
Meeting: Executive
Date: 31 May 2011
Subject: The Future of Special Schooling in the South of Central Bedfordshire

Report of: Executive Member for Children's Services

Summary: The report summarises the responses to the consultation on the future of special schooling that was initiated by the Executive at its meeting on the 11 January 2011 and proposes that the Executive agrees to publish statutory notices for the merger of Hillcrest, Weatherfield and Glenwood special schools.

Advising Officer: Edwina Grant, Deputy Chief Executive/Director of Children's Services,
Contact Officer: Sylvia Gibson, Interim Assistant Director, Learning and Strategic Commissioning
Public/Exempt: Public
Wards Affected: All
Function of: Executive
Key Decision Yes
Reason for urgency/ exemption from call-in (if appropriate) N/A

CORPORATE IMPLICATIONS

Council Priorities:

The provision of effective and efficient local services for Special Education Needs forms a key element in delivering the Central Bedfordshire Children's Services Education Vision. It aligns with priorities and programmes on Early Intervention and on transforming learning and the Council's relationship with schools. It will support cross cutting responsibilities for Health.

The proposal relates to the Council's Key Priority:

Educating, protecting and providing opportunities for children and young people.

Financial:

The proposed merger would secure sustainable, efficient and effective delivery of special schooling in the south of Central Bedfordshire. The most significant medium to long-term financial impact will be in reduction of 'Out of Authority' and agency provision for Central Bedfordshire children.

The proposed model of Area Special School, alongside that already available at Ivel Valley School and Maythorn in Biggleswade, would provide an opportunity to bring back to local provision pupils who are currently in out of Authority placements. It would also negate the possibility of other pupils with similar needs being placed out of Authority in the future.

The proposal could deliver savings of up to £197,032. This would be the potential saving in the “lump sum” element of 2 of the schools’ budgets. However, there will need to be an alteration to the lump sum of the new school’s delegated school formula in consultation with the Schools Forum to reflect the increased size and split site nature of the proposal. A proportion of these savings could contribute to any revisions to the funding formula. It should be noted that this is ring-fenced schools grant.

Should the proposal be agreed, then an accessibility audit will be carried out on the Weatherfield Site, and the School’s Accessibility Funding will be identified to support any changes required to ensure the site is accessible to pupils who might require access to it.

Subject to the Council’s Asset Management Policy and in the future consideration could be given to the disposal of one site and possible future use of capital finance to extend the buildings on another site to create a school on two sites.

Legal:

Any change to the statutory operation of a school or designated provision within a school requires formal consultation on published proposals in accordance with Section 19(1) of the Education and Inspections Act 2006. A decision has to be made by the Council within two months of the end of this consultation period.

Should the Executive make a decision to make a change to any or all of the schools, each school will require publication of a Statutory Notice outlining the proposed changes for a period of 6 weeks. These statutory notices can be linked, and should be published during term time.

If statutory notices are published in June 2011, this would allow for a 2012 start for the new school.

The responses to the Statutory Notices will form the basis of a further report to the Executive in August to enable a final decision to be made.

Additionally, parents may seek to challenge the position of the council on individual cases by application to the SEN and Disability Tribunal (SENDIST).

Risk Management:

The SEN “Improvement Test” which is a professionally based quality test, has been applied against the proposed changes (Appendix A).

Were 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):

Council officers have attended meetings with staff and Trade Unions at all 3 schools during the consultation process. The proposed changes to a larger school could allow for better career progression for all staff than is available in a small school.

If the proposed merger is agreed, the headteacher appointment process would need to be initiated, and subsequently staff and professional associations would be engaged in a consultation on a new staffing structure.

Equalities/Human Rights:

Public authorities have a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and to foster good relations in respect of the following protected characteristics; age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

This statutory duty includes requirements to:

- Remove or minimise disadvantages suffered by people due to their protected characteristics.
- Take steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encourage people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

If the proposed merger is agreed then the Council should ensure that the next stage of publishing a statutory notice is fully accessible. As set out in the section on Risk Management, The SEN "Improvement Test" has been applied against the proposed changes and forms the basis of an ongoing Equality Impact Assessment.

Community Safety:

None

Sustainability:

Any capital development that is required to implement the proposed merger will maximise energy efficiency and sustainability.

Summary of Overview and Scrutiny Comments:

- At its meeting of the 23 November 2010, the Children's Services Overview and Scrutiny Committee stated that their preferred option for the delivery of Area Special Schooling in Dunstable / Houghton Regis was to merge Glenwood, Hillcrest and Weatherfield schools through the closure of two and the prescribed alteration of one across all three sites initially or the closure of all three schools and the opening of one new school across three or two sites.

- At their meeting of the 21 December 2010, they reconfirmed this recommendation. However, the Scrutiny Committee asked that they be given the opportunity to see the outcome of the informal consultation to consider whether or not they wish to review this recommendation before the Executive took a decision to publish any statutory notices required. The Scrutiny Committee were mindful that to ensure a September publication of notices that the Executive needed to consider the recommendations to publish any statutory notices at their meeting on 31 May 2011 at the latest, therefore they agreed that the Children's Services Scrutiny Committee that is operating in May 2011 may need to be asked to have a special meeting and if necessary verbal recommendations be passed to the Executive to meet this deadline. The Scrutiny Committee will meet on 24 May to offer comment on this published report. Timescales are challenging as the aim is to publish statutory notices by September 2011 to enable the school to plan for a 2012 start if the proposal goes to the next stage.

RECOMMENDATION:

- 1. that the Executive agree to the publication of Statutory Proposals to merge Hillcrest, Weatherfield and Glenwood special schools to become a single area special school across the existing 3 sites through the expansion of Glenwood School and the closure of Hillcrest School and Weatherfield School.**

<i>Reason for Recommendation:</i>	<i>So that the Council discharges its duty to secure special school provision in an efficient way and which meets the needs of children and young people with complex needs.</i>
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Executive Summary

The report summarises the responses to the consultation, and addresses the concerns raised by respondents. It makes a recommendation as to the next steps in the process.

Background

1. On 6 June 2008, the Central Bedfordshire Transition Task Force considered and adopted the recommendations of the Review of Special Needs carried out by the legacy Council. This included the recommendation to develop Area Special Schools in the Central Bedfordshire area.
2. In March 2009, the Schools Forum agreed the changes to the funding formula for special schools in order to target funding appropriately to the increasingly complex needs of the pupils. The Review of Special Needs identified that mainstream schools had developed their knowledge and expertise in meeting a broader range of needs, and an increasing number of parents had chosen mainstream education for their child, even when they met the admissions guidance for a special school.

3. On 23 June 2009, the Executive agreed to initiate a consultation on the options for the future of special schooling in the East of Central Bedfordshire. On 8 December 2009 the Executive considered the responses to the consultation and supported the proposed merger of Hitchmead and Sunnyside schools to create an Area Special School. Statutory proposals led to the decision to cease to maintain Hitchmead Foundation Special School from 31 August 2010.
4. Related proposals to make a prescribed alteration to Sunnyside Community Special School to become an Area Special School for pupils with complex needs aged 3-19 across the two existing sites from 1 September 2010 were approved by the Executive on 8 April 2010.
5. On 1 September 2010 the new Ivel Valley Area Special School opened across the two sites.
6. In March 2010, the Executive agreed the Education Vision for Central Bedfordshire, with specific reference to Inclusion and Special Needs. This included reducing out-of-authority specialist placements by re-allocating resources to make provision to meet needs locally; developing the concept of Area Special Schools with a broader role for delivering services to mainstream schools; championing the needs of all pupils (including underperforming and vulnerable groups); and supporting federations, trusts and partnerships in developing locally delivered targeted services to support prevention, early identification and effective interventions.
7. At its meeting on the 11 January 2011 the Executive made the following decisions:
 - a. that consultation commence on the preferred option for the delivery of Area Special Schooling in Dunstable/Houghton Regis, that being to merge Glenwood, Hillcrest and Weatherfield Schools either through the closure of two and the prescribed alteration of one across all three sites initially or the closure of three schools and the opening of one new school across three or two sites;
 - b. that, subject to the outcome of the consultation, a recommendation be put to a future meeting of the Executive for statutory publication of the proposed merger.
8. This report sets out the responses to the consultation carried out in February/March 2011 regarding the proposal for the development of the agreed model of Area Special School for the South of Central Bedfordshire. The consultation document is provided as Appendix B.

Summary of responses to the Consultation

9. The consultation was initiated on 14 February 2011 and ended on 25 March 2011. A pre consultation meeting was held with Trade Unions. 4 staff meetings were held with staff and Trade Unions (1 in each school, plus an additional meeting at Glenwood for Midday Supervisors). 3 public meetings were held (2 in Dunstable and 1 in Leighton Buzzard). These were attended by approximately 150 people, although a number of people attended more than 1 meeting. A summary of the questions raised and comments made, and the responses to these are available as background papers.
10. Some respondents sent a letter as well as responding via the questionnaire. 23 of these were from pupils at Weatherfield School. These are available as background papers.
11. It should be noted that the majority of responses to consultations of this nature tend to be from people who are not in support of the proposed changes and this is the case for this consultation. People who agree to the proposals do not tend to respond in the same numbers. 33% of the responses received through the questionnaires were from people with a connection to Weatherfield School, 19% with a connection to Glenwood School, and 10% with a connection to Hillcrest School. The majority of those respondents associated with Weatherfield School do not support the proposal. The tables of numbers of responses are attached as Appendix C
12. Responses generally demonstrate support for the status quo, which demonstrates the high value people place on our special schools. However, this would not provide a sustainable model for the future and is not a position supported by the special school headteachers.
13. The pupil consultation was carried out by the Central Bedfordshire Children's Participation Development Officer and Bedford Creative Arts and involved pupils across the schools, 47 from Glenwood, 43 from Hillcrest, and 81 from Weatherfield. This is available as background papers.
14. In order to avoid confusion for the pupils, the activities focused on the facilities at the schools. The pupils took photos of facilities at the schools so that they were later able to identify what facilities and resources they liked in the schools, even if they did not know the buildings.
15. The level of understanding regarding the consultation varied in each school, and so the activities were sensitive to the school's advice regarding the needs of the pupils. Most of the responses therefore relate to the current situation, and only Weatherfield responses relate to their understanding of the proposed merger. The pupils who responded clearly valued and enjoyed their school, and most were interested in accessing the resources available at the other schools.

Summary of points raised and responses to these

16. **That the Council should have consulted on other options**

The Executive considered other options at their meeting on 11 January 2011, and on the basis of information within the report regarding the advantages and disadvantages of these, made the decision to consult on the option to merge the 3 schools as an Area Special School

17. Should the option of merging only Glenwood and Hillcrest as an Area Special School be considered at this point in time the concern is that Weatherfield could become non-viable in the future. Weatherfield staff, parents and governors would have missed the opportunity to influence the development of the Area Special School model. The general view from the majority of respondents from the Severe Learning Difficulties (SLD) sector was that they would support the merger of 2 or 3 schools, as long as class sizes remain small, staff ratios are appropriate, and Autistic Spectrum Disorders (ASD) provision remains for all ages

18. 1 respondent put forward a suggestion of 2 Area Special Schools, one for ambulant, and 1 for non ambulant pupils or those with more complex needs. This could create difficulty with admissions as the schools are in such close proximity and it would be difficult to separate the needs of pupils in this way. The current profile of the 3 schools shows that the majority of pupils have a range of complex needs, and there are very few pupils who just have moderate learning difficulties and no other need.

19. A suggestion was made to link the schools more closely through a federation of partnership. This would not resolve the issues identified as part of the proposal, and would not deliver the model of an Area Special School.

20. **That the proposal means that the MLD school will close down and current facilities will be lost**

There are no plans to close any of the sites in the short or medium term. Current facilities would be available to the pupils at all of the schools. Should the resources become available in the future to develop a one site or two site school, serious consideration would be given to maintaining access to the appropriate resources that meet the needs and aspirations of the current and future pupil population.

21. **That the Council should not change what is working well**

The research demonstrates the educational benefits of an Area Special School as set out in the consultation document. The success of any school is dependent on the strong leadership of the school and the specialist knowledge of the staff working within it, which the proposed model will provide.

22. Most respondents agreed that some change was necessary, but some responded that only Glenwood and Hillcrest should merge as an Area Special School.
23. The proposed model provides for a sustainable model of special schooling into the future. Concern remains that if this proposal is not implemented, one school could become non-viable very quickly.
24. If only Glenwood and Hillcrest schools merge as an Area Special School, and Weatherfield remains as it is, the concern would be that the remaining school could become non-viable in the future. Currently, a small number of pupils transfer each year from Glenwood to Weatherfield. If only Glenwood and Hillcrest merged as an Area Special School, these pupils are likely to remain in that school. Due to the existing specialist expertise in Autism at Glenwood and Hillcrest Schools, the recommendation would be that this merged school would provide the specialist resource for those pupils with moderate learning difficulties and Autism who require a specialist provision outside of the Council and therefore at rechargeable costs like that currently accessed at Grange School in Kempston.
25. Any proposed change is naturally worrying for the pupils, parents and staff. Experience shows that, despite any reassurances given, these concerns remain until the positive impact can be demonstrated. Communication throughout any change is crucial. Should the proposal be implemented, the staff who know the pupils best are well placed to reassure the pupils and their parents that in practical terms, what they experience will not be dissimilar to the offer they are currently used to.
26. **That the size of school and classes, and mix of pupils would not be in the interests of the pupils**
- Special school staff have significant experience and expertise in identifying the needs of the pupils, and putting together an individualised programme that meets the specific needs of any pupils that are admitted. The feedback from staff at Ivel Valley School and from other schools of a similar type has been that this has not been an issue.
27. As is already the case in the schools at present, the leadership team of the school would be responsible for organising the class groups and determining how the staff are allocated to meet the needs of the pupils. Account is taken on the skills and expertise of particular staff when planning this. The funding model for special schools is based on providing sufficient levels of resources to provide the staffing ratios required to meet the needs of the mix of pupils.

28. Some concerns were raised regarding children being in one school from 3 – 19, although other respondents saw this as an advantage for continuity and progression. Age groups would be managed within distinctive groups and areas that provide the appropriate resources to meet the curriculum and individual needs of these pupils. How this is organised would be a decision of the leadership team of the proposed school.
29. There are significant advantages to the pupils in having opportunities to come together in different ways, including the development of academic, social and emotional skills. Feedback from staff at Ivel Valley who attended the staff meeting at one of the schools reaffirmed this.
30. Opportunities have been offered to staff from all of the schools to visit the other sites and see the range of needs that all 3 schools currently successfully meet.
31. **The role of the head teacher**
- Concerns were raised regarding the ability of a head teacher in a large school to know all of the pupils, and be able to actively ensure high quality provision across all 3 sites. One respondent suggested that there could be two joint headteachers. The Governing Body is responsible for securing appropriate leadership for a school, and the Local Authority would provide advice, and support any proposals for leadership of the school that would ensure its success within the resources available.
32. The Head teacher and governing body would need to put in place a leadership/management structure that took into account the number of sites and range of needs of the pupils. Although this would not be the responsibility of the Local Authority, the Local Authority would be able to advise on effective management structures based on the experience of other similar schools. Any proposed staffing structure would have to go through appropriate consultation with staff and Trade Unions.
33. A suggestion was made that should the proposal go ahead, then the Head teacher should be appointed prior to the date of implementation to ensure that the transition is managed carefully, taking account of the needs and concerns of the pupils, parents and staff. The Local Authority will seek to act on this suggestion as such an arrangement would mitigate against concerns that any transition might lead to less favourable provision for those pupils in the schools at that time.
34. **Morale of staff**
- Concerns were raised that staff morale could be affected by the proposals, resulting in good staff leaving.

35. The skills of the staff are required in this proposal to ensure that the mix of expertise is available both now and into the future. The proposed model provides opportunities for staff development and career progression.
36. If the proposal is agreed to progress to the next stage of consultation, regular and consistent communication between the Local Authority and the schools, and within the schools themselves will need to be ensured.
37. **Pupils with Moderate learning Difficulties (MLD) may be put back in to mainstream schools or fail in mainstream schools**
- The proposal does not suggest the reintegration of pupils with MLD back into mainstream. The proposal recognises that the needs of the pupils at Weatherfield have become more complex, but that pupils with moderate learning difficulties but no additional needs are now in mainstream schools in most cases. Pupils currently within the schools can remain as part of the proposed merged school.
38. The admissions guidance has been implemented in its current form for many years. It is applied flexibly and takes account of the complete needs of the pupils. If pupils' needs meet this guidance, they will continue to be placed in a special school.
39. **Concerns that the proposals are about making savings**
- The main basis for the proposal is to ensure long term sustainability of good quality special school provision. The current and anticipated size of one school makes it increasingly difficult for it to offer the appropriate breadth of curriculum. It is recognised that while there are potential savings in the lump sum element of the schools' budgets, the use of this would need to be reviewed in consultation with the Schools Forum in the light of the changed size of the school and the number of sites.
40. **The impact of the SEN Green Paper**
- Central Bedfordshire continues to see special schools as an important part of a continuum of provision, both in themselves and as part of their broader role in outreach support to mainstream schools, which is consistent with current Government thinking.

Additional Information

41. It was stressed that the children who attend both schools require consistency, and that whatever decision is taken by the Council, any disruption to pupils, families and staff should be minimised, and action taken to ensure that any changes do not impact on the quality of education and provision. It is planned that a transition group be formed consisting of representatives from all 3 schools and officers of the Local Authority to manage the process of change.

Conclusion

42. In the light of the educational and longer term economic benefits of the proposed merger of the 3 schools, it is recommended that the Executive agrees to publish statutory notices to merge the 3 schools across all 3 sites initially. Having taken into account all of the views expressed through the consultation, the recommendation is that the proposal will enable establishment of sustainable special schooling in the future.
43. Respondents' views were that this should be achieved through the expansion of one school and not the closure of all schools, as it was felt that this would delay the proposal and create longer term uncertainty for families and staff, and could result in good staff leaving.
44. It is therefore recommended that this is achieved through the expansion of Glenwood School into a newly named Area Special School, which will require linked notices to be published for the discontinuation of Weatherfield and Hillcrest Schools. The Instrument of Governance will need to be reviewed to take account of the proposed increased in numbers.

The reasons for this are:

- Glenwood is categorised by Ofsted as an Outstanding School and is the only one of the three schools to be so designated.
 - Glenwood already coordinates the Outreach provision in this area of Central Bedfordshire
 - Staff, parents and Governors have been positive about the proposal and have an interest in ensuring its success.
45. This recommended course of action is consistent with the proposals set out in the Vision for Transforming Learning in Central Bedfordshire, which includes the development of Area Special Schools as part of an SEN/Inclusion Strategy.
46. Following this consultation and any final decision made by the Executive, consideration will be given in the future to bringing the merged school onto 2 sites with retention/development of the specialist resources valued by the pupils, parents and staff as soon as the capital resources allow and subject to the Council's Asset Management Policy.

Appendices:

Appendix A: SEN Improvement Test

Appendix B: Consultation Document

Appendix C: Consultation Questionnaire Response Figures

Background Papers: (open to public inspection)

January 2011 Executive Report

Consultation written responses

Notes from public meetings

Children's consultation and DVD

Location of papers: Priory House, Chicksands