

**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.

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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

**Sources/background papers:**

- Re-designation of Sunnydown School Document
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