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**Executive****25 January 2018**

Report of the Corporate Director of Children, Education and Communities

Portfolio of the Executive Member for Education, Children and Young People

**Developing a Centre of Excellence for Disabled Children and their families in York**

**Summary**

This report will provide Members with an overview of the proposal to develop and build a Centre of Excellence for disabled children and their families in York.

The development work, which has incorporated a formal feasibility study, has worked closely with key stakeholders, including parent / carers of disabled children. The report will detail the service development plans, building designs, site options and the financial business case.

The Centre of Excellence has the potential to; be a national leader of innovative practice in this area, Make York Home for more disabled children and young people and invest in service provision in order to deliver better outcomes for disabled children, young people and their families.

The report will seek agreement for the financial business case, agreement to progress the project to the next stage of design, planning and development and recommend to Council that the required capital expenditure is committed to enable the development of the Centre of Excellence.

**Recommendations**

1. The Executive will be asked to:
  - a. Agree the financial business case for the development of a Centre of Excellence for Disabled Children and their families in York.
  - b. Agree for the project to progress to the next stage of design, planning and development

- c. Recommend to Council a capital budget of £4.274m to support the development of a Centre of Excellence for Disabled Children and their families. This is being financed by the sale of The Glen plus the annual repayment charge of £175k from the revenue budget, repayment charge is for 30 years.

## **Background**

2. City of York Council alongside its partners have been exploring, as part of a feasibility study, the opportunities and benefits of building a Centre of Excellence for Disabled Children and their Families in York. This new building and provision will provide:
- **The setting for a range of support services** which will enable disabled children to remain in their families and in their community, delivered from a safe, accessible space
  - **Flexible short break provision** to meet the needs of children and young people with Autism, Learning Disabilities and/or additional health needs.
  - **Family Intervention Rapid Support Team (FIRST) and Therapeutic Short Breaks** a specialist Clinical Psychology led intensive assessment and intervention service for families with children and young people who have Autism and Learning Disability and challenging behaviour which affects their ability to live in the local community
3. The project is part of the wider development of services for disabled children and young people across the city and provides the Council with an opportunity to:
- Deliver better outcomes for disabled children and young people including those with the most complex needs
  - Invest capital in developing a Centre of Excellence for Disabled Children which has the potential to be a leader in innovative practice both regionally and nationally
  - Make York Home for more disabled children and young people by reducing Out of Area placements
  - Develop and invest in service provision in order to generate future savings and income generating potential

## **Feasibility and development**

4. The feasibility and development work over the past 8 months has taken a co production approach, engaging parent / carers, staff and partner agencies at all stages. Significant work, which will be outlined below, has been undertaken in relation to service development, building design, site options and the financial business case.

### *Service development*

5. The proposed service developments in this report are part of a whole system approach to deliver effective services and a joint agency response to the most vulnerable disabled children and young people across our city and region. They are also developed within a wider set of arrangements and services for all disabled children and their families within York.
6. The proposals directly link to City of York Council priorities around ‘Make York Home’ for children and young people. The proposals recognise that the outcomes for disabled children and young people are significantly improved when they are cared for and supported in their own homes, families and local communities.
7. Work has been undertaken to develop the structural and staff role changes and developments that are required to deliver the new way of working within a Centre of Excellence. This will include the development of an integrated staff team, to include Children’s Social Care, CAMHS (FIRST) and Health staff. This will provide an effective and efficient multi-disciplinary service.
8. This service development will involve the re grading of posts and changing of lines of accountability. Potential changes in operational costs have been considered in the overall business case. A HR representative has been allocated to support the work and guide the process going forward.
9. Partnership working agreements have been agreed with Tees, Esk & Wear Valley (TEWV) Trust who provide our CAMHS service, to increase the Clinical Psychological resource within the city to support the FIRST development and expansion plans.
10. Detailed conversations have taken place with North Yorkshire and East Riding County Council about the potential of working in partnership and/or purchasing enhanced FIRST provision, alongside other services and provision that would be available within the Centre of Excellence.

11. A funded pilot with East Riding has been agreed and will start in February 2018. This will seek to bring a child currently in an Out of Area placement back into local provision using the FIRST service. This work will be used to generate a business case for releasing future funding from East Riding into the FIRST regional provision as part of the Centre of Excellence.
12. Significant work has been undertaken within York, to explore how the FIRST service can be both developed and integrated more effectively across the existing disability resource and provision with a view to reducing the need for Out of Area placements in the future.

### *Building Designs*

13. Specialist Design Consultants (Gilling Dod Architects) have been recruited to support the feasibility work. Initial design requirements, guidelines and ideas have been developed and then extensively consulted on with front line staff, managers, partners and parents / carers. Examples are contained in Annex A. Further detail can be provided on request.
14. The Design Consultants have also worked alongside staff and parent / carers to develop a Schedule of Accommodation (SoA) that gives an initial approx guide to the amount and size of rooms and space required. This SoA suggests that The Centre of Excellence will require a building footprint of approx 1100 square metres (sqm) set within an area of outside space, gardens, amenities and car park of approx 5000msq.
15. Following the consolidation and analysis of consultation feedback, The Design Consultants have developed a draft building layout and a concept design, which includes potential entrances and approaches. See Annex B

### *Site options*

16. Council Officers identified Windsor House Older Person's Residential Accommodation, as a potential land option for The Centre of Excellence. Following consultation, The Executive made a decision on 7<sup>th</sup> December 2017 to close Windsor House. The Executive also agreed to the recommendation that the preferred, but not only option for the use of this land should be to build the Centre of Excellence.
17. The Windsor House land is located in Acomb, adjacent to Hob Moor Oaks Special and Community Primary School playing fields and covers a land footprint of 1802sqm.

18. The land allocation of Windsor House is less than the initial requirement estimated by the Design Consultants. A number of options have been explored to increase the land available for the project and new build:
19. Following careful consideration and discussion, the preferred option that has been agreed to pursue is the use of a small part of the Hob Moor School playing fields. This decision was made due to the potential mutually beneficial relationship and service synergies that could be developed between Hob Moor Oaks Special School and the new Centre of Excellence
20. The Hob Moor Federation of Schools, which is one of York's PFI school buildings, is in the process of completing a transfer to Ebor Academy Trust. The revised date for this transfer to complete is April 2018. The PFI provider is Sewells Investments.
21. An assessment according to DfE and Sport England requirements has been completed on the Hob Moor Federation of Schools playing fields. The DfE calculate that the schools (taking into consideration 105% of existing capacity) require 13 144 msq of playing fields. Hob Moor Federation of Schools have 30 558 msq of playing fields and outdoor space. This surplus area includes a Multi Use Games Area (MUGA) that is available to the community and an area of grassland at the back of the school which is undulated Ridge and Furrow land. If the MUGA and Ridge and Furrow grassland is excluded from the calculation, the Schools have a surplus of 7608 msq.
22. Discussions have taken place with the Chief Executive of Ebor Academy Trust, Headteacher and Governors of Hob Moor Federation of Schools about the opportunity of a partnership that could use part of Hob Moor surplus playing fields to develop shared amenities and potentially the co location of part of the Centre of Excellence Building. This partnership would develop an integrated, co located approach to social care, health and education services for Disabled Children and their families.
23. Consideration will need to be given to any building on the playing fields which might be interpreted as a 'change of use'. This would then involve a section 77 application to the DfE and a public consultation.
24. Ebor Chief Executive, Headteacher and School Governors are very positive and supportive about the opportunity. They have identified the clear synergies between this new provision and the support and services

they offer through the Hob Moor Oaks Special School. It is the same children and families that attend Hob Moor Oaks during the day that will be accessing the support and services provided by a new Centre of Excellence. Some of the Teaching Assistants that support children in Hob Moor Oaks are the Community Short Break workers that will work as part of the Centre of Excellence. Disabled children will be able to walk to this new provision after school, instead of being transported across the city on minibuses.

25. The School and Academy Trust are keen to ensure that any potential change of use and or loss of playing fields is mitigated against. They have asked as part of the overall proposal and business case, that finance is made available to develop the upper part of the land at the back of the school into useable playing field space. This land is ridge and furrow grassland with the lower (8346msq) part designated as a SINC (Site of Importance for Nature Conservation) site. The upper part (4252msq) of the land has been developed as a forest school / outdoor classroom.
26. Discussions have taken place with Council Planning, Ecological and Archaeological experts to seek guidance and develop a work able proposal. This proposal includes relocating the forest school onto the lower 8346msq land, developing the playing fields on the upper 4252msq land and ensuring the ridge and furrow and SINC feature is protected, accessed, celebrated and learnt about by both disabled and non disabled children from the schools.
27. Education, legal and finance officers responsible for the Academy transfer process, are working with the School and PFI legal teams to explore options in terms of the surplus playing field land transfer to the Ebor Academy Trust. The Council is seeking to re draft the 'red line' transfer of land to the Academy that will provide it with the maximum flexibility, (for a fixed period of time and for the specific purpose outlined in this report) to seek a planning application to build a Centre of Excellence on some of the surplus playing field land.
28. DfE have been consulted about whether the existing 'red line' for the academy land transfer can be re drafted and agreed as part of the legal contractual arrangements. They are supportive, subject to school / Academy agreement.
29. Discussions have taken place with Sewells Investments, who are the PFI provider for the schools. They are supportive of the project and are keen

to explore options of how they can work in partnership with the Council to develop this new building and provision.

## **Consultation**

### *Parent / Carers*

30. A co production approach has been taken to all the feasibility and development work. This has meant that parents and carers of disabled children and young people have been involved in every stage of the project. The proposal and recommendations within this report are a direct response to the views, feedback and ideas from parents and carers.
31. A variety of methods have been used to communicate, engage and consult with parent and carers throughout the feasibility work. This includes a Stakeholder Conference, visits to similar projects across the country, representation on the design working group, direct engagement with Architects, monthly on line updates, online questionnaires, focus groups and individual conversations. Examples of the co production engagement work with parent / carers is contained in Annex D

### *Children and young people*

32. A creative approach has been taken to ensure that disabled children and young people have influenced the design and development plans. A creative film producer has been commissioned to develop a series of films titled '*Not About Me, Without Me*' with children and young people. These short films have documented and communicated what is important to children and young people and their ideas and suggestions for new building and provision. Some still photographs from the films are contained in Annex E

### *Internal staff*

33. Staff working directly with disabled children and families have also been part of the co production approach and been engaged and consulted at each stage of the project. All staff directly affected by the developments have been consulted via online questionnaire, staff meetings and monthly updates. They have also been given the opportunity to take a more active part in influencing the work by attending the Stakeholder Event, visiting other projects across the country and being part of the design working group.

### *Council Members*

34. Councillor Rawlings as Portfolio Holder for Education, Children and Young People has been involved with all of the plans and developments from the start of the project. This has included discussing ideas and plans direct with parent / carers and staff.
35. Ward Councillors were briefed on 24 October, when the opportunity to co locate the new facility alongside Hob Moor Federation of Schools, in Acomb was initially considered. Further discussions have taken place with Cllr Waller on 23 November and 20 December to discuss options, issues, concerns and opportunities.

### *Local Residents*

36. A public consultation and engagement meeting has taken place within the Westfield ward with local residents to explore initial plans and offer the opportunity to ask questions. This will be the start of an ongoing consultation and engagement strategy as part of the next stage of the project implementation.

### *Partner agencies*

37. Senior Health Partners including Vale of York Clinical Commissioning Group and Tees Esk and Wear Valley Health Providers are well cited of plans and have had multiple opportunities to share their views and identify areas future joint commissioning and working.
38. The staff and Governors of the Hob Moor Federation of Schools and Senior Managers with the Ebor Multi Academy Trust have also been consulted over the plans and development opportunities.

### **Options and analysis**

39. A number of site options have been discussed and consulted on with key stakeholders. An options appraisal has been completed for all potential options. This appraisal has considered the practice, design, financial, school, open space, traffic, community, legal and planning implications. The appraisal and subsequent discussion has identified a preferred recommended option which will be outlined below.
40. In order to present and evidence the case for action, the implications for 'doing nothing' will be costed and outlined first.

### *'Do Nothing' option*

41. A 'costed' assessment has been undertaken by the Council Property Department of the renovations that are needed to be made to the existing provision at the Glen in order to ensure it meets the minimum specification required to deliver the outcomes for children and young people in the future. The cost of these renovations is £2,731,000, this excludes design fees which would be estimated at a further £327 000. If renovations were agreed, this would involve the existing facility closing for a period of at least 6 months for the construction work to take place. There would be an additional cost to sourcing and financing alternative provision for the current services users during this period of time.
42. If the 'Do Nothing' option was identified, this would also severely limit the Council's ability to Make York Home for more disabled children and young people, reduce Out of Area placements, increase income generating potential and realise existing savings targets.

### *Preferred recommended New Build Option*

43. The preferred and recommended new build layout and site outline is contained in Annex F
44. Advantages (+) and disadvantages (-) of this option are contained below under the key areas for consideration.

		+/-
<i>Practice</i>	<ul style="list-style-type: none"><li>– Parent / carers, front line practitioners, managers and partner agencies are supportive of this site layout</li></ul>	+
	<ul style="list-style-type: none"><li>– Relationship, links, shared amenities and entrances with school will need to be carefully to maintain the therapeutic and safe environment</li></ul>	-
<i>Design / layout</i>	<ul style="list-style-type: none"><li>– Flexible site layout with garden / outside / quiet / therapeutic space surrounding building</li></ul>	+
	<ul style="list-style-type: none"><li>– Distinct provision separate but linked to school</li></ul>	+
	<ul style="list-style-type: none"><li>– Potential for Lincoln Court to overlook provision</li></ul>	-
<i>Financial</i>	<ul style="list-style-type: none"><li>– Adjacencies with garages and MUGA will need to managed to ensure safety of children and young people</li></ul>	-
	<ul style="list-style-type: none"><li>– Total capital required for build – gross <b>£4.274m</b> net <b>£3.424m</b></li></ul>	+
	<ul style="list-style-type: none"><li>– Annual Repayment for 30 years <b>£175 000 pa</b></li></ul>	+
	<ul style="list-style-type: none"><li>– Cost of internal purchase of Windsor House (WH) land</li></ul>	

	and developing school playing fields will need to be factored into financial business case	-
<i>School perspective</i>	<ul style="list-style-type: none"> <li>- Hob Moor School and Ebor Academy Trust are supportive of this option with the understanding the playing fields are developed at the back of the school</li> <li>- Short access to the school to ensure children can walk to new provision from school where appropriate</li> <li>- Additional shared therapy garden space for school</li> <li>- Potential to bring MUGA back into use for the school</li> </ul>	+ +
<i>Open space and Playing Fields</i>	<ul style="list-style-type: none"> <li>- 2.4% of the total Hob Moor School open space / playing fields potentially built on by new provision</li> <li>- 2817 msq of Hob Moor playing fields used for new provision.</li> <li>- With the development of the playing fields at the back of the school this would result in a 1435msq <b>net gain</b> to school of <b>usable</b> playing fields space</li> <li>- Potential for front playing field space to be disjointed</li> </ul>	- + -
<i>Traffic and parking</i>	<ul style="list-style-type: none"> <li>- Access via Ascot way is narrow.</li> <li>- Transport plan would need to identify construction and operational traffic impact and implications</li> <li>- Initial analysis suggests the net traffic difference between proposed and existing Windsor House provision should be minimal</li> <li>- Minimum service critical parking developed for new provision on the allocated site, therefore reducing any additional pressure on Hob Moor School car park</li> <li>- Potential to share some visiting professional parking with school, during non peak hours.</li> </ul>	+ + +
<i>Community impact</i>	<ul style="list-style-type: none"> <li>- Greater community access to playing fields if they are developed for the school</li> <li>- MUGA brought back into use for school, community and new provision</li> </ul>	+ +
<i>Legal</i>	<ul style="list-style-type: none"> <li>- Redrafting of red line required with School as part of the Academy transfer process</li> <li>- DfE are supportive of redrafting of red line subject to school agreement</li> <li>- A section 77 application will be required in order to request a change of use from DfE of playing fields land. This process / application requires a school and public consultation</li> <li>- Legal implication to building on land that is part of a PFI agreement needs careful consideration</li> </ul>	- + -

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| <i>Planning</i> | <ul style="list-style-type: none"> <li>- Developing 4252msq of the Ridge and Furrow land at the back of the school into useable playing fields will require ecological and archaeological agreement</li> <li>- The impact on playing fields and open space will need to be considered and mitigating actions taken as part of the planning process</li> <li>- Access via Ascot way for construction and operation of new provision would need consideration as part of planning application</li> <li>- Planning will require a public consultation with local residents</li> </ul> | - |
|-----------------|--|---|
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45. The Executive is asked to agree the preferred recommended site layout and location option. This option will then be progressed with stakeholders, using a co production approach, to the next stage of design and implementation.

## **Council Plan**

46. The development of a Centre of Excellence directly links to the Council priority of delivering community based reliable front line services for the most disadvantaged children and young people.

47. The co production approach with parent / carers and children and young people to the feasibility and development of the project also directly links to the Council priority of listening and working in partnership with local residents and communities to develop and deliver services that people want.

## **Implications**

### **Financial**

48. Detailed financial implications are covered within the overall financial business case contained in Annex C.

49. If the 'Do Nothing' option is agreed, there will be a capital cost of £3.058 m to renovate and develop existing provision to the required specification. In addition it would be unlikely that the Glen revenue budget saving of £150,000 pa (£75,000 in both 2017/18 and 2018/19) could be delivered.

50. The recommended new build option requires an approx gross capital investment of £4.274m (net £3.424m) and will incorporate £175 000 per

annum repayment as part of the service operational revenue costs. The repayment amount assumes the capital receipt of the selling of The Glen (existing Short Break Residential provision) land as part of the financial calculation.

51. The business case in Annex C demonstrates that the revenue budget position for the new provision is financially sustainable, including funding the annual capital repayment of £175k delivering the £150k pa budget saving for The Glen and a further saving of £100k pa on Out of Area placements.

	£k
Total Capital Required	4,274
Windsor House Valuation	400
Receipt from the sale of the Glen	(1,250)
<b>Net Capital Receipt</b>	<b>3,424</b>
Annual repayments – For 30 years	175

## Human Resources

52. Service development proposals have been discussed with the identified HR representative for the project. HR will advise and guide the implementation of these plans and proposals, with regular updates into CEC DMT.

## One Planet Council / Equalities

53. A One Planet Council Better Decision Making Tool Assessment has been started as part of the feasibility process. This assessment will continue to be added to and developed as the project progresses to full implementation and delivery.

54. The development of a new Centre of Excellence for Disabled children and families has clear One Planet benefits around addressing health inequalities, physical health and mental wellbeing and barriers to services for vulnerable children and young people. It also has potential to advance equality issues for disabled children and young people across the city.

## **Legal**

55. Legal Services are providing advice and guidance for the re drafting of the 'red line' land transfer to the Ebor Academy Trust and the associated contractual legal wording that will form part of the agreement between the Trust, School and Council.
56. Legal Services are also providing guidance on any legal implications to a planning application and construction on a PFI maintained site. Initial legal assessment would suggest that as long as any new development does not impact on the PFI providers contractual obligations to the school buildings and site and the Council continues to pay what is due under their contract agreement, there should not be anything that prevents progressing a new building on this land.

## **Crime and Disorder**

57. There are no crime and disorder implications

## **Information Technology**

58. There are no information technology implications

## **Property**

59. A decision has been made for Windsor House to close and a recommendation agreed by Council Executive that the first option for alternative use of this land should be the Centre of Excellence.
60. Should this option be agreed and taken up, consideration will need to be given to replacing the shared boiler with Lincoln Court. This replacement will be an estimated cost of c£100,000.
61. If this option is not taken the Windsor House will then be sold for its capital receipt with this being used to further the objectives of the Older Persons Accommodation programme. Windsor House has a current external evaluation of between £300,000 - £400,000.

## **Risk Management**

62. Feasibility risks around financial viability, parent / carer engagement and key partner involvement have been managed and mitigated throughout feasibility and development work.

63. Key selected priority future risks are listed below.

- Costs increase to an extent that significantly impacts the financial viability of the business case
- Planning application is refused or the process elongated
- PFI provider prevents or makes difficult building on land that is covered by their PFI agreement with the school
- Section 77 application to the DfE is refused
- Land asset of The Glen and Glen House does not realise external evaluation, which therefore impacts on the finance business case
- New provision does not meet the identified service need in particular for complex children currently or potentially in future in Out of Area Placements
- Local community and residents object to proposal and planning application

64. All risks are contained in a detailed and costed future risk plan. The proposed mitigating actions have been scrutinised to ensure a robust plan is in place.

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**Report Approved**

**Date 16/1/18**

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**Wards Affected:** List wards or tick box to indicate all

All

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## **Annexes**

**Annex A** Design requirements

**Annex B** Building layout and concept approaches

**Annex C** Financial business case

**Annex D** Examples of co production engagement with parent / carers

**Annex E** Examples of engagement with children and young people

**Annex F** Proposed site layout

## **List of Abbreviations Used in this Report**

FIRST – Family Intensive Rapid Support Team

SEN – Special Educational Needs

MUGA – Multi Use Games Area

CAMHS – Child and Adolescent Mental Health Service

TEWV – Tees Esk and Wear Valley Health Trust

TSB – Therapeutic Short Break

PFI – Private Finance Initiative

DfE – Department for Education

CCG – Clinical Commissioning Group – Health

SoA – Schedule of Accommodation

CEC – Children, Education and Communities

DMT – Departmental Management Team

## **Definitions**

**Co production** – is a process of involving people who use services being consulted, included and working together from the start to the end of any project that affects them.

**FIRST** - is a specialist Clinical Psychology led service that supports families with children/ young people who have a learning disability or autism spectrum condition, and those with the most complex behavioural needs. FIRST provides intensive holistic assessment and intervention to meet the needs of the child and family. FIRST is a collaborative initiative between CAMHS and Social Care. The collaborative approach helps to bring together local professionals and providers in order to maximise expertise and provide wrap-around, consistent support. This model of care, also known as Intensive Support involving aspects of Positive Behaviour Support, has received national backing through government led initiatives

**Red Line** – The red line is the line that is drawn around the land boundary around the school that is transferred across to the Academy Trust as part of the academisation process.

**The Glen** – The Glen Short Breaks Centre provides short break residential support and accommodation for disabled children and their Families. It is based in Ousecliffe Gardens in Clifton