

Notice of Meeting

Cabinet Member for Schools, Skills and Educational Achievement Decisions



Date & time
Thursday, 30 June
2016 at 10.00 am

Place
111, County Hall,
Kingston upon
Thames

Contact
Andrew Baird or Joss
Butler
Room 122, County Hall
Tel 020 8541 7609 or 020
8541 9702
andrew.baird@surreycc.gov.uk or
joss.butler@surreycc.gov.uk

Chief Executive
David McNulty



We're on Twitter:
@SCCdemocracy

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This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Andrew Baird or Joss Butler on 020 8541 7609 or 020 8541 9702

Elected Members
Mrs Linda Kemeny

AGENDA

1 DECLARATIONS OF INTEREST

To receive any declarations of disclosable pecuniary interests from Members in respect of any item to be considered at the meeting.

2 PROCEDURAL ITEMS

a Members' Questions

The deadline for Members' questions is 12pm four working days before the meeting (24/06/2016).

b Public Questions

The deadline for public questions is seven days before the meeting (23/06/2016)

c Petitions

The deadline for petitions was 14 days before the meeting and no petitions have been received.

3 DETERMINATION OF THE PROPOSAL TO RE-DESIGNATE SUNNYDOWN SCHOOL

(Pages 1
- 6)

Surrey County Council has consulted on a proposal to re-designate Sunnydown School from September 2016. The school would be re-designated for pupils with Communication and Interaction needs (CoIN).

The consultation period was from 24 February 2016 to 23 March 2016 and there was a public meeting held at the school on 10 March 2016. Statutory Notices were published at the school and in the local newspaper stating the intention to re-designate the school. This is in accordance with the School Organisation (Prescribed Alterations to Maintained School) Regulations 2013.

The Cabinet Member is asked to review the proposal and comments received during the consultation period.

4 AMALGAMATION OF STARHURST AND ST NICHOLAS SCHOOLS

(Pages 7
- 12)

Surrey County Council (SCC) has consulted on a proposal to amalgamate Starhurst School and St Nicholas School from 1 September 2016 so that the south east area has one single school for pupils with social, emotional and mental health needs (SEMH).

The consultation period was from 8 February to 8 March 2016 and there were three public meetings held during this time. Statutory Notices were issued on 15 March, displayed at each school and published in the local newspaper stating the intention to amalgamate the two schools, locate to a single site and marginally reduce the pupil number.

The Cabinet Member is asked to review the proposal and comments received during the consultation and statutory notice periods.

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SURREY COUNTY COUNCIL**CABINET MEMBER FOR SCHOOLS, SKILLS AND EDUCATIONAL ACHIEVEMENT****DATE: 30 JUNE 2016****LEAD OFFICER: JULIE FISHER, DEPUTY CHIEF EXECUTIVE AND STRATEGIC DIRECTOR FOR CHILDREN, SCHOOLS AND FAMILIES****SUBJECT: DETERMINATION OF THE PROPOSAL TO RE-DESIGNATE SUNNYDOWN SCHOOL****SUMMARY OF ISSUE:**

Surrey County Council has consulted on a proposal to re-designate Sunnydown School from September 2016. The school would be re-designated for pupils with Communication and Interaction needs (CoIN).

The consultation period was from 24 February 2016 to 23 March 2016 and there was a public meeting held at the school on 10 March 2016. Statutory Notices were published at the school and in the local newspaper stating the intention to re-designate the school. This is in accordance with the School Organisation (Prescribed Alterations to Maintained School) Regulations 2013.

The Cabinet Member is asked to review the proposal and comments received during the consultation period.

RECOMMENDATIONS:

It is recommended that the Statutory Notice stating the Local Authority's intention to re-designate the School is determined, such that the school will be referred to as a school for pupils with Communication and Interaction Needs from 1 September 2016.

REASON FOR RECOMMENDATIONS:

The re-designation forms part of a strategy which aims to increase and develop local provision in a range of different settings for pupils with Autism. The re-designation will allow pupils that have a wider range of needs to attend the school.

DETAILS:**Business Case**

1. Sunnydown School is an 11-16 residential special school with 80 places for young men with Statements of Special Educational needs/Education Health Care Plans. The school is well regarded and serves pupils living predominantly in the East of the County. The school was rated as Outstanding by Ofsted in May 2012.
2. The school currently has a designation for Emotional and Learning Difficulties; however this does not accurately reflect the cohort of pupils that attend. The special educational needs of the current pupils at Sunnydown

include pupils with Autism, Asperger's Syndrome and Speech, language and communication difficulties.

3. A review of provision in the County for children and young people with Learning Difficulties took place in December 2012. The review identified that there was a mismatch between the overall Special Educational Needs and Disability (SEND) pupil profile in Surrey. There has been continued growth in the number of pupils with a diagnosis on the Autistic spectrum and this represents the biggest gap in provision.
4. In order to develop a continuum of provision for pupils with Autism in Surrey the proposal is part of a longer term strategy to adapt and create local maintained specialist provision which meets the profile of pupils identified with SEND in Surrey.
5. There is a reliance on the non-maintained sector and placements at these schools are increasing, with over one third of these places for pupils with Autism. Investigation of the data around Autism indicates that the biggest gap in provision is for pupils with Autism who are able to access a range of accredited qualifications, including GCSEs. In particular, pupils experience a gap in provision at secondary transfer and in Year 9 and Key Stage 4 in secondary school and there appears to be a reliance on provision for this group of pupils on the non-maintained and independent Special School sector.
6. The re-designation of Sunnydown would more accurately reflect the cohort of pupils currently attending the school and future pupils. Currently 84% of pupils at the school have Autism named on their Statement/Education Health Care Plan and therefore the proposed change in designation of the school is not expected to be a significant change for the school.
7. The senior leadership team are supportive of the proposal to re-designate as a school for pupils with CoIN.

CONSULTATION:

8. A formal consultation period started on 24 February 2016 and concluded on 23 March 2016. A public meeting was held at the school on 10 March. Statutory Notices were issued on 12 April, allowing a further four week period for representations regarding the proposal to be made.
9. The public meeting was attended by 20 people, most of which were parents, staff and governors from the Sunnydown school community.
10. A total of 12 written responses were received during the consultation via the Surrey Says website, post and email. Eleven responses were received from parents and one from an Educational professional at another school. Of the responses received 83% agreed with the proposal to re-designate the school and 17% disagreed with the proposal.
11. A number of responses by those who supported and disagreed with the proposal provided written comments. A small number of concerns were raised about the possibility of the pupil cohort changing and the impact of this on existing pupils. As the consultation document outlined, there is no proposal to change the cohort of pupils attending the school, the pupils currently

attending Sunnydown School already fit within the need description of COIN. There is one other school in Surrey with a description of COIN, Limpsfield Grange School. This school was re-designated in September 2015 and the Headteacher reports there have been no changes to pupil cohorts since the re-designation.

12. As a result of the consultation it was agreed to proceed and issue Statutory Notices. The Statutory Notice period of four weeks from 12 April generated no further responses to the proposal.

RISK MANAGEMENT AND IMPLICATIONS:

13. Ensuring that there is a flexible offer of provision in Surrey maintained special schools proposal is part of the longer term learning Difficulties strategy to adapt and create local maintained specialist provision which meets the profile of pupils identified with SEND in Surrey.
14. There is a reliance on the non-maintained sector for this type of provision. A wider range of maintained provision aims to reduce the sum spent on non maintained and independent special schools.
15. Sunnydown has benefitted from a £2.2m capital scheme undertaken over the past two years in order to increase teaching and dining space and replace six demountable classrooms beyond economic repair. The scheme was undertaken with the intention that the school would be re-designated with COIN status.
16. The average costs of provision at Sunnydown is £6,800 per annum for a day place and £23,300 per annum for residential. This compares to £30,500 (day) and £56,750 (residential in the NMI sector).

Section 151 Officer Commentary

17. The re-designation to COIN status will not lead to a change in cost for placements at Sunnydown as the current cohort of pupils reflects the range of needs met by a COIN school. The re-designation together with the previous capital investment will increase the attractiveness of the school and the flexibility of the Surrey offer contributing to the wider SEN strategy of developing local SEND provision.

Legal Implications – Monitoring Officer

18. The public sector equality duty in Section 149 of the Equality Act 2010 applies to the decision to be made by Cabinet in this report. There is a requirement when deciding upon the recommendations to have due regard to the need to advance equality of opportunity for people with protected characteristics, foster good relations between such groups, and eliminate any unlawful discrimination
19. There is a statutory requirement for consultation in this context as set out in the School Organisation (Prescribed Alterations to Maintained School) Regulations 2013. Such consultation will need to involve those directly affected by such changes together with relevant representative groups.

20. This report sets out the consultation process that has taken place and in considering this Report, Cabinet must give due regard to the results of the consultation as set out and the response of the Service to the consultation comments and conscientiously take these matters into account when making its final decision.
21. The best value duty is contained in s3 of the Local Government Act 1999 as a result of which the Council is under a duty to make arrangements to secure continuous improvement in the way in which functions are exercised, having regard to a combination of economy, efficiency and effectiveness. The relevant guidance states that Councils should consider overall value, including economic, environmental and social value when reviewing service provision.
22. Section 13 of the Education Act 1996 places a general duty on the Council to secure that efficient primary and secondary education is available to meet the needs of the population in its area. In doing so, the Council is required to contribute to the spiritual, moral, mental and physical development of the community. Section 14 of the Education Act 1996 places a duty on the Council to secure that sufficient schools for providing primary and secondary education are available in its area.

Equalities and Diversity

23. No impacts have been identified as part of this proposal. There is no change for the young people that attend the school or staff working at the school.

Safeguarding responsibilities for vulnerable children and adults implications

24. Safeguarding vulnerable children is a high priority in Surrey schools. Schools have considerable expertise in safeguarding vulnerable children and adhere to robust procedures. The school would continue to apply good practice in the area of safeguarding. Safeguarding is monitored when Ofsted carries out inspections of schools.

WHAT HAPPENS NEXT:

25. Subject to Cabinet Member approval of the Statutory Notice, the proposal will be confirmed and Sunnydown School will be re-designated as a school for pupils with Communication and Interaction needs from 1 September 2016.

Contact Officer:

Julie Beckett, School Commissioning Officer, Tel: 01483 518109

Consulted:

SCC County Councillor for the local area
All local schools
All Surrey special schools
All parents of children at the school
All staff and governors at the school
Family Voice
Neighbouring Local Authorities
SCC Officers
Health and Therapy Providers

Unions
Babcock 4S Consultants

Sources/background papers:

- Re-designation of Sunnydown School Document
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SURREY COUNTY COUNCIL**CABINET MEMBER FOR SCHOOLS, SKILLS AND
EDUCATIONAL ACHIEVEMENT****DATE: 30 JUNE 2016****LEAD OFFICER: JULIE FISHER, DEPUTY CHIEF EXECUTIVE****SUBJECT: AMALGAMATION OF STARHURST AND ST NICHOLAS
SCHOOLS****SUMMARY OF ISSUE:**

Surrey County Council (SCC) has consulted on a proposal to amalgamate Starhurst School and St Nicholas School from 1 September 2016 so that the south east area has one single school for pupils with social, emotional and mental health needs (SEMH).

The consultation period was from 8 February to 8 March 2016 and there were three public meetings held during this time. Statutory Notices were issued on 15 March, displayed at each school and published in the local newspaper stating the intention to amalgamate the two schools, locate to a single site and marginally reduce the pupil number.

The Cabinet Member is asked to review the proposal and comments received during the consultation and statutory notice periods.

RECOMMENDATIONS:

That the Statutory Notice stating the Local Authority's intention to amalgamate the two schools is determined, such that there will be one school for pupils with social, emotional and mental health needs in the south east area of Surrey from 1 September 2016.

REASON FOR RECOMMENDATIONS:

This proposal will streamline SEMH provision in the south east of Surrey. It will allow for the more effective use of the available Special Educational Needs and Disabilities (SEND) resources. The aim is to develop outstanding provision with a larger and more sustainable single special school for SEMH in the east quadrant of Surrey.

DETAILS:**Business Case**

1. Starhurst School is located in Dorking and offers educational provision for boys aged 11-16, with some residential places. Starhurst was rated as Good by Ofsted during its last inspection in October 2013. An inspection of the residential provision took place in November 2015 and this was also judged to be Good.

2. St Nicholas School is located in Merstham and offers educational provision for boys aged 9 -16, with some residential places. The last inspection visit by Ofsted in September 2013 rated the school as Good, with behaviour and safety of pupils and overall effectiveness of the residential provision both rated as Outstanding. The school has recently extended its age range to admit up to 10 primary aged children to enable more pupils to access specialist provision at an earlier age.
3. From September 2015, the Headteacher of St Nicholas School has been acting as Executive Head across both schools. Discussions with County Council officers, the Executive Headteacher and Governors have taken place as to the future of SEMH provision in the south east area. Working in partnership with the Local Authority, the senior leadership team at the school has the ultimate aim of making a combined arrangement for outstanding provision for a group of disadvantaged children and young people in Surrey.
4. The amalgamation of the two schools will form one school for pupils with SEMH from the age of 9 to 16 in the south east quadrant of Surrey. This replicates arrangements that exist in the north west of the county, with the other specialist school in the county for SEMH, Wishmore Cross in Chobham.
5. Both Starhurst and St Nicholas schools offer similar provision for pupils that have SEMH. Both schools are located in the south east quadrant of Surrey, approximately 11 miles from each other. As the schools are located within reasonable proximity of each other, rationalising the arrangements to create one school would combine good practice from each and would develop a larger school which is more sustainable in the longer term.
6. The current intention is for the school to be wholly located on one site. At this point there will be a slight reduction in overall numbers from 120 to 105 pupils when the new school is developed and this number fits with the current combined capacity across both schools. From the cohort of 105, there will be places for 30 residential pupils.
7. The proposal for the amalgamated school to be located on one site is currently being considered as part of a feasibility process which links with a basic need for secondary school places in the Reigate and Redhill planning area. The capital build for the amalgamated school would be subject to a separate approval process.
8. In the initial two site phase of the amalgamation, minor or no changes to staffing are anticipated and permanent members of staff will continue to work at their current site. However, future transition to a single site will mean that there are likely to be some changes to staff working arrangements and for some, living arrangements. These are currently being determined and this process will involve detailed work with the staff concerned, together with support from Union and HR representatives.
9. There will be no change to pupil admissions. Pupils will continue to access the amalgamated school according to the processes that are currently in place for pupils with an Education Health Care plan.
10. In the interim period between the initial amalgamation of the schools across two sites and the eventual transition to a single site, it is likely that revenue funding to support the re-organisation will be required.

CONSULTATION:

11. A consultation period started on 8 February 2016 and concluded at noon on 8 March 2016. During the consultation period, three public meetings were held: at St Nicholas on 22 February and at Starhurst on 26 February and 1 March 2016. Altogether there were over 80 attendees across the three meetings, with the audiences consisting of parents, staff and local residents.
12. A total of 13 written responses were received during the consultation period via the Surrey Says website, post and email:

Young Person attending Starhurst	0
Young Person attending St Nicholas	0
Parent/carer of a young person attending Starhurst	2
Parent/carer of a young person attending St Nicholas	2
Starhurst staff or governing body	1
St Nicholas staff or governing body	0
Education professional	0
Healthcare professional	0
Social care professional	0
Other (includes 1 parent, school not specified)	8

13. Of the responses to the consultation received 54% agreed, 38% disagreed and 8% didn't know if they agreed or disagreed with the proposal to amalgamate the schools. A large number of responses provided written commentary which can be broadly grouped into the following themes: concerns relating to pupils, concerns relating to staff, future pupil numbers, concerns relating to buildings and moving
14. **Concerns relating to pupils** - respondents highlighted that the needs of the children currently attending the two schools mean that they are very sensitive to change and respondents were concerned to ensure that the needs of children attending the school remained paramount. Some felt that a particular focus would need to be given to strategic planning to ensure that any change is planned in advance with the school community to allow vulnerable students time to adapt. Consideration should also be given as to how to strategically plan for changes in teaching assistants and teachers.
15. **Concerns relating to staff** - the impact on teaching staff regarding job retention and living arrangements was mentioned by one respondent, who gave significant weight to this concern. It was felt that the retention of excellent staff was important to the success of the proposal and that communication would be vital to securing an adequate resolution.
16. **Future pupil numbers** - respondents highlighted that future pupil numbers were a concern. Noticeably the perspective of this concern varied greatly between respondents: with some feeling that reducing the overall number of places available would have a negative impact as it reduced availability, whilst others were concerned with larger numbers on one site and the potential for larger class sizes. Some respondents put forward suggestions of particular class arrangements, such as four classes of five pupils.

17. **Concerns relating to buildings and moving** - this largely mirrored concerns raised relating to pupils and how their needs would be effected by building works and site changes. Respondents felt that there would need to be an extremely open channel of communication with any contractors to minimise the impact on student's sensitivities and disruption to the school. Respondents were concerned to ensure that the amalgamation is supported by a quality building programme which will provide state of the art facilities for a vulnerable group of pupils.
18. The Statutory Notice period ran from 15 March to noon on 13 April 2016 and generated no further responses to the proposal.

RISK MANAGEMENT AND IMPLICATIONS:

19. If the amalgamation did not occur then there is a risk that Special Educational Needs and Disabilities (SEND) resources would not be used as effectively as possible in the quadrant and one or other of the schools could become unsustainable in the future. If either one of the schools became unsustainable there would be a risk of being unable to make the necessary maintained provision for this type of pupil. This would then lead to provision being required from the non-maintained and Independent sector, at a much higher per pupil cost.
20. There is significant pressure on expenditure for Special Educational Needs and Disability provision and a duty for the Authority to ensure that this funding is used to maximum effect. The amalgamation would create a larger more sustainable organisation, leading to more efficient use of public resources. If the amalgamation did not happen there is the risk that two smaller schools would be unable to offer specialist support to vulnerable pupils with an Education Health and Care Plan.

Financial and Value for Money Implications

21. Starhurst School is one of the smallest SEN schools in Surrey. In addition, the school is also undersubscribed, meaning that it is currently operating with vacant places and latent unused capacity which is causing significant financial challenges in sustainability alongside providing the resources to develop outstanding provision. The aim of the amalgamation is to create a single outstanding school which is fully utilising all of its planned school places. To do this, the initial stages of the amalgamation will first need to address the current undersubscription, so that resources can be more effectively used. As such, in the second stage of the amalgamation, the planned places will be reduced to 105. By improving the use of resources at the school to develop it into an outstanding provision, it is anticipated that the proportion of planned places being filled will increase to 105 pupils, resulting in a single outstanding school which is operating at full capacity.
22. Once the amalgamated school is located on one site there will be economies of scale obtained. There will be one building to maintain and a greater level of flexibility with a larger budget to deploy staff and curriculum resources more effectively.

Section 151 Officer Commentary

23. Amalgamation of the two schools will not require additional revenue funding and is likely to reduce revenue costs in the medium term. St Nicholas School is operating at, or near its planned number of secondary places with take up of the 10 new primary phase expected to grow in September 2016. However, Starhurst School is operating at 80% of its planned places and is receiving transitional funding. Following amalgamation reorganisation funding will be required. It is intended that the reorganisation funding will be met within the sum already provided to support Starhurst. Once the reorganisation is complete the additional funding will cease.
24. On relocation, the plan is to reduce the number of places by 15, from 120 to 105. This will reduce the place funded required by £150,000. At present all but five of these secondary places are unoccupied. Although representing a reduction in places the amalgamation plans are part of the wider SEND 2020 strategy to increase the number of in house places and align provision more closely to the needs of SEND pupils in Surrey.
25. The plan to relocate the new school to a single site is subject to feasibility assessment and will require separate approval for any capital investment required. The feasibility assessment is part of the overall plan to create basic need places in the Reigate and Redhill area.

Legal Implications – Monitoring Officer

26. The public sector equality duty in Section 149 of the Equality Act 2010 applies to the decision to be made by Cabinet in this report. There is a requirement when deciding upon the recommendations to have due regard to the need to advance equality of opportunity for people with protected characteristics, foster good relations between such groups, and eliminate any unlawful discrimination
27. There is a statutory requirement for consultation in this context as set out in the School Organisation (Prescribed Alterations to Maintained School) Regulations 2013. Such consultation will need to involve those directly affected by such changes together with relevant representative groups.
28. This report sets out the consultation process that has taken place and in considering this Report, Cabinet must give due regard to the results of the consultation as set out and the response of the Service to the consultation comments and conscientiously take these matters into account when making its final decision.
29. The best value duty is contained in s3 of the Local Government Act 1999 as a result of which the Council is under a duty to make arrangements to secure continuous improvement in the way in which functions are exercised, having regard to a combination of economy, efficiency and effectiveness. The relevant guidance states that Councils should consider overall value, including economic, environmental and social value when reviewing service provision.
30. Section 13 of the Education Act 1996 places a general duty on the Council to secure that efficient primary and secondary education is available to meet the needs of the population in its area. In doing so, the Council is required to

contribute to the spiritual, moral, mental and physical development of the community. Section 14 of the Education Act 1996 places a duty on the Council to secure that sufficient schools for providing primary and secondary education are available in its area.

Equalities and Diversity

31. No impacts have been identified as part of this proposal for the initial amalgamation over two sites. The schools will continue to offer provision as they have done previously, with no changes for children and young people or staff.
32. For the second phase of the project a full Equality Impact Assessment will be undertaken. The relocation to one site is likely to have an impact on pupils and staff and these aspects will be fully explored once the feasibility process has been completed.

Safeguarding responsibilities for vulnerable children and adults implications

33. Safeguarding vulnerable children is a high priority in all Surrey schools. Schools have considerable expertise in safeguarding vulnerable children and adhere to robust procedures. The amalgamated school would continue to apply good practice in the area of safeguarding, following the same good and outstanding practises that the two individual schools are currently doing. In addition, safeguarding is a key area for monitoring when Ofsted carries out inspections.

WHAT HAPPENS NEXT:

34. Subject to Cabinet Member approval of the Statutory Notice, the proposal will be determined and Starhurst and St Nicholas Schools will amalgamate to form one school for pupils with SEMH, called Chart Wood School, across two separate sites from 1 September 2016. The amalgamated school will be located on a single site in the future and when this happens the number of planned places for pupils will reduce to 105 pupils.

Contact Officer:

Julie Beckett, School Commissioning Officer, Tel: 01483 518109

Consulted:

SCC County Councillors for the Dorking and Merstham areas
All special schools
All parents of young people at Starhurst and St Nicholas
All staff and the Governing bodies at Starhurst and St Nicholas
Family Voice
SCC Officers
Unions
Babcock 4S Consultants

Sources/background papers:

School Organisation Consultation paper: Proposal to amalgamate Starhurst and St Nicholas Schools
Amalgamation consultation outcomes dated 14 March 2016