

## CABINET

15 JULY 2014

# EXPANSION AND RELOCATION OF RIVERMEAD COMMUNITY SPECIAL SCHOOL BY WAY OF PRESCRIBED ALTERATIONS

Portfolio Holder: Councillor Mike O'Brien, Children's Services (Lead Member)

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### Summary

This report outlines the proposals to expand and relocate Rivermead Special School to an additional site. The report requests authorisation from Cabinet to commence the statutory process and to proceed to public consultation on the proposals to make prescribed alterations to Rivermead Community Special School, which will result in an increase in the number of pupils, relocation to an additional site and the expansion of the age limits.

## 1. Budget and policy framework

1.1 The proposals to increase the number of pupils, the relocation to an additional site and the expansion of the age range at Rivermead Community Special School are consistent with the provisions of the School Organisation Aims and Principles and the Special Educational Needs Policy and Strategy, both of which are consistent with the Council Plan Priority of 'Children and young people having the best start in life'. Any necessary building works will be funded from the Education Capital Programme.

## 2. Background

2.1 Rivermead is a community special school, rated as 'good' by OfSTED at its most recent inspection in 2012. It currently provides education for pupils in the main with Autistic Spectrum Disorder (ASD), but also those with speech and language difficulties, between the ages of 11 and 19 whose needs are too complex to be supported within a mainstream setting.

2.2 Following consultation, Medway Council published "Special Educational Needs – An Inclusive policy and strategy for Medway 2009 – 2014", which set out the ambition that wherever possible the special educational needs of Medway children should be met so that they are able to learn and achieve in local provision, close to where they live. Generally, provision for children with SEN in Medway is good and children with SEN make good progress. However, the number of children from

Medway educated outside local mainstream or maintained special schools is too high and includes a number of children educated outside the Medway area or in independent provision.

- 2.3 Medway Council aims to educate as many children as possible close to where they live and reduce the number of children and young people being educated outside of mainstream or local maintained special schools.
- 2.4 Medway is currently experiencing a period of significant demographic growth in the overall number of primary age pupils in Medway. Mainstream forecasts show an expected increase in primary age pupils in Medway of 10% between 2011 and 2016 (Source: Medway's School Organisation Plan 2011-16) resulting from an increased birth rate and significant amounts of net inward migration to the area.
- 2.5 The increase in the number of primary age pupils with statements requiring specialist provision in Medway is increasing at a quicker and more significant rate. In recent years the number of primary age pupils with statements requiring specialist provision has increased from 281 in 2009 to 526 in 2012, representing an increase of 87%. This growth is a result of the increase in the number of primary age pupils overall, and also an increase in the proportion of those children with special educational needs.

### **3. The Proposals**

- 3.1 The proposals are, by way of prescribed alterations;
- 1) To 'Increase the number of pupils at a special school'. There will be an increase in the numbers that attend the school by up to 60 primary aged pupils, enabling more pupils to be placed at Rivermead where it is the most appropriate provision, and thereby reducing the number of pupils needing to be placed outside of Medway.
  - 2) To 'Expand onto an additional site' to provide the accommodation for the increase in numbers. Years 1-8 will be sited at the additional site at the current Abbey Court Rainham site, whilst years 9 to 11 and sixth form will remain at Forge Lane. There would be some movement of pupils between sites as appropriate.
  - 3) To 'Alter the upper age limit at a special school' which will formally increase the age range to include children from 4 to 19.
- 3.2 The proposals, subject to the outcome of the consultation period, will be implemented in readiness for 1 September 2016.
- 3.3 This report concentrates on the statutory requirements the Council is responsible for. The proposals for any physical building or adaptation works at the current Abbey Court Rainham site to make it suitable for the pupils attending Rivermead will follow the Council's procurement and financial approval processes at the appropriate time.

### **4. Options**

- 4.1 The options are;
- a) To consult on the proposals to make prescribed alterations to Rivermead Special School as set out in section 3.1 or
  - b) Not to approve the consultation period and to continue the current provision, which will restrict the options available to the Council when placing pupils in

provision appropriate for their needs and which will mean that some pupils will continue to be placed out of area.

## **5. Advice and analysis**

- 5.1 It is expected that as a result of these proposals there will be an increase in provision at Rivermead for 60 primary aged pupils with ASD. None of the pupils currently attending the school will be displaced, and it is also expected that as a result of this change that there will be a positive impact on the outcomes of those pupils who attend the school. Increasing the number of pupils will give greater flexibility in placing students, especially those on the autistic spectrum. It will also increase parental choice as the existing categories within the special schools preclude parents choosing one school over another.
- 5.2 Analysis of the numbers of children with ASD suggests that primary demand is expected to grow over the next few years from 179 currently to approximately 250 in 2017/18. Currently specialist provision for primary aged pupils with ASD outside of the mainstream is provided for at the Marlborough Centre, part of Hoo St Werburgh Primary School. The Centre provides education for children with needs much greater than was originally intended.
- 5.3 The proposals will enable the Council to place children with more complex needs into an appropriate provision in Medway where recently that has not always been the case due to pressure on places.
- 5.4 There will be an increase in the number of staff engaged at the school required to provide appropriate specialist knowledge, expertise and support to cover the expected increase in numbers to provide a full curriculum.
- 5.5 The proposals will enable Medway Council to offer places to pupils with a wider range of needs, previously placed out of area or in independent provision. This will generate a cost saving and, more importantly, will lead to better overall control of the coordination of SEN provision, not only within Rivermead itself but across Medway. It will also ensure that the Council is in a stronger position to monitor the quality of the delivery of the provision. This in turn will improve the outcomes for children according to their individual needs by:
- providing settings with skilled staff able to provide high quality teaching, with access to specialist help, support and guidance;
  - by enabling closer ties between education professionals and parents/carers taking into account the views of individual parents/carers in respect of their child's particular needs.
- 5.6 Rivermead School is currently located in a Victorian school building, which was previously an Infants' school. In March 2012 Ofsted inspectors raised concerns over the inadequacy of the accommodation. The Lead Inspector stated that the limitations placed on the school by the space available to it would impact on its capacity to improve in some areas of its work. Since then, additional modular buildings have been added to the site to cater for demand, which has added to the over-crowding on the site.
- 5.7 The relocation would result in a split-site arrangement, however, the school are supportive of this as it suits their operation and vision for the future. The primary aged children as well as years 7 and 8 would be located at the vacated Abbey Court Rainham site with the key stage 4, 6<sup>th</sup> form and outreach based at the current Forge Lane site.

- 5.8 This would aid transition as not all pupils with the needs provided for at Rivermead are ready for secondary transition at year 7, and managing the sites in this way would afford the school flexibility to manage transition appropriately.
- 5.9 The 6<sup>th</sup> form pupils at Rivermead attend Mid Kent College, which is only a short distance from the Forge Lane site. The close proximity of the college to the Forge Lane site enables the school to utilise the same support staff at both sites enabling continuity as the learners' progress to college and makes the most effective use of resources. This also facilitates Key Stage 4 link courses with the college, which are important in preparing the young people for transition.
- 5.10 Further benefits of these proposals mean that pupils could remain local to their homes, which means being closer to their families, giving the opportunity for pupils to feel better integrated into their community.
- 5.11 The proposals will also increase diversity and choice across Medway's special educational provision by offering more places to a wider base of pupils with a wider range of need, promoting equality of opportunity for vulnerable pupils.

## **6. Diversity Impact Assessment**

- 6.1 A Diversity Impact Assessment form will be completed following the consultation period and will accompany the Outcomes of Consultation Report, which will be presented to Cabinet in January 2015.

## **7. Impact of the proposal on arrangements for looked after children**

- 7.1 It is essential that children with special educational needs are placed quickly into appropriate provision, and this is particularly true for looked after children with special educational needs, as they will often have experienced disruption and uncertainty.

## **8. Risk Management**

- 8.1 The following risks arise if the recommendations in this report are not implemented. These are principally:
- A risk that without the additional provision Medway will have to continue to place some pupils out of area at considerable cost.
  - A risk that it could undermine the Council's need to ensure the most effective use of resources, and in turn raise standards across all schools.
- 8.2 The Council has both a moral and statutory duty to promote high standards and to ensure the sustained viability of its schools.

## **9. Consultation**

- 9.1 There have already been informal discussions with the headteacher and chair of governors at the school on this matter, who are supportive of these proposals.
- 9.2 To make prescribed alterations as described in the proposals there is a recommendation to conduct a public consultation where the views of all interested parties can be expressed, and all views will be taken into consideration before moving to statutory representation.

- 9.3 The informal consultation period would include a public meeting, a consultation document and would feature on the Council's website. The target would be to reach the maximum number of stakeholders at this stage to ensure all opinions, comments and concerns were raised prior to progressing to the statutory representation stage.
- 9.4 The indicative timeline for the statutory process is as follows;
- a) Cabinet approval of informal consultation period – 15 July 2014
  - b) 4 week consultation period – 6 October to 2 November 2014
  - c) Children and Young People Overview and Scrutiny Committee with outcomes of consultation – 9 December 2014
  - d) Cabinet with outcomes of consultation and approval to proceed to publication of statutory notices (representation period) – 13 January 2015
  - e) 4 week Representation period – February/March 2015
  - f) Determination by Director of Children and Adults in consultation with the Portfolio Holder for Children Services if no objections received during representation period – April 2015
  - g) Cabinet for decision if objections received during representation period – April/May 2015
  - h) Implementation – 1 September 2016

## **10. Financial and legal implications**

- 10.1 This project to adapt the premises to ensure suitability for Rivermead's pupils would be funded through the Council's Children and Adults Capital Programme.
- 10.2 Any additional funding streams that become available within the appropriate timeframe will be considered to ease the burden upon the capital programme's limited funding levels.
- 10.3 A feasibility study is underway to ascertain the extent of the necessary adaptations and building works which are required to enable Rivermead to occupy the Abbey Court Rainham site. Finalised funding requirements will be determined through the appropriate procurement processes.
- 10.4 Funding arrangements for split sites has changed. Special Schools do not now automatically receive a split site allowance; from 2013-14 they have been funded based upon pupil places and top ups. The list of possible top-ups does include a small split site element and these are reviewed on an individual basis.
- 10.5 Under current arrangements some pupils who live within Medway are placed in alternative schools outside of the Local Authority due to lack of appropriate provision in Medway. Increasing the number of pupils provided for as proposed, gives the opportunity to reduce the number of pupils sent out of area, and provides a significant cost saving, which can then be invested in Medway's special schools to further improve quantity and quality of provision.
- 10.6 The average annual cost of placing a pupil with ASD outside of Medway is approximately £26,000, exclusive of transport costs. This compares to the cost of providing a place at Rivermead of between £13,000 and £17,000 depending upon the level of the pupils needs. This represents a potential annual saving to the Council of up to £13,000 per pupil.

- 10.7 Not all pupils currently placed out of area would be able to have their needs met at the proposed expanded Rivermead provision, and where this is the case they will continue to be placed in the most appropriate setting, however it is expected that some could. Any new pupils with this level of need could be accommodated here as appropriate.
- 10.8 The Council has the power under sections 18 and 19 of the Education and Inspections Act 2006 to make “prescribed alterations” to a maintained school. The procedure for making prescribed alterations is set out in the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013. Before publishing a statutory notice relating to proposals to make prescribed alterations to a school, the council is recommended to undertake a period of informal consultation.

## **11. Recommendations**

- 11.1 The Cabinet is recommended to instruct the Director of Children and Adults, in consultation with the Portfolio Holder for Children’s Services (Lead Member), to commence the recommended period of public consultation to allow views to be expressed on the proposal to make prescribed alterations to Danecourt Community Special School, which would result in an increase in the number of pupils provided for and the transfer to an additional site on or before 1 September 2016.

## **12. Suggested reasons for decision**

- 12.1 The Council is recommended to consult on the proposals in accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.

### **Lead officer contact**

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### **Background papers**

Medway’s School Organisation Plan 2011 - 2016

<http://www.medway.gov.uk/pdf/School%20Organisation%20Plan%202011-2016%20revised.pdf>

Special Educational Needs – An inclusive policy and strategy for Medway 2009-2014

<http://democracy.medway.gov.uk/mglIssueHistoryHome.aspx?lId=4073>

The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.

<http://www.legislation.gov.uk/ukxi/2007/1289/schedule/4/made>