

## **Cabinet**

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**Date of Meeting:** 10 July 2018

**Report Title:** Expansion of Springfield Special School, Crewe

**Portfolio Holder:** Cllr. Jos Saunders - Children and Families

**Senior Officer:** Mark Palethorpe, Acting Executive Director - People

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### **1. Report Summary**

- 1.1. As the Strategic Commissioner of school places, Cheshire East Council has a statutory duty to ensure that there are sufficient places in our schools to meet demands of the residents. Having the right educational placement for all children and young people is key to supporting children and young people 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 and published its Children and Young People with Special Educational Needs and or Disabilities Joint Strategy and Sufficiency Statement for Children and Young people with Special Educational Needs (SEN). These documents highlight a need to increase specialist provision in the Borough as the amount of provision currently available does not match the needs. The Sufficiency Statement has allowed the development of a 3 year plan allowing for the Council to strategically plan a programme of increased provision to meet its needs. All these documents can be found by following the links in section 3.3.
- 1.3. The proposal, and the findings in the Sufficiency Statement, have been discussed in workshops with schools, other settings and professionals in summer 2017. Schools who were interested in developing or expanding their current SEN provision were invited to express their interest in this work going forward.
- 1.4. The sufficiency statement indicated that in the Crewe and Nantwich locality most pupils requiring specialist provision travel outside Cheshire East, with average journeys being over an hour away (32km).

- 1.5. The sufficiency statement identified a significant need for the Council to increase its specialist provision in Borough as the amount of provision it has does not meet its needs. By increasing its capacity in Borough the Council can reduce placement and travel costs, make better use of its resources and provide more choice for families, reduce journey times and supporting pupils to be part of their local community.
- 1.6. Springfield Special School are an outstanding school as judged by Ofsted and provide high quality specialist provision to meet the individual needs of learners. The School had already initiated work to expand their current provision and this paper reports on progressing this option and the outcome of the statutory public notice, and subsequent 4 week statutory representation period.

## **2. Recommendation**

- 2.1 That, having given full consideration to the formal consultation process, Cabinet approve the proposed expansion of Springfield Special School from 132 places to 156 places over a phased period.

## **3. Reasons for Recommendation**

- 3.1 This recommendation is made on the basis of the publication of a public notice and the outcomes of the subsequent statutory 4 week representation period. Feedback / objections have been received during the period of statutory notice and the Cabinet / School Organisation Sub Committee are required to consider the feedback and appropriate due process in considering the recommendation to expand the school.
- 3.2 This scheme is included in the 3 year plan to develop our Specialist SEN Provision in Cheshire and is in response to our SEN Sufficiency Statement. The sufficiency statement highlights the need to increase specialist provision in our borough as the amount of provision we have doesn't match our needs and too many pupils have very long journeys; one in five pupils attending specialist provision have a journey over 45 minutes each way. Half of those attending a special provision attend outside our borough. All of our children and young people who attend independent schools or non-maintained schools (more expensive placements) are attending specialist provision, so by increasing the specialist capacity within our borough we can reduce placement and travel costs and make better use of our resources, as well as increasing choice for families, reducing journey times, and increasingly supporting pupils to be part of their local community.
- 3.3 The following links provide the detailed documentation relating to strategic SEN processes as referred to above.

<https://www.cheshireeast.gov.uk/livewell/local-offer-for-children-with-sen-and-disabilities/send-developments/the-0-25-send-partnership.aspx>

<https://www.cheshireeast.gov.uk/livewell/local-offer-for-children-with-sen-and-disabilities/send-developments/assessing-our-local-send-sufficiency.aspx>

3.4 Through developing our provision, we want to:

- Achieve the best possible outcomes for children and young people
- Ensure there are the right number and type of places to meet children and young people's needs
- Ensure that children and young people can have their needs met within their local community wherever possible
- Make the best use of our resources
- Utilise the pre-work undertaken by the school to provide additional capacity within the school as early as possible – the school have already taken in additional learners ahead of this planned expansion.

#### **4 Other Options Considered**

- 4.1 Expansion of other schools - Springfield Special School is the only school in the South of the Borough providing for children and young people with Severe Learning Difficulties (SLD) and Profound and Multiple Learning Difficulties (PMLD). The next nearest school providing similar provision in Cheshire East is Park Lane in Macclesfield which is over 15.8 miles away.
- 4.2 There is the option to continue accessing specialist provision out of Borough. However this means that children may have significant journey times to access this provision which is not always in their best interests and is also considerably more expensive and takes children out of their local area and community.

#### **5 Background**

- 5.1 Springfield School is a Cheshire East Community Special School rated "Outstanding" by Ofsted at the last published inspection in November 2013.
- 5.2 As previously mentioned a high proportion of children and young people with SEN access specialist provision. However, there are more children and young people travelling outside of the borough to attend special schools than those who attend Cheshire East schools (365 attend outside the borough against 344 attending Cheshire East schools). This demonstrates that there is a significant need for more specialist provision within Cheshire East alongside the mainstream provision.
- 5.3 No objections were submitted against the planning application and permission was granted for the scheme on 15 February 2018

- 5.4 In accordance with the guidance issued by the Department for Education the statutory publication notice was published on the Councils website and in the Crewe Chronicle on the 18 April 2018 (Appendix 1) and the 4 week period concluded on 16th May 2018.
- 5.5 Local ward members and the Diocese were notified of the proposal and notification was sent to all schools through the schools bulletin on the 23 April (Appendix 2).
- 5.6 The sufficiency statement and subsequent 3 year provision plan identified the need for an additional 21 places for children with SLD and PMLD in the Crewe and Nantwich area. The proposal at Springfield School will meet the identified shortfall of places in this locality and will also support the shortfall of provision in central areas. Overall, the intention is to increase provision by 24 places.

## **6 Implications of the Recommendations**

### **6.1 Legal Implications**

- 6.1.1 The DfE statutory guidance “Making Prescribed alterations to maintain schools” applies to local authorities when exercising functions under the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 that came into force on 28 January 2014. It provides information on the processes involved in making significant changes to maintained schools (e.g. expansion, change of age range, transferring to a new site etc).
- 6.1.2 Local Authorities are under a statutory duty to ensure sufficiency of school places in their area. They 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 (2013) if :
- 6.1.3 *The proposed enlargement of the premises of the school where 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 lesser)
- (School Organisation Regulations 2013)*

6.1.4 The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 that came into force on 28 January 2014 describe the procedures that must be followed when making prescribed alteration proposals and state that local authorities must make decisions about any expansions that they propose.

6.1.5 The 2014 statutory process for making significant changes to schools now has four stages, as set out below:

<b>Stage 1</b>	<b>Publication</b>	Statutory proposal published – 1 day.
<b>Stage 2</b>	<b>Representation (formal consultation)</b>	Must be 4 weeks, as prescribed in regulations.
<b>Stage 3</b>	<b>Decision</b>	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.
<b>Stage 4</b>	<b>Implementation</b>	No prescribed timescale, but must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker.

6.1.6 If a local authority fails to make a decision about a proposal within 2 months of the end of the Representation Period the local authority must forward the proposal, and any representations received, excluding those withdrawn in writing, to the Schools Adjudicator for a decision.

6.1.7 The regulations further provide that the local authority must have regard to the statutory guidance given from time to time by the Secretary of State when they take a decision on proposals.

6.1.8 Cabinet members are advised that they must have regard to the Guidance when making their decision, in accordance with Regulation 7 of The Regulations. The Department for Education’s 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.

## 6.2 Finance Implications

- 6.2.1 The option to expand Springfield Special School 'in borough' SEN placement capacity scheme features in the 'Education and 14-19 Skills' Capital Programme.
- 6.2.2 The Business Case for the scheme received full approval at the Central Finance Group on the 24th May 2017 and was moved into the main capital programme from the Addendum.
- 6.2.3 At the time of approval the funding ratio was to be met from a combination of S106 contributions from developers towards the provision of SEN places of £400,000 and up to £200,000 contributed from the school. The scheme is currently funded 100% from the Addendum item, 'To Expand 'in borough' SEN placement Capacity (Feasibility)'
- 6.2.4 Recent tender figures received in relation to the expansion are estimated in the region of £1,000,000.
- 6.2.5 At the S151 & Finance Portfolio Holder briefing meeting on the 19th June, an item has been tabled to present the revised Business Case for additional funding in accordance with the tendered cost.
- 6.2.6 The revised funding profile will now consist of
- a. Section 106 contribution totalling £560,002
  - b. School contribution of £400,000
  - c. CEC approved SEN funding of £39,998.
- 6.2.7 The current and additional funding requirement of £400,000 will be required temporarily and will be repaid to the Addendum when the developer payments are received into the Local Authority (payable via a phased payment mechanism), level of school contribution finalised and savings achieved to repay the investment.
- 6.2.8 The additional 24 places at Springfield School will potentially offer school placement savings of £441,024 per annum when considered against the average cost per place out of Borough. This is a saving to DSG high needs budgets.

### **6.3 Policy Implications**

- 6.3.1 The proposal will allow more children access to an outstanding schools with the intention in supporting children and young people in achieving the best possible outcomes.
- 6.3.2 An expansion of Springfield School will provide more places for children within the Crewe and Nantwich locality keeping them within their local community, allowing them to build friendships with people who live close to them and spend less time travelling.
- 6.3.3 By providing more local school places within Cheshire East the scheme will allow for some considerable savings when compared to educating children out of Borough, thus allowing The Council to make best use of its resources.
- 6.3.4 By providing additional places the expansion will also provide more choice for families who would otherwise maybe not find a place at Springfield School.

### **6.4 Equality Implications**

- 6.4.1 If the Councils Sufficiency statement identified a shortage of provision in the Crewe and Nantwich Locality and by providing these places at Springfield School the Council will be supporting its aim to :-
- Achieve the best possible outcomes for children and young people
  - Ensure that there are the right number and type of places to meet children and young peoples needs
  - Ensure that children and young people can have their needs met within their local community wherever possible
  - Make the best use of our resources

### **6.5 Human Resources Implications**

- 6.5.1 There are no additional human resource implications for the Council but the school are aware that increased numbers on roll could require additional staffing costs which would be the responsibility of the school to fund through additional places at the school

## **6.6 Risk Management Implications**

6.6.1 The proposed expansion is identified to address a basic need for specialist school places in the South of the Borough in order that the authority meets its statutory duty in providing sufficient school places.

6.6.2 The proposal has planning approval and is not subject to an application under Section 77 of the School Standards and Framework Act

## **6.7 Rural Communities Implications**

6.7.1 The proposed expansion of Springfield School will bring benefit to rural communities in that it will result in extra special school places which would be available to residents within a more reasonable travel distance.

## **6.8 Implications for Children & Young People**

6.8.1 Providing these additional places at Springfield School will allow children resident within Cheshire East access to this much needed specialist provision.

6.8.2 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.

## **6.9 Public Health Implications**

6.9.1 Some children and young people travel significant distances which can have an impact on their emotional well being and can significantly lengthen the school day. The proposal to provide additional places at Springfield School will mean more children getting a placement in their local school thus keeping them in their own community.

6.9.2 By reducing the distances which children are having to make to attend school the proposal will also reduce congestion on the roads and therefore emissions thus improving air quality and making a better environment to live in.

## **6.10 Ward Members Affected**

6.10.1 All ward members



## **7 Consultation & Engagement**

- 7.1 In accordance with the guidance issued by the Department for Education, the statutory publication notice was published in the Crewe Chronicle on 18 April 2018 and the statutory four-week representation period ran from 18 April 2018 to 16 May 2018. Cabinet members are advised that this statutory process provides the opportunity for any person with an interest to submit representations, which can be objections as well as expressions of support for the proposals. Cabinet members must take any views received into account when deciding whether to approve the proposal.
- 7.2 The representation period was notified to key stakeholders including Ward Members, MP, the Diocese and Parish Councils. Information was emailed to all local schools and an article was published in the Cheshire East School Bulletin.
- 7.3 There has only been one response to the statutory notice. Details of this response are provided with this report for consideration. Copies of the statutory notice and the full proposal are attached.

## **8 Access to Information**

Links included to specific documents within the report.

## **9 Contact Information**

- 9.1 Any questions relating to this report should be directed to the following officer:

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