

CABINET 4 JUNE 2018

CONSULTATION ON THE CLOSURE OF NORTHFIELD SCHOOL

Report by Director of Children's Services

Introduction

1. The County Council is seeking Cabinet approval to consult on the future of Northfield Special School, pending the outcome of the Special Educational Needs & Disability Review (SEND Review)*. The consultation will seek views on the future of the school based on two options, prior to any decisions being taken. In summary, the options will be to (Option A) close the Northfield School, placing current students in alternate and more suitable provision, pending the outcome of the SEND Review or (Option B) to continue to operate Northfield School as is, pending the outcome of the SEND Review.

Background

2. Northfield Special School, in Blackbird Leys estate of Oxford, is one of 14 special schools across the County. It is a local authority maintained school which provides places for 76 boys (currently 71 on roll) with social, emotional and mental health difficulties (including autistic spectrum disorders).
3. Northfield has been operational since 1998, but over recent years, has been faced with a number of challenges, culminating in an unsuitable setting now deemed not fit for purpose.
4. The challenges the school faces are diverse, and although the Council has been actively working with the school to intervene and improve, the option to consult the public on closure now needs determining.
5. The reasons the school is deemed unfit for purpose include:
 - (a) The accommodation and school site are not designed to meet the needs of pupils with social, emotional and mental health difficulties (ie it was not purpose built to meet the educational needs of the cohort)
 - (b) The building is in a dilapidated state (the school site has been maintained by Carillion, a contract in which OCC had negotiated early release due to poor performance) and the main building has consequently been closed due to health and safety issues.
 - (c) The school is currently operating out of temporary accommodation split over two sites (years 10 and 11 are currently using several portacabins on site and years 6 to 9 have been temporarily relocated to Hill End Centre in Farmoor (near Oxford)).

- (d) The school has had difficulties attracting and retaining quality school leaders
 - (e) The attendance and attainment of pupils does not meet the Council's expectations
 - (f) The setting is not meeting the needs of the pupils' Education, Health and Care Plans.
6. The Director of Children's Services has commissioned a comprehensive review of Special Educational Needs and Disability provision and sufficiency. This review is due to conclude late Summer 2018. The anticipated benefits of this review are:
- (a) Increased special school capacity to meet children's needs locally.
 - (b) Improved and developed inclusive practice for vulnerable learners, including those with SEND, therefore delivering robust demand management through improved attendance and attainment, reduced exclusions and children missing out on education, with the expectation that these initiatives support a future reduction of looked after children (LAC) requirements
 - (c) Enhanced data modelling and intuitive business intelligence to support decision making and forecasting.
 - (d) Improved parental satisfaction of Education, Health and Care Plans.
 - (e) Improved Outcomes for SEND learners
7. Additionally, the Council is also undertaking a 'Learner Engagement' review, which includes the development of an 'inclusion' strategy, in partnership with key stakeholders (schools). This strategy will articulate how schools can embrace an inclusive agenda (rather than exclusion) – it is anticipated that the strategy will state key priorities such as:
- (a) Support will be available for schools to develop provision to meet the needs of pupils with Social, Emotional and Mental Health issues and complex needs and those presenting with challenging behaviour.
 - (b) We recognise the need to develop alternative provision to ensure pupils can stay in their locality and reduce the distance pupils are travelling to receive additional support.
 - (c) Improve outcomes, including attainment, for young people presenting with challenging behaviour and those with Social, Emotional and Mental Health needs.

Key Issues

8. The Council are wanting to engage with the public to help inform a decision on the future of the Northfield School. There are two options, either close the school or to keep it open. Both of these options have cost implications and risks (outlined in paragraph 24 'Financial and Staff Implications').

9. If the option to close is determined, the current pupils of Northfield school can be better accommodated at other special schools (using a combination of other local authority schools and private settings). The Director of Children's Services would work with other provider and parents to ensure the most suitable settings to best meet the individual needs of the pupils. Dispersing the pupils to other schools would allow for the closure of Northfield School whilst the Council considers future provision.
10. The outcome of the two reviews (as noted above at paragraphs 7 and 8 being undertaken by the Director of Children's services will inform future provision and sufficiency of places for all special educational needs, social, emotional and mental health needs pupils across the County (including students of Northfield School). It is expected that these reviews will create opportunities to provide more purposeful and better quality co-educational facilities in the future. As the reviews are ongoing, it is premature to determine the outcome; therefore the Council is unable to suggest medium/long term solutions at this stage.
11. All decisions related to school closures are taken locally, following a statutory process of engagement to ensure those directly affected by the proposals are able to input into the decision making.
12. The Department for Education's 'Statutory guidance for decision-makers on "Opening and closing local authority maintained schools" (April 2016) sets out the required process, and is supported by the associated "Statutory guidance for decision-makers deciding prescribed alteration and establishment and discontinuance proposals" (April 2016). The relevant legislative basis for this guidance is Part 2 and Schedule 2 of the *Education and Inspections Act (EIA) 2006* as amended by the *Education Act (EA) 2011* and *The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013*.
13. The statutory process for closing a maintained school has five stages:

Stage 1	Consultation	No prescribed timescale	Informal / pre-consultation Recommended to last a minimum of 6 weeks. School holidays should be taken into consideration and avoided where possible. Likely to be no longer than 12 months.
Stage 2	Publication		Publication of the statutory notice and proposal.
Stage 3	Representation	4 weeks from date of publication	Formal consultation. As prescribed in the Establishment and Discontinuance of Schools Regulations and cannot be shortened or lengthened.
Stage 4	Decision	LA should decide a proposal within 2 months of the end of the representation	Where permitted, appeals must be made within 4 weeks of notification of the decision.

		period, otherwise it will fall to the Schools Adjudicator	
Stage 5	Implementation	No prescribed timescale	However, the date must be as specified in the published notice, subject to any modifications agreed by the decision-maker.

14. In order to provide educational continuity, it is proposed that the statutory process is followed against the following timeline:
- (a) Stage 1 'Consultation' 6 weeks in June/July 2018
 - (b) Stage 2 'Publication' July, at special Cabinet
 - (c) Stage 3 'Representation' 4 weeks July/August
 - (d) Stage 4 'Decision' September Cabinet
 - (e) Stage 5 'Implementation' 31st December

Financial and Staff Implications

15. Northfield school is currently funded for 76 places with an overall budget of £1.471m. However, the school is currently running with a budget deficit and additional costs for some current learning provision at Hill End. The current cost is £1.637m.
16. SEND provision, including Northfield School, is funded from the High Needs Block of the Dedicated Schools Grant. The High Needs Block is already under significant pressure, forecasting an estimated overspend of £5m in 2018/19. The High Needs Review (as noted above at paragraph 7) is seeking options to address this, but it is not expected to have any material impact in the current financial year.
17. Any additional costs over and above the existing budget will need to be met from either the High Needs Block or from council funding.
18. The cost of commissioning external provision in the medium term, until alternative approaches to special school arrangements are agreed and implemented following the SEND review, have been assumed to be for the period September 2018 to March 2022.
19. The table below shows the current budget, the cost to commission places (Option A) and the current cost (Option B) over the period referred to above.
20. In respect of Option A, the current assumption is that all 76 places will need to be commissioned. However, it is possible that some pupils can be placed in other local authority special schools, thereby reducing the costs. An estimate has also been made, in respect of redeployment and redundancy costs.
21. The estimated additional costs for 2018/19 are £1.233m for Option A and £0.097m for Option B. If Option A is agreed, following the formal consultation

period in accordance with the virement rules, Cabinet will recommend Council to approve a virement to provide the additional funding.

22. After 2018/19, the additional cost per year of Option A is estimated as £2.510m, for Option B it is £0.339m. Funding for either option will need to be agreed as part of the budget setting process for 2019/20. Given the existing pressures on the High Needs Block, the long-term solution for SEND provision as part of the High Needs Review needs to be agreed and implemented as soon as possible.

		OPTION A	OPTION B
Revenue Costs	Current budget	Alternate suitable provision	Current provision at Northfield
	£'000	£'000	£'000
Yr 1 - 2018/19 (from September)	858	2,269	955
Yr 2 - 2019/20	1,471	3,595	1,584
Yr 3 - 2020/21	1,471	3,216	1,584
Yr 4 - 2021/22	1,471	3,040	1,584
Total cost to 2021/22	5,272	12,120	5,708
Additional cost		6,848	436
Additional cost Yr 1 2018/19		1,233	97
Additional cost p.yr (average) Yr 2 - 4		2,510	339

23. As future placements are unknown at this stage, there is a risk that transport costs could change ie these could be higher or lower than current costs. Furthermore, there is also a risk that some of the savings related to Home to School Transport of £1.2m in the existing Medium Term Financial Plan may not be achieved in full.
24. Capital expenditure will also be required for both options. In relation to Option A, costs are anticipated at £0.1m for the provision of temporary classrooms until December by which time it is anticipated all places will have been commissioned. For Option B, costs of £0.5m - £1.5m are anticipated for remedial Health and Safety works plus the provision of a temporary school structure whilst remedial work is undertaken.

Equalities Implications

25. A full equality impact assessment will be undertaken for either of the options.

RECOMMENDATION

26. **The Cabinet is RECOMMENDED to support a public consultation on the following two options:**
- (a) Close the Northfield School, placing current students in alternate and more suitable provision, pending the outcome of the SEND Review**
 - (b) Continue to operate Northfield School as is, pending the outcome of the SEND Review**

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*The SEND Review is internally referred to as the 'High Needs Block Review