

Report subject	Significant Changes to Maintained Schools for September 2020 and 2021
Meeting date	29 July 2020
Status	Public Report
Executive summary	<p>The number of children and young people assessed as requiring a place at a specialist education provision in the BCP area has increased in recent years. Local provision to meet these needs is of high quality, but capacity has not been expanded sufficiently to meet this additional demand. As a result, increased use has had to be made of local Independent and Non-Maintained special schools which are comparatively expensive and often located outside of the BCP area. The result of this has been significant pressure on the school Transport budgets. In partnership with the BCP community of schools, a range of proposals have been developed to increase capacity and create new provision to meet the needs of these pupils and these were reported to Cabinet in the paper 'Capital Investment to Increase Special Educational Needs Capacity' on 22 April 2020.</p> <p>Processes for changes to maintained schools are prescribed by the Department for Education. This report provides details of such changes for three maintained community schools. The request to implement these changes is being made with the support of all three schools involved with the changes.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>(a) The changes proposed for the following schools are agreed</p> <ul style="list-style-type: none"> i. Winchelsea Special School ii. Linwood Special School iii. Somerford Primary School <p>(b) In the case of Somerford Primary School that approval be given to apply to the Office of the Schools Adjudicator to vary the admission arrangements from September 2021</p>
Reason for recommendations	To enable the creation of additional capacity within BCP Council maintained schools to meet the assessed educational needs of

	children and young people and reduce pressure on the High Needs Budget. The Council are the authority for approving these significant changes to maintained schools-
Portfolio Holder(s):	Councillor Sandra Moore, Portfolio Holder for Children and Families
Corporate Director	Judith Ramsden, Corporate Director for Children's Services
Report Authors	Neil Goddard - Director, Quality and Commissioning, Children's Services
Wards	Alderney & Bourne Valley; Burton & Grange; Winton East;
Classification	For Decision

Background

1. In line with the SEND capital report received at Cabinet on 22.04.20 as referenced with the Background Papers section of this report, BCP council have identified there is a sufficiency of Special Educational Needs places within the area. To enable to proposals to be implanted, the council must undertake the statutory significant change process as outlined below.
2. Such development of SEND places is intended to address sufficiency across the age range from 0 to 25 years, based on an assessment of need. These places are primarily for pupils with an Education Health and Care Plan. Nationally, the proportion of pupils in schools with an EHCP has increased from 2.8% in 2016/17 to 3.3% in 2019/20, which represents a 20% increase as a proportion of the school population. This is against an increase in the overall school age population in the BCP area throughout this period.

Making changes to maintained schools to enable proposals to be implemented

3. Under section 14 of the Education Act 1996, Local Authorities have a statutory duty to ensure that there are sufficient schools for primary and secondary education in their areas. The department expects LAs to manage the school estate efficiently and to reduce or find alternative uses for surplus capacity.
4. To make changes to an open maintained school BCP Council must follow the statutory process for making prescribed alterations to schools. There are 4 parts to this process: publication; representation; decision and implementation.
5. Proposals relating to 3 maintained community schools, two special schools and one primary school, have been published and consultations undertaken, see Appendix 1 for information.
6. Changes to academies are not included in this report as it is the responsibility of the academy or academy trust to initiate a significant change process.

Summary of proposed changes and consultation responses

Linwood School

7. Linwood School is a maintained special school in Bournemouth for children with special educational needs, for which an Education, Health and Care Plan (EHCP) is usually required. The school already has a number of campus/satellite sites across the BCP Council area.

To meet the forecast need for additional special school places detailed in section one for pupils with a variety of special educational needs including

ASD - Autistic Spectrum Disorder,

MLD - Moderate Learning Difficulty,

SLD - Severe Learning Difficulty and

PMLD - Profound and Multiple Learning Difficulty

8. it is proposed to:
 - i. Expand the existing 'Springwood' campus at Andrews Cl, Bournemouth BH11 8HB by up to 18 permanent places, from 60 up to 78 places.
 - ii. Change the temporary expansion into the commercial property at 128 Alma Rd, Bournemouth BH9 1AL, into a permanent expansion, that re-designates 10 current additional temporary places on the main Linwood school site into permanent additional places.
9. A consultation was held from Thursday 7th May until 23:59 Thursday 11th June 2020 for the proposed changes at Linwood school as detailed in the Appendices.
10. The Council received two responses to the public consultation regarding the proposed changes at Linwood School. No responses were received from schools. Both responses were supportive of the proposed changes – one from a teacher who felt many children were being supported in mainstream provision who would benefit from specialist placements, and another that felt Linwood had a proven strong track record of supporting children with SEND.

Somerford Primary School

11. Somerford Primary School is a maintained school in Christchurch providing education for pupils in reception to year 7 and BCP Council is responsible for admissions to the school.
12. BCP Council undertakes forecasts of pupil numbers across the conurbation. The most recent forecasts figures were made by BCP Officers in June 2019 and reported to the DfE through an annual return.
13. In line with the national picture the rate of births in Christchurch has been falling. This drop in births means that these actual pupil numbers in Christchurch schools started to reduce from September 2017. In September 2016 there were 468 pupils in reception classes in Christchurch schools but by September 2019 this had dropped to 409.
14. Based on live birth data, forecasts for pupil numbers for September 2020, 2021 and 2022 remain at this lower level. This means that the level of surplus places in the Christchurch area has increased and Somerford has seen the impact of this with falling pupil numbers in the school (current years 2 – 6 have pupil numbers between 43 and 56 while reception and year 1 have numbers of 23 and 28 respectively. The initial number of offers made for Reception 2020 was 28). The level of surplus

places across Christchurch schools is currently 14.8% and this compares with no surplus places in September 2016.

15. The latest school pupil forecasts that have been calculated show that the overall number of pupils requiring a place in the East Christchurch planning area, that contains Somerford Primary School, is not expected change significantly over the planning period. A chart showing reception pupil forecasts against pupil numbers in the planning area is shown in Appendix 4. There were 23 Reception pupils at Somerford Primary as per the October 2019 census. The number of on-time offers for September 2020 where Somerford Primary school was expressed as a preference was for 18 pupils, well below the relevant PAN for this year of 60. The combined places available for Reception at school across the East Christchurch planning areas is 300, referred to as the 'Combined PAN' in the graph below.
16. Whilst there are some significant housing developments expected to be delivered in the Christchurch area within the coming years, the build schedule for these is not yet known, nor is the total number of dwellings by type. In line with government guidance, any additional pupils from these developments are not factored in to pupil forecasting. However, allowance was made for some development growth in the area when Twynham Primary school was built, which although currently only operating as a 1 FE school, was built with 2 FE capacity, to accommodate some of these additional development pupils should and when the need arise.
17. It is proposed that the admission number for Somerford Primary School is reduced from 60 to 30 places for Reception Year from September 2021 onwards and that the accommodation be repurposed to Special Educational Needs and Disabilities (SEND) provision to enable an expansion of Specialist provision on the site in September 2021.
18. The current capacity of the school is 429 and with a revised PAN of 30 the proposed mainstream capacity will be 210 as a minimum.
19. According to Primary forecasts up to 2022/23 a reduction in the Published Admission Number (PAN) at Somerford by 30 places would still leave an estimated surplus of over 10% in Christchurch and allow for the provision of much needed SEND education provision.
20. In accordance with the School Admissions Code the number of places available at a main point of entry for the school, the Published Admissions Number (PAN), must be set each year as part of the admission arrangements. The admission arrangements for Somerford Primary School have already been determined and the school currently has a Published Admission Number (PAN) of 60 for September 2021 reception admissions.
21. As the PAN for 2021 has already legally been determined as 60 it cannot be amended by the Local Authority. The Office of the Schools Adjudicator is responsible for making decisions to vary admission arrangements for maintained schools. Reasons for requesting variation are normally received where there is a surplus places in the area or where a statutory proposal has been approved that consequently impacts upon admission arrangements. The Office will typically agree these variation requests.

22. In preparation for a referral to the OSA a public consultation was held from Thursday 7 May 2020 to 23:29 Thursday 25 June 2020 as detailed in the Appendices.
23. Copies of all documents were sent to all school admission authorities within BCP Council. In addition, to meet the requirements of the OSA, the Governing Body of Somerford Primary School was consulted and schools located in Dorset Council and Hampshire County Council that are included within the Relevant Area for school admissions for BCP Council were notified.
24. The Governing Body of Somerford Primary School are supportive of the proposed reduction in PAN. This support was provided at the 06.07.2020 meeting of the Governing Body.
25. The Council received three responses to the public consultation regarding the proposed reduction in the PAN at Somerford Primary School. No responses were received from schools. Two responses from parents with children at Somerford Primary School supported the proposed change and one person did not support the proposal explaining that they were not clear on the ability of other schools to provide sufficient places as there was no specific details on the impact on admissions on the other local primary schools.

Winchelsea School

26. Winchelsea School is a maintained special school in Poole for children with special educational needs, for which an Education, Health and Care Plan (EHCP) is usually required. The school has a number of campus/satellite sites across the BCP Council area.
27. To meet the forecast need for additional special school places detailed in section 1 for pupils with various special educational needs, including:
 - VI - Visual Impairment,
 - HI - Hearing Impairment,
 - SLCN - Speech, language and Communication,
 - ASD - Autistic Spectrum Disorder,
 - SEMH - Social, Emotional and Mental Health,
 - MSI - Multi-Sensory Impairment,
 - MLD - Moderate Learning Difficulty and
 - SLD - Severe Learning Difficultyit is proposed to:
 28. Increase the size of Winchelsea School by adding up to 12 places at the existing Satellite Unit at Old Town Infant School and Nursery.
 29. Make the Winchelsea School satellite provision at Old Town Infant School and Nursery a permanent change rather than a temporary arrangement.
 30. Make the Winchelsea Satellite Unit at Canford Heath Junior School a permanent change rather than a temporary arrangement.
 31. Expand the age range of the school to include ages 17 to 19 (Year 12 to Year 14) and add up to 14 age 16-19 (post-16) places. These places will be added into a separate building situated on the main school site at Guernsey Road.

32. A consultation was held from Thursday 7th May until 23:59 Thursday 11th June 2020 for the proposed changes at Winchelsea School as detailed in the Appendices.
33. Winchelsea school received two consultation responses, none of which were from other schools. Both these responses were positive, and indicated that there was a strong need for additional specialist placements, and in support of satellite provisions where there remains a link with a mainstream school.

Options Appraisal

34. The options available to Councillors are to either:
- a. Support in full all the significant change proposals
 - b. Support some of the significant changes
 - c. Do not support any of the significant changes.
35. Option a will support the SEND proposals for additional places, for which capital funding has already been agreed, to take place.
36. Option b would not provide enough places required to address SEND sufficiency concerns and would require alternative expansion and resource base projects to be explored. This delay would add further pressure to the High Needs Budget, and further projects cannot be guaranteed. There is limited capital funding available for these projects and it may not stretch to less cost- effective alternative options.
37. Option c would result in a significant growth in the deficit within the High Needs Block of the Dedicated Schools Grant, and it would be challenging to identify alternative options for expanding specialist provision within existing mainstream sites. Alternatives are likely to be less cost efficient and unlikely to provide the sufficiency of additional places the LA requires.

Summary of financial implications

38. Under usual circumstances, the LA does not de-delegate a budget to cover redundancy costs incurred by schools, and as such, schools are responsible for covering all associated redundancy costs incurred through their delegated Individual School Budgets. The LA does not allow schools to set a deficit budget and has robust policies for supporting and monitoring schools that do enter a deficit budget position. However, since the LA are requesting Somerford Primary School to reduce their capacity, the LA are agreeing to underwrite associated redundancy costs for staff, where the redundancies are directly linked to this significant change to the school, over a 4-year period as the school reduces in size, from September 2021. The LA expects the school to minimise redundancy costs where possible through workforce planning and redeployment and will expect to see evidence for why these redundancies are essential.
39. The intention is for the additional SEND places that would be delivered to achieve cost avoidance savings to the Dedicated Schools Grant High needs budget through avoiding placements in more expensive often out of area Independent provision placements. Cost avoidance through this was provided within the SEND Capital report referenced within paragraph 48 - Background Papers.

Summary of legal implications

40. The Council has powers under the Education and Inspections Act 2006, section 19(1), to consult on making significant changes to maintained schools in its area. The council has powers under the 'Making significant changes ('prescribed

alterations') to maintained schools, Statutory guidance for proposers and decision-makers', October 2018, to determine whether proposed changes should be agreed and implemented.

41. No legal advice has been taken in relation to the significant changes that are the subject of this report.
42. The Council has a duty to commission sufficient suitable school places for school age children resident in BCP. School organisation officers have advised that the risks associated with the reduction of mainstream places that will result from adding SEND places in mainstream schools, may potentially arise in several years' time. Current pupil forecasts indicate no additional Primary phase school places will be required until at least 2023/24 for Reception and 2026/27 for Year 3 Junior school entry. However, localised pressure on Primary places may remain in schools that experience strong parental preference. Secondary numbers are forecast to increase by up to a fifth, with around 3,300 additional pupils by 2025/26. Pupil numbers after this point will begin to drop back and remain at a lower level until 2028/29 at least. Additional Secondary places are forecast to be required to accommodate the bulge numbers.

Summary of human resources implications

43. There are human resources implications that will need to be progressed by the schools that are involved in the proposed changes. Additional staff will be required for Linwood School (Springwood) and for Winchelsea School (Old Town). There is the potential for redundancies to be required at Somerford Primary School, or consideration of redeployment opportunities.
44. These issues would usually be planned and implemented by the leadership teams in each of the schools, through discussion with their respective service providers on Human Resources, Employee Relations and Payroll. It would be expected that work would include an Equalities Impact Screening if redundancies are required and a Communications Plan at each of the schools undertaking change.
45. The costs of any teaching staff redundancies at Somerford Primary School would normally fall to the school's budget. Please see the Finance section of this report for information on special arrangements in this instance.
46. There are human resources implications that will need to be progressed by the schools that are involved in the proposed changes. Additional staff will be required for Linwood School (Springwood) and for Winchelsea School (Old Town). Summary of sustainability impact.
47. Through ensuring additional appropriate provision is available to meet needs closer to where children and young people live there will be an overall reduction in the distances travelled to get to school and an increase in the numbers being educated within their own communities. In addition, the proposed changes will contribute to making use of existing school buildings. The schools will be required to update their Travel Plans to determine how home to school pupil travel can be organised to cause the minimum impact on traffic volumes and the environment.

Summary of public health implications

48. The proposed changes will contribute to the implementation of the High Needs Block Recovery Strategy. The addition of extra SEND places in local BCP schools will enable a greater number of children who require a specialist place to attend suitable provision in their own community.

Summary of equality implications.

49. The proposed projects will contribute to the availability of appropriate provision is available to meet the needs of children and young people with special educational needs and/or disabilities. An assessment of equality impacts will be carried out for each project.

Summary of risk assessment

50. The Council has a duty to commission sufficient suitable school places for school age children resident in BCP. School organisation officers have advised that the risks associated with the reduction of mainstream places that will result from adding SEND places in mainstream schools, may potentially arise in several years' time. Current pupil forecasts indicate no additional Primary phase school places will be required until at least 2023/24 for Reception and 2026/27 for Year 3 Junior school entry. However, localised pressure on Primary places may remain in schools that experience strong parental preference. Secondary numbers are forecast to increase by up to a fifth, with around 3,300 additional pupils by 2025/26. Pupil numbers after this point will begin to drop back and remain at a lower level until 2028/29 at least. Additional Secondary places are forecast to be required to accommodate the bulge numbers. There is a risk to Somerford Primary School that if the significant change to reduce the capacity and associated admission number for Somerford school is not approved, the school will be expected to continue to admit to a PAN of 60 in September 2021.

Background papers

51. 11. Report to BCP Cabinet on 22.04.2020 – published works:

7. Capital Investment to Increase Special Educational Needs Capacity

<https://democracy.bcpCouncil.gov.uk/documents/g3729/Public%20reports%20pack%2022nd-Apr-2020%2010.00%20Cabinet.pdf?T=10>

Appendices

1. The consultation process

A consultation was run from Thursday 7th May until 23:59 Thursday 11th June 2020 for both Winchelsea and Linwood schools. The Somerford school consultation contains mainstream admissions changes and so must follow the statutory requirements for an admissions consultation, and so commenced Thursday 7th May and ended on Thursday 25th June 23:59. The consultation consisted of the following:

- Publication of a notice in the Thursday 11th May Bournemouth Echo.
- Production of proposal documents included in Appendices 1 – 3. These were hosted on the BCP website, as well as the individual school's websites, for the duration of the consultation period.
- Notification via email to:
 - Families of children attending both schools for which the significant change applies as well as the mainstream host schools at which satellites will be situated.
 - School governors, trade union representatives, and staff of the schools involved in the changes.
 - Dorset and Hampshire LAs
 - Local MPs.
 - BCP area schools
 - Schools at which BCP may place pupils with SEND within both BCP and outside, including Independent and Non-maintained provision.

2. Consultation Proposal Documents

Individual school proposals for consultations

2a. Linwood

2b. Winchelsea

2.c Somerford

3. Full list of consultation responses

Q1	Q2	Q3	Q4	Q5
Please indicate which significant change consultation you are responding to:	Please indicate whether or not you support the proposal	My reasons for supporting / not supporting the proposals are set out below	In what ways, if any, do you think the proposals could have a disproportionate impact on groups protected under the Equalities Act 2010? (Age, gender, disability, ethnicity, religion, transgender, sexual orientation)	Do you have any further comments about the proposed changes?
Linwood	Yes, I support the proposal	As a teacher with over 10 years experience I have seen a greater number of pupils come through my mainstream classroom with additional needs each year. There are many pupils having to cope with mainstream provision as there are not enough special school places available. This has a negative impact for that child and all other pupils in the class which they are placed.		
Somerford	No, I do not support the proposal	there is no specific details on the impact on admissions on the other local primary schools. can they cope with increased numbers?		

Linwood	Yes, I support the proposal	There is a tremendous need for special education places in this area, & Linwood School has an excellent track record.	None	
Somerford	Yes, I support the proposal	This school is essential and needs to be supported. I wish that there were more schools like this, they are desperately needed.	they have no adverse effects.	I support the changes
Linwood	Yes, I support the proposal	There is significant need for more places. Linwood have the training and expertise to deliver excellent specialist education and already support a large number of children through its out programme as well as school placements. The expansion would enable Linwood to help more children in an efficient way.	Linwood is a very inclusive and also very good at managing their environment, resources and staff so the proposals will not have a disproportionate effect on any group.	More places are desperately needed. There are children who are in mainstream whose mental health, education and wellbeing has suffered greatly due to not having the correct support in the correct environment. Please, please increase places
Linwood	Yes, I support the proposal	For the excellent work they do in support of children with special needs and their families. The team at Linwood have always been consistent in their approach, not just professionally but empathically. Its to the overall community's benefit that the school be expanded and also when you consider how many children are struggling in mainstream education. Surely that warrants expansion in and of itself.	I can't think of any. The schools serve a wide demographic and staff have always been flexible in their approaches and accommodating as much as possible. I have never experienced (speaking on behalf of my son also) any bias.	

Winchelsea	Yes, I support the proposal	So many children are waiting for specialist placement. These children are suffering greatly through not having a place in an appropriate setting. This will cause long term damage if not rectified	I don't think any group will be negatively affected by these proposals	
Linwood	Yes, I support the proposal	I have a grandson attending Linwood, whose needs are very well met. I have a second grandson whose SEND needs are poorly met elsewhere - so I support expansion of excellent provision to help ensure all children with special educational needs receive appropriate help	I have no knowledge about this.	
Linwood	Yes, I support the proposal	I do think every child with special needs, should attend a school that provide all the needs for them.		

Winchelsea	Yes, I support the proposal	I believe it is important to provide specialist schooling in a mainstream environment for wider acceptance and understanding of people with disabilities.	It depends on where the older students will go, but 4 year olds and 19 year olds regardless of mental capacity is a big age gap. The size of the older children could be a danger to the much younger children. This needs proper thought and planning to ensure safety of the smaller children.	
Somersford	Yes, I support the proposal	It makes sense if the school is having less and less children every year. But you have to ask yourself why is that? It can't just be down to less children being born when other local schools are having to turn away hundreds of applicants. The school should be invested in, not just sold off		

4. Reception pupil forecasts compared with combined admission number in the East Christchurch Primary planning area

