

<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	PROPOSED EXPANSION OF SPRINGWELL SCHOOL
<b>DATE OF DECISION:</b>	21 AUGUST 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR CHILDREN'S SERVICES
<b>STATEMENT OF CONFIDENTIALITY:</b>	
NONE	

**BRIEF SUMMARY:**

There has been a higher than expected number of children with complex special educational needs (SEN) in the city that require a special school for the 2012/2013 academic year. As a result it is proposed that Springwell school will admit an additional 8 pupils from November 2012 (and in subsequent years if demand remains at a similarly high level).

**RECOMMENDATIONS:**

- (i) To note the outcome of pre-statutory consultation as set out in Appendix 1 of this report.
- (ii) To authorise the publication of a statutory proposal to enlarge Springwell School from the 5th November 2012 by the addition of 8 places (one class group) in year R and continuing incrementally in subsequent years. This would have the effect of enlarging the school from 64 places currently to 120 places by September 2018.
- (iii) To delegate authority to the Director of Children's Services and Learning, following consultation with the Head of Legal, HR and Democratic Services, to determine the final format and content of statutory Notices and publish proposals in accordance with the requirements of the Schools Standards and Frameworks Act 1998 and associated Regulations and Statutory Guidance.
- (iv) To add, in accordance with Financial Procedure Rules, a sum of £399,000 to the Children's Services Capital Programme, for Springwell School expansion, funded from non ring fenced Department for Education Basic Need Grant.

**REASONS FOR REPORT RECOMMENDATIONS:**

1. There is currently a high demand for places at Springwell Special School. At the placement meeting on 17<sup>th</sup> May 2012, there were 22 children who had been put forward for consideration for a place and there were 12 places available (including the additional places at Thornhill). As a result there are currently not enough special school places in the City to accommodate all those children with complex needs that require a place.
2. The additional children would need a place from November 2012 (given their ages, they are not required to start in September) so it is essential that the consultation process commences as quickly as possible so that all the consultation processes and prospective cabinet reports can be completed before November.

3. The expansion proposal, if approved, would ensure that the Local Authority (LA) could meet its statutory duty to provide a school place (whether in SEN or mainstream) to all children in the city that require one. While demand is not expected to be as high next year as it was this year, this proposal would enable the school to admit an increased number in subsequent years if demand remains at a high level.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:**

4. The LA could decide not to increase the number of SEN placements available at Springwell. This would be likely to result in children and young people with statements not being able to be placed in the most appropriate provision to meet their needs, which could negatively impact upon outcomes for those children. It could also lead to an increase in the number of SEN tribunals if parents are not happy with the provision that they are offered. In this instance most parents would be successful at a tribunal and we would likely have to offer the child a place at Springwell anyway. The expansion of the school, as per School Organisation legislation, would negate the time and financial costs of having to hold several tribunal hearings.
5. Springwell is the only school in the city that can cater for the specific needs of the additional pupils that have been assessed. No other school in the city (neither SEN nor mainstream) has the expertise, in terms of both staff and facilities, to accommodate the assessed needs of these children and as such, no other schools were considered for this expansion proposal.

**DETAIL (Including consultation carried out):**

6. Initial Consultation was carried out with the Special School Head Teachers in the city via the Special Heads Conference. All heads are aware of the situation and agreed that the expansion of Springwell would present the most appropriate option for consultation having regard to the assessed need of those requiring places and the suitability and experience of the Springwell placement to meet those needs within available resources.
7. Six weeks of pre-statutory consultation took place between Thursday 21 June and Thursday 2 August 2012. A consultation document was produced and sent directly to all special school heads, the Jigsaw team, NHS and Mencap representatives. Details of the consultation were also sent out via the Southampton Education Leadership Forum e-bulletin. A consultation meeting was held at the school on Tuesday 10 July 2012.
8. All responses received were positive, with all respondents expressing their support for the expansion proposal. The excellent provision available at Springwell and the benefits of making this available to a greater number of children were given as reasons for supporting the expansion proposal. A copy of the consultation document and a summary of responses to the consultation can be found in Appendix 1.
9. An Equality Impact Assessment has been completed for this proposal (see Appendix 3). It is anticipated that the impact of this proposal would be hugely positive, as it would enable those children that have had their needs assessed to attend a school that is best placed to support their needs.

## **SEN Improvement Test**

10. When proposing any reorganisation of SEN provision, the Local Authority must demonstrate how the proposals are likely to lead to improvements in the standard, quality and/or range of educational provision for children with special educational needs. To this end, the LA provide the following information (which was included in the consultation documentation) to highlight details of the specific educational benefits that will flow from the proposals:
- a. The additional places will provide a greater number of children with access to the specialist education available at the school
  - b. The additional places will provide a greater number of children with access to the specialist staff, both education and other professionals, that work at the school
  - c. Additional accommodation will be provided at the school, initially via a modular classroom
  - d. This proposal would result in additional places being available in the City, thus meeting the demands of those children with Special Educational Needs:
    - (i) Head teachers from all the city's special schools were consulted at the Special Heads Conference and agree that this proposal is the most appropriate option for public consultation. All headteachers in the city were notified of the pre-statutory consultation process via email.
    - (ii) The LA is committed to delivering a proposal to increase appropriate SEN provision in order to accommodate those children that require SEN support. These children have been assessed and it is clear that their needs can best be served at Springwell. The Head teacher at Springwell has been heavily involved in the formation of this proposal and suggested herself that, subject to consultation, the pupils be admitted from November 2012 in order to allow for the relevant processes to be completed.
    - (iii) There will be transport implications as a result of this proposal and children requiring transport support will receive it as per the Council's school transport plan
    - (iv) The funding arrangements for the proposal are set out below (see capital/revenue section).
11. For the 2012/2013 academic year, demand has exceeded supply by 8 places, which is highly unusual. As such, while the extra pupils being admitted in 2012/13 will remain at the school for the entirety of their primary education; further statutory proposals to remove places may be required in the future if demand is significantly lower than the number of places available. Pupil forecasting for SEN places is difficult due to the specific needs of SEN children and Children's Services will continually monitor its data to ensure that there are neither extremes of surplus or deficit amounts of places in the future.

## **RESOURCE IMPLICATIONS:**

### **Capital/Revenue:**

12. The revenue costs of all schools are met from the Individual Schools Budget funded by the Dedicated Schools Grant. The amount of Dedicated Schools Grant that the authority receives each year is based on the number of children in the city. If the city's overall numbers grow, this will result in an increase in the amount of grant received which can be passed onto schools via budget shares calculated using Southampton's Fair Funding Formula.
13. In order to meet the demand for places for the 2012/13 academic year, it is proposed that a single modular unit will be installed by November 2012 (i.e. in time for the second half-term of the year). This will be a rental unit, costing £50,000 per annum (a £21,000 part year effect for the 2012/13 financial year), with the cost of this being funded from the Children's Services portfolio. It is envisaged that this rental will only need to be in place for one academic year, with a permanent extension of the school being procured and delivered in time for September 2013, if it is deemed that additional places will be required in subsequent years.
14. The current intention is that the permanent extension should be a 2-classroom block. A high-level feasibility study has been undertaken and, on this basis, it is projected that £399,000 should be sufficient to cover the cost of delivering this project.

### **Property/Other:**

15. If the proposals were approved, a single modular building would be required at the school by November 2012. This would provide the school with enough accommodation for 1 year. Further accommodation would be required if/when all year groups were expanded. The further expansion of the school (in subsequent years) will be driven by the future demand for places. Pupil data will be reviewed on a regular basis to ensure that supply matches, but does not greatly exceed or fall short of, demand.

## **LEGAL IMPLICATIONS:**

### **Statutory power to undertake proposals in the report:**

16. Local Authorities have a statutory duty under s.14 of the Education Act 1996 to secure sufficient high quality places for children and young people with SEN. Local Authorities must also ensure that there are sufficient schools in their area and promote diversity and parental preference.
17. Alterations, changes, creation or removal of SEN provision across the city is subject to the statutory processes contained in the School Standards & Framework Act 1998 as amended by the Education & Inspections Act 2006. Proposals for change are required to follow the processes set out in the School Organisation (Prescribed Alterations to Maintained Schools) Regulations 2007 as amended. Statutory Guidance on bringing forward proposals applies, which requires a period of statutory consultation which must take part predominantly within school term time to meet the requirements of full, open, fair and accessible consultation with those most likely to be affected (pupils, parents and staff often being on vacation or otherwise unavailable during school holiday periods) followed by considerations of representations by Cabinet.

**Other Legal Implications:**

18. In bringing forward school organisation proposals, the LA must have regard to the need to consult the community and users, the statutory duty to improve standards and access to educational opportunities, and observe the rules of natural justice and the provisions of the Human Rights Act 1998, article 2 of the First Protocol (right to education) and the Equalities Act 2010.

**POLICY FRAMEWORK IMPLICATIONS:**

19. The policy proposals impact on the Children and Young Peoples Plan.

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**KEY DECISION** Yes

<b>WARDS/COMMUNITIES AFFECTED:</b>	All (particularly the Bitterne Ward)
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**SUPPORTING DOCUMENTATION**

**Non-confidential appendices are in the Members' Rooms and can be accessed on-line**

**Appendices:**

1.	Consultation document and responses to the consultation
2.	Planning and Developing Special Educational Provision. A Guide for Local Authorities and Other Proposers.
3.	Equality Impact Assessment

**Documents In Members' Rooms:**

1.	None
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**Integrated Impact Assessment**

Do the implications/subject of the report require an Integrated Impact Assessment (IIA) to be carried out.	Yes
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**Other Background Documents**

**Integrated Impact Assessment and Other Background documents available for inspection at: Children's Services and Learning, Southbrook Rise.**

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	None	
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