

Agenda Item: 8

Meeting: Executive

Date: 23 June 2009

Subject: Consultation on the future of Special Schools in the east of Central Bedfordshire

Report of: Portfolio Holder for Children, Young People and Families

Summary: The report outlines the options for the future of special schooling in the east of Central Bedfordshire in the light of the recommendations of the SEN Review, and asks the Executive to consider initiating a consultation on these options.

Advising Officer: Edwina Grant, Director of Children, Families & Learning

Contact Officer: Martin Pratt, Assistant Director Specialist Services

Public/Exempt: Public

Wards Affected: All, as special schools serve populations beyond their immediate community

Function of: Executive

Key Decision Yes

**Reason for urgency/
exemption from call-in
(if appropriate)** N/A

RECOMMENDATIONS:

- 1. That the Council carries out a formal consultation on the options for the future of special schooling in the east of Central Bedfordshire during Autumn 2009, in order to inform the Executive's future decision making.**

Reason for Recommendations: So that the Council discharges its duty to consult in order to secure the future of special school provision in an efficient way that meets the needs of children and young people with complex needs

Introduction

1. The following paper sets out a proposal for consultation in the Autumn about the first stage of the development of Special Schooling in Central Bedfordshire. Four options are identified but the consultation process will allow for any other option to be submitted for consideration.
2. If the Executive decides to initiate the consultation, then a further report outlining the responses and identifying preferred options will come back to the Executive for consideration.

Background

3. On 29 January 2008, Bedfordshire County Council's Executive considered a report on the future of Special Educational Needs following a formal review (Appendix 1). The report made a number of recommendations to improve provision for SEN across the county.
4. At its meeting on the 6th June 2008, the Central Bedfordshire Transition Task Force – Children, Young People and Families, (Background Paper 1) discussed the outcomes of the SEN review. It noted the recommendation of Bedfordshire County Council that this work should continue and agreed to recommend that the new Council endorse the concept of Area Special Schools described in this paper (Appendix 1).
5. In summary the review proposed the development of Area Special Schools, each with 150-160 places for children and young people aged 3-19 years, making provision for all children with complex learning needs. This type of school would therefore provide for the combination of needs currently met by both schools for children and young people with moderate learning difficulties (MLD) and those with severe and profound and multiple learning difficulties (SLD/PMLD). The report recommended a staged approach to implementation of the strategy. (See Appendix 1 Section 4.1 to 4.18 which sets out the concept of Area Special Schools at the heart of a coordinated multi-agency network of services for vulnerable children and families).
6. The report identified particular concerns in relation to Hitchmead and Sunnyside schools, because numbers in Hitchmead School have reduced significantly while numbers in Sunnyside have risen. In the case of Hitchmead this is principally because mainstream schools have become better able to meet the needs of pupils with moderate learning difficulties (MLD) and prepare them for future success in an adult environment.
7. Hitchmead school, which provides for children with moderate learning difficulties aged 7 – 16, currently has 51 pupils on roll, 22 of whom are in Years 10 and 11. Numbers on roll anticipated for September 09 stand at 38, with two possible new admissions. (Updated numbers will be available at the meeting). These numbers make it increasingly difficult to organise classes and deliver the full curriculum.
8. Sunnyside School for children aged 3 – 19 with Severe and Profound and Multiple Learning Difficulties (SLD and PMLD) currently has more children on roll than the building is able to accommodate, with requests for placement increasing. It currently has classes based at Langford Lower School, Holmemead Middle School, Stratton Upper School and Hitchmead School.

Pupil Numbers

9. According to the January 09 figures there were 149 pupils in total in the two schools (Jan 09 PLASC). Numbers have reduced over the past five years in the MLD Schools due to greater expertise in mainstream schools, and it is anticipated that this trend will continue. There are increased pupil numbers in the SLD schools generally due to the increasing number of children with more complex needs and the development of provision for children locally who might have previously gone to out of County schools.
10. Hitchmead:

PUPIL NOS	Jan 04	Jan 05	Jan 06	Jan 07	Jan 08	Jan 09
TOTAL	87	88	80	64	54	51

Anticipated numbers for Hitchmead for September 09 are **38** with two possible new admissions and for September 10 are **30** (although this could change with mid year admissions). The numbers for September 09 include 2 Hertfordshire children, 6 Bedford Borough children and 1 Luton child.

Sunnyside.

PUPIL NOS	Jan 04	Jan 05	Jan 06	Jan 07	Jan 08	Jan 09
TOTAL	70	82	80	86	98	98

Anticipated numbers for Sunnyside for September 09 are **97** with 1 possible new admission. The numbers for September 09 include 18 from Bedford Borough, 2 from Hertfordshire and 1 from Luton.

Conclusion and Next Steps

11. This paper recommends that Members decide to initiate a statutory consultation to take place in the Autumn about the future of special schooling in the east of Central Bedfordshire. A consultation paper on the options as set out below would be prepared and widely circulated, subject to Member approval. The consultation process allows respondents to bring forward any other suggestions for consideration alongside those outlined.
12. It is proposed that the following options are considered and consulted on:
- Option A: The merger of Hitchmead School and Sunnyside School to provide one Area Special School utilising both sites. This will result in the closure of Hitchmead School and the re-designation of the merged school as one Area Special School.
- Option B: The closure of Hitchmead School and the redistribution of children to the other MLD school in Central Bedfordshire or an MLD school in their own Local Authority.

Option C: Status quo.

Option D: The closure of both schools and a re-provision of a new school which would become the subject of a competitive process for provision, unless there was a special dispensation from the Secretary of State.

Option E: Any other proposal that comes forward during the period of consultation.

Advantages and Disadvantages of Options

Current Options	Advantages	Disadvantages
A. Merger	<p>a. there would be more stability and continuity for pupils, parents/carers and staff;</p> <p>b. current pupils would not be required to move.</p> <p>c. the merger of Sunnyside and Hitchmead would create a single staff team from the two existing staff groups.</p> <p>d. at a time when it is difficult to recruit specialist staff to special schools, it would ensure the expertise and experience of the current staff were retained.</p> <p>e. the governors and staff of Sunnyside and Hitchmead would have equal responsibility for ensuring the success of the school.</p> <p>f. staff have already been working together and have identified that many of their pupils have very similar needs.</p> <p>g. Provision would be available from the start date of the merged school for Hitchmead pupils to access provision post 16 (they currently leave at 16).</p>	<p>a) Possible uncertainty of staff, parents and pupils regarding the future for the duration of the consultation period and decision-making process.</p>
B. Closure of Hitchmead and relocation of pupils to other MLD schools	<p>Potential to release current site for alternative use/disposal. (Although as a Foundation/Trust School an application would have to be made to the Secretary of State who would make a decision on its future ownership).</p>	<p>a. there would be no stability for parents and pupils at Hitchmead school.</p> <p>b. this would mean significantly longer journeys for all except two of the pupils at Hitchmead School who are Central Bedfordshire children.</p> <p>c. the closure of Hitchmead in this way would not resolve Sunnyside's accommodation difficulties.</p>

		<p>d. this would not meet the agreed aims of the SEN Review which were to ensure as Local provision as possible for children with Special Educational Needs, or lead to an improvement in provision. Central Bedfordshire is required to use an improvement test in any changes of provision.</p> <p>e. the potential loss of specialist staff, although redeployment to other special and mainstream schools could be agreed.</p>
C. Status Quo	Minimises disruption for current pupils and staff.	<p>a. with low numbers at Hitchmead and a broad age and need profile it is not viable within available resources to deliver an appropriate curriculum that meets needs.</p> <p>b. Sunnyside would continue to have accommodation issues.</p> <p>c. the SEN Review determined that status quo is not an option as it would result in inefficient use of council resources.</p>
D: Provision of a new school	Allows for a fresh start with a new designation.	<p>a. There would be no stability for parents, pupils and staff at either school.</p> <p>b. The required competitive process or a request for exemption from this process would cause additional delays and uncertainty.</p>
E. Any other option		

CORPORATE IMPLICATIONS

Council Priorities:

This recommendation meets Council Priority 2 – Educating, protecting and providing opportunities for children and young people.

Financial:

If the decision were taken to merge Hitchmead with Sunnyside schools, this would release £111,000 of revenue funding to be distributed through the special school formula. The availability of additional accommodation to support Sunnyside pupils would enable more children to have their needs met locally who might otherwise be

placed out of county due to a lack of available places at a saving of up to £300,000 per year per pupil.

If the decision were taken to close the Hitchmead school site this would release a further £69k and would potentially provide the opportunity to dispose of the site. The relocation of pupils to other MLD schools would result in a significant increase to the transport costs (the other MLD school in Central Bedfordshire is in Dunstable).

Legal:

There are legal implications regarding the land as set out below.

When a Foundation, Trust or Voluntary School is being closed and discontinued those persons holding land for the purposes of the school are required to apply to the Secretary of State to decide what should happen to any land used by the school that has been provided, acquired or enhanced at public expense. (Part II Schedule 22 School Standards and Framework Act 1998 As amended by schedule 4 Education Act 2006).

Briefly the Secretary of State's power allows him/her to:

1. Require the land to be transferred to the schools maintaining local authority
2. Allow the governing body, foundation body or trustees to retain the land or
3. Require the land to be transferred to another maintained school

He/she also has the power to require the payment of compensation wherever he/she considers this appropriate.

Risk Management:

There is a risk in taking no action as the Council would be failing in its duty to provide an efficient education for children and young people with special educational needs. Failure to consult on any proposals and leaving the future to chance could result in litigation and damage to the Council's reputation.

Staffing (including Trade Unions):

The options would require specific consultation with all staff and unions, as part of the overall process. Unions have been kept updated with the recommendations of the SEN Review and work of the Steering Group.

Equalities/Human Rights:

During the statutory consultation a full range of opportunities will be given to ensure that all consultees have the opportunity to make a response by a means that is accessible to them and meets their needs.

Community Safety:

Pupils will continue to travel to specialist provision outside their home area.

Sustainability:

If a decision involves any capital development, wherever possible opportunities will be maximised for incorporating energy efficiency and sustainability measures. The environmental impact of all options will be fully appraised.

Appendices: Appendix 1 – SEN Review Paper – Bedfordshire County Council Executive 2008

Background Papers: Appendix 2 - Transition Task Force - Minutes of Meeting 6th June 2008

Location of papers: Priory House, Chicksands