of the school place pressures generated by the increase in the number of Education, Health, and Care Plans (EHCPs) maintained by the Local Authority. Since 2015-16 the number of pupils in Hampshire with EHCPs has increased from 5,558 to 12,456 in November 2021 (an increase of 124%) with approximately 33% of pupils with an EHCP in a specialist placement. This has resulted in a corresponding pressure for places in special schools and resourced provision. The County Council is committed to further developing successful provision or creating new provision where possible to meet demand for places.
8. The lack of sufficient provision within Hampshire Schools has resulted in increased placements within the independent and non-maintained sector (INMSS). The proposals contained within this report aim to build on good quality Hampshire school provision and meet the needs of children and young people within their settings. This will reduce the Local Authority's dependence upon independent and non-maintained provision (INMSS) and will aim to keep pupils as close to their home community as possible.

Contextual Information

Expansion of Henry Tyndale School, Farnborough utilising accommodation at former Park Children's Centre, Aldershot

9. The Park Children's Centre located on the Park Primary School, Gloucester Road, Aldershot site was previously used for childcare which closed on 31 August 2017. A small number of Family Support Services staff currently utilise the building.
10. The proposal is to utilise accommodation, at the former Park Children's Centre, as a specialist satellite provision, run by Henry Tyndale School, Ship Lane, Farnborough. This will provide accommodation to meet the needs of up to 35 primary aged pupils with severe learning difficulties (SLD) and Autistic Spectrum Conditions (ASC).
11. The current agreed pupil number of Henry Tyndale School is 153, therefore, their total number on roll would become 188.
12. Subject to the outcome of the consultation, it is proposed that places will be available from September 2023.

13. This is an exciting opportunity to utilise a former Children's Centre building, to provide this much needed additional specialist provision.
14. It is proposed that some internal building alterations are undertaken to create appropriate learning spaces and hygiene facilities, together with upgraded external play areas; landscaping; works to the car park entrance and car park to accommodate a turning circle, and a drop off area for the new provision.
15. A total of £1.1m of Childrens Services capital funding was approved at the Executive Lead Member for Children's Services Decision Day on 14 January 2022.

Norman Gate School, Andover

16. Norman Gate School is a primary special school for children aged 2-11 years, with moderate learning difficulties and autistic spectrum condition.
17. The proposal is to refurbish a food technology space into a general teaching classroom, create a food technology space elsewhere in the school and reconfigure a toilet / hygiene space. This will provide accommodation to meet the needs of an additional 12 primary-aged pupils with moderate learning difficulties (MLD) and Autistic Spectrum Conditions with places available from September 2022. A total of £160,000 of Childrens Services capital funding was approved at the Executive Lead Member for Children's Services Decision Day on 14 January 2022.

Pinewood Infant School, Farnborough

18. Pinewood Infant School is a maintained school for children from Year R to Year 2 that has a resourced provision for children with Speech, Language and Communication Needs.
19. The proposal is to refurbish a music space into a specialist classroom and sensory space; external landscaping and relocating an area for Emotional Literacy Support. This will provide accommodation to meet the needs of up to 8 infant-aged pupils, with Autistic Spectrum Conditions, with first places available in September 2022. A total of £200,000 of Childrens Services capital funding was approved at the Executive Lead Member for Children's Services Decision Day on 14 January 2022.

Therapy Provision

20. New developments should include a therapy 'core offer' for both Special Schools and Resourced Provisions.
21. The Communication and Interaction Team ensure that all special schools have a minimum 'core offer' of one and a half days per week; and ensures that Special Schools have consistent face to face contact for approximately

80% of the school day. The remaining 20% of time is used for report writing and development work.

22. For the Special schools mentioned above, Norman Gate School require the minimum core offer of 1.5 days per week from September 2022 and for Henry Tyndale Satellite at Park Children's Centre, from September 2023 an additional 1.5 days per week would be required. In addition to this a further half day per week would be required for specific case work. Therefore, the total days required for the two expansions is 3.5 days per week.
23. For the Resourced Provision at Pinewood School the core offer would be one day, every half term, totalling 6 days. This is for consultancy and advice, training, setting up and monitoring targeted interventions with RP staff.
24. It should be noted that, depending on the needs of the children within the schools and Resourced Provisions, additional Therapy provision may be required. This is to fulfil the local authority's legal obligation to deliver all statutory provision that is specified within Education Health and Care Plans. Statutory Provision can either be 'direct,' where the Therapist is assessing or teaching the child face to face in either a group, 1:1 or classroom context, or 'indirect' where the Therapist is supporting others to understand how to support the child. Indirect Therapy includes the analysis of an assessment or writing a report, programme, or strategy plan; and is an essential component of ensuring a child both makes progress and can use their acquired communication skills in an educational context. This quantity of statutory provision required over and above the core offer would need to be calculated annually.
25. For the provisions opening in September 2022, 0.34 of a full time equivalent (FTE) G Grade Speech and Language Therapist post is required at an approximate cost of £25,718 per annum.
26. For Henry Tyndale Satellite at Park Children's Centre opening in September 2023 0.35 FTE G Grade Speech and Language Therapist is required £23,688 per annum.

Finance

27. Creating additional specialist places in Hampshire schools has both revenue and capital finance implications. Revenue funding is provided through the Dedicated Schools Grant, with funding coming from the High Needs Block and the Schools Block.
28. From a revenue perspective, it is more cost effective to increase in-house provision, rather than place children in expensive independent provision as shown in the following table:

Table 1 – cost comparison

Type of provision	Average revenue cost per place
Special school	£16,000
Resourced provision	£15,200
Independent and non-maintained special school place	£61,700

29. Funding from the High Needs Block is calculated by the government using a national funding formula, which includes population and proxy factors of need based on children living in Hampshire and a basic entitlement factor.
30. The annual revenue cost of the proposed additional places has been calculated based on the average funding rates for the schools that are expanding:

Table 2 - Additional annual revenue cost

Name of school	Number of new places being created	Average cost per place*	Estimated Revenue Cost
Henry Tyndale School at former Park CC	35	£16,900	£591,500
Norman Gate School	12	£14,100	£169,200
Pinewood Infant School	8	£19,800	£158,400

*These figures include the £4,000 funding from the mainstream school budget share.

31. The total revenue cost of £919,100 for the in-house places compares to an estimated £3.4m for the same number of places in independent and non-maintained special schools using the average cost of an SEN only funded day placement. This equates to approximately £2.5m of cost avoidance on the High Needs Block.
32. In addition to this, there are additional therapy costs of £49,406 and there could be some additional revenue costs required to support the setting up of new provisions and to ensure viability as the provisions build up to capacity.
33. Estimated capital costs for the proposed projects are outlined below and in Appendix 2.

Name of school	Project	Number of new places being created	Estimated Capital Cost
Henry Tyndale Satellite @ Park CC	Internal and external works	35	£1,100,000
Norman Gate School	Internal works	12	£160,000
Pinewood Infant School	Internal works	8	£200,000
Total			£1,460,000

Performance Impact

34. By developing inhouse provision, the impacts are as follows:

- a) Improving access to provision in Hampshire, meaning that children can remain, where possible, local to their own communities
- b) The needs of the child will be met in a timely way at a suitable provision
- c) The provisions within this document are rated Good or above, by Ofsted
- d) There is less reliance on more expensive INMSS provision; or 'Out of County' placements, which are away from a child's home and community, and may also incur transport costs.

Consultations

35. The Statutory Public Notice period for Henry Tyndale School, Norman Gate School and Pinewood Infant School took place between 25 March and 6 May 2022. Copies of the Public Notices are attached at Appendix 1.
36. The Notices were displayed at the schools, circulated to stakeholders, published in the Hampshire Independent and on Hampshire County Council's public notice portal: [Public notices | Hampshire County Council \(hants.gov.uk\)](https://www.hants.gov.uk/public-notices)

Consultation Responses Received

Expansion of Henry Tyndale School, Farnborough - satellite at former Park Children's Centre, Aldershot

37. One response was received during the Public Notice period requesting a copy of the full proposal for the project, but no follow up queries were submitted. Work continues with both Henry Tyndale and Park Primary Schools to establish a Memorandum of Understanding regarding the shared site and operational matters such as school day times and safeguarding. If

given approval to proceed a drop in for all stakeholders and residents will be held as part of the pre-planning stage, this will aid in the development of the details of the external areas, main entrance and highways works.

Expansion of Norman Gate School, Andover

38. No responses were received during the Public Notice period for the proposed expansion of Norman Gate School. A review and work with both Norman Gate and Vigo Schools are ongoing regarding safe pupil drop off / pick up and parent behaviours related to responsible parking.

New Resourced Provision at Pinewood Infant School, Farnborough

39. One response was received about the proposed resourced provision at Pinewood Infant School – this related to clarification on what ‘local area’ meant in relation to pupils being placed in the Resourced Provision. No specific area is recorded but it is intended that children will be local to Pinewood Infant and certainly from within the Rushmoor and Hart district areas.

Climate Change and Impact Assessment

40. Hampshire County Council utilises two decision-making tools to assess the carbon emissions and resilience impacts of its projects and decisions. These tools provide a clear, robust, and transparent way of assessing how projects, policies and initiatives contribute towards the County Council’s climate change targets of being carbon neutral and resilient to the impacts of a 2°C temperature rise by 2050. This process ensures that climate change considerations are built into everything the Authority does.
41. The carbon mitigation tool and the climate change adaption tool were not applicable because this is a strategic report. The Climate Change Impact Assessment will be undertaken in conjunction with colleagues in Culture, Community and Business Services as individual projects are developed and brought to future Decision Days

Carbon Mitigation

42. Not relevant regarding the content of this report or decision being sought.

Conclusions

43. In considering all the responses received, approval is sought to proceed with:
 - a. the development of the satellite to Henry Tyndale School, at former Park Children’s Centre, Aldershot.
 - b. the expansion of the Norman Gate School, Andover.
 - c. the establishment of an ASC resourced provision at Pinewood Infant School, Farnborough.

Appendix 1



PROPOSAL TO ESTABLISH A SATELLITE PROVISION FOR HENRY TYNDALE SPECIAL SCHOOL AT THE FORMER PARK CHILDREN'S CENTRE, ALDERSHOT

1. Notice is hereby given, in accordance with Section 19(1) of the Education and Inspections Act 2006, that Hampshire County Council intends to make a prescribed alteration to **HENRY TYNDALE SCHOOL**, Ship Lane, Farnborough Hampshire, GU14 8BX (category of school – Special) by increasing the capacity of the school, with effect from 1 September 2023.
2. Henry Tyndale School is designated for children aged 2-19 with Autistic Spectrum Conditions (ASC), Severe Learning Difficulties (SLD) and Profound and Multiple Learning Difficulty (PMLD). The accommodation and site area of the former Park Children's Centre can be refurbished to meet the needs of up to 35 primary aged pupils with Severe Learning Difficulties (SLD) and Autistic Spectrum Condition (ASC). External car park works are also included in the proposal. The proposal is to enlarge the school with effect from **1 September 2023**.
3. The current agreed pupil number of Henry Tyndale School is for 153 places. The satellite accommodation will be provided with effect from 1 September 2023. From that date, the school will have a total capacity for 188.
4. The estimated capital cost of this project is £1.1m and was included in the Children's Services Capital Programme report approved by Executive Lead Member for Children's Services on 14 January 2022. This funding enables internal building alterations to be undertaken to create appropriate learning spaces and hygiene facilities together with upgraded external play areas. Landscaping and works to the car park entrance and car park are also planned – this element of the works will be subject to a planning application.
5. This Notice is an extract from the complete proposal. Copies of the complete proposal may be obtained from Bernadette Dawes, Inclusion Commissioning Manager, Children's Services Department, EII Court North, Winchester, Hampshire SO23 8UG; e-mail: strategicplanningunit@hants.gov.uk
6. Within six weeks from the date of publication of these proposals, any person may object or make comments on the proposal by sending them to Bernadette Dawes, Inclusion Commissioning Manager, Children's Services Department, EII Court North, Winchester, Hampshire SO23 8UG; e-mail: strategicplanningunit@hants.gov.uk

Dated 25 March 2022

Carolyn Williamson
Chief Executive

NORMAN GATE SCHOOL, ANDOVER – ENLARGEMENT

1. Notice is hereby given, in accordance with Section 19(1) of the Education and Inspections Act 2006, that Hampshire County Council intends to make a prescribed alteration to **NORMAN GATE SCHOOL**, Vigo Road, Andover, Hampshire SO10 1JZ (category of school – Special) by increasing the capacity of the school with effect from 1 September 2022.
2. The enlargement of Norman Gate School will provide additional accommodation to provide support for pupils with moderate learning difficulties and Autistic Spectrum Condition where there is an increased need in this area of the County. The school is successfully meeting the needs of children with a range of needs in a safe and secure environment. The proposal is to enlarge the school with effect from **1 September 2022**.
3. Norman Gate School is currently a 93-place special school for 2–11-year-olds with moderate learning difficulties (MLD) and Autistic Spectrum Condition (ASC). The enlargement of accommodation will be provided from 1 September 2022. From that date, 12 places will be added to a final overall capacity of 105 places.
4. The capital cost of this project c.£160,000, was included in the Children's Services Capital Programme report approved by Executive Lead Member for Children's Services on 14 January 2022. This funding provides for the conversion of a food technology room into a classroom, the reprovision of the food technology space and the refurbishment of a toilet / hygiene area.
5. This Notice is an extract from the complete proposal. Copies of the complete proposal may be obtained from Bernadette Dawes, Inclusion Commissioning Manager, Children's Services Department, EII Court North, Winchester, Hampshire SO23 8UG; e-mail: strategicplanningunit@hants.gov.uk
6. Within six weeks from the date of publication of these proposals, any person may object or make comments on the proposal by sending them to Bernadette Dawes, Inclusion Commissioning Manager, Children's Services Department, EII Court North, Winchester, Hampshire SO23 8UG; by e-mail: strategicplanningunit@hants.gov.uk

Dated 25 March 2022

Carolyn Williamson
Chief Executive

PINEWOOD INFANT SCHOOL, FARNBOROUGH – RESOURCED PROVISION

1. Notice is hereby given, in accordance with Section 19(1) of the Education and Inspections Act 2006, that Hampshire County Council intends to make a prescribed alteration to **PINEWOOD INFANT SCHOOL**, Pinewood Park, Farnborough, Hampshire GU14 9LE (category of school – Community) by increasing the capacity of the school with effect from 1 September 2022.
2. It has been identified that there are an increasing number of children in the county who are being diagnosed with autism. The addition of a resourced provision to Pinewood Infant School will provide additional accommodation for these children. The school is successfully meeting the needs of children with a range of needs in a safe and secure environment. The proposal is to enlarge the school with effect from **1 September 2022**.
3. The current capacity of Pinewood Infant School is for 105 pupils. The enlargement of the school will add up to an additional 8 places over 2 years starting from 1 September 2022 and from that date the school will have a total capacity for 113 pupils. The current admission number for the school is 35 and this will increase to 38 on the implementation of this proposal.
4. The capital cost of this project, £200,000, was included in the Children's Services Capital Programme report approved by Executive Lead Member for Children's Services on 14 January 2022. This funding provides for the refurbishment of an underutilised area of the school and outdoor space to create a designated area for the new resourced provision.
5. This Notice is an extract from the complete proposal. Copies of the complete proposal may be obtained from Bernadette Dawes, Inclusion Commissioning Manager, Children's Services Department, E11 Court North, Winchester, Hampshire SO23 8UG; e-mail: strategicplanningunit@hants.gov.uk
6. Within six weeks from the date of publication of these proposals, any person may object or make comments on the proposal by sending them to Bernadette Dawes, Inclusion Commissioning Manager, Children's Services Department, E11 Court North, Winchester, Hampshire SO23 8UG or e-mail: strategicplanningunit@hants.gov.uk

Dated 25 March 2022

Carolyn Williamson
Chief Executive

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	Yes
People in Hampshire live safe, healthy, and independent lives:	Yes
People in Hampshire enjoy a rich and diverse environment:	Yes
People in Hampshire enjoy being part of strong, inclusive communities:	Yes

Other Significant Links

Links to previous Member decisions:	
<u>Title</u> Children’s Services Capital Programme 2022/23 – 2024/25 Expansion of Specialist Provision March 2022	<u>Date</u> Jan 2022 Mar 2022
Direct links to specific legislation or Government Directives	
<u>Title</u> None	<u>Date</u>

Section 100 D - Local Government Act 1972 - background documents	
<p>The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)</p>	
<u>Document</u>	<u>Location</u>

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation) and those who do not share it.
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic.
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it.
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

- (a) The recommendation in this report will have no impact on groups with protected characteristics.

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Lead Member for Children's Services
Date:	8 June 2022
Title:	The Future of Hatherden Church of England (Aided) Primary School, Andover – End of Public Notice Report
Report From:	Director of Children's Services

Contact name: Brian Pope, Assistant Director, Education and Inclusion

Tel: 02392 441471

Email: brian.pope@hants.gov.uk

Purpose of this Report

1. The purpose of this report is to provide feedback on the statutory public notice period and obtain final approval for the proposed closure of Hatherden Church of England (Aided) Primary School, Andover.

Recommendations

2. That approval is given under the Education & Inclusion Act 2006, Schedule 2, part 2 paragraph 8 for the closure of Hatherden Church of England (Aided) Primary School with effect from 31 August 2022.

Executive Summary

3. The report entitled 'The Future of Hatherden Church of England (Aided) Primary School, Andover' was taken to Executive Lead Member of Children's Services on 23 March 2022 and approval given to publish Public Notices for the closure of the School.
4. On Friday 25 March 2022 a Public Notice on the future of Hatherden Church of England (Aided) Primary School was published and ran for six weeks until Friday 6 May 2022.
5. This report sets out the feedback received during the Public Notice period and recommends that the closure of the school be progressed.

Contextual Information

6. Hatherden Church of England (Aided) Primary School is a small rural school. Its performance, as rated by Ofsted, has been inconsistent. Over the past seven years it has been judged to be inadequate in two separate Ofsted judgements, the most recent being in July 2019.
7. In October 2014 Hatherden Church of England (Aided) Primary School was categorised 'Inadequate' by Ofsted. Although a subsequent inspection in September 2015 rated the school as Good', following a period of Local Authority (LA) support, the school has been unable to sustain this rating. It was last inspected in July 2019, when inspectors judged the school to be 'Inadequate'. The inspectors noted that safeguarding arrangements required urgent review and sharpening. In addition, inspectors noted that leaders needed to improve the leadership and management of the school, including governance, the quality of teaching and learning, and the progress made by pupils in writing and mathematics
8. The school has received Ofsted monitoring visits in February 2020, November 2020, January 2021 and May 2021. Following these visits, the school remains in a category of concern, despite improvements that have been noted. These improvements have relied heavily upon external support. It is highly unlikely that Ofsted will remove the category of concern until school leaders have the capacity for sustained self-improvement.
9. The school has benefitted from intensive, and largely funded, support from Hampshire Inspection and Advisory Service (HIAS) in order to improve the educational experiences and safeguarding of children in the school whilst the school's capacity is compromised. Further support has also been provided through the Diocese of Winchester and via the DfE funded school to school support through a local Teaching School.
10. Since the inspection in 2019, Ofsted have monitored the school four times. At each of the monitoring visits where Ofsted made a judgement, inspectors noted that leaders, and those responsible for governance, were taking effective action. Despite this, inspectors also noted that the impact of the extensive external support provided to the school, by the LA and the local teaching school, has been impeded by ongoing changes in the school's structure and leadership related to the fall in pupil numbers, as well as the challenges of the pandemic.
11. It is also the view of the Local Authority school improvement team that the changes in staffing related to falling numbers, and associated budget pressures, has had an adverse effect on leaders and teachers' collective capacity to improve the school at a sufficient pace, despite the considerable external support they receive. This is understandable, despite the very best endeavours of staff, since the many leadership and

management responsibilities and accountabilities of any school sit with only the interim acting headteacher and one other teacher.

12. A monitoring visit in May 2021 concluded that leaders and managers are taking effective action towards the removal of the “serious weakness” designation. However, it also explained that ‘leaders’ work to improve the curriculum remains ongoing. A number of factors have impeded the pace of this urgently needed work. Managing changes to the school’s structure and leadership led to some initial momentum being lost.’ It further comments, ‘The Local Authority and Diocese continue to invest heavily in supporting the school. By coordinating their work, this is enabling leaders to concentrate on a streamlined set of school-improvement priorities. Currently, local authority and diocesan support are focused on curriculum planning. This work is freeing up school leaders’ capacity to focus on other priorities and the day-to-day running of the school.’
13. In addition, were the school ever to be judged good, and no-longer in receipt of additional support, it would be challenging for a school of this size, with the related reduced leadership and teaching capacity, to respond to the commonplace challenges faced by schools on a regular basis, such as the recent review of the primary curriculum.
14. The school had 47 pupils on roll in the October 2020 census, but this has reduced over the last year to 33 pupils at the October 2021 census as parents continue to choose other schools. Four pupils joined in the Early Years reception age range this year so far against a Published Admission Number (PAN) of 16, (7 December 2021). Only five pupils are planning to join the school in September 2022 meaning that, again, the school will fall well short of the PAN.
15. Over time, budget reductions, driven by smaller pupil numbers, have led to a restructuring of the staff team. This has resulted in fewer staff, taking on a widening set of management responsibilities, which reduces the sustainable capacity for their impact without external support.
16. This presents leaders and governors with challenges to sustain the effectiveness of leadership and management in addition to the workload and wellbeing of individual staff. There are also implications for the age-related curriculum experience for children as a result of very small numbers in some year groups. The school has already lost pupils because parents have expressed a desire to attend a school with more children their own age. Despite what some have described as the benefits of a small school, this leaves those pupils who remain at Hatherden increasingly isolated from their peers in most age ranges.

17. The Education & Adoption Act 2016 places a duty on the Secretary of State to issue an academy order to all inadequate maintained schools and secure a sponsored academy solution for the school. The academy order was served on the school by the Regional Schools Commissioner (RSC) on 25 September 2019. Efforts to secure an academy sponsor with the appropriate experience and credentials required to effectively support the school have been ongoing. However, the low and declining pupil numbers and financial viability concerns have proved a major obstacle for those trusts who considered taking on the school.
18. Throughout the pandemic, officers in the RSC's office have met with the Local Authority on a weekly basis. Discussion of efforts to find a sponsor to take on Hatherden has been a very regular feature of these meetings. Following the initial consultation period, officers fed back to the RSC's office that there had been public disquiet that a sponsor had not been found. The RSC's office confirmed that they believed every possible sponsor had been approached but that the lack of a credible plan for sustained viability has prevented the RSC's office from securing a match.
19. Specific discussions have taken place with the RSC about the potential of federation with another local school, however, the RSC has determined that this is not an option acceptable to them as it is not in line with the policy of the Department for Education and the academy order must remain in place.
20. Discussions had been held with the RSC and officers of the Portsmouth and Winchester Dioceses about the future of the school and it was collectively agreed that a consultation process with regard to the closure of the school should be held. Both the Diocese and the RSC have been kept informed throughout the consultation period and their views on the recommendation within this report are attached at Appendix A.

Finance

21. Set out in the table below is the budgetary position for the school submitted by governors, up until the end of the financial year 2023/24.

Table 1 – School Budget Position

<i>Financial year</i>	<i>In Year +surplus / -deficit £</i>	<i>Cumulative position £</i>
<i>Balance from 2020/21</i>		<i>+88,222</i>
<i>2021/22</i>	<i>+45,227</i>	<i>+133,449</i>
<i>2022/23</i>	<i>+17,704</i>	<i>+151,153</i>
<i>2023/24</i>	<i>+14,642</i>	<i>+165,795</i>

22. The in-year surplus for 2021/22 is because the school received funding for 47 pupils as per the October 2020 census and the school has run fewer classes with the Headteacher teaching for part of the time.

23. The in-year surplus for 2022/23 and 2023/24 assumes the school will be funded for sufficient pupils for this scenario to unfold and the teaching costs are also assessed to reduce. The funding for 2022/23 is based on 33 children in attendance at the school at the October 2021 census and the funding for 2023/24 is based on estimated pupil numbers of 35 children. The school were assuming seven children would join the Early Years reception class in September 2022 however, the number is only five and the school has lost pupils across other year groups.
24. The school has not yet submitted a revised three year budget plan but given the numbers on roll that is highly likely to result in in-year losses and a subsequent reduction in the surplus balance held by the school over the medium term.

Consultation

25. The Statutory Public Notice period took place between Friday 25 March and Friday 6 May 2022 and a copy of the Public Notice is attached at Appendix 1.
26. The Notices were displayed at the school, circulated to stakeholders, and published in the Hampshire Independent and on Hampshire County Council's public notice portal: [Public notices | Hampshire County Council \(hants.gov.uk\)](https://www.hants.gov.uk/public-notices)

Responses Received

27. Eight responses were received during the Public Notice period – seven of these were from individuals and one on behalf of the Sambourne Trust.
28. Seven of the responses were objecting to the closure of Hatherden CE (aided) Primary School, with stated reasons including the following:
- a. Felt that March report was very negative and biased towards closure.
 - The March report sought to clearly set-out the facts around the many on-going issues and concerns being faced by the school and those organisations working with it.
 - b. Lack of alternative options other than closure – preference for requesting Ofsted inspection at later date to allow school to improve.
 - The County Council, Diocese, Regional Schools Commissioner and Department for Education have fully considered and explored all alternate options to closure. With County Council's and Diocese preferred option of federation not being acceptable to the DfE / RSC and no academy sponsor prepared to take on the school, closure has become the only acceptable solution. An Ofsted inspection would be required to evaluate sustainable leadership capacity before removing its category of concern, see comments above with regards to this.

- c. Noting the value of a local rural school.
 - The additional processes required to close a rural school are rightly highlighted within current DfE guidance. Any decision taken to close a rural school have been fully considered in relation to the impact it could have on its local community.

- d. Request to seek an academy sponsor again – not given sufficient time previously and timing was poor due to the pandemic.
 - Every effort has been made by the RSC / DfE, Diocese and County Council to secure an academy sponsor for the school. It is however the case that having undertaken due diligence, no sponsor has been prepared accept the risk to their capacity through Hatherden joining its existing Multi Academy Trust.

- e. Highlighting school budget not in deficit.
 - The school budget position while currently not in deficit must be considered in context with the detail set out in paragraph 21 to 25.

- f. Support of the local community and parents to keep the school open.
 - The drive from parents and the local community to support the school during these challenging times is very much welcomed. It cannot however be ignored that as a village school for some time now it has not been the school of choice for sufficient numbers of families to ensure viable and sustainable budgets and staffing structures.

- g. Not appropriate accommodation or equivalent facilities at other local primary schools to accommodate pupils from Hatherden CofE (aided) Primary School.
 - Capacity exists in other local schools in the area, should parents wish their children to attend them, and can provide all the required accommodation and facilities needed to deliver the very best educational opportunities.

- h. Consultation timing is unfair.
 - Timings around the consultation have had to be driven by the need to resolve the on-going challenges being faced by the school that show no signs of resolution in the short or long term. It would have not been acceptable to have allowed the situation to have continued beyond this academic year without a credible alternative.

- i. Statutory procedures regarding consultation with relevant parties not undertaken as stated in government guidance.

At all times the local authority has sought to follow all statutory guidance in relation to school closures and significant alterations in maintained schools.

- j. Local authority Hampshire Inspection and Advisory Services failed in their support of the school.

- Hampshire's Inspection and Advisory Service have supported the school intensively during periods of need for many years. This support has been added to by the diocese and a local teaching school. Ofsted has evaluated this support to be effective. Despite this support the challenges the school face have not been resolved in a way that is sustainable longer-term resulting in periods of success and decline in Ofsted ratings.
- k. Lack of consultation with The Sambourne Trust.

29. The letter from the Sambourne Trust stated their disappointment in not being contacted and involved in early discussions in regards the future of Hatherden CE Primary School and highlighted that 'as the owners of the site and buildings, we are anxious that the wishes of Mr James Sambourne, that a school should be held at Hatherden be continued, as they have been since 1725.'
30. Discussions with the Trust and diocese on the matter of ownership are now underway. It should also be noted that part of the site is in the freehold ownership of the County Council.
31. Ownership of the site and its potential future use while a matter of on-going discussion is not a material matter in the decision to close the school.
32. In addition to the above thirteen children from the school have written to the Cabinet Member for Children's Services, Education and Skills. These request that the Cabinet Member keep the school open.

Legal Implications

33. The Council has the power to make a proposal to close a maintained school under the Education and Improvement Act 2006. When formulating any closure proposals in relation to a rural primary school the council must have regard to:
 - a. The likely effect of the discontinuance of the school on the local community
 - b. The availability, and likely cost to the local authority, of transport to other schools,
 - c. Any increase in the use of motor vehicles which is likely to result from the discontinuance of the school, and the likely effects of any such increase, and
 - d. Any alternatives to the discontinuance of the school.
34. In addition, the Council is also required to have regard to the statutory guidance issued by the DfE when deciding whether a maintained school should close. The relevant statutory guidance is 'Opening and closing maintained schools' dated November 2019 and 'The making significant

changes (prescribed alterations) to maintained schools' dated October 2018.

35. The guidance states that the Council should be satisfied that there are sufficient surplus places elsewhere in the local area to accommodate the displaced pupils, and the likely supply and future demand for places in the medium and long term. The Council should also consider the overall quality of alternative places on the local area and the popularity of other local schools.
36. The guidance states that the Council should adopt a presumption against the closure of rural schools. However, this does not mean that a rural school will never close, but the case for closure should be strong and a proposal must be clearly in the best interests of educational provision in the area. When producing a proposal to close a rural primary school, the proposer must consider:
- *the likely effect of the closure of the school on the local community*; the closure of Hatherden Church of England (Aided) Primary School can be mitigated by the proposed relocation of pupils to Appleshaw, St Peters Primary School' if parents wish to have their children educated at the school rather than find a place elsewhere.
 - *the proportion of pupils attending the school from within the local community, i.e., is the school being used by the local community*; Hatherden Church of England (Aided) Primary School is not the school of choice as shown by the majority of its local community choosing other schools.
 - *educational standards at the school and the likely effect on standards at neighbouring schools*; Hatherden Church of England (Aided) Primary School was last inspected by Ofsted in July 2019. The school was graded as Inadequate. At the four monitoring visits undertaken by Ofsted since then the inspectors noted that leaders, and those responsible for governance were taking effective action towards the removal of the serious weaknesses designation and providing education in the current circumstances. Despite this, inspectors also noted that the impact of the extensive external support provided to the school, by the LA and the local teaching school, has been impeded by ongoing changes in the school's structure and leadership related to the fall in pupil numbers (with the school reducing to two classrooms), as well as the challenges of the pandemic. It is likely that, following the pattern seen before, when the LA reduces its support, the school will be unable to maintain the progress it has made to date. The Section 8 inspection in May 2021 concluded that leaders and managers are taking effective action towards the removal of the serious weaknesses designation. However, it also explained that 'leaders' work to improve the curriculum remains ongoing. A number of factors have impeded the pace of this urgently needed work. Managing changes to the school's structure and leadership led to some initial momentum being lost.' It further comments, 'The Local Authority and Diocese continue to invest heavily in supporting the school. By coordinating their work, this is enabling leaders to concentrate on a streamlined set of school-improvement

priorities. Currently, local authority and diocesan support are focused on curriculum planning. This work is freeing up school leaders' capacity to focus on other priorities and the day-to-day running of the school.' There is no reason to anticipate any detrimental effect on standards at other local schools should the decision be taken to close Hatherden.

- *the availability, and likely cost to the LA, of transport to other schools;* the closure of Hatherden Church of England (Aided) Primary School will incur some additional transport costs to provide Home to School Transport for children living in the catchment area of Hatherden Primary School. Each child's transport eligibility will be assessed; transport is provided if the journey to the new catchment school, Appleshaw, St. Peter's Primary School, is more than 2 miles for an 8-year-old child or and over the journey is more than 3 miles for children aged 8. Children living outside Hatherden's catchment area will also have their transport eligibility assessed, in line with the Home to School Transport policy, based on their home address and the school they attend.
- *whether the school is now surplus to requirements (e.g. because there are surplus places elsewhere in the local area which can accommodate displaced pupils, and there is no predicted demand for the school in the medium or long term);* there are sufficient surplus places in Appleshaw, St Peters Primary School to accommodate the displaced pupils Hatherden Church of England (Aided) Primary School now and also longer term.
- *any increase in the use of motor vehicles which is likely to result from the closure of the school, and the likely effects of any such increases;* currently some families travel to Hatherden for their educational needs. The closure of Hatherden Church of England (Aided) Primary School and the subsequent relocation of pupils to Appleshaw, St Peters Primary School will not necessarily increase the overall use of the motor vehicle for the school run as many parents already using cars will drive their children to Appleshaw instead of Hatherden or may no longer require the use of a car.
- *any alternatives to the closure of the school;* As the school has an academy order against it the only option is for the school to become an academy. As set out earlier in the report specific discussions have taken place with the RSC about the potential of federation with another local school, however, the RSC has determined that this is not an option, and the academy order must remain in place. The local authority believes the closure of Hatherden Church of England (Aided) Primary School provides the best opportunity to stabilise the educational offer in that part of the county.
- *transport implications i.e., the availability, and likely cost of transport to other schools and sustainability issues;* Hatherden catchment resident pupils will be entitled to local authority funded transport to their new catchment school, Appleshaw, St Peters Primary School, if Hatherden Church of England (Aided) Primary School closes. Children living outside the Hatherden catchment area will have their eligibility assessed in line with the Hampshire County Council Home to School Transport policy.
- *the size of the school and whether it puts the children at an educational disadvantage e.g., in terms of breadth of curriculum or resources available;* with a possible number on roll of 32 for the 2022/23 academic year the

school is likely to be able to run two classes, one for Key Stage 1 pupils and the other for Key Stage 2 pupils. Running one class across three (KS1) or four (KS2) years will impact on the breadth and accurate pitch of curriculum that can be offered at the school.

- *the overall and long-term impact on the local community of the closure of the village school and of the loss of the building as a community facility*; no decision has been made about the future of the Hatherden Church of England (Aided) Primary School site and it may be possible to make it available for the community.
- *wider school organisation and capacity of good schools in the area to accommodate displaced pupils*; pupil numbers in the area are forecast to fall over the next few years so it is anticipated that there will be places available at good schools in the area.

Personnel Implications

37. Early engagement has taken place with trade unions to provide reassurance and to ensure that they were aware of the Public Notice and decision timeline. Should the decision be taken to close the school, further consultation will take place with trade unions and staff affected and a bespoke version of the School Closure Procedure guidance already agreed with unions will be followed. Staff will be provided with support and guidance tailored to their individual situations.

Admissions

38. The number of pupils offered a place for Year R in September 2021 for Hatherden C of E (Aided) Primary School was 4 (against a PAN of 16) and for Appleshaw, St Peters Primary School was 9 (against a PAN of 15).

39. The number of on-time first preference applications for a place in Year R in September 2022 for Hatherden C of E (Aided) Primary School was 5 and for Appleshaw, St Peters Primary School was 8. On national offer day on 19 April 2022, five offers were made for Hatherden C of E (Aided) Primary School and 13 offers were made for Appleshaw St Peter's CE Primary School.

40. Children currently attending Hatherden Church of England (Aided) Primary School and those due to be on roll in September 2022, can be accommodated in Appleshaw, St Peters Primary School. Parents can express preferences for other school places at any time and those requests will be handled by the Schools Admission Team in line with published policies.

Transport

41. Subject to the outcome of the consultation any Home to School Transport issues arising will be managed in-line with the County Council's Home to School Transport policy.

Climate Change and Impact Assessment

42. Hampshire County Council utilises two decision-making tools to assess the carbon emissions and resilience impacts of its projects and decisions. These tools provide a clear, robust, and transparent way of assessing how projects, policies and initiatives contribute towards the County Council's climate change targets of being carbon neutral and resilient to the impacts of a 2°C temperature rise by 2050. This process ensures that climate change considerations are built into everything the Authority does.
43. The carbon mitigation tool and the climate change adaption tool were not applicable because this is a strategic report. The Climate Change Impact Assessment will be undertaken in conjunction with colleagues in Culture, Community and Business Services as individual projects are developed and brought to future Decision Days

Carbon Mitigation

44. Not relevant regarding the content of this report or decision being sought.

Conclusion

45. All efforts have been made to support Hatherden C of E (Aided) Primary by the County Council and its partners since it was rated by Ofsted as inadequate in July 2019 and an academy order was issued in September 2019.
46. Despite these efforts and in a continuing climate of low pupil numbers and, no desire from an academy sponsor to take the school on, the continuing challenges the school face cannot be allowed to continue beyond this academic year.
47. In considering the responses received through-out the consultation process and the inability to place the school on a long-term solid footing approval is sought to proceed with the closure of Hatherden Church of England (Aided) Primary School with effect from 31 August 2022.

Appendix 1



HATHERDEN CHURCH OF ENGLAND (AIDED) PRIMARY SCHOOL, HATHERDEN – DISCONTINUANCE

1. Notice is hereby given, in accordance with Section 15 of the Education and Inspections Act 2006 and the School Organisation (Opening and closing maintained schools) regulations 2019 that Hampshire County Council, Elizabeth II Court, Winchester, Hampshire, SO23 8UG intends to discontinue **HATHERDEN CHURCH OF ENGLAND (AIDED) PRIMARY SCHOOL**, Hatherden, Andover, SP11 0HT (category of school – Church of England Aided) with effect from 31 August 2022.
2. Hatherden Church of England (Aided) Primary School is a small rural Church of England school located in Andover, Test Valley. It provides education for children aged 4-11. The proposal is to close Hatherden Church of England (Aided) Primary School with effect from 31 August 2022.
3. The school is currently judged by Ofsted as Inadequate. As a result of this, the Regional Schools Commissioner (RSC) has served an academy order on the school. The RSC has been trying to secure an academy sponsor since the Academy Order was issued on 25 September 2019 but has been unsuccessful owing to the low number of pupils attending the school and the consequent long term financial and educational sustainability of the school. The closure of Hatherden Church of England (Aided) Primary School is therefore being proposed due to continuing challenges the school are facing. Places will be available for all pupils affected by the closure of Hatherden Church of England Primary (Aided) School (including those with special educational needs) at Appleshaw St Peter's Church of England (Aided) Primary School.
4. Transport will be provided for any pupils who qualify under the authority's published policy: <https://www.hants.gov.uk/educationandlearning/schooltransport>
5. This Notice is an extract from the complete proposal. Copies of the complete proposal may be obtained from Richard Vaughan, Deputy Head of Strategic Development, Children's Services Department, EII Court North, Winchester, Hampshire SO23 8UG; e-mail: strategicplanningunit@hants.gov.uk
6. Within six weeks from the date of publication of these proposals, any person may object or make comments on the proposal by sending them to Richard Vaughan, Deputy Head of Strategic Development, Children's Services Department, EII Court North, Winchester, Hampshire SO23 8UG; e-mail: strategicplanningunit@hants.gov.uk

Dated 25 March 2022

Carolyn Williamson
Chief Executive

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	Yes
People in Hampshire live safe, healthy, and independent lives:	Yes
People in Hampshire enjoy a rich and diverse environment:	Yes
People in Hampshire enjoy being part of strong, inclusive communities:	Yes

Other Significant Links

Links to previous Member decisions:	
<u>Title</u>	<u>Date</u>
The Future of Hatherden Church of England Primary School	Nov 2021
The Future of Hatherden Church of England (Aided) Primary School	Mar 2022
Direct links to specific legislation or Government Directives	
<u>Title</u>	<u>Date</u>
None	

Section 100 D - Local Government Act 1972 - background documents	
<p>The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)</p>	
<u>Document</u>	<u>Location</u>

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation) and those who do not share it.
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic.
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it.
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

- (a) The recommendation in this report will have no impact on groups with protected characteristics.