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**Meeting:** Executive  
**Date:** 23 August 2011  
**Subject:** The Future of Special Schooling in the South of Central Bedfordshire

**Report of:** Cllr Mark Versallion, Executive Member for Children's Services

**Summary:** The report sets out the responses to the statutory notices to merge Hillcrest Community Special School, Weatherfield Community Special School and Glenwood Community Special School to create a single area special school for pupils with complex educational needs (Severe Learning Difficulties (SLD), Profound and Multiple Learning Difficulties (PMLD) and Moderate Learning Difficulties (MLD) with additional needs ages 3-19, and makes a recommendation as a consequence of this process having been completed.

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**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 the 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.

As the proposed school will remain on all 3 of the current sites, the Formula Capital for all 3 schools should be retained by the continuing school (Glenwood) to support this.

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, 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**

Changes to the organisation of schools are governed by the Education and Inspections Act 2006. Having published its proposal to merge Hillcrest, Weatherfield and Glenwood Special Schools, the Executive must now decide, in the light of the comments received in response to the publication of statutory notices, whether to implement the proposed changes.

**Risk Management:**

The SEN "Improvement Test" which is a professionally based quality test, has been applied against the proposed changes and was included in the Appendices of the May 2011 report.

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.

**Staffing (including Trades Unions):**

Staff and Trade Unions at all three schools have been involved throughout 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 continuing headteacher and Governing Body at Glenwood School would need to work with officers to manage the transition, and engage staff and professional associations in a consultation on a new staffing structure that will best meet the needs of the merged school. This is essential to ensure that high quality provision can be sustained that will continue to meet the needs of all of the pupils.

The employees from the two 'closing schools' will then transfer into the proposed staffing structure, following TUPE principles.

Glenwood's Instrument of Governance would need to be reviewed to take account of the change in size of the school.

### **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.

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:**

N/A

### **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 23 November 2010, the Children's Services Overview and Scrutiny Committee stated that its 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 its meeting on 21 December 2010, it reconfirmed this recommendation. However, the Scrutiny Committee asked that it be given the opportunity to see the outcome of the informal consultation to consider whether or not it wished to review this recommendation before the Executive took a decision to publish any statutory notices required. The Scrutiny Committee was mindful that to ensure a September publication of notices, the Executive needed to consider the recommendations to publish any statutory notices at its meeting on 31 May 2011 at the latest, therefore it agreed that the Children's Services Overview and Scrutiny Committee at its meeting 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.
- At its meeting on 24 May 2011, the Overview and Scrutiny Committee recommended to the Executive that whilst it was minded to support the merger of all 3 special schools in south Central Bedfordshire, in the event of Weatherfield School becoming an academy school, the Executive should consider publishing statutory notices to merge the 2 remaining schools (i.e Glenwood and Hillcrest).

#### **RECOMMENDATIONS:**

- 1. that the Executive agrees to merge Hillcrest Community Special School, Weatherfield Community Special School and Glenwood Community Special School to create a single area special school for pupils with complex needs aged 3-19, with an implementation date of 1 April 2012; and**
- 2. that in the event that the Secretary of State approves the application of the Governing Body of Weatherfield School that the School should become an Academy, the Executive agrees that Hillcrest and Glenwood schools are supported to merge to become an Area Special School from 1 April 2012.**

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

The report summarises the responses to the Statutory Notices. It makes a recommendation as to the next step 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 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; and
  - 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. At its meeting on 31 May 2011, the Executive made the following decisions:
  - a. to agree to the publication of the Statutory Proposals to merge Hillcrest, Weatherfield and Glenwood special schools to become a single area special school and that the sites are developed in the future, according to need; and
  - b. that, in the event of the Secretary of State approving that any of the three schools become an Academy, the remaining maintained schools should be actively encouraged to work together to fulfil the aims of this proposal and that Officers should work with the schools to develop a proposal that would not require a further full period on consultation. This additional recommendation takes account of the analysis in the published Executive report. It does however reflect the position that the Weatherfield School Governors advised the Council on the 23 May 2011 that they intended to seek the support of the Secretary of State to become an Academy.
9. On 10 June 2011, Statutory Notices were published for a 6 week period, proposing to merge Hillcrest Community Special School, Weatherfield Community Special School and Glenwood Community Special School to create a single area special school for pupils with complex needs aged 3-19 (Statutory Notices available as background papers).
10. The Statutory Notice period finished on 22 July 2011, and the following report summarises the responses received.

### **Summary of responses to the Statutory Notices**

11. Four responses were received in response to the Statutory Notices, two by e-mail and two by letter. Three are in support of the proposal and one is against the proposal. Copies of these are attached as Appendix A.
12. The three responses received in support of the proposal were also in support of merging Hillcrest and Glenwood Schools within the same timeframe, should Weatherfield's Academy application be supported by the Secretary of State.

### **Conclusion and Next Steps**

13. In the light of the educational, long term sustainability and economic benefits of the proposed merger of the three schools, it is recommended that the Executive agrees to the proposal to merge the three schools across all three sites initially. This will be achieved through the expansion of Glenwood School, and the closure of Weatherfield and Hillcrest Schools. The school will have a new name. A proposed staffing structure would be consulted on by the Governing Body of Glenwood as the continuing school, involving current staff of all three schools, and trade Unions.
14. It is recognised that any change is difficult for parents of children with special educational needs and disabilities (SEND). The schools will need to work together with officers to ensure that regular and consistent communication is provided for parents outlining the progress of implementing the proposals.

15. At the time of writing this report, the Local Authority has not received a decision from the Secretary of State regarding Weatherfield School's application for Academy Status.
16. Should a decision be received prior to the Executive meeting on 23 August 2011 granting Weatherfield Academy Status, the Local Authority will support Glenwood and Hillcrest Schools by publishing Statutory Notices to achieve a merger of the two schools by April 2012.

**Appendices:**

Appendix A – Responses to the Statutory Notice

**Background Papers:** (open to public inspection)

Statutory Notice and Prescribed Alteration Documents

**Location of papers:** Priory House, Chicksands