
Meeting: Executive
Date: 27 March 2012
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 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

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)** Not Applicable

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. 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.
2. 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 cost of one pupil placed out of Authority can be up to £300k per year.
3. The proposal could deliver annual savings of up to £99,465. This would be the potential saving in the "lump sum" element of 1 of the schools' budgets of £114,433 (from April 2012 the School Meals and Insurance are included in the lump sum element) plus an increase in the split site element of the budget of £14,968. 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 and must be retained within schools. It should also be noted that the outcome of the Schools Funding Reforms Consultation are not yet known.
4. As the proposed school will remain on both of the current sites, any carry forward of the Devolved Formula Capital will be retained by the continuing school (Glenwood).
5. £96,000 of Section 106 monies and £100,000 of Schools Access Initiative have been earmarked to support the proposed school in funding a specialist sensory resource on the Hillcrest site, and improving the specialist sensory resource on the Glenwood site to enable the school to meet the needs of the most vulnerable pupils, those with Profound and Multiple Learning Disabilities, and those whose achievement is measured in the low "P" levels.
6. This provision is currently lacking on the Houghton Regis site at the current Hillcrest School. This leads to a loss of pupils to neighbouring Local Authorities whose schools can boast these facilities; Luton, Milton Keynes and Bedford Borough.
7. Subject to the Council's Asset Management Policy and DfE controls on disposal of school land and buildings, consideration could be given in the future to the disposal of one site and possible future use of capital finance to extend the buildings on another site.

Legal:

8. Changes to the organisation of schools are governed by the Education and Inspections Act 2006. On 3 January 2012 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.
9. Having published its proposal to merge Hillcrest and Glenwood Special Schools through the expansion of Glenwood School and the closure of Hillcrest School, the Executive must now decide within 2 months of the end of the Statutory Notice period and in the light of any comments received in response to the publication of statutory notices, whether to implement the proposed changes.

Risk Management:

10. The SEN "Improvement Test" which is a professionally based quality test, has been applied against the proposed changes and is included in the Equality Impact Assessment.
11. The Council has consulted both informally and formally with all required interested parties.

Staffing (including Trades Unions):

12. Staff and Trade Unions at the schools were involved throughout the consultation process.

Equalities/Human Rights:

13. 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. Research highlights that SEN pupils can experience discrimination and poorer outcomes.
14. 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.
15. The SEN "Improvement Test" was applied against the proposed changes and forms the basis of an ongoing Equality Impact Assessment.

16. Glenwood School as the identified continuing school has been judged as 'Outstanding' by Ofsted, and is the only special school in Central Bedfordshire which currently has that judgment. It has an excellent record of pupil progress, and has successfully provided early intervention strategies that have enable all pupils to make progress and some pupils to make such progress that they have been able to move on to mainstream provision.
17. The proposals have received broad support and will provide stability and continuity for pupils, parents and staff. The experienced specialist staff will be retained to ensure that all of the pupils' needs continue to be met. The proposal should provide an excellent and sustainable model of special schooling into the future.

Public Health

18. The proposed Area Special School will work closely with a range of health professionals to ensure continued provision to support the health and well being of the pupils attending the school.

Community Safety:

19. Not applicable.

Sustainability:

20. Not applicable.

Procurement:

21. Not applicable.

Overview and Scrutiny:

22. The Children's Services Overview and Scrutiny Committee considered the original proposal to merge the 3 special schools in the South of Central Bedfordshire on three occasions since November 2010.
23. 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).
24. The Overview and Scrutiny Committee have not considered this matter since the Executive approved the merger proposal on 23 August 2011.

RECOMMENDATION:

The Executive is asked to:

1. **that the Executive approves the implementation on the proposal to merge Glenwood and Hillcrest schools through the expansion of Glenwood School and the closure of Hillcrest School across the two existing sites.**

<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 process to date, and makes a recommendation to not implement the previous decision following the required Statutory Notice period.

Background

25. 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.
 - 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.
26. 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.
27. Four responses were received in response to the Statutory Notices. Three were in support of the proposal and one was against the proposal.
28. 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.
29. On 23 August 2011 the Executive made a decision to implement the proposals.
30. On 2 September 2011 Weatherfield School received approval from the Secretary of State on their application for Academy status.
31. On 7 October Statutory Notices were published proposing 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.

32. 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.
33. On 6 December 2011 the Executive resolved:
- to 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; and
 - that following the current informal consultation, Statutory Notices be published to propose the amalgamation of Hillcrest and Glenwood Schools as an Area Special School for the south of Central Bedfordshire.
34. On 3 January 2012 Statutory Notices were published for 6 weeks proposing to merge Hillcrest Community Special School and Glenwood Community Special School to create a single area special school for pupils aged 3-19 with Severe Learning Difficulty (SLD), Profound and Multiple Learning Difficulty (PMLD) and Moderate Learning Difficulty (MLD) who have additional needs which are summarised as Cognition and Learning Needs with Communication and Interaction Needs by the Special Education Needs (SEN) and Disability Division of the Department for Education. (Available as background documents)

Summary of responses to the Statutory Notices

35. No responses have been received as a consequence of publication of Statutory Notices.

Conclusion and Next Steps

36. Should the Executive agree to the recommendation, officers will continue to work with the schools to achieve a smooth transition to the new arrangements.

Appendices: None

Background Papers: (open to public inspection)

Statutory Notice