

## CABINET

2 AUGUST 2011

### PRESCRIBED ALTERATIONS AT BRADFIELDS COMMUNITY SPECIAL 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 is to request authorisation from Cabinet to proceed to public consultation on the proposals to make prescribed alterations to Bradfields Community Special School by way of:

- an expansion of the upper and lower age limits;
- an addition to the SEN categories and;
- an increase in the number of pupils.

#### 1. Budget and policy framework

- 1.1 The proposals to extend the upper and lower age limits, to expand the Special Educational Needs (SEN) categories, and to increase the number of pupils at Bradfields Community Special School are 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 Bradfields is a community special school, which currently provides education for pupils with Moderate Learning Difficulties (MLD) and Autistic Spectrum Disorder (ASD) between the ages of 11 and 19 who are too complex to be supported within a mainstream setting. From September 2011 the sixth form of Bradfields will relocate from its current base on the Brompton Academy site, into the former Ridge Meadow buildings adjacent to the main Bradfields site. Members declared in Full Council (February 2011) their commitment to developing an all age range autism provision on the former Ridge Meadow site.

### **3. The Proposals**

- 3.1 The proposals are, by way of prescribed alterations;
- a) To alter the upper and lower age ranges at the school, which will enable the school to admit pupils from the age of 3 and continue to provide education beyond the current age of 19 and until the age of 25 as appropriate in order to deliver the Council's commitment to ASD development.
  - b) To increase the categories provided for to include SLD (Severe Learning Difficulties). This proposal will ensure increased and appropriate provision is available in Medway for those pupils with SLD, reflecting the changing profile of the school population. Often very autistic young people will have been identified as SLD as well.
  - c) To increase the number of pupils for whom the school can make provision. There will be an increase in the numbers that attend the school by up to 40 pupils, enabling more pupils to be placed at Bradfields where it is the most appropriate provision, and thereby reducing the number of pupils needing to be placed outside of Medway.

### **4. Options**

- 4.1 The options are;
- a) To consult on the proposals to make prescribed alterations to Bradfields community special school to alter the upper and lower age limits, to change the categories of SEN provision, and to increase the numbers of pupils, for the reasons set out in the Advice and analysis paragraph in section 5 of this report. Or
  - b) Not to approve the consultation period and to continue to provide for pupils aged 11-19, 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, and make it less likely that the new autism provision can be fully utilised.

### **5. Advice and analysis**

- 5.1 The age range at the school following implementation of the proposals would be 3-25. It is expected that there will be an increase by up to a maximum of 40 pupils with severe and complex ASD needs in the overall numbers provided for. 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 age range, the nature of need, and 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 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, and the change in pupil need.
- 5.3 The proposals will enable Medway Council to offer places to pupils previously placed out of area or in independent provision, which means not only a cost saving but more importantly will lead to better overall control of the coordination of SEN provision, not only within Bradfields itself but across Medway, and

ensure that the council are 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;
- giving access to an early years Foundation Stage curriculum that addresses learning needs;
- 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.

5.4 'Special Educational Needs – An inclusive policy and strategy for Medway 2009-2014' includes the following fundamental principles for SEN in Medway, which these proposals take into account and aim to fulfil:

- a child with special educational needs should have their needs met;
- children's needs will be met in an appropriate provision;
- parents and carers have a vital role to play in supporting their child's education;
- children with special educational needs deserve full access to a broad, balanced and relevant curriculum with clear post 16 progression routes and options

5.5 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 the pupils to feel better integrated into their community.

5.6 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. A Diversity Impact Assessment will be completed and included in the outcomes of consultation reports to both the Children and Young Peoples Overview and Scrutiny committee if required, and Cabinet.

## **6. Risk Management**

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

- A risk that without the additional provision which will be provided as a result of this prescribed alteration, that 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.

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 school on this matter, and the Governing Body and headteacher are fully supportive of this proposal.

7.2 To make prescribed alterations as described in the proposals there is a requirement to follow a statutory process and 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.

7.3 The planned timeline for the statutory process is as follows;

- a) Cabinet approval of consultation period – 2 August 2011
- b) 6 week consultation period – 19 September 2011 to 30 October 2011
- c) Children and Young People Overview and Scrutiny Committee with outcomes of consultation – 6 December 2011
- d) Cabinet with outcomes of consultation and approval to proceed to publication of statutory notices (representation period) – 20 December 2011
- e) Representation period – 9 January 2012 to 19 February 2012
- f) Determination by Director of Children and Adults in consultation with the Portfolio Holder for Children Services if no objections received during representation period – March 2012
- g) Cabinet for decision if objections received during representation period – March/April 2012

## **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.

8.2 To complement the prescribed alterations some adaptation, remodelling and extension of the former Ridge Meadow buildings will be required. On 24 February 2011 Council approved £1.5m to be allocated from capital receipts to fund the project. A detailed plan is being developed for approval prior to the procurement process, following the Council's Gateway process.

8.3 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. Expanding the age range, categories of need, and number of pupils 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.

8.4 The cost of residential placements (including transport) currently ranges from £100,000 - £182,000, and the cost of day placements (including transport) ranges from £65,000 – £67,000. Not all pupils with autism currently placed out of area would be able to have their needs met at the proposed Bradfields provision, and where this is the case they will continue to be placed in the most appropriate setting, however it is expected that the majority could. Any new pupils with this level of complex need could be accommodated here as appropriate.

8.5 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. Recommendation**

- 9.1 The Cabinet is recommended to proceed to a period of public consultation to allow views to be expressed on the proposal to make prescribed alterations to Bradfields Community Special School, which would result in an alteration to the upper and lower age range limits from 11-19 currently, to 3-25 for children and young people with MLD, SLD and ASD, and an increase in the number of pupils provided for. It is proposed to implement the alterations on or before 01/09/12.

## **10. Suggested reasons for decision**

- 10.1 The Council is required to consult on the proposals in accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007.

### **Lead officer contact**

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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