

SURREY COUNTY COUNCIL**LEADER OF THE COUNCIL****DATE: 31 MAY 2017****LEAD OFFICER: JULIE FISHER, DEPUTY CHIEF EXECUTIVE****SUBJECT: PROPOSED AMALGAMATION OF STARHURST AND CHART WOOD SCHOOLS****SUMMARY OF ISSUE:**

Surrey County Council (SCC) has consulted on a proposal to amalgamate Starhurst School in Dorking and Chart Wood School in Merstham from 1 September 2017 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. The Cabinet Member for Schools, Skills and Educational Achievement approved the proposal in June 2016. Following the decision, information was received that challenged the approach to the process used at the time. To remedy the situation, new statutory notices were issued on 8 March 2017, displayed at each school and published in the local newspaper. The notice stated the intent to amalgamate the two schools, via the closure of Starhurst and increasing the pupil numbers to 105 at Chart Wood, and additionally to locate the school on a single site from September 2019 and reduce the number of residential places to 24 when the transfer to the new site is complete.

The Leader of the Council is asked to review the proposal and comments received during the consultation and statutory notice periods as described in the associated Annexes and, on that basis, decide whether to approve the closure of Starhurst School, as an integral element of the proposed amalgamation with Chart Wood School, effective from September 2017.

RECOMMENDATIONS:

It is recommended that the Leader of the Council approves the closure of Starhurst School as part of the proposed amalgamation with Chart Wood School, such that there will be one school for pupils with social, emotional and mental health needs (SEMH) in the south east area of the County from 1 September 2017. The school will move to a new site in Dorking reducing the number of residential places to 24 upon completion of the capital scheme. The decision should be taken in conjunction with the Part 2 Annex to this report, attached as item 6 to this agenda.

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 based on one site in Dorking. Critically it will release the site of Chart Wood in Merstham to allow for delivery of a new mainstream secondary free school.

The Leader is asked to take a decision prior to 6 June 2017 otherwise, in accordance

with statutory processes, the decision will pass to the Schools Adjudicator to make.

<u>DETAILS:</u>

Business Case

1. Starhurst School in Dorking 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. Chart Wood School in Merstham, previously called St Nicholas School, 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 Chart Wood 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 this 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. Both Starhurst and Chart Wood 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.
5. The Ofsted report for St Nicholas School, the predecessor of Chart Wood School, from September 2013, rates the school as 'Good', with the behaviour and safety of pupils and the overall effectiveness of the residential provision both rated as 'Outstanding'. In particular, this report noted that "the headteacher is an exceptional leader who is constantly looking at ways to improve the well-being of students. He is very well supported by strong senior leaders and by the effective governing body. Senior leaders are highly visible about the school and are seen as very supportive by staff and students. The residential facility is very well managed. A highly effective head of boarding ensures the residential provision is an integral part of the school." Delivery of a new, purpose-built facility for the newly amalgamated provision will enable the school to build upon these strengths and to continue to provide positive outcomes for SEMH pupils into the future.
6. Rationalising the arrangements to create one school would combine good practice from each and augment the cohesiveness of the school community.

Additionally, the larger, integrated school model allows for economies of scale to be implemented that would make the school more financially sustainable in the longer term. Consolidating the school's operation on a single site will enable the elimination of cost duplication, with resources being deployed to maximum effect in terms of outcome realisation. In particular, a purpose built single building will be more efficient in terms of utilities expenditure, which will equate to significant revenue savings moving forward.

7. In order to provide for this rationalisation of provision, it is proposed to locate an entirely new, purpose-built building on Starhurst's Dorking site. The new Chart Wood School will provide key stage two and secondary school places for 105 pupils with SEMH special educational needs, as well as residential accommodation for 24 pupils who will board during the week. The proposed scheme is comprised of two wings linked by a central space which accommodates the main entrance, gymnasium and library space. The arrangement of the accommodation ensures that there is a discrete separation between educational facilities and the more homely environment of the residential provision.
8. This proposal links with a basic need for school places in the Reigate and Redhill planning area. The current Chart Wood site in Merstham will be released to enable the establishment of a free secondary and potentially a free primary school the capital for which will be provided by the Education Skills Funding Agency. The capital build for the amalgamated school was approved by the Cabinet in February 2017.
9. Significant efficiencies will be achieved as a result of providing a new replacement building. The planned maintenance programme for the existing schools suggest a high level of investment to maintain the fabric and services over the coming years at an estimated cost of £1.7m. In addition, as a result of the poor condition of the buildings, a significant sum is being spent annually on reactive revenue maintenance calls, which will be avoided in the future.
10. When the move to a single site in Dorking occurs there will be a reduction to the number of residential beds available from 44 to 24. Whilst this reduction of 20 beds appears to be a significant drop it reflects the current occupancy rates, which in February 2017 were 7 at Starhurst and 17 at Chart Wood.
11. The 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.
12. There will be no change to pupil admissions or the needs of the pupils that currently attend the schools. Appropriate pupils will continue to access the amalgamated school according to the processes that are currently in place for children and young people with an Education Health Care plan. However, with the move to a single site there may be opportunities to rationalise transport arrangements for pupils. From the current cohort of 95 pupils across both sites, 22% live closer to Chart Wood. The remaining 78% pupils live closer to the Starhurst site and would be likely to have reduced travel times as a result of the amalgamation. This may also impact on the number of pupils that require residential provision.

13. 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:

14. 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.
15. 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

16. 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
17. 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.
18. 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.
19. 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.

20. Concerns relating to buildings and moving - this largely mirrored concerns raised relating to pupils and how their needs would be affected 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.
21. The Statutory Notice period ran from 8 March to noon on 6 April 2017 and generated 1 further response to the proposal.
22. The respondent raised issues regarding the pupil numbers at the school and the impact of large busy environments on this particular need of pupils. In response to this point, the Local Authority has worked very closely with the school to identify the maximum number of pupils the school could accommodate, with the agreement reached that 105 would be the optimum number accommodated on a single site. With regard to the development of the new school the aim has been to create an environment that can successfully meet the needs of this cohort of students. The school leadership team has contributed to an effective building solution to accommodate this number of pupils, fully taking into account the requirements of the pupils.

RISK MANAGEMENT AND IMPLICATIONS:

23. 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.
24. 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.
25. There is significant demand for mainstream provision in the Reigate and Redhill area. The release of the Chart Wood site in Merstham will allow this basic need to be met with the Education and Skills Funding Agency investing approximately £26m to establish a new secondary and primary school. If the amalgamation and move to a new site did not happen this basic need would otherwise have to be funded by SCC.

Financial and Value for Money Implications

26. 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. An 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 address the current undersubscription, so that resources can be more effectively used. In extending the planned place numbers at Chart Wood School to 105 this closer reflects the occupancy rates across both schools and will address the undersubscription at Starhurst. Once the move to the new site in Dorking is effected it is anticipated that the school will be operating at full capacity.
27. 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.
28. The amalgamation and relocation of Chart Wood will allow the release of the current Merstham site to the Department for Education for the creation of two new free schools. The capital costs related to developing one maintained special school against having to provide land and capital costs for one mainstream primary and one secondary school offer good value for money.

Section 151 Officer Commentary

29. The capital aspects of this scheme have been considered and are reasonable in the wider context of the all through primary and secondary free school. The revenue analysis and considerations for the new school are still at an early stage, and they need to work towards ensuring Chart Wood is financially viable and sustainable in the future.

Legal Implications – Monitoring Officer

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.
31. The public sector equality duty in Section 149 of the Equality Act 2010 applies to the decision to be made by the Leader 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.
32. An equalities impact assessment has been completed in relation to this decision, as set out in paragraphs 35 - 38, below. In considering this proposal, the Leader must take into account the outcome of the assessment and the actions put in place to mitigate any negative impacts identified

33. 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.
34. This report sets out the consultation process that has taken place and in considering this Report, the Leader 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.
35. The Local Authority as decision maker must determine whether to give approval to the closure of Starhurst School within two months of the end of the representation period or this must be referred to the Schools Adjudicator.

Equalities and Diversity

36. No impacts have been identified as part of 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.
37. For the second phase of the project, relocating to a single site and a reduction of residential spaces a full Equality Impact Assessment (EIA) has been undertaken.
38. In relation to potential negative impacts on pupils identified in the EIA. For pupils with a disability that may experience difficulties with change it is proposed that the school outlines a plan to prepare pupils for the changes that will happen in the future. With regard to the reduction of residential spaces as this reflects current usage no mitigation is required.
39. In relation to the potential negative impact identified regarding the protected characteristic of age of staff the following work will be carried out to ensure that staff are being supported appropriately. Curriculum Vitae support and careers counselling will be provided. Staff will be entitled to redeployment and will be supported through this process. All staff over 55 who are made redundant will be entitled to early release of their pension should they be unsuccessful with redeployment. In respect of the potential negative impact of staff identified as having the protected characteristic related to pregnancy and maternity, actions include raising future changes as appropriate during maternity periods through keeping in touch opportunities.

Safeguarding responsibilities for vulnerable children and adults implications

40. 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 practices that the two individual schools are currently. In addition, safeguarding is a key area for monitoring when Ofsted carries out inspections.

WHAT HAPPENS NEXT:

41. Subject to the Leader of the Council approval of the Statutory Notice, the proposal will be determined and Starhurst and Chart Wood Schools will amalgamate to form one school for pupils with SEMH, across two separate sites from 1 September 2017 for 105 pupils. The amalgamated school will be located on a single site in Dorking from September 2019 and when this happens the number of residential places for pupils will reduce to 24.

Contact Officer:

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Consulted:

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

Annexes:

Annex 1 - Statutory Proposal March 2017: Closure of Starhurst School
 Annex 2 - Proposal for Prescribed Alterations March 2017

Sources/background papers:

School Organisation Consultation paper: Proposal to amalgamate Starhurst and St Nicholas Schools 2016
 Amalgamation consultation outcomes 14 March 2016
 Surrey County Council Cabinet paper 28 February 2017 Chart Wood School Dorking, Proposed Rationalisation onto one site
 Surrey County Council Cabinet Member Schools, Skills and Educational Achievement Paper June 2016 Amalgamation of Starhurst and St Nicholas Schools
 Equality Impact Assessment April 2016