

**SURREY COUNTY COUNCIL****CABINET MEMBER FOR SCHOOLS, SKILLS AND  
EDUCATIONAL ACHIEVEMENT****DATE: 28 JULY 2015****LEAD OFFICER: JULIE FISHER, DEPUTY CHIEF EXECUTIVE****SUBJECT: DETERMINATION OF THE PROPOSAL TO REDESIGNATE  
LIMPSFIELD GRANGE SCHOOL IN OXTED****SUMMARY OF ISSUE:**

Surrey County Council (SCC) has consulted on a proposal to redesignate Limpsfield Grange School from September 2015. The school would be redesignated for pupils with Communication and Interaction Needs (CoIN).

The consultation period was from 13 April 2015 to 11 May 2015 and there was a public meeting held at the school on 20 April 2015. Statutory Notices were published at the school and in the local newspaper stating the intention to redesignate 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 redesignate the School is determined, such that the school will be referred to as a school for pupils with Communication and Interactions Needs from 1 September 2015.

**REASON FOR RECOMMENDATIONS:**

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

**DETAILS:****Business Case**

1. Limpsfield Grange School is an 11-16 residential special school with 70 places for girls with Statements of Special Educational needs/Education Health Care Plans (EHCPs). 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 December 2013.
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 Limpsfield

Grange include pupils with Autism, Asperger's Syndrome as well as 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. These changes will require the redesignation of some specialist schools. For other specialist provision a change in nomenclature will be suitable. Limpsfield Grange School requires a full redesignation to ensure that there is no barrier to entry for pupils with Communication and Interaction Needs.
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 redesignation of Limpsfield Grange would more accurately reflect the cohort of pupils currently attending the school and future pupils. Currently 56% of pupils at the school have Autism named on their Statement/EHCP 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 redesignate as a school for pupils with CoIN.

#### **CONSULTATION:**

8. A formal consultation period started on 13 April 2015 and concluded on 11 May 2015. A public meeting was held at the school on 20 April. Statutory Notices were issued on 21 May, allowing a further 4 week period for representations regarding the proposal to be made.

#### **Consultation responses**

9. The public meeting was attended by 12 people, most of whom were staff and governors from the Limpsfield Grange school community. No parents or pupils attended the meeting.
10. A total of two written responses were received during the consultation via the Surrey Says website, post and email. One response was received from a parent and one from another responder. Of the two responses received, both

agreed with the proposal to re-designate the school. As a result of the consultation it was agreed to proceed and issue Statutory Notices.

11. The Statutory Notice period of 4 weeks from 21 May 2015 generated no further responses to the proposal.

#### **RISK MANAGEMENT AND IMPLICATIONS:**

12. Ensuring that there is a flexible offer of provision in Surrey maintained special schools 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. If the proposal was not agreed, there is a risk that the number of pupils with Communication and Interaction Needs requiring specialist provision would be placed in costly non-maintained and independent provision.

#### **Financial and Value for Money Implications**

13. There is a reliance on the non-maintained sector for this type of provision. A wider range of maintained provision may reduce the sum spent on non maintained and independent special schools.

#### **Section 151 Officer Commentary**

14. The proposal to redesignate Limpsfield Grange does not require additional capital or revenue investment. The redesignation is part of a wider strategy to develop local Surrey places that better meet the current needs of pupils with a statement or ECHP and so reduce reliance on more expensive non maintained and independent schools.

#### **Legal Implications – Monitoring Officer**

15. Public sector equality duty. The public sector equality duty (Section 149 of the Equality Act 2010) applies to the decision to be made by the Cabinet Member 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. These matters are dealt with in the equalities paragraphs of the report. It was identified that pupils who are less cognitively able may not be able to access the provision. However, they would be accommodated in more appropriate settings for pupils with Learning Difficulties and the Learning Difficulties Review conducted in 2012 identified an over provision of spaces in the secondary Learning Difficulty provision across the county.
16. Pre-consultation. There is a clear expectation in public law that the Council should carry out a consultation process whenever it is considering making significant changes to service provision, particularly including the closure of any of its resources. There is a statutory requirement for consultation in this context as set out in the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013. A formal consultation period started on 13 April 2015 and concluded on 11 May 2015. A public consultation meeting was held on 20 April. A survey was published on the SCC consultation website 'Surrey Says'. Two postal responses were received

and both agreed with the proposal. The Statutory Notice period of 4 weeks from 21 May 2015 generated no further responses to the proposal.

17. Post-consultation. In considering this report, the Cabinet Member must give due regard to the results of the consultation and conscientiously take these matters into account when making a final decision. Both responses agreed with the proposal.
18. General Decision-Making. In coming to a decision on this issue the Cabinet Member needs to take account of all relevant matters. The weight to be given to each of the relevant matters is for the Cabinet Member to decide. Relevant matters in this context will include the statutory requirements, the policy considerations, the impacts of the options on service provision, the Medium Term Financial Plan (MTFP), the Council's fiduciary duty, any relevant risks, the results of the consultation and the public sector equality duty.
19. Fiduciary Duty. The Council owes a fiduciary duty to its Council Tax payers, analogous to that owed by trustees responsible for looking after property belonging to other people. Accordingly, in deciding to spend money a local authority must take account of the interests of Council Tax payers who have contributed to the Council's income and balance those interests against those who benefit from the expenditure. It will also need to act in a prudent way having regard to the short and long term consequences of the decision.
20. Best value duty. 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.
21. Significant Changes: prescribed alterations. Regulations 4 and 5 of the Prescribed Alterations Regulations 2013 and The School Organisation (maintained schools) Guidance for Proposers and Decision-makers January 2014 set out the statutory process that governing bodies and LAs must follow when altering SEN provision at a mainstream school. The LA must decide the Statutory Notice stating the local authority's intention to re-designate Limpsfield Grange School is determined, such that the school will be referred to as a school for pupils with Communication and Interaction needs from 1 September 2015.

#### **Equalities and Diversity**

22. A full Equalities Impact Assessment (EIA) has been undertaken as this proposal would have an impact on groups with protected characteristics. The document is attached to this report as Annex 1.
23. During the assessment there were very little potential impacts to service users identified.
24. With regard to the protected characteristics of Disability, it was identified that pupils that are less cognitively able may not be able to access the provision. However, they would be able to access more appropriate provision in other settings.

25. As a result of the EIA, no changes to the plan are proposed. There are no further actions that need to be carried out as there are positive impacts for some pupils with disabilities to the proposal.

**Safeguarding responsibilities for vulnerable children and adults implications**

26. 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:**

27. Subject to Cabinet Member approval of the Statutory Notice, the proposal will be confirmed and Limpsfield Grange School will be redesignated as a school for pupils with Communication and Interaction Needs from 1 September 2015.

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**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

**Annex:**

Equality Impact Assessment

**Sources/background papers:**

- Re-designation of Limpsfield Grange School Document

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