

CABINET

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REDESIGNATION OF RIVERMEAD SCHOOL

Portfolio Holder: Councillor Les Wicks, Children's Services

Report from: Rose Collinson, Director of Children and Adults

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Summary

This report outlines the proposal to redesignate Rivermead School from community special school with a designation as a hospital school to community special school catering for statemented SEN pupils with complex needs aged 11-19 by means of a prescribed alteration, for the reasons set out in the following sections, and to seek authorisation to proceed to consultation.

1. Budget and policy framework

- 1.1 The proposal to redesignate Rivermead School is consistent with the provisions of the School Organisation Aims and Principles and the Special Educational Needs Policy and Strategy, which both flow from the Children and Young People's plan (policy framework) and is within budget, therefore this is a matter for Cabinet.

2. Background

- 2.1 Rivermead is a maintained community special school that has a designation as a hospital school. Historically hospital schools have been set up as special schools, although more recently a Pupil Referral Unit (PRU) is the usual mechanism to provide education provision within a hospital. It is a matter for the local authority to plan and commission education provision in such a way as seems reasonable and practicable in their particular circumstances. Such provision can only be planned in close collaboration with health colleagues and should aim to meet the special education needs (SEN) of children who may receive education there. Hospital schools, although designated special schools and maintained by the local authority, are very different from stand alone special schools catering for children with statements of SEN. All hospital schools are required to have a base in the hospital to fulfil their designated role.

- 2.2 Hospital schools differ widely; some are in general or district hospitals with a rapid turnover of patients; others are located in specialist hospitals and may serve chronically ill or long stay patients. The law of education reflects this variability and the special circumstances surrounding hospital education by providing in several areas of legislation more flexible arrangements than those which apply to other maintained special schools.
- 2.3 Rivermead provides education in 3 distinct ways. Firstly, for children who are in hospital and who access the school room at the Medway Maritime Hospital; secondly, those who are too ill to attend school and who need home tuition due to their medical needs; thirdly children attending the actual school situated in Forge Lane Gillingham. Some children attending the school are dual registered with a mainstream school and will be reintegrated back into their school, others are placed long term in Rivermead and have a statement of special educational needs. Of this group who have a recognised vulnerability, many have statements of special educational needs for Autistic Spectrum Difficulties.

Therefore, Rivermead offers support when:

- A child is in hospital
 - An absence from school or an injury is likely to last more than four weeks
 - A child suffers from a medical condition that leads to regular or intermittent absence from school over long periods
 - A child has a Statement of special education needs on medical grounds or due to a number of difficulties, which would make them particularly vulnerable within a larger mainstream school.
 - A child has Psychiatric barriers to learning eg school phobia – where supported by the Child and Adolescent Mental Health Service at Tier 3 or above.
- 2.4 Even though Rivermead supports a range of pupils, its status is as a hospital school and this depends on the hospital school room continuing to be available. In some local authorities, the local Primary Care Trust (PCT) has removed this facility as most children are not in-patients for long periods. As a 'hospital school' even though it has excellent facilities at Forge Lane, parents are not allowed to express a preference for the school at secondary transfer and therefore the Local Authority does not market it to them. When they are offered it for a statemented child, they may be confused about why it is being proposed, as their child is not medically ill.

3. The Proposal

- 3.1 The proposal is to redesignate Rivermead from a community special school with a designation as a hospital school to a community special school catering for statemented SEN pupils with complex needs aged 11-19. This will safeguard the future provision of Rivermead School at Forge Lane Gillingham ME7 1UG independently of any PCT decision re the hospital room, ensuring the continued education for vulnerable

children including those with statements of special educational needs. The school will be able to formalise its provision for statemented children, so that it can strategically plan ahead aware of the specific needs of the pupils they will be providing for. The proposal will enable planning of curriculum delivery, retention of expertise, and development of the specified SEN provision, all of which will lead to an improvement in the outcomes for the children and young people according to their individual needs and parental preferences.

- 3.2 Parents will become able, under the proposed prescribed alteration, to select Rivermead Community Special School for their children where it is the most appropriate option. This will also serve to increase the diversity within the school.
- 3.3 It is proposed, subject to the outcome of consultation, to implement the proposed changes on 1 September 2011.

4. Options

4.1 The options are;

- a) To consult on the proposal to make a prescribed alteration to Rivermead as set out in section 3 above, for the reasons set out in the Advice and analysis paragraph in section 5 of this report or:
- b) To retain the hospital school status, which could result in a vulnerable situation for the school, should the Primary Care Trust (NHS Medway) remove the facility at the hospital as it would then need to be redesignated as a PRU but would be operating contrary to PRU guidance given the number of statemented pupils on roll.

5. Advice and analysis

- 5.1 Rivermead is currently dependent upon its base at the hospital to enable it to be designated as a school, and would be left in a vulnerable position in its existing designation should the Primary Care Trust (NHS Medway) decide to close the hospital school room. There is no indication this is likely to happen in the foreseeable future at Medway Maritime Hospital. There is no additional formal designation of specific SEN provision. As a hospital school parents are not able to choose to send their children there when it may have been the first and most appropriate choice. This leads to parents expressing alternative preferences and being concerned when the LA suggests Rivermead as an appropriate provision.
- 5.2 The age range at the school following implementation of the proposal would be 11-19. It is intended that there will be no change to pupil numbers, no pupils will be displaced, no changes to staffing arrangements and any change to the standard of education would be positive as the school would have greater control over curriculum delivery, and intake of pupils. By having the age range designated as up to 19 the school will be able to continue with its established informal

arrangement of offering outreach support to vulnerable post 16 students and so support their progression routes.

6. Risk management

6.1 The following risks arise if the recommendations in this report are not implemented. These are principally:

- A risk to the future viability of Rivermead if redesignation does not take place.
- 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.

6.2 The council has both a moral and statutory duty to promote high standards and to ensure the sustained viability of its schools.

7. Consultation

7.1 There have already been informal discussions with the Head Teacher of Rivermead on this matter, and she and the Governing Body are fully supportive of this proposal.

7.2 There is a requirement to conduct a consultation where the views of all interested parties can be expressed, and all views will be taken into consideration before moving to statutory representation.

7.3 Consultation on school organisation normally has two phases;

7.3.1 Firstly, a period of public consultation where proposals are published to interested parties, and when public meetings may be held to ensure that details of the proposals are understood and all views can be considered. It is proposed to run this stage from early September 2010 through to mid October 2010. The results of this initial phase of consultation will be considered by the Children and Adults Overview and Scrutiny Committee, prior to formal consideration by the Cabinet.

7.3.2 Secondly, following formal consideration to the outcome of the consultation process by Cabinet, approval will be sought to proceed to formal representation where statutory notices and formal proposals will be published. There will then follow a 6 week representation period during which time comments may be made in relation to the proposal, and where an opportunity is provided for any objections to be submitted. It is proposed to run this stage from early January 2011 through to mid February 2011.

7.4 A Diversity Impact Assessment will be completed following consultation, and will be presented to Cabinet as part of the subsequent 'Outcome of Consultation' report.

8. Financial and Legal implications

- 8.1 Funding for our schools comes from central Government via the local authority in the form of the dedicated schools grant, which is a ring-fenced sum of money for the provision of education across all of our schools. This money can only be used for schools (and certain specified services to schools), and cannot be used to fund other council services. Rivermead School will continue to be funded in the same way as is current and therefore no change will occur nor will any additional funding be necessary to implement the change.
- 8.2 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 2007. Before publishing a statutory notice relating to proposals to make prescribed alterations to a school, the council must undertake the consultation required by Schedule 5 of these regulations.

9. Recommendations

- 9.1 It is recommended that Cabinet authorises officers to proceed with an initial informal consultation period to allow views to be expressed on the proposal to make a prescribed alteration to Rivermead School from a Hospital School to a Community Special School catering for statemented SEN children with complex needs aged 11-19 on 1 September 2011.

10. Suggested reasons for decision

- 10.1 This recommendation is proposed, in order to minimise the risks as follows:
- A risk to the future viability of Rivermead if redesignation does not take place;
 - 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.
- 10.2 The proposal is in line with the Medway Vision as stated in 'Special Educational Needs – An inclusive policy and strategy for Medway 2009-2014', which is consistent with the Every Child Matters framework and flows from the Medway Children and Young People's Plan.
- 10.3 The policy states the fundamental principles for SEN in Medway to be:
- A child with special educational needs should have their needs met;
 - The special educational needs of most children will normally be met in a mainstream school;
 - Children's needs will be met in an appropriate provision;

- The views of the child should be sought and taken into account;
- Parents/carers have a vital role to play in supporting their child's education, and;
- Children with special educational needs deserve full access to a broad, balanced and relevant curriculum with clear post 16 progression routes and options.

10.4 Without the restrictions its current designation as a hospital school places upon it, the proposal would enable Rivermead to embrace these principles, which it is expected will improve the outcomes for the young people who subsequently attend the school.

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Background papers

Making changes to a Maintained Mainstream School (A guide for Local Authorities and Governing Bodies).

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

The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007.