

REASONS FOR REPORT RECOMMENDATIONS

1. The rise in Southampton's School population has seen a corresponding rise in the number of children with Special Educational Needs and Disability (SEND). In particular there has been a rise in the number of children with the specific needs in which Springwell School specialises.
2. Pupil intake at Springwell School has been rising in recent years and there continues to be pressure on numbers in Reception (Yr R). Additional places have been added, with Springwell School's intake rising from 5 in 2011/12 to 16 in 2013/14.
3. Having increased the available places in Year R, Year 1 and Year 2 we are now proposing that onsite provision at Springwell School should expand to accept 16 pupils in each year group.
4. Expansion at Springwell School will be a step toward securing sufficient high quality places for children with SEND in the Primary sector. The additional places will allow the Local Authority to meet its statutory duty to provide a School place to all children who require one, having particular regard to securing that special educational provision is made for pupils who have special educational needs.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5. The Council could decide not to increase pupil numbers at Springwell School but this would mean it would not be able to offer a School place to all those who require one. The Local Authority would therefore not meet its statutory duty to provide sufficient places, having particular regard to securing that special educational provision is made for pupils who have special educational needs.

DETAIL (Including consultation carried out)

6. At present there are five Special Schools in the City, each of which offers support for different age ranges and specific special educational needs.
7. Springwell School works with children with Moderate and Severe Learning Difficulties, and with children with other needs, such as Autistic Spectrum Disorder.
8. The School currently has 80 places on site, with an additional 16 pupils on roll at Springwell School but in co-located provision at Bassett Green Primary School and a further 16 additional pupils in resourced provision split between Thornhill Primary School and Mason Moor Primary School.
9. The expansion at Springwell School will allow for the relocation of pupils from Bassett Green Primary School (allowing that School's own continued expansion) and provides places for Year R pupils in 2015/16. The expansion raises the available on-site places to 112, equivalent to 16 places in each year group.
10. Southampton has seen a resurgence in the number of children with special educational needs whose families wish them to attend a Special School. This is due to the improving educational standards of Special Schools in Southampton and their focus on learning rather than just care.
11. The continued application of Education, Health and Care (EHC) Plans may also have an effect on the number of students requiring specialist education.

12. Six weeks of consultation on the proposal to expand the School ran from 13 October, 2014 to 08 November, 2014. This was followed by a statutory consultation from 5 January, 2015 to 2 February, 2015, following the publication of a notice in the Daily Echo on 5 January, 2015 and at the School's main entrances. Key Stakeholders (Head Teachers, Local Councillors, Local MPs and Trade Union Representatives) were notified via email. A webpage with full details of the proposal, including a copy of the formal statutory notice, was published on the SCC website on the publication date (5 January, 2015).
13. The full consultation documents and all responses can be found in Appendix 2.
14. When proposing any reorganisation of SEND 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. The SEND Improvement Test can be found in Appendix 5.
15. Local Authorities are also required to provide the following:
 - (i) All head teachers in the City were notified of the consultation via email.
 - (ii) The LA is committed to delivering a proposal to increase appropriate SEND provision in order to accommodate those children that require SEND support. These children have been assessed and it is clear that their needs can best be served at Springwell.
 - (iii) The current transport and admission arrangements for the children will continue to apply. Additional transport may be required for students to travel from the existing site in Hinkler Road to the proposed site.
16. The proposed expansion will drive up education standards and attainment for children with SEND by enabling a greater number of students to access the educational support that they need. It will also allow a greater number of those students that have a preference to attend Springwell to do so.

RESOURCE IMPLICATIONS

Capital/Revenue

17. The expanded provision will be in new-build accommodation consisting of four classrooms with associated access and support facilities. The estimated cost of providing this provision is £1,400,000 (inclusive of breakout space; admin area; parking places; and external play/social areas). It is proposed that the additional funding required for this project will come from the Education Basic Need Grant.
18. The proposed increase in pupil numbers will have an impact on the funding of Special School places in the City. The increase in place numbers has been assumed when setting the 2015/16 Special Schools budget, funded by the Dedicated Schools Grant.
19. When details of the planned specific capital works and phasing of spend is known this information along with a request for approval to spend on this scheme will be brought to Cabinet.

Property/Other

19. The additional accommodation will be on the current Springwell School site. This will require the addition of a new 4 classroom block with associated support facilities, play/social areas and parking.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

21. Local Authorities have a statutory duty under Section 14 of the Education Act 1996 to ensure that sufficient School places are available in their area.
22. Section 14 of the Education Act 1996 also requires that Local Authorities secure diversity in the provision of Schools and increase opportunities for parental choice in the provision of primary and secondary education.

The School Standards and Framework Act 1998 devolves power to Local Authorities to make local School provision following local consultation. Those proposing any new SEND Provision or the reorganisation of existing SEND provision must carry out a SEND improvement test (Appendices below).
23. Clause 26 of the Children and Families Act 2014 on Joint Commissioning Arrangements states that Local Authorities and their partner commissioning bodies must make arrangements about the education, health and care provision to be secured for children and young people for whom the authority is responsible who have special educational needs, and children and young people in the authority's area who have a disability.
24. "Education, health and care provision" means special educational provision; health care provision and social care provision.
25. Proposals to make prescribed alterations to a community School are published under Section 19(1) of the Education and Inspections Act 2006 and take account of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.
26. Statutory Guidance on bringing forward proposals entitled "School Organisation: Maintained School: Guidance for Proposers and decision makers" applies, which requires publication of statutory notices followed by a prescribed representation period 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). Any representations made during this period must be considered by Cabinet who are responsible for determining whether or not to approve the proposals as advertised. Minor modifications and / or statutory conditions can be applied to proposals in limited prescribed circumstances but are not proposed in this case.
27. The use of current Social/Habitat space as the possible location of the new build may need to be the subject of an application to the DfE having regard to the Advice on the Protection of School Playing Fields and Public Land and Section 77 of the School Standards and Framework Act 1998.

Other Legal Implications:

- 28. In bringing forward School Organisation proposals the Council must have regard to the need to consult the community and users, the statutory duty to improve standards and access to educational opportunities, the statutory special educational needs improvement test, observe the rules of natural justice, the provisions of the Human Rights Act 1998, article 2 of the First Protocol (right to education) and the Equalities Act 2010. The Council is satisfied the proposals in this report fully conform to the legislative framework and are necessary to meet a pressing social need in the local authority area.

POLICY FRAMEWORK IMPLICATIONS

- 29. This proposal is in line with Southampton’s School Organisation Plan and SEND Strategy.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED: City Wide (SEND pupils attend the School from across the City.)

SUPPORTING DOCUMENTATION

Appendices

- 1. Copy of the Statutory Notice
- 2. Copy of the Full Consultation Document
- 3. Comments on / Objections to the Proposal with Responses
- 4. BGSS-Parents Response to Proposal
- 5. The SEND Improvement Test
- 6. School Organisation Guidance 2014

Documents In Members’ Rooms

- 1. Gate Notice Displayed at School
- 2. Equality Impact Assessment

Equality Impact Assessment

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out?

Yes

Other Background Documents

Equality Impact Assessment and Other Background documents available for inspection at:

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