

DECISION-MAKER:	CABINET
SUBJECT:	PROPOSED EXPANSION OF SPRINGWELL SCHOOL
DATE OF DECISION:	16 OCTOBER 2012
REPORT OF:	CABINET MEMBER FOR CHILDREN'S SERVICES
STATEMENT OF CONFIDENTIALITY:	
NONE	

BRIEF SUMMARY:

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

RECOMMENDATIONS:

- (i) To note the outcome of statutory consultation as set out in this report.
- (ii) To authorise the expansion of Springwell School from the 5 November 2012 by the addition of eight places (one class group) in year R and continuing incrementally in subsequent years (if there is sufficient demand for additional places in future years).
- (iii) To delegate authority to the Director of Children's Services and Learning, following consultation with the Cabinet Member for Children's Services, to do anything necessary to give effect to the recommendations in this report.
- (iv) To approve, in accordance with Financial Procedure Rules, capital expenditure of £399,000 from the Children's Services Capital Programme, for the expansion of Springwell School.

REASONS FOR REPORT RECOMMENDATIONS:

1. There is currently a high demand for places at Springwell Special School. At the placement meeting on 17th May 2012, there were more children put forward for consideration for a place at Springwell than there were places available. 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 school in September) so it was essential that the consultation processes were completed over the summer months in order to ensure that a Cabinet decision could be made in October, thus allowing the pupils to start at the school in 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.

4. The expansion of the school by eight places (which is greater than 10% of the existing school capacity) triggered the requirement for statutory consultation to take place before the children could be admitted to the school. As such, we were required to conduct the consultation on the basis that the school would expand by eight additional places each academic year until all seven year groups had expanded. However, we only currently have funding for two classrooms and do not yet have pupil data to indicate that all year groups will need to be expanded. As a result, we will need to carry out further consultation if pupil demand and/or a lack of funding mean we will not expand the school beyond 2013.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:

5. The Local Authority could decide not to increase the number of SEN (Special Educational Needs) placements available at Springwell. This would likely result in children and young people with statements not being able to be placed in the most appropriate school to meet their needs, which could negatively impact upon educational 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.
6. 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):

7. Initial consultation was carried out with the Special School Headteachers in the city via the Special Heads Conference. All heads were made aware of the situation and agreed that the expansion of Springwell would present the most appropriate option for expansion.
8. Six weeks of pre-statutory consultation took place between 21 June and 2 August and a consultation meeting was held at the school on Tuesday 10 July 2012.
9. Six weeks of statutory consultation took place between 30 September and 11 October. Statutory notices were published at the school and in the Southern Daily Echo. Full statutory proposals were published on the SCC website and both the statutory notice and full proposals were sent to the DfE. All headteachers and other key stakeholders (local Councillors, Mencap, and Primary Care Trust) were informed of the consultation via email. A copy of the statutory notice and full proposals can be found in Appendices 1 and 2.
10. One response to the statutory consultation phase was received on 5 September 2012. Please below for details: "I applaud the decision to create more places at Springwell School, they are definitely needed. However, there is also a need for an increase in SEN funded places at SEN funded pre schools in the city. Would this also be able to be considered?"

11. An Equality Impact Assessment has been completed for this proposal (see Appendix 4). 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

12. 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. These are in line with the eight criteria set out in the document, Planning and Developing Special Educational Provision. A Guide for Local Authorities and Other Proposers (see Appendix 3, pages 7-8):
- 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.

Local Authorities are also required to provide the following:

- i. Headteachers 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 headteacher 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 SCC's school transport plan
 - iv. The funding arrangements for the proposal are set out below (see capital/revenue section)
13. For the 2012/2013 academic year demand has exceeded supply by eight 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. It may be that the number of pupils that the school admits in the future is altered via the annual admissions consultation, thus ensuring that demand doesn't greatly, exceed or fall short of, supply.

RESOURCE IMPLICATIONS:

Capital/Revenue:

14. 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.
15. The expansion of Springwell will be achieved initially via the rental of a modular building, which is planned to be on site for November 2012. Plans for this are already in place given that the additional places are required for the 2012/13 academic year. This will be treated as a revenue cost and funded from the Schools Intervention Fund.
16. It is proposed that a two classroom extension will be built at the school to make the expansion more permanent (at least in terms of admitting additional year R children). 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. An amount of £399,000 was added to the Children's Services Capital Programme by Cabinet for this purpose in August 2012. At present we only have enough funding to expand two classes at the school. We will need to consult again on reducing the number of pupils at the school if we do not have funding to expand the school further or if there is no increased demand for places at the school.

Property/Other:

17. If the proposals were approved, a modular building would be required at the school by November 2012. 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 and the number of pupils that the schools admits each year can be altered via the annual admissions consultation. 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:

18. Local Authorities have a statutory duty under Section 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.
19. Alterations, changes, creation or removal of SEN provision across the city is subject to the statutory processes contained in the School Standards and

Framework Act 1998 as amended by the Education and 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:

20. 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:

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

AUTHOR:	Name:	James howells	Tel:	023 8091 7501
	E-mail:	james.howells@southampton.gov.uk		

KEY DECISION Yes

WARDS/COMMUNITIES AFFECTED:	All (particularly the Bitterne Ward)
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SUPPORTING DOCUMENTATION

Appendices:

1.	Statutory Notice
2.	Full Statutory Proposals
3.	Planning and Developing Special Educational Provision. A Guide for Local Authorities and Other Proposers.
4.	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, Floor 4, One Guildhall Square.

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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