

CABINET MEMBER FOR CHILDREN, EDUCATION & FAMILIES - 5 JANUARY 2015

FINAL REPORT ON THE PROPOSED CLOSURE OF THE HEARING IMPAIRMENT RESOURCE BASE AT RUSH COMMON SCHOOL, ABINGDON

Report by Director for Children's Services

Introduction

1. This report follows a local consultation and a subsequent statutory notice period relating to the county council's proposal to close the Hearing Impairment Resource Base at Rush Common School.
2. The local consultation ran from 23 June 2014 – 20 July 2014. The consultation leaflet is attached at Annex 1 and was circulated to all parents of pupils at the school, county council teams, SEN workers and other groups.
3. The statutory notice (attached at Annex 2) was published by the Local Authority, in the Abingdon Herald on 12 November 2014 and expired following 4 weeks of formal consultation on 10 December 2014. In accordance with legislation the notice was also posted at the school entrances and sent to the local library. A copy of the full proposal (attached at Annex 3) and the notices were sent to the governing body, local councillors, Headteachers and the local Library. They were also made available on the Oxfordshire County Council website.
4. The decision-making power in terms of determining the notice lies with the Cabinet or can be delegated to the Cabinet Member for Children, Education & Families. In meeting as 'decision-maker' the Cabinet or Cabinet Member must have regard to government guidance and statutory timescales otherwise a decision can be referred to the independent Schools' Adjudicator for reconsideration. The decision must be made within 2 months of the close of the notice period; as a consequence, it is necessary for the Chairman of the Council to determine that the decision cannot be subject to 'call-in' as this would, in most cases, prevent a decision being finalised within the required timescale and mean that the Cabinet's role would be negated by referral to the Schools' Adjudicator.

The Proposal

5. The proposal is to formally close the Hearing Impairment Resource Base at Rush Common School. From September 2014 there are no children attending this resource base.

6. Since the introduction of the Newborn Hearing Screening Programme (NHSP) to Oxfordshire in 2001 the confirmation of hearing loss in infants has happened at a much earlier age. This has allowed for earlier intervention, including the provision of new technologies such as digital hearing aids and cochlear implants.
7. These advances have meant that children with severe and profound hearing loss are generally developing much better communication and language skills than previously. This in turn means many more children can attend their local school rather than specialist provision elsewhere. Local provision generally supports the children's wellbeing as they maintain closer links with their community. Where they have siblings they are often able to follow the same educational pathway. A greater number of children and people become familiar with the adjustments needed for children with hearing impairment within the local school and wider community. This has longer term benefits for society, as well as the children with hearing impairment who will meet friends they are familiar with from school at after school clubs and other social activities. The child also avoids what can often be a tiring taxi journey at either end of the school day. Empowering local schools to meet the needs of children with more severe and profound hearing impairment skills up the educational setting to more effectively meet the needs of children with smaller levels of hearing impairment. The expertise of the specialist teachers have greater impact as more schools become 'deaf friendly'.
8. Additionally, the Special Educational Needs Support Services (SENSS) Hearing Impairment Team has developed a strong outreach programme, helping schools and other settings to provide effective learning environments, thus empowering local settings to meet the needs of children and young people with hearing impairment.
9. The proposal has no effect on the Published Admission Number for Rush Common School.
10. Teaching and advisory support from qualified teachers of the deaf will continue to be available in a wide range of local educational provision across south Oxfordshire including home visits, pre-school settings, maintained schools, academies, free schools and colleges. There will be no change to the support provided by the SENSS Hearing Impairment Team for children and young people aged 0-25 years, with all levels of hearing impairment, mild to profound continuing to be supported.
11. Children with hearing impairment at Rush Common School will continue to receive teaching and advisory support, as appropriate, from the SENSS Hearing Impairment Team with no change to their current provision. This will include provision and maintenance of specialist equipment such as radio aids and training to mainstream staff.
12. The demand for places for Oxfordshire children with more severe and profound hearing losses, requiring additional specialist support, has decreased over the period that Rush Common School has hosted a resource base. The school will have no children on roll who need a resource base placement in

September 2014. As such, there is no evidence of a strong parental preference for such provision to be made in a resource base.

13. This continues a trend as the number of pupils attending the resource base at Rush Common School has reduced over recent years:

Academic Year	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
Number pupils in resource base	3	3	4	2	1	1	0

14. There are no children of early years age, currently supported by SENSS (Hearing Impairment Team) in the south area of Oxfordshire that have the level of need that would make them eligible for a resource base placement at Rush Common School. In the event of such children moving in to Oxfordshire, alternative provision can be made either in a local school e.g. Rush Common School if the child was in the catchment area, or in the primary resource base hosted by New Marston Primary School in Oxford.
15. Projections suggest that the resource base at New Marston Primary School will have viable numbers of children with hearing impairment, who meet the admissions criteria for a primary resource base without becoming oversubscribed.
16. One of the functions of a resource base for hearing impaired children is to provide a peer group of children with similar experiences of hearing loss. SENSS anticipates that this will continue to be available at the resource base at New Marston Primary School which is centrally placed within the county in Oxford, whereas it hasn't been available at Rush Common recently.
17. In light of the above, a flexible range of provision and support will continue to be provided in response to the needs of individual pupils and parental preferences in the area. The Local Authority as proposer can demonstrate that the alternative arrangements are likely to lead to improvements in the standard and quality of educational provision for hearing impaired children ("the SEN Improvement Test")

Representations

18. During the earlier local consultation three responses were received. All agreeing with the principles behind the proposed closure of the base. Respondents included an ex-governor and a previous Head of the Service for Children with Sensory Impairment.
19. One respondent raised a concern about potential for future lack of provision but agreed with the principle of closure, given the falling roll. This respondent was replied to by the SENSS team.
20. During the statutory notice period no representations were received.

Legal background

21. The closure of SEN provision is subject to statutory procedures, as set out in “School Organisation: Maintained Schools. Guidance for proposers and decision-makers” (The Guidance) published January 2014. When reaching a decision, Cabinet Member must have regard to The Guidance.
22. In terms of reaching a decision all proposals should be considered on their merits but the following factors should be borne in mind but are not considered to be exhaustive. The Decision Maker should consider the views of all those affected. Details of the consultation should be included in the proposals. The Decision Maker must be satisfied that the consultation meets statutory requirements. If the requirements have not been met, the Decision Maker may judge the proposals to be invalid and should consider whether they can make a decision on the proposals. Alternatively the Decision Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole.

The effect on standards, school improvement and diversity. In making a decision on a proposal to remove SEN provision from a school that is not closing, the decision-maker must be satisfied that the “SEN improvement test” has been met , as set out in sections 39 to 40 of the “School Organisation Maintained Schools, Annex B: Guidance for Decision-makers” (January 2014)

23. **Equal Opportunities, Community Cohesion, Travel and accessibility.** The Decision Maker should consider whether there are any sex, race or disability discrimination issues that arise and whether there is supporting evidence. The Decision Maker needs to consider the accessibility of provision for disadvantaged groups as the provision should not unduly extend journey times or cost.
24. **Need for places.** The Decision Maker should consider whether there is a need for the proposal and should consider the evidence presented for the proposal.
25. **Funding and land.** The Decision Maker should be satisfied that any land, premises and capital required to implement the proposals will be available.

Financial and Staff Implications

26. There will be no financial impact on Rush Common School, as the SENSS support is funded by the Local Authority. The accommodation currently leased by the SENSS team for the operation of the base will in future be available to Rush Common School for daily use in the context of rising primary school pupil numbers across Abingdon.

Equality and Inclusion Implications

27. As set out under the section above headed The Proposal, the proposed closure of the Hearing Impairment Resource Base forms part of strategic changes to the services the Oxfordshire SENSS team are carrying out. The provision required as altered as technological and medical developments have progressed, and therefore the service provided will not remain the same.

