

## CABINET ITEM COVERING SHEET PROFORMA

**AGENDA ITEM**

**REPORT TO CABINET**

**JANUARY 2017**

**REPORT OF SENIOR  
MANAGEMENT TEAM**

### **CABINET REPORT**

**Children and Young People – Lead Cabinet Member – Councillor Mrs McCoy**

#### **SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) UPDATE FOR STOCKTON**

1. Summary

In October 2016, a report was made to cabinet regarding a proposal to reshape services for children in Stockton with special educational needs.

This proposal involved rationalising the provision available in mainstream schools to allow earlier support and intervention for children when they first present with special needs. This was with the aim of reducing demand for specialist placements and addressing needs earlier. The provision commissioned from schools, presently in Additionally Resourced Provisions (ARPs), would be remodelled into hubs in localities which could provide cross phase provision for special needs across the Borough and allow more children to attend a school near to where they live. This would also reduce the need for transport across the Borough. The proposal would not mean that children already in placements would be moved.

Cabinet agreed to proceed further with the consultation by engaging with parents. A programme of consultation with parents took place in November 2016 and this report sets out the outcomes of this consultation and seeks a decision by members on the proposal.

The report also includes the outcomes of additional consultation with children.

An update on the application for a new Free School across the Tees Valley is also included.

2. Recommendations:

Members are requested to:

1. Note the responses from the consultation.
2. Authorise further work to progress commissioning of the revised provision
3. Authorise further work to secure specialist nursery provision using the centre at Thornaby
4. Note the progress of the process to invite a new specialist Free School for the Tees Valley.

3. Reasons for the Recommendations/Decision(s)

There is a need to improve outcomes for children with special needs across the Borough and respond to the need to provide more specialist support for children earlier. This fits

with the council theme of providing earlier intervention to reduce demand for expensive placements which are often out of Borough.

#### 4. Members' Interests

Members (including co-opted Members) should consider whether they have a personal interest in any item, as defined in **paragraphs 9 and 11** of the Council's code of conduct and, if so, declare the existence and nature of that interest in accordance with and/or taking account of **paragraphs 12 - 17** of the code.

Where a Member regards him/herself as having a personal interest, as described in **paragraph 16** of the code, in any business of the Council he/she must then, **in accordance with paragraph 18** of the code, consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest and the business:-

- Affects the members financial position or the financial position of a person or body described in **paragraph 17** of the code, or
- Relates to the determining of any approval, consent, licence, permission or registration in relation to the member or any person or body described in **paragraph 17** of the code.

A Member with a personal interest, as described in **paragraph 18** of the code, may attend the meeting but must not take part in the consideration and voting upon the relevant item of business. However, a member with such an interest may make representations, answer questions or give evidence relating to that business before the business is considered or voted on, provided the public are also allowed to attend the meeting for the same purpose whether under a statutory right or otherwise (**paragraph 19** of the code)

Members may participate in any discussion and vote on a matter in which they have an interest, as described in **paragraph 18** of the code, where that interest relates to functions of the Council detailed in **paragraph 20** of the code.

#### Disclosable Pecuniary Interests

It is a criminal offence for a member to participate in any discussion or vote on a matter in which he/she has a disclosable pecuniary interest (and where an appropriate dispensation has not been granted) **paragraph 21** of the code.

Members are required to comply with any procedural rule adopted by the Council which requires a member to leave the meeting room whilst the meeting is discussing a matter in which that member has a disclosable pecuniary interest (**paragraph 22** of the code)

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**SUMMARY**

In October 2016, a report was made to cabinet regarding a proposal to reshape services for children in Stockton with special educational needs.

This proposal involved rationalising the provision available in mainstream schools to allow earlier support and intervention for children when they first present with special needs. This was with the aim of reducing demand for specialist placements and addressing needs earlier. The provision commissioned from schools, presently in Additionally Resourced Provisions (ARPs), would be remodelled into hubs in localities which could provide cross phase provision for special needs across the Borough and allow more children to attend a school near to where they live. This would also reduce the need for transport across the Borough. The proposal would not mean that children already in placements would be moved.

Cabinet agreed to proceed further with the consultation by engaging further with pupil voice and with parents. Pupil voice was sought from one school with additionally resourced provision and Year 6 pupils starting in a Year 7 placement. A programme of consultation with parents took place in November 2016 and this report sets out the outcomes of this consultation and seeks a decision by members on the proposal.

An update on the application for a new Free School across the Tees Valley is also included.

**RECOMMENDATIONS**

Members are requested to:

1. Note the responses from the consultation.
2. Authorise further work to progress commissioning of the revised provision
3. Authorise further work to secure specialist nursery provision using the centre at Thornaby
4. Note the progress of the process to invite a new specialist Free School for the Tees Valley.

**DETAIL**

**Background**

1. A review of provision for children with special needs is being considered in Stockton. This proposal aims to provide provision for children with special educational needs that is more responsive to their needs, provides more specialist support in mainstream schools and is available across all areas in Stockton so children have more possibility of attending provision near to their homes.

2. It is acknowledged that there is a lack of specialist support for children in mainstream schools when a special educational need is first identified. The proposal aims to rationalise existing provision to provide more access to specialist support for children in mainstream schools.
3. The proposals are also intended to help prevent children from having to seek specialist placements elsewhere. Presently, if they do need specialist placements, these are either additionally resourced provisions attached to mainstream schools, or special schools. The present configuration of additionally resourced provisions (ARPs) is flawed. This is because:
  - The places historically funded are not in proportion to the places now needed;
  - The ARPS are not configured to provide support within a child's locality so children are transported across the Borough and transport costs are extremely high.
  - The ARPs are not planned to allow pupils to progress through the key stages so that pupils are being moved to different ARPs at the end of key stages.
  - There are insufficient places at secondary.
4. There is also a need for more places at special schools within the area as presently, many children are being sent out of the Borough to access specialist, independent placements which are very costly. The possibility of a new school is being explored.
5. The review is timely as the number of pupils with statements or Educational Health and Care Plans (EHCPs) is in line with national and regional averages but more of these pupils compared to national and regional averages are in special schools rather than mainstream schools. The difference is around 10% more in Stockton-on-Tees. The attainment and progress of children with special educational needs overall is also below that of children nationally.
6. The proposal was presented in a report in October 2016. This provided detail of the model and also feedback from a survey with Headteachers. Following this report, a consultation with children and parents was carried out in November 2016.

### **The proposal**

7. The proposal identifies a revised number of places for children based on the present cohorts of children. It also identifies the focus of the provision in line with the areas of need as defined in the SEN code of practice - Communication and Interaction, Social, Emotional & Mental Health (SEMH), Physical and Medical, Cognition and Learning, Visual and Hearing Impairment.
8. The proposal stream-lines provision so that it provides cross phase pathways so children do not need to make transitions after the end of every key stage and can progress to secondary provision ARPs within the same locality.
9. The proposal creates a model whereby needs can be met in each of the three areas of Stockton- central, south and north.
10. The proposal aims to provide support for earlier support and intervention by specialist services; resources such as Occupational Therapy, Speech and Language Therapy, Educational Psychology advice, specialist teaching assistants. The model would ensure each ARP is able to offer advice, support, guidance and challenge to schools on an outreach and in reach basis. This would mean ARPs would become hubs of support. Staff within council services would also be possibly located within the hubs.

Where children's needs cannot be met in locality SEN hubs there would be a need for a place in a special school. To ensure Stockton has the right number of specialist school places to meet the needs of the cohort, a new provision is needed. This will require

exploring an additional, specialist Free School.

11. The proposed model for locality hubs is illustrated below:

Need	Nursery	KS1	KS2	KS3	KS4	Places in Stockton	Total Number of Places	Previously
Communication and Interaction	5	5	5	5	5	South	75	75
	5	5	5	5	5	Central		
	5	5	5	5	5	North		
SEMH		3	3	3	3	South	36	22
		3	3	3	3	Central		
		3	3	3	3	North		
Physical and Medical	5	15	15			Whitehouse	35	55
				15	15	Bishopsgarth	30	43
Cognition and Learning		5	5	5	5	South	60	90 (+22 S&L)
		5	5	5	5	Central		
		5	5	5	5	North		
Visual and Hearing Impairment						Northfield	20	10 (and contract with MBC)
						Primary	20	

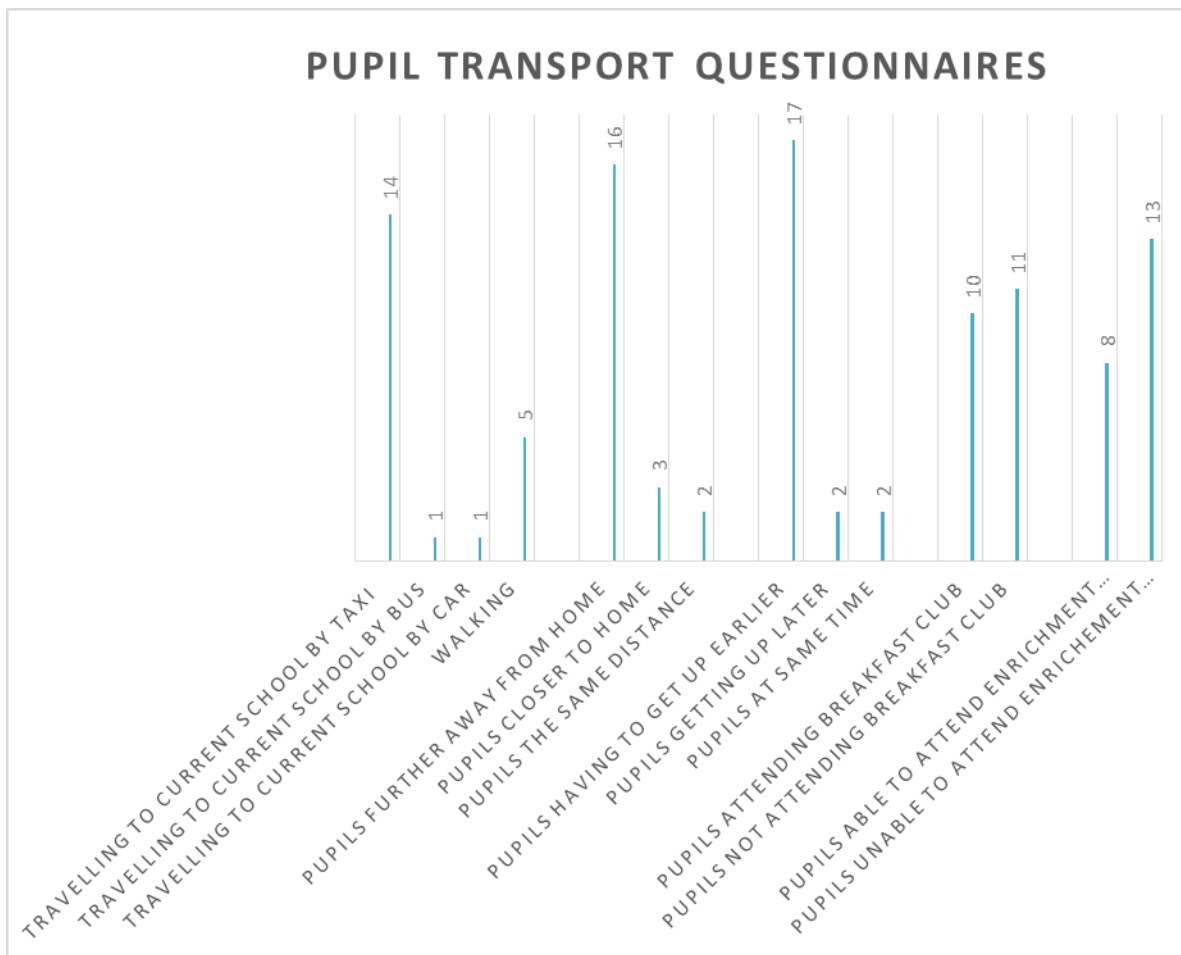
12. The previous model is outlined below:

Current Provision								
Need	Nursery	KS1	KS2	KS3	KS4	Provision	Total Number of Places per Provision	Total Number of Places per Need
Early Years Complex Needs	14					Early Support Nursery	14 fte 28 x 12.5 hour	14
Attachment and Mental Health			6			St Pauls RC Primary	6	6
ASD			8			Junction Farm	8	75
				✓	✓	Our Lady and Saint Bede RC Secondary	35	
		✓	✓			Rosebrook Primary	12	
				✓	✓	Thornaby Academy	10	
			10			Yarm Primary	10	
Cognition and Learning		10	20			Billingham South Primary School	30	90
			10			Harewood Primary School	10	
			10			Pentland Primary School	10	
			10			The Oak Tree Primary School	10	
			10			Tilery Primary School	10	
			10			Mandale Mill	10	
SEMH				10		Bishopton Centre	10	16
		✓	✓			St Mark's CE Primary School	6	
Physical and Medical				✓	✓	Bishopsgarth School Maths and Computing	43	98
		✓	✓			Whitehouse Primary School	55	
Speech and Language		✓	✓			Mill Lane Primary School	22	22
Visual Impairment				✓	✓	Northfield School and Sports college	10	10

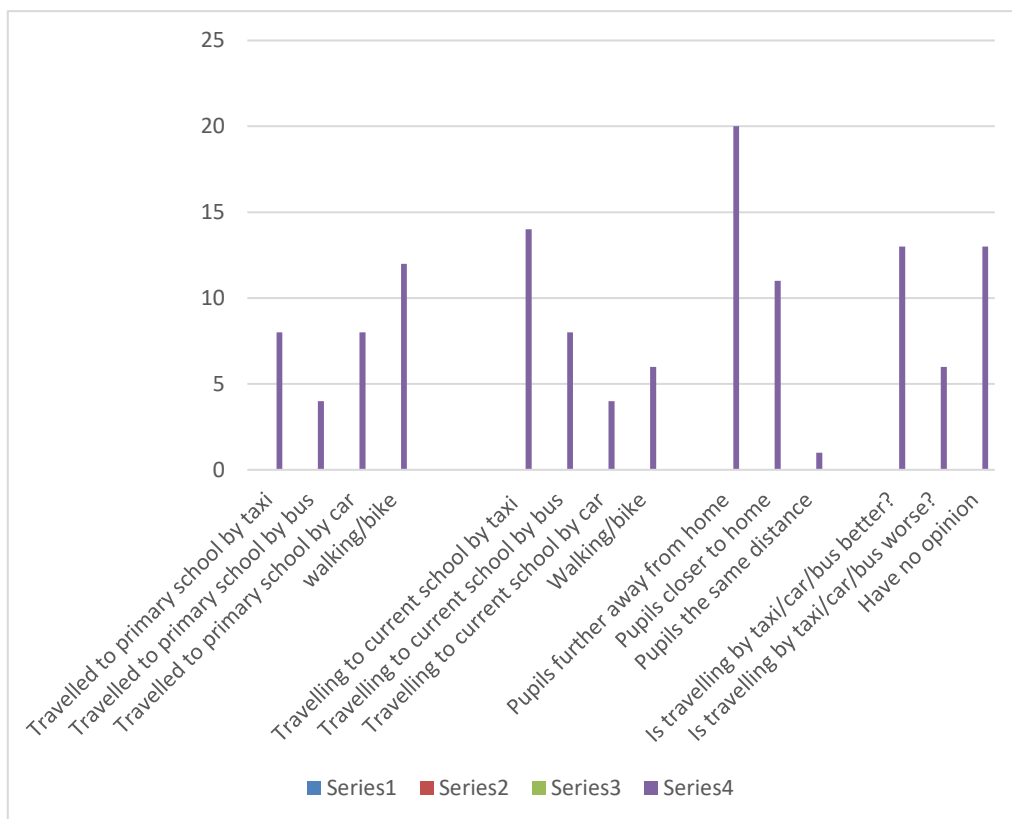
13. Any remodelling of provision would not impact on any child already in a placement. Every child would be able to remain in their present school until the natural end of the key stage. Any new provision that came on stream, or any changes to the designation of a provision, would begin with new children admitted from September 2017. Transitional arrangements would secure a phasing in of provision.

**Outcomes of consultation with children**

14. Children presently in placements in a primary additionally resourced provision at a primary school were asked to engage with a survey about their experience of attending an additionally resourced provision in a primary school.
15. The table below illustrates that of the 21 pupils, 66% of them were travelling by taxi, 76% were farther from home. This meant that they had to get up earlier, which pupils didn't like, and many were unable to attend breakfast club or enrichment activities.



16. SEN pupils transitioning into secondary provision were also involved in a small survey. This data was collected as part of a transition strategy to follow up how pupils had found moving up to secondary. The survey recorded an increase in the amount of pupils travelling to school by taxi. In primary school the pupils had been able to either walk or use bikes/scooters to go to and from school as they were closer to their respective primary schools. The majority of the pupils accessing ARPs lived further away from their community areas. The main impact of the pupils being further away was again lack of accessibility to enrichment activities and clubs after school unless parents could collect them. Those pupils now travelling by taxi and further away had to get up earlier. On the other hand pupils enjoyed travelling by taxi as some didn't like walking to school in inclement weather, didn't like the exercise and it gave them an opportunity to talk to their new friends in the taxi, however a similar number of pupils expressed no opinion as to whether they considered travelling by taxi/bus better or worse.



### Outcomes of consultation with parents

17. A series of five events were held across the Borough. These events were held in conjunction with Stockton United for Change (SUFC) – the designated parent group which is funded to represent parents' views.
18. Each session consisted of a presentation of about half an hour then questions and comments for a further half an hour. After this hour format, individual queries were addressed with individual parents; this was usually for another half an hour. Parents were asked to fill in a response slip at the session and several routes were made available to parents to field further comments or questions:
- SUFC who attended the sessions
  - Corporate communications – a colleague attended every session and engaged with parents
  - The SEN Engagement and Information Officer who attended every session

- The SEN Parent Partnership Officer who attended every session and engaged with individual parents
- The consultation portal and email address.

19. The table below shows the attendance and the organisation represented:

Venue/Day/Date/Time	School/Organisation	Number of attendees
Robert Atkinson Centre <b>Thursday</b> 24th November 2016 <b>9-10 am</b>	Whitehouse Billingham South Mill Lane SUFC NHS Paediatric Physio Ingleby Mill Early Support Nursery (ESN) Abbey Hill OLSB Other/Various Other/Friends of ESN.	8 2 1 1 2 1 3 1 2 1 1 <b>23</b>
Education Centre <b>Thursday</b> 24 <sup>th</sup> November 2016 <b>5:30-6:30 pm</b>	Billingham South Friends of ESN Abbey Hill & SUFC Staff ESN Ingleby Mill Yarm Whitehouse St Bedes Ash Trees SUFC Unknown	1 3 1 2 1 2 6 1 1 1 2 <b>21</b>
Billingham Forum <b>Friday</b> 25th November 2016 <b>2-3 pm</b>	Ash Trees Ascent Trust OLSB Yarm S.N.A.P.S. Roseberry Staff/Governor Whitehouse	8 1 2 1 1 1 3 <b>17</b>
Newtown Resource Ctr <b>Monday</b> 28th November 2016 <b>10:30-11:30 am</b>	ESN Unknown Ash Trees Abbey Hill & SUFC Junction Farm ARP Outwood Rosebrook ASD Base Ingleby Mill/Conyers Green Gates Fairfield Beaumont Abbey, Askham	5 1 4 1 2 1 1 1 1 1 1 <b>19</b>
Preston Park Museum <b>Tuesday</b> 29th November 2016 <b>9-10 am</b>	Whitehouse Yarm/All Saints OLSB Staff Egglecliffe [SENCO] HSAT Unknown Support Staff Portage Unknown Whinstone Abbey Hill Ash Trees Conyers	5 1 2 1 1 2 1 1 1 2 1 1 1 <b>19</b>
<b>Total</b>	<b>99</b> (some colleagues attended more than one session)	



20. 31 response slips were returned at the events. Of these, 15 expressed that they agreed, or broadly agreed with the proposals, 14 did not agree with the proposals – the majority of these cited concern about any proposed loss of the Early Support Nursery at Thornaby High Flyers Children’s Centre.
21. The consultation yielded 9 emails to the consultation portal.
22. Some responses have been very favourable to the remodelling with respect to provision at the other key stages, and particularly for the revisions to the provision at secondary. For example:

*We agree in the main with the proposals. It definitely makes sense to match the provision available to the needs of the children. We also like the fact that the provision will be in a local area to minimise disruption and travel. At the moment, our son with learning difficulties has no provision for secondary which he will be going to in 18 months. Any provision, especially local, will be of massive benefit to him. It will allow him to remain in a local school within his circle of friends. This will give our son with SEN the chance to attend his local school. We would definitely like the chance to keep him in mainstream and we feel the changes proposed should be of benefit to him.*

*We don’t think it makes sense to split the Early Years nursery up however. Children only attend for a few years, and then they can go to the local ARPs afterwards. If you have an excellent centralised resource, please use it – it seems arbitrary to split it up for the sake of it. There are enough proposed changes for the KS1 to KS5, you don’t need to include nursery. Our concern here is that a lot of people will object to the whole set of proposals on the basis they are protesting about the nursery – this would massively disadvantage our son who is looking to go to into secondary and we don’t want the proposals for this to be shelved given that other parents are objecting to nursery provision only.*

23. The majority of the emails expressed concern and opposition to the closure of the Early Support Nursery. For example:

*For those children with complex health & learning needs this facility is vital & I feel that it could not be replicated as your proposal outlines.*

*I attended your consultation today and listening to your proposal of the change to the system, I feel very concerned you plan on closing a fantastic early support nursery to start 3 hubs connected to mainstream. This would not of helped my son and many others who need to be away from mainstream and given the specialised care they need.*

*Please, please don't close this down*

24. SUFC also forwarded 12 emails with the same message.

The table below summarises the correspondence.

Date / Time Received	Source	Response Type	Amount
24/11/16 - 9:10am	Attendee-Response Slip	Anonymous	15
24/11/16 - 5:3-6:30pm	Attendee-Response Slip	Anonymous	4
25/11/16-23:47	Email-iPhone	Communication Team	
25/11/16 - 2-3pm	Attendee-Response Slip	Anonymous	3
26/11/16-10:06	Email-smartphone	Communication Team	
28/11/16 - 10:30-11:30am	Attendee-Response Slip	Anonymous	8
28/11/16 - 07:26	Email-iPhone	Communication Team	
29/11/16 - 9-10am	Attendee-Response Slip	Anonymous	1
29/11/16-10:57	Email	Communication Team	
29/11/16-17:31	Email	Communication Team	
29/11/16-13:50	Email	Communication Team	
29/11/16-22:56	Email	Communication Team	
02/12/16-13:48	Email-iphone	Communication Team	
07/12/16-01:02	Email	S.U.F.C	
08/12/2016	Email	S.U.F.C	
08/12/2016	Email	S.U.F.C	
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08/12/2016	Email	S.U.F.C	
08/12/2016	Email	S.U.F.C	
08/12/2016	Email	S.U.F.C	
08/12/2016	Email	S.U.F.C	
08/12/2016	Email	Communication Team	
09/12/16 - 9:01	Email	S.U.F.C	
11/12/2016 - 17:19	Email	N. Schneider	

25. Constructive discussions have been held with 'Friends of Early Support Nursery' who are a group of parents who fund raise for and support the nursery. Across the years they have provided substantial funds to the nursery for additional equipment and support for parents. This group advocated strongly to retain the provision. As part of the consultation the group delivered a petition to the Council in support of maintaining the nursery with 2,500 signatures. The Chair has also provided a summary of their views which has been included in full in appendix 1 to this report.
26. These responses brought to attention the Portage Service. This is a service which provides support to parents in the home for very young children with complex needs. This service uses the same premises as the Early Support Nursery for its offices but it is not implicated in the review of provision.

### Summary of outcomes

27. There has been a general endorsement of the proposals.
28. The exceptions are the wish of parents to retain the Early Support Nursery in High Flyers Children's Centre, Thornaby.
29. There was also concern regarding the reduction of numbers at Whitehouse School with parents and staff concerned about the implications of this change.

30. One local special school has come forward in the consultation with an offer to open a nursery facility at their school. Many children progress from the Early Support Nursery to this special school so this would reduce transitions for children and ensure appropriate pathways for children requiring specialist support.
31. Daisy Chain, a local charitable specialist provider for children with autism, has also expressed interest as part of the consultation in developing nursery provision.
32. The proposals always wanted to create more nursery places (20 were in the model consulted upon as opposed to the present 14 places.) The 14 places are presently offered as 28 part time places of 12 ½ hours. Eligible parents are entitled to 15 hours of provision and this will rise to an entitlement of 30 hours. There is a need, therefore, to expand the availability of early year's nursery places to meet this entitlement.

### **Model of provision going forward**

33. The outcomes from the consultation will now be used to explore the model further.
34. With regard to the proposals for key stages 1, 2, 3 and 4, draft specifications for locality SEN hubs will be shared with schools to begin the commissioning processes. The exact numbers of places to be commissioned for each key stage for each need will be further consulted upon with Headteachers to offer some flexibility and pragmatism into the overall model.
35. In order to realise the vision for the hubs, joint commissioning approaches will be considered to ensure there is additional resource and specialisms available for children within each enhanced school hub.
36. In relation to early year's nursery provision, it is proposed to explore the options for specialist early years nursery provision to provide places for 30 hour childcare for working parents. This could be offered, from the present building, presently The Early Support Nursery, and allow families to access longer, more flexible care. This could be provided in a variety of ways. It will also enable early years SEN provision to be retained in the south of the Borough. The offer from Daisy Chain to provide additional specialist places for early year's children will also be explored further. Again, this will allow more choice for parents and more specialist provision across the Borough.
37. An understanding will be required of the logistics of providing school nursery places at the local special school. If this could be achieved, it would be an opportunity to enable the children who are likely to transfer to the special school, to have fewer transitions by attending provision from an early age. This would also create provision in the North Stockton area which was an aspiration of the proposal.
38. The proposal to explore a new special school for the Borough has already been pursued with colleagues from across the Tees Valley authorities and a joint expression of interest has been submitted to meet the government's deadline of the end of October 2016. The cohort identified is that of SEMH and ASD (higher functioning) group of pupils who exhibit challenging behaviours but can access national curriculum and achieve national standards. This group of pupils are often diagnosed too late and therefore require extensive support and intervention throughout their school career. In Stockton, these children's needs cannot be met in our present special schools and often attend expensive, out of Borough, independent placements.
39. A further report will be brought back to members in March 2017 to determine next steps.

## **COMMUNITY IMPACT IMPLICATIONS**

40. The review will potentially reallocate provision across the Borough so provision is accessible to all families locally. An Impact assessment will be undertaken to inform the proposals in the further report to Cabinet in March 2017. Proposals will also be subject to an SEN Improvement test via the Department for Education.

## **FINANCIAL IMPLICATIONS**

41. The review of places will rationalise High Needs Funding spend so that funding can be reallocated to earlier intervention and support. The review will make savings to transport costs.

## **LEGAL IMPLICATIONS**

42. The Children and Families Act 2014 is the legal basis for the changes to the SEN system which places legal duties on the Local Authority and partner agencies (across education, health and social care) in respect of children and young people with SEND and their families.

## **RISK ASSESSMENT**

43. There is risk to the local area from the following:
- All agencies not meeting statutory duties under the Children and Families Act 2014.
  - Lack of progress in joint commissioning for children and young people with SEND.
  - Lack of understanding of the effectiveness of the local area and of evidence of self-evaluation.
  - Lack of coherent planning for SEND

## **COUNCIL PLAN POLICY PRINCIPLES AND PRIORITIES**

44. The SEND local area inspection links to the following council plan themes:
- Children and Young People
  - Health and Wellbeing
  - Adults

## **CORPORATE PARENTING IMPLICATIONS**

45. The needs of looked after Children with SEN are a priority to the review and the service going forward.

## **CONSULTATION INCLUDING WARD/COUNCILLORS**

46. The Children and Families Act requires consultation and engagement with parents/carers.

**Name of Contact Officer:** Diane McConnell  
**Post Title:** Assistant Director, Schools and SEN  
**Telephone No:** 01642 527040  
**Email address:** [diane.mcconnell@stockton.gov.uk](mailto:diane.mcconnell@stockton.gov.uk)

Education related:

Yes.

Background Papers:

No.

Ward(s) and Ward Councillors:

All.

Property:

None.

## Statement from the Chair of the Friends of Early Support

The Early Support Nursery is based at High Flyers Children's Centre in Thornaby and is a preschool nursery for children aged 0 to 5 with multiple and/or complex needs. The children who attend are the most vulnerable children, with a range of very significant medical, physical and learning needs, which will impact on them throughout their lives, and means that their skills are at a level significantly below other children of the same age. The vast majority of the children move from the nursery into Ash Trees Academy or other specialist settings where their needs can be met.

The nursery was first opened in North Tees Hospital in 1991 and was then a child development unit run by education, but with support from health. The nursery has moved a couple of times and has now been well rooted in High Flyers Children's Centre for over 11 years. Ofsted has consistently graded the nursery as 'very good' or 'outstanding' with the most recent inspection in June 2016 grading it 'outstanding' once again. The staff have a wealth of knowledge and experience, which enables them to tailor activities to meet the very individual needs of each child and to overcome very challenging behaviours. Staff are extremely dedicated and strive endlessly to improve the opportunities they provide to develop children's communication, social skills, independence and physical skills. They have additional qualifications which support their knowledge of a wide range of special needs, including Autism and Down syndrome as well as Cerebral palsy and the strategies which are most effective in supporting these children such as PECS, Makaton, and TEACCH. They work well as a team, supporting each other and driving improvements. This team will be watered down if they are split, with the possibility of only 2 or 3 members of staff working in each 'hub'.

Parents feel reassured that their child's individual needs will be met and that complex medical needs will be supported by staff who are familiar with epilepsy and emergency medications, peg feeds, handling and positioning and the use of specialist equipment such as standers and walkers. The staff also provide emotional and practical support and go the extra mile to help every child and family they work with regardless of how complex or challenging their needs.

The whole facility is geared up for those needs and there is a fantastic array of sensory equipment which is used as an integral part of every child's learning, a lot of which has been funded by the charity which supports the nursery, 'The Friends of Early Support'. The charity was formed a few months after the nursery opened in 1991 and has supported the work and aims of the nursery since then, raising over £250,000 for services and equipment that would not otherwise have been funded.

The nursery has brought so much to our children and their families over the years and has supported them above and beyond. The hard work and dedication that has been given to our children at this early stage in their life and the support that their families are given by the staff at the nursery, from day one, is clearly evident in what parents say about the nursery and is the excellent foundation to the children's education and development.

If we lose our nursery and staff that work there, our children, and future children, will miss out on this outstanding facility which any amount of money will not replace. Although some children with additional needs do well in mainstream primary schools, this is not the case for all children and certainly not the case for the most vulnerable. We should be celebrating the work of the nursery and not having to fight to prevent it from being closed.