

# **SUPPLEMENTAL AGENDA CABINET**

**Tuesday, 19th June, 2012  
at 5.00 pm**

**Conference Room 3 and 4 -  
Civic Centre**

This meeting is open to the public

## **Members**

Councillor Dr R Williams, Leader of the Council  
Councillor Stevens, Cabinet Member for Adult  
Services  
Councillor Bogle, Cabinet Member for Children's  
Services  
Councillor Rayment, Cabinet Member for  
Communities  
Councillor Thorpe, Cabinet Member for  
Environment and Transport  
Councillor Payne, Cabinet Member for Housing  
and Leisure Services  
Councillor Letts, Cabinet Member for Resources

(QUORUM – 2)

## **Contacts**

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## AGENDA

**Agendas and papers are now available via the Council's Website**

### **13 PROPOSED EXPANSION OF SPRINGWELL SPECIAL SCHOOL**

Report of the Cabinet Member seeking approval to commence consultation in regard to the proposed expansion of Springwell Special School, attached.

NOTE: This report is presented as a general exception item in accordance with paragraph 16 of the Access to Information Procedure Rules of Part 4 of the Council's Constitution, as it has not been included in the Council's Forward Plan.

Monday, 19 June 2012

Head of Legal, HR and Democratic Services

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# Agenda Item 13

<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	PROPOSED EXPANSION OF SPRINGWELL SPECIAL SCHOOL
<b>DATE OF DECISION:</b>	19 JUNE 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR CHILDREN'S SERVICES
<b>STATEMENT OF CONFIDENTIALITY:</b>	
None	

## **BRIEF SUMMARY:**

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. There were 12 places available (including the additional places at Thornhill). Casework has also been undertaken to work with families to look at other settings over and above this 20. As a result there are not currently enough SEN places in the City to accommodate all those children that require a place at an SEN school. Proposals for expanding SEN provision require public consultation prior to any final decision on the form of expanded SEN provision in the City and it is therefore proposed that an option to expand Springwell school is taken forward for consultation.

## **RECOMMENDATIONS:**

**Having complied with the requirements of paragraph 16 (Urgency) of the Access to Information Procedure Rules, it is recommended;**

- (i) To commence 6 weeks of pre-statutory consultation in June 2012 to increase the Number on Roll at Springwell school by 8 (one class group) from November 2012 to accommodate the additional children whose needs have been assessed and who would be appropriately placed at Springwell School.
- (ii) 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 consultation in accordance with statutory and other legal requirements.

## **REASONS FOR REPORT RECOMMENDATIONS:**

1. This reported is submitted for consideration as urgent under Paragraph 16 of the Council's Access to Information Procedure Rules in Part 4 of the City Council's Constitution, agreement having been sought from the Mayor. The matter requires an urgent decision as there are a number of children whose assessed needs cannot be met within the existing provision in the city for the next academic year. Children's Services and Learning therefore need to consult urgently on the potential options on where to place these children. The proposal for Springwell school to admit 8 additional pupils from November 2012 requires Statutory School Organisation processes to be followed and in order to adhere to the guidance it is preferable that the majority of the consultation takes place outside of school holidays. A delay in bringing this issue to Cabinet, would mean that majority of consultation would have to take place during the school holidays, otherwise a final

decision on the implementation of the proposals could not be made before children require the additional places. This could result in the Council being unable to meet the needs of children that have already been assessed and if additional places are not made available, parents/children would likely be placed at Springwell via a tribunal decision. The tribunal process would be both timely and expensive. The proposal being put forward would mitigate these risks.

As a result of the above, this requires an urgent decision that cannot wait 5 clear days.

- 2 As the number of children in the City rise, it is highly likely that the number of children/young people with SEN statements will rise in line with this. As such, the number of SEN places available needs to increase in order to accommodate these children.

The expansion of Springwell needs to be consulted upon as soon as possible in order to bring forward a decision that accommodates children that need a place from November 2012. It is proposed, subject to the outcome of consultation, that the school would expand by 8 pupils per year group.

#### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:**

3. Not increasing SEN specialist placements available. This is 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. This is likely to have a negative impact on outcomes for those children and young people and lead to an increase in SEN tribunals if parents are unhappy with the provision that is available.
4. 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 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):**

5. 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..
6. **SEN Improvement Test**  
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 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.
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- i. Headteacher's from all the City's SEN schools were consulted at the Special Heads Conference and agree that this proposal is the most appropriate option for public consultation. Headteachers will be further consulted throughout the statutory school organisation process.
  - 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)
7. 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:**

8. 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.
9. There will be a requirement for an additional classroom at Springwell costing £50,000 per annum rental (£29,000 part year affect for 2012-13). This will be funded from the Children's Services portfolio.

**Property/Other:**

- 10. If the proposals were approved, a double 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.

**LEGAL IMPLICATIONS:**

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

- 11. 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.
- 12. 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 pre-statutory consultation (and additional rounds of pre-statutory consultation if further viable options are identified during initial 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 publications of statutory notices, representation periods and considerations of representations by Cabinet.

**Other Legal Implications:**

- 13. 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:**

- 14. 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.	None
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**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/No
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**Other Background Documents**

**Integrated 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)

1.	None	
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