

Children and Families Committee

Date of Meeting:	12 July 2021
Report Title:	<u>School Organisation:</u> Proposed Expansion of Springfield Special School onto a Satellite Site
Report of:	Ged Rowney, Interim Director Children's Services
Report Reference No:	CF/01/21
Ward(s) Affected:	All

1. Executive Summary

- 1.1.** As a Strategic Commissioner of school places, Cheshire East Council has a statutory duty to ensure sufficiency of school places to meet the demand of the residents. Having the right educational placement for all children and young people is key to supporting children and young people to achieve their potential and to develop the range of skills and experiences they need to equip them for adulthood.
- 1.2.** The Council has undertaken an update to its SEN Sufficiency Statement for children and young people with Special Educational Needs, this was approved by the SEND Partnership Board on 27 November 2020.
- 1.3.** This paper outlines the proposal to make use of an existing Cheshire East Council asset (Dean Row Centre) as a satellite school site for the purpose of an expansion of Springfield School, Crewe. This expansion will provide a specialist setting for children and young people with complex needs including Autism Spectrum Disorder (ASD).
- 1.4.** Springfield School is an outstanding school as judged by Ofsted and provide high quality specialist provision to meet the individual needs of learners.
- 1.5.** The Head Teacher and Governing Body of the school are fully supportive of the proposed expansion of Springfield School onto a satellite site.

- 1.6. This paper reports on the outcome of the statutory public notice and 5-week representation period which ran for five weeks between 13 May 2021 and 17 June 2021.
- 1.7. The proposal supports the corporate aim to be a Council which empowers and cares about people by supporting all children to have the best start in life, increasing opportunities for children and young adults with additional needs and by ensuring that all children have a high quality, enjoyable education that enables them to achieve their full potential.

2. Recommendations

The Children and Families Committee to:

- 2.1. Approve the proposed expansion of Springfield School (by way of a satellite site) from 170 pupil places to 250 places (an increase of up to 80 places) from September 2022.
- 2.2. Approve the procurement of a contract of works and authorise the Director of Children's Services to award a construction contract to facilitate the provision of additional places at Springfield School (satellite site) together with any other agreements associated with or ancillary to the contract.
- 2.3. Recommend that full Council approves a fully funded Supplementary Capital Estimate of £3m to be included as a named scheme within the Children and Families Capital Programme, which is being funded by capital grants.

3. Reasons for Recommendations

- 3.1. This recommendation is made based on the publication of a public notice and the outcomes of the subsequent statutory representation period.
- 3.2. By delivering this scheme the Council will provide up to an additional 80 placements towards the shortfall of 170 places as identified within the updated sufficiency statement.
- 3.3. The proposal will meet the Council's priority to increase opportunities for children, young adults and adults with additional needs by helping to address concerns raised by inspectors in the Ofsted inspection (2018) through the expansion of local SEND provision allowing more children to attend a school within Cheshire East and their local community.
- 3.4. The proposal will contribute to the Council's priority to ensure that all children have a high quality, enjoyable education that enables them to achieve their full potential.
- 3.5. Children's Services has identified that it can fully fund the project within its existing funding.

4. Other Options Considered

- 4.1.** The former St Barnabas CofE Primary School site, Byrons Street, Macclesfield has also been considered and whilst there is still potential provision for utilising this site for a school, this would require a new build on the old school playing field and the expected costs of such would be well in excess of the anticipated cost for the remodelling and refurbishment of the Dean Row Centre.
- 4.2.** In addition to this proposal there are still pressures for additional places and the service is considering further options for the Crewe area. This will be subject to further consideration once options have been explored.
- 4.3.** There is the option to do nothing and maintain the status quo of utilising expensive out of Borough SEND placements, but this is not financially sustainable or viable for the Council.

5. Background

- 5.1.** The Sufficiency Statement for Children and Young People with Special Educational Needs and Disabilities published in July 2017 indicated that at the time of Local Government Reorganisation, Cheshire East Council did not have the specialist provision that it needed, and that in light of this children were being transported out of Borough.
- 5.2.** In light of the findings, the Council put into place a programme to provide additional specialist school placements which would mean children having a school place within their local area whilst helping the Council manage the overspend on its Dedicated Schools Grant (DSG).
- 5.3.** To date the Council has undertaken several schemes to meet the findings of its Sufficiency Statement including:
 - A new 48 place school “The Axis Academy” has opened in Crewe
 - A new 12 place resource provision has opened at Shavington Primary Academy
 - An expansion of 7 places has been provided to the resource provision at Puss Bank School and Nursery
 - A new block has been provided at Springfield School providing an additional 24 places
 - The expansion of Park Lane school by 40 places is currently on site and under construction
- 5.4.** The updated sufficiency statement (2020) acknowledged the additional places which had been provided since 2017, but also evidenced the increase in the number of pupils with an Education Health Care Plan (EHCP) meaning that the need for additional specialist placements has increased.
- 5.5.** Strategically the Council is currently expecting a significant overspend on its Dedicated Schools Grant (DSG) reserve of around £7.8 million. A

mitigation paper was considered and approved by the Council's Cabinet on 9 March 2021, with a range of mitigation measures to reduce the critical budget pressure; a key aspect of this mitigation was to increase local SEN provision. Overall, the unmitigated total deficit reserve balance could rise to £123 million by 2024-25 however the mitigated position reduced this figure to £81 million.

- 5.6. The 'Place' Directory identified Dean Row Centre, Wilmslow as becoming an 'available asset' following the transition of various adults' service teams to other locations as their service base. As part of the MTFS process, this asset was identified by Place for a revenue saving both in terms of the ongoing running costs of the building and the potential sale of the property. Prior to progressing the option of disposal, the process requires the asset to be considered by other Council services in terms of its potential change of use.
- 5.7. The Education Directorate is currently looking to increase its capacity for Special School provisions and therefore are keen to seek approval to take on this asset. This solution provides many benefits in that the repurposing of this building will strategically provide a range of revenue savings for the council and allows for the fast tracking of critical education provisions to meet growing demand for our more vulnerable learners. This process has been formally progressed through the Asset Board.
- 5.8. The opportunity to make use of the Dean Row Centre for the purpose of a school has been considered by both the Council's Asset and Capital Boards, this proposal was supported by both Boards.
- 5.9. Asset Management have undertaken a number of surveys on behalf of Children's Services which have indicated that the building is structurally sound.
- 5.10. Children's Services has identified Capital funding for the scheme utilising unallocated SEN placement expansion funding, Basic Need Grant and awarded SEN/High Needs Capital Grant. It should be noted that the Basic Need Grant and the SEN/High Needs Capital Grant are not included in the Council's published MTFS as these allocations from the DfE were confirmed after the MTFS was approved by Council on 17 February 2021.

6. Consultation and Engagement

- 6.1. In accordance with the guidance issued by the Department for Education, Making significant Changes ('prescribed alterations') to maintained schools, section 5, the statutory publication notice was published in the Crewe Chronicle on 12 May 2021 and the Manchester Weekly News – Wilmslow Edition on the 13 May 2021 with the representation period running for 5 weeks closing on the 17 June 2021. Committee Members are advised that this statutory process provides the opportunity for any person with an interest to submit representations, these can be objections as well as expressions of support for the proposals. Committee Members

must take any views received into account when deciding whether to approve the proposal.

- 6.2. The representation period was notified to key stakeholders in both the Crewe and Wilmslow areas including Ward Members, MPs, the Diocese and Parish Councils. Information was emailed to all local primary and secondary schools in both areas together with a letter for them to distribute to their parents and carers with information about the consultation and how they may feedback their views. In line with the guidance issued by the Department for Education, Making significant Changes ('prescribed alterations') to maintained schools, section 2.
- 6.3. The consultation document provided the following information regarding a list of factors which need to be considered:

Reasons for Expansion

What is the rational for this approach and this site?

The proposal will meet the Council's priority to increase opportunities for children, young adults and adults with additional needs by helping to address concerns raised by inspectors in the Ofsted inspection (2018) through the expansion of local SEND provision allowing more children to attend a school within Cheshire East and their local community.

The proposal to remodel and refurbish the Dean Row Centre for use by Springfield School to provide specialist ASD school placements form part of the wider Council scheme to deliver more in area SEND provision.

Will there be movement of pupils between the 2 sites?

Due to the nature of the Special School, the intake on both sites will serve a large population across Cheshire East. There is very limited specialist provision within the Local Authority, so pupils are not always necessarily based within their local community. The school currently has pupils that travel a distance to attend the Crewe site, some of these pupils would be closer to their communities by attending the proposed satellite site.

How will facilities and resources be shared across the two sites?

Due to the current site having a swimming pool, large sports barn and Forest School, the school envisages that pupils will share these facilities by utilising their 3 minibuses to have a weekly swimming/ gym/ forest school sessions.

How will whole school activities be managed?

We would envisage weekly assemblies with pupils to be managed through Microsoft Teams. The current site during COVID has had an advanced internet installation this has been future proofed for further growth in technology. The school is currently using online methods for all whole school events and will continue to do so across the two sites.

For events needing face to face contact for example, sports day, the school will use their minibuses to transport pupils or utilise Cheshire East School Transport arrangements.

Will staff be employed on contract to work on both sites?

Due to the school being a maintained school all contracts require all staff to be able to work anywhere within Cheshire East. The school envisage a blended approach of existing staff working on the new site alongside new appointed staff to ensure the level of expertise is maintained. Due to there being limited Leadership opportunities within Special Schools, this is seen as an opening for excellent development opportunities for existing staff. Staff would also be used to cover between sites if required.

What governance, leadership and management arrangements will be put in place to oversee the new site (e.g. will the new site be governed by the same Governing Body and school leadership team)?

The Governance will remain under the same Governing body as the existing site. Springfield School have a very experienced Governing body who are committed to creating more provision for Children with SEN within Cheshire East.

The current Headteacher would maintain overall responsibility for both sites, with a Head of school in each site. Due to the current leadership team being established and experienced, the school feels confident with this model. The school envisages that two existing Leadership members would move to the new site giving again a blended balance of experience over the two sites.

- 6.4. During the statutory 5-week representation period the Council received 13 responses, 11 responders supported the proposal and 2 responders 'don't know/not sure' category.
- 6.5. Please see Appendix A for a summary of the consultation feedback and responses regarding the issues raised during the representation period.

7. Implications

7.1. Legal

- 7.1.1. Local Authorities are under a duty to ensure sufficiency of school places in their area (section 14 of the Education Act 1996). When exercising functions under The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 ('the Prescribed Alterations Regulations') decision makers must have regard to the DfE statutory guidance ('the Guidance') for proposers and decision-makers "Making significant changes ('prescribed alterations') to maintained schools". The purpose of the Guidance is to ensure that good quality school places can be provided quickly when they are

needed; that local authorities and governing bodies do not take decisions that will have a negative impact on other schools in the area; and that changes can be implemented quickly and effectively where there is a strong case for doing so.

7.1.2. Local Authorities can propose an enlargement of the premises of community, foundation, voluntary schools, and special schools. When proposing an alteration to a special school they must follow the statutory process as set out in the Prescribed Alterations Regulations if:

The proposed enlargement of the premises of the school is permanent (longer than three years) and would increase the capacity of the school by:

- 10% or
- 20 pupils (5 for all boarding special schools)

(whichever is the smaller number).

7.1.3. The Prescribed Alterations Regulations in conjunction with the Guidance describe the statutory process that must be followed when making proposals for prescribed alterations to a maintained school.

7.1.4. The statutory process for making prescribed alterations to schools has four stages as set out below:

Stage 1	Publication	Statutory proposal published – 1 day.
Stage 2	Representation (formal consultation)	Must be 4 weeks, as prescribed in regulations.
Stage 3	Decision	The decision-maker (usually the LA) must decide proposals within 2 months of the end of the representation period or decision defaults to Schools Adjudicator (OSA). Any appeal to the adjudicator must be made within 4 weeks of the decision.
Stage 4	Implementation	No prescribed timescale, but must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker.

7.1.5. If a Local Authority fails to make a decision about a proposal within two months of the end of the representation period, the Local Authority must refer the proposal to the Schools Adjudicator for a decision.

7.1.6. The Guidance provides as follows:

- Decision-makers will need to be satisfied that the appropriate fair and open local consultation and/or representation period has been carried out and that the proposer has given full consideration to all the responses received.
- Decision-makers should not simply take account of the number of people expressing a particular view. Instead they should give the greatest weight to responses from those stakeholders likely to be

most affected by a proposal – especially parents of children at the affected school(s).

7.1.7. When issuing a decision, the decision maker can:

- reject the proposal:
- approve the proposal without modification:
- approve the proposal with modifications, having consulted the LA and/or Governing Body (as appropriate):
- or approve the proposal with modifications, having consulted the LA and/or Governing Body (as appropriate).
- or approve the proposal, with or without modification - subject to certain conditions (such as the granting of planning permission) being met.

7.1.8. Committee Members are advised that they must have regard to the Guidance when making their decision, in accordance with Regulation 7 of the Prescribed Alterations Regulations. The Guidance makes it clear that the Guidance should not be treated as exhaustive because the importance of each factor will vary depending on the proposal and as such all proposals must be considered on their individual merits.

7.2. Finance

7.2.1. The proposed investment into the former Dean Row Centre for use as a satellite Springfield School site and specialising in ASD has been approved by both the Council's Capital and Assets Boards.

7.2.2. Children's Services have identified that the proposal can be fully funded from existing budgets utilising unallocated SEN placement allocation funding, Basic Need Grant, and SEN/High Needs Capital Grant.

7.2.3. Asset Management have undertaken a number of surveys which have indicated that the building is structurally sound.

7.2.4. Asset Management have instigated a detailed feasibility study in advance of working up a scheme for planning purposes.

7.2.5. It is difficult to accurately estimate the savings that the scheme will ultimately achieve through cost avoidance. The information below is based on the cost to the Council per pupil for placing children in a maintained Cheshire East Council SEND school (Springfield School and Park Lane School) and the average placement cost per pupil for buying placements at independent non maintained schools the Seashell Trust, Bluebell, Together Trust and Hopedale.

- The average cost per pupil at a CEC School is £13,800.
- The average cost per pupil at an independent non maintained school is £49,500.

- This equates to a per pupil placement saving of £35,700.
- Based on this proposal to utilise the former Dean Row Centre for a school of up to 80 pupils offers potential placement savings of £2,856,000 per annum.
- Additional savings would be made on school transport for these placements which would obviously vary based on the distance travelled but as a further example transport to the above listed independent non maintained schools costs £13,300 per pupil whilst transport to one of the maintained special schools utilising the “fleet” transport costs £500 per pupil a potential saving of £12,800.
- Again, based on 80 pupils this would offer potential savings of up to £1,024,000 on home to school transport.

- 7.2.6. The proposal to utilise the former Dean Row Centre for the purpose of a school will mean that a Council Asset identified for disposal will now not realise a capital receipt. However, the financial benefits of the proposal as highlighted in 7.2.5 clearly outweigh this loss of receipt.
- 7.2.7. The progression of this scheme does not generate actual savings for the Council but will significantly reduce the projected DSG overspend of SEN placements as per the mitigation measures considered by Cabinet.
- 7.2.8. Example costs for comparison of this scheme are:
- The Council is currently achieving a figure of £45,500 per pupil when claiming S106 contributions for children with SEND.
 - The new Axis School in Crewe which offers 48 placements was constructed at a cost of £4.5 million on the former Lodgefields Primary School site having been procured by the Department for Education through its own framework.
 - The expansion of Park Lane School which is currently on site to deliver 40 places is working towards a target cost of £2,691,253.
- 7.2.9. Based on the above comparable evidence the project has been allocated a budget of £3 million (inclusive of all fees and costs, including temporary accommodation) to fully deliver the scheme.
- 7.2.10. Children’s Services has identified Capital funding for the scheme utilising unallocated SEN placement expansion funding, Basic Need Grant and recently awarded SEN/High Needs Capital Grant. It should be noted that the Basic Need Grant and the SEN/High Needs Capital Grant are not included in the Councils published MTFS as these allocations from the DfE were confirmed after the MTFS was approved by Council on 17 February 2021.

7.2.11. The proposed funding profile is as follows:

- £1.4m Basic need (potential to be changed to Section 106 funding once contributions have been received)
- £800K SEN/High Needs Capital Grant
- £800K SEN Capital Phase 2

= £3 million (Council Meeting Approval required for funding profile).

7.2.12. The costs of placing a pupil at Springfield is £10,000 per place and £12,042 per pupil (full time pupil). Therefore, 80 places would cost £1.8m per annum. This is funded from the Dedicated Schools Grant High Needs Grant. As referenced above this is a key part of the Council's plan to increase local provision. The Council's DSG Management Plan was agreed by Cabinet on 9 March 2021.

7.2.13. Any additional running costs will need to be met from that place and pupil funding. It is normally possible to pay an element of place funding in advance of opening to assist with start-up costs.

7.3. Policy

7.3.1. As referred to in 3.3, the proposal will meet the Council's priority to increase opportunities for children, young adults and adults with additional needs by helping to address concerns raised by inspectors in the Ofsted inspection (2018) through the expansion of local SEND provision allowing more children to attend a school within Cheshire East and their local community.

7.3.2. As referred to in 3.4 the proposal will also help the Council with its priority to ensure that all children have a high quality, enjoyable education that enables them to achieve their full potential.

7.3.3. The proposal will allow more parents in Cheshire East to find a placement at an Ofsted rated "Outstanding" school.

7.3.4. By providing an additional 80 places on the former Dean Row Centre site this will support the Council with its programme to provide more in borough specialist school placements keeping more children in their local area, reducing their travel time and allowing them to build friendships with people who live close to them.

7.3.5. By providing more local school places within Cheshire East the scheme will allow for considerable savings as highlighted in 7.2.5 above thus allowing the Council to make best use of its resources.

7.4. Equality

7.4.1. An Equality Impact Assessment has been completed for this proposal and this concluded that the proposal would have an overall positive impact on several of the areas – specifically parents and carers and

young people and a neutral impact on remaining factors, please see Appendix B.

7.5. Human Resources

- 7.5.1. There are no additional human resource implications for the Council but the school are aware that the increase in numbers on roll and the use of a satellite site will require additional staffing costs which would be funded through their formula funded budget.

7.6. Risk Management

- 7.6.1. There are inherent risks associated with any construction project and attempts to mitigate any risks will be managed through regular project meetings and a risk register as the scheme develops. At this stage the following risks have been identified in relation to the proposed use of the former Dean Row Centre:

- Programme – It is anticipated that the new premises will be available for occupation by Springfield School in time for the September 2022 intake.
- Planning Permission – Planning Permission will be necessary to seek a change of use from E(f) Day Centre to F1(a) provision of education and for any potential new build. An added risk to planning is the current delays in achieving approvals.
- Budget – An initial budget of 3million has been allocated to fully fund the proposal. If projected costs come in higher/increase, there would be a need to undertake a value engineering exercise and assess increased costs against wider budgetary needs.
- Force Majeure – The global Covid pandemic has identified that there can be some risks that on impact cannot be mitigated against and will inevitably cause some delay, disruption, and any additional costs.

7.7. Rural Communities

- 7.7.1. The proposal will create more specialist school placements within the administrative area which in turn will allow more parents from rural areas within the Borough to have access to provision.

7.8. Children and Young People/Cared for Children

- 7.8.1. In accordance with the programme to provide more specialist school places within Cheshire East, this proposal will provide more spaces for children to learn and develop friendships with other local children.
- 7.8.2. The savings made from providing better value school places will allow for more efficient budgeting by the Service which in turn will reduce pressure on the ring-fenced High Needs budget.

7.9. Public Health

7.9.1. There are no direct implications for public health however by providing more places within Cheshire East the in accordance with 7.8.2 above there will be benefit to the children’s mental wellbeing in developing relationships with other local children and by reducing the travel to schools will allow families to spend more time together.

7.10. Climate Change

7.10.1. Where possible systems that save on energy consumption will be considered, particularly for electricity.

7.10.2. The internal works required to update the building to make it fit for purpose will include a comprehensive review of the impact on climate factors.

7.10.3. Significant changes will take place which will require full compliance with the latest building regulations relating to such factors as insulation/heat loss and energy efficiencies. Such factors will be key considerations as the scheme is developed through to full handover.

Access to Information	
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Appendices:	Appendix A – Consultation Feedback Appendix B – Equality Impact Assessment
Background Papers:	SEN Sufficiency Statement Making significant changes ('prescribed alterations') to maintained schools