

SURREY COUNTY COUNCIL**CABINET MEMBER FOR SCHOOLS, SKILLS AND EDUCATIONAL ACHIEVEMENT****DATE: 8 SEPTEMBER 2016**

LEAD OFFICERS: JOHN STEBBINGS, CHIEF PROPERTY OFFICER
LIZ MILLS, ASSISTANT DIRECTOR, SCHOOLS AND LEARNING

SUBJECT: PROPOSAL TO EXTEND THE NURSERY PROVISION ON THE SITE OF THE RIDGEWAY SCHOOL, FARNHAM

SUMMARY OF ISSUE:

Following the academy conversion in 2015 of The Pilgrim's Way school (now known as Highfield South Farnham School) The Ridgeway school no longer had access to the shared nursery facility on the Highfield site. Since this time The Ridgeway School has made a greatly reduced nursery offer for pupils with significant levels of Special Educational Needs and Disability (SEND) in a small room that is well below the required size outlined in the Department for Education's required baseline standards. This proposal will provide nursery provision on the main site of The Ridgeway school.

RECOMMENDATIONS:

It is recommended that the Cabinet Member:

1. Approves the business case for the project to extend the Ridgeway School to include a Nursery providing for 8 full time equivalent (FTE) places.
2. Approves the arrangements by which a variation of up to 10% of the total value may be agreed by the Deputy Chief Executive and Strategic Director for Children, Schools and Families in consultation with the Cabinet Member for Schools, Skills and Educational Achievement, the Cabinet Member for Business Services and Resident Experience and the Leader of the Council.

REASON FOR RECOMMENDATIONS:

This proposal will replicate arrangements across the county in all the other severe learning and development difficulties (SLDD) schools. The Ridgeway School will again be able to offer early support and education for up to 8 full time equivalent places to the most vulnerable pupils in the South West area of Surrey.

<u>DETAILS:</u>

Business Case

1. The Ridgeway School is located in Farnham and offers educational provision for children and young people from 2 to 19 years of age with severe learning and development difficulties (SLDD). The Ridgeway was rated as 'Outstanding' by Ofsted during its last inspection in June 2013. The Ridgeway is currently going through the conversion process to become an academy school.
2. The cohort of pupils that attend the school are those in the school community with the most profound difficulties. Some pupils have significant disabilities, other are ambulant with severe learning difficulties, some have autism and/or exhibit significant behavioural challenges and other pupils have differing medical diagnosis and needs. All pupils require significant levels of highly individualised and supported programmes of education.
3. The Ridgeway nursery offers an assessment placement and early intervention provision to pre-school children with SEND. It is beneficial for nursery aged pupils to receive assistance through specialist interventions and for families to access this type of specialist environment at the earliest stage. The early offer from the age of 2 years old means that parents are supported within the maintained specialist education environment and as a result, work with the school and the Local Authority and do not seek placements at expensive NMI schools as an alternative option, when their child reaches statutory school age. This approach is in keeping with the SEND 2020 strategy and is the best outcome for the school and families of SEND pupils.
4. Until July 2015 The Ridgeway School had a shared nursery facility with The Pilgrim's Way School which was a local maintained primary school. Pilgrim's Way School converted to an academy in 2015 and is now called Highfield South Farnham School. Following the academy conversion it was not possible to continue with the shared nursery at the Highfield site and The Ridgeway School no longer had access to the facility.
5. Ordinarily The Ridgeway nursery would provide the equivalent of up to 8 full time places for pupils with SLDD. Dependent on the age of pupils they generally attend for a small number of hours per week building up to 15 hours per week. The number of pupils that will be able to access this provision may therefore be higher than 8 due to the part time nature of programmes. In the academic year 2014-15 on the Highfield site 11 children attended the nursery (6 pupils in the morning and 5 in the afternoon). Since September 2015 the school has been making a very limited offer which has comprised of 6 children (3 in the morning and 3 in the afternoon) on the main school site in a very small room. This space is well below the baseline standards as specified in the Building bulletin 104 published in December 2015.
6. From September 2015 discussions with County Council officers, the Headteacher and Governors have taken place as to the future of the specialist nursery provision at The Ridgeway School. Working in partnership with the local authority, the senior leadership team at the school are fully in agreement with the proposal to develop a nursery on the main site of the school.

7. Due to the constraints of the current school space other sites were considered to identify a potential location for the nursery. Eventually an area of the primary playground has been agreed by the school as a suitable location, which will be a purpose built extension with specialist equipment and additional space for pupils with this high level of need. There are multiple benefits for this approach as utilisation of existing resources will be available to the nursery pupils (such as the sensory room, soft play area and hydrotherapy pool) without having to replicate these on another site.
8. There will be no change to pupil admissions. Pupils will continue to access the school according to the processes that are currently in place for children with an Education Health Care plan or that have been identified as benefitting from early intervention due to their emergent needs and prior to a statutory assessment process starting.

CONSULTATION:

9. The Ridgeway School is registered for pupils from the ages of 2 to 19. The development of the nursery is not a new addition to the school and therefore no formal consultation has been required.
10. No formal process is required regarding the move of location that is less than 2 miles from the original school site. Highfield South Farnham and The Ridgeway School are within a distance of 2 miles from each other.

RISK MANAGEMENT AND IMPLICATIONS:

11. 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. If the nursery was not provided on the school site then there is a risk that SEND resources would not be used as effectively as possible.
12. If the nursery provision is not available there is the risk that pupils and their parents would not have the opportunity to receive very early interventions from a highly specialist school and skilled staff.
13. The risk with not making nursery provision for this age group of pupils is that parents will look to the NMI sector for statutory education for their child resulting in at a much higher per pupil cost.
14. There is a risk of an adverse judgement for any Ofsted inspection as the space being used for nursery pupils is significantly under the baseline standards required. This would have a significant impact on the school, as it is a teaching school and would lose the status to provide this. It would also impact on the Council's local offer and would be less appealing to parents of SEND children.
15. There are risks associated with building projects, a risk register will be compiled and regularly updated. A contingency allowance appropriate to the school has been included within the project budget to mitigate for potential identified risks.

Financial and Value for Money Implications

16. The Capital Expenditure will be met from the SEN capital funding in the Medium Term Financial Plan. The business case for this scheme was considered by the Council's Investment Panel on 19 July 2016, the panel supported the rationale for the project.
17. Non-maintained and Independent School costs for this type of provision are between approximately £55-75,000 per year. The offer of maintained provision from the age of 2 years old means that parents of children with significant and profound needs are supported within the maintained specialist education environment. As a result, parents work with the school and the Local Authority and do not seek placements at expensive NMI schools as an alternative option, when their child reaches statutory school age. This approach is in keeping with the SEND 2020 strategy and is the best outcome for the school and families of SEND pupils

Section 151 Officer Commentary

18. The project at the Ridgeway school is included in the 2016-21 MTFP SEN capital programme. Although not providing additional places, the project will potentially avoid increasing costs through maintaining inclusion in mainstream by working with families. This fits with the SEND 2020 strategy by continuing to maximise resources and improve outcomes.

Legal Implications – Monitoring Officer

Public sector equality duty

19. The public sector equality duty (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. These matters are dealt with in the equalities paragraphs of the report. It was identified that the extension of the Nursery provision at the school will not create any issues that would require the production of an Equality Impact assessment (EIA) as no group with protected characteristics will be adversely affected as a consequence of its approval, or otherwise. The school will be able to offer nursery provision a higher level than it has since the previous shared nursery was discontinued in July 2015.

No Requirement for formal Consultation

20. 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. However in this case the Ridgeway School is registered for pupils from the ages of 2 to 19. The development of the nursery is not a new addition to the school and therefore there is no statutory requirement for consultation in this context as set out in the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.
21. No formal process is required either regarding the move of location where the distance is less than 2 miles from the original school site (School

General Decision-Making

22. In coming to a decision on this issue the Cabinet needs to take account of all relevant matters. The weight to be given to each of the relevant matters is for the Cabinet to decide. Relevant matters in this context will include the statutory requirements (no formal consultation required), the policy considerations, the impacts of the options on service provision, the medium term financial plan, the Council's fiduciary duty, any relevant risks, the results of the consultation and the public sector equality duty.

Fiduciary Duty

23. 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 taxpayers 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.

Best value duty

24. 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.

Equalities and Diversity

25. The extension of the school will not create any issues that would require the production of an Equality Impact Assessment (EIA), as no group with protected characteristics will be adversely affected as a consequence of its approval, or otherwise. The school will be able to offer nursery provision at a higher level than it has since the previous shared nursery facility was discontinued in July 2015.
26. The new building will comply with the Equality Act (EA) regulations.

Safeguarding responsibilities for vulnerable children and adults implications

27. 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 school will continue to apply good practice in the area of safeguarding that it is currently. In addition, safeguarding is a key area for monitoring when Ofsted carries out inspections.

WHAT HAPPENS NEXT:

28. Subject to Cabinet Member approval of the proposal and the capital investment The Ridgeway School will have a purpose built nursery on the main school site from 1 September 2017.
29. If approved, to proceed to complete tenders for the building and subsequent award of a contract under delegated decision.

Contact Officer:

Julie Beckett, School Commissioning Officer, Tel: 01483 518109

Keith Brown, Schools and Programme Manager, Tel: 02085417376

Consulted:

Tony Samuels, Cabinet Associate for the Built Environment

To be sent to the newly elected Member for Farnham South - Waverley after the by election on 18 August 2016.

Julie Fisher, Deputy Chief Executive and Strategic Director for Children, Schools and Families

Paula Chowdhury, Strategic Finance Manager – Business Services

Paula Evans, Local Education Officer for the south west area

The Ridgeway School
