
Meeting: Children Families and Learning Overview and Scrutiny Committee
Date: 30 March 2010
Subject: Special Schooling in the East of Central Bedfordshire
Report of: Martin Pratt, Deputy Director of Children's Services
Summary: This report sets out the information requested by the Overview and Scrutiny Committee at their meeting on 1 December 2009.

Contact Officer: Martin Pratt – Deputy Director of Children's Services
Public/Exempt: Public
Wards Affected: All
Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

The proposals to be considered by the Executive sit alongside the five Every Child Matters outcomes as listed within the Children and Young People's Plan which was adopted by Central Bedfordshire Council on the 24 September 2009. In addition the proposals are consistent with one of the Council's key priorities for the 2009 -2011 period: educating, protecting and providing opportunities for children and young people.

Financial:

As set out above.

Legal:

There is a duty on the Council to determine the Statutory Proposals within two calendar months of the expiry of the six week representation period, otherwise they must be referred to the Office of the Schools Adjudicator for decision. The end of the six week representation period was 26 February 2010, hence the Council must determine the proposals by 26 April 2010. If approved, there is also then a legal duty on the Council to implement the proposals by the dates stated and meet any associated costs.

There are legal implications regarding the ownership of the Hitchmead site as it is a Foundation school and part of a Trust. However, upon the closure of Hitchmead, the Foundation school governors and the Trust will cease to have a legitimate interest in the premises. Furthermore, there are provisions within Education Law for the asset to be returned to the Local Authority in the event of closure. In terms of the future use of the asset and as set out in the prescribed information, this would transfer to the governors of Sunnyside Community School for the benefit of the enlarged school.

Risk Management:

Failure to determine the proposals within the specified timescale by the Executive would result in the proposals being referred to the Schools Adjudicator for determination, which could delay the implementation of the proposals.

In order to mitigate the risk of disruption to pupils and their families during the transition period, careful project management is required by the schools, the governing bodies and officers of Central Bedfordshire.

The proposed merger provides a solution to the identified financial risk of the current structure.

the Council to make no decision it may be at risk of failing in its duty to provide an efficient education for children and young people with special educational needs, which could result in damage to the Council's reputation.

Staffing (including Trades Unions):

Subject to approval of the proposals and prior to implementation, staff from both schools and professional associations are being engaged in a consultation on a proposed staffing structure for the newly expanded school.

Equalities/Human Rights:

An Equality Impact Assessment is being undertaken.

Community Safety:

N/A

Sustainability:

The newly merged school will improve the quality of SEN provision for young people in the area and the community as a whole in an improved facility tailor made for their needs.

RECOMMENDATION:

That the Overview and Scrutiny Committee receives and notes the requested information.

Background

1. The Overview and Scrutiny Committee considered the proposed merger of Hitchmead Foundation Special School and Sunnyside Special School at their meeting on 1 December 2010. At the meeting it was resolved that, 'should the Executive approve the merger, the Committee receives a further report following the 6 week consultation period, which will provide Members with the financial implications of the initiative and an outline implementation plan'. This report provides the required information.

Financial Implications

2. The proposed merger would address the concern about the financial viability of Hitchmead School and the size of accommodation issue at Sunnyside School. It would secure efficient and effective delivery of special schooling in the east of Central Bedfordshire.
3. The proposed merger would release £111,000 of revenue funding which relates to the lump sum allocated to each school, this would be redistributed to Special Schools, including the merged school, through the funding formula. The availability of increased accommodation for Sunnyside pupils would enable more children to have their needs met locally who might otherwise be placed out of Central Bedfordshire at potential costs of up to £300,000 per year per pupil.
4. The revenue costs of the proposed school would be met through the lump sum and funding formula arrangements based on the number of pupils on the school roll and their assessed needs. The capital costs of the proposal relate to the security of the external play areas of the Hitchmead site, the requirement for better accessibility to the building and specialist toilet/changing facilities for those pupils with physical disabilities.
5. It has been agreed that in the first instance the security works should be funded from the schools' devolved formula capital in 2010/11. An estimated sum of £70,000 is required for the other works, it is proposed that this funded from the Council's 2010/11 Schools' Access Initiative.

Implementation Plan

6. A letter has been written to Governors at both Sunnyside and Hitchmead Schools setting out the work that will need to be completed both prior to and following any Executive decision, in readiness for the implementation date.
7. To achieve this, a working group of governors that is equally representative of both schools' governing bodies has been set up to work alongside the two full governing bodies. This group, with the support of appropriate officers, is identifying transitional issues and bringing forward proposals to be considered by both Governing Bodies.
8. Hitchmead Governing Body can decide whether to support any proposals. As the continuing school, Sunnyside Governing Body must make the ultimate decision, taking account of the views of Hitchmead Governing Body.
9. Although as the continuing school statutorily Sunnyside Governing Body has the ultimate decision making powers, the Hitchmead Governors are fully involved through both the working group and their own Governing Body meetings.
10. Sunnyside Governors have been committed throughout the process to ensuring that the views of both schools are fully taken into account. The implementation plan is attached as Appendix A, and is subject to additions agreed by the working group.

Appendices:

Appendix A – Key milestones Document