

---

**Meeting:** Executive  
**Date:** 6 December 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 concerns the revocation of the proposal approved by the Executive on 23 August 2011 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 aged 3-19.

---

**Advising Officer:** Edwina Grant, Deputy Chief Executive, Director of Children's Services

**Contact Officer:** Pete Dudley, Assistant Director, Learning, Strategic Commissioning and Partnerships

**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.

The decision relates to the Council's Key Priority:

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

### **Financial:**

1. Not Applicable.

**Legal:**

2. The Authority may decide not to implement these proposals where circumstances have altered since the approval was given to such an extent that the implementation of the proposals would be inappropriate. The fact that Weatherfield School has received approval to become an Academy provides a basis on which the Authority can now decide not to implement the original proposal. However, before making that decision the Authority is required to publish a further statutory notice.
3. On 7 October 2011 the required notices were published in accordance with regulation 26 of The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 and paragraph 41, Schedule 5 of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007. These notices proposed that Central Bedfordshire Council be relieved of the duty to implement the statutory proposal published on 10 June 2011 and approved by Central Bedfordshire Council on 23 August 2011.

**Risk Management:**

4. The SEN "Improvement Test" which is a professionally based quality test, was applied against the proposed changes and was included in the Appendices of the May 2011 report.
5. The Council needs to revoke its previous decision which can no longer be implemented, and officers are now undertaking a further consultation on alternative proposals to merge Hillcrest and Glenwood schools.

**Staffing (including Trades Unions):**

6. Staff and Trade Unions at all three schools were involved throughout the consultation process. Staff and Trade Unions at Glenwood and Hillcrest schools are now being consulted on alternative proposals to merge Hillcrest and Glenwood schools as an Area Special School across the two existing sites.

**Equalities/Human Rights:**

7. 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.
8. 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.

9. The SEN "Improvement Test" was applied against the proposed changes and formed the basis of an ongoing Equality Impact Assessment. However, it is no longer possible to implement the proposal.

**Community Safety:**

10. Not Applicable.

**Sustainability:**

11. Not Applicable.

**Procurement:**

12. Not Applicable.

**Overview and Scrutiny:**

13. The Children's Services Overview and Scrutiny Committee have considered this proposal on three occasions since November 2010.
14. At their meeting on 24 May 2011, the Scrutiny Committee recommended to the Executive that whilst they were 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 considers publishing statutory notices to merge the 2 remaining schools (i.e. Glenwood and Hillcrest).
15. The Overview and Scrutiny Committee have not considered this matter since the Executive approved the merger proposal on 23 August 2011.

**RECOMMENDATIONS:**

**The Executive is asked to:**

- 1. determine not to implement the statutory proposal for the merger of Hillcrest, Weatherfield and Glenwood Schools published on 10 June 2011 and approved by the Executive on 23 August 2011.**
- 2. agree that following the current informal consultation that Statutory Notices will be published to propose the amalgamation of Hillcrest and Glenwood Schools as an Area Special School for the south of Central Bedfordshire.**

*Reason for Recommendation:* A duty to implement the proposal to merge the 3 schools cannot apply because it is no longer possible to implement these linked proposals following the recent approval by the Secretary of State to issue an Academy Order for Weatherfield Community Special School. This will mean that Weatherfield Community Special School will no longer be maintained by the Local Authority and that, on the proposed implementation date, Weatherfield Community Special School will operate independently of the Local Authority.

## **Executive Summary**

16. The report summarises the process to date, and makes a recommendation to not implement the previous decision following the required Statutory Notice period.

## **Background**

17. 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 of 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.
18. 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).
19. Four responses were received in response to the Statutory Notices published in June 2011. Three were in support of the proposal and one was against the proposal.
20. The three responses received in support of the proposal published in June 2011 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.
21. On 23 August 2011 the Executive made a decision to implement the proposals.
22. On 2 September 2011 Weatherfield School received approval from the Secretary of State on their application for Academy status.
23. On 7 October 2011 Statutory Notices were published proposing that the Council be relieved of its duty to implement the decision to merge the three schools.

24. On 11 October 2011 a new initial consultation was initiated on an alternative proposal in respect of Glenwood Community Special School and Hillcrest Community Special School. This consultation finished on 18 November 2011 and the progress toward statutory consultation regarding these two schools will take place in January 2012.

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

25. No responses have been received as a consequence of the publication of Statutory Notices on 7 October 2011 regarding this proposal which is to revoke the earlier decision made in August 2011.

### **Conclusion and Next Steps**

26. Following the revocation of the decision made in August 2011, a report on the outcome of the statutory consultation that will take place in January 2012 for the remaining two schools will be brought to Executive in March 2012.

**Appendices:** Nil

**Background Papers:** (open to public inspection) – Statutory Notice