

CABINET – 13 MARCH 2012

PROPOSAL FOR ALTERATION OF LOWER AGE LIMIT AT WOODEATON MANOR SCHOOL

Report by Acting Director for Children, Education & Families

Introduction

1. Woodeaton Manor School is a Special School which provides education for children and young people aged 11 to 18 years old. It is designated as a special school for pupils with behavioural, emotional and social disorders (BESD), but has a particular focus on those with emotional and social difficulties. The vast majority of pupils have autistic spectrum disorders.
2. The school became a Foundation School on 1 April 2008 and this proposal is therefore made by its Governing Body. The premises consist of a number of Grade II and II* listed buildings, which include an 18th century manor house, in extensive private grounds. The pupils live within the boundaries of Oxfordshire though this means that some have to travel quite a distance each day.
3. Woodeaton Manor provides flexible boarding arrangements for up to four nights a week for up to 10 pupils. A team of residential staff takes responsibility for these pupils after the school day until the following morning. The total number of children (October Pupil Census 2011) is 52, as shown below:

Year Group	7	8	9	10	11	12	13
Pupil Number	3	9	6	17	9	5	3

4. There are five statutory stages for a proposal to make a prescribed alteration to a school:
 - i. Consultation;
 - ii. publication of a statutory notice;
 - iii. representation;
 - iv. decision;
 - v. implementation.

This proposal has completed the first consultation stage, and a decision is now sought as to whether to support the Governing Body by approving the publication of a statutory notice.

The Proposal

5. The proposal is by the Governing Body, as Woodeaton Manor School is a Foundation school and is to lower the age range of the school to admit a class of primary age pupils (aged 7 to 11) with the same type of special needs as the existing pupils at the school. The Governing Body hopes that in addressing the particular needs of these children at an earlier age, the scope for quicker educational advancement and better individual outcomes would be improved.
6. The proposal will provide access to appropriately trained staff and to specialist support and advice, so that individual pupils can have the fullest possible opportunities to make progress in their learning and participate in their school and community. This type of specialist support may not otherwise be available to the particular child at a mainstream primary school.
7. More primary school places are needed in Oxfordshire for children with BESD. The current pressure on places can lead to a delay before children receive the specialist care and support that enables them to thrive and achieve their full potential. The proposal is to lower the school's age range to admit a class of six Key Stage 2 primary age children each year starting in 2012.
8. The County Council supports the Governing Body's proposal in terms of creation of additional pupil places to meet Basic Need. In line with the supplementary guidance 'Planning and developing special educational provision' the Council has considered the outcomes of the proposal and considers them as a good fit with the aims of the Every Child Matters framework and the Children & Young People's Plan. The outcomes mean that more children with special educational needs will be able to stay safe in an environment designed for them, enjoy and achieve in their school life, be able to learn to look after themselves appropriately, make a positive contribution to their school community without discrimination, and to the wider community in later life, and give them the best chance to gain economic wellbeing as adults when they leave school.
9. The County Council also recognises that Woodeaton Manor School is very popular in terms of parental preference, being rated Outstanding by Ofsted. Section 9 of the Education Act 1996 places a general duty on local authorities and funding authorities to have regard to the general principle that children are educated in accordance with their parents' wishes, and this proposal's outcomes are in line with this duty.
10. To accommodate the growth in pupil numbers, a modular building designed sympathetically to meet the needs of the children will be installed on the school site, in a location previously occupied by a similar unit some years ago. The six primary age children will receive the bulk of their education in this unit, going to the main school building to use specialist facilities as required. This will ensure that the children settle in to their new environment and feel secure as quickly as possible, with as few distractions as possible, which is extremely important to pupils with autistic spectrum disorders.

11. The proposal is for the number of day pupils to rise to 58, of whom 12 will have access to residential accommodation for four days a week during term time. This arrangement has been provisionally agreed by the Children With SEN Manager, CEF.

Representations

12. During the Stage 1 consultation phase (1 December 2011 – 9 February 2012) a consultation leaflet (Annex 1) was distributed by the Governing Body to parents of children at Woodeaton Manor School, as well as to local councillors, local residents, other special schools and early years providers, libraries and other stakeholders across the county. It was also available on the OCC public website, and was notified to all Headteachers in the OCC Schools News e-newsletter.
13. 28 responses to the consultation were received, one of which was received a day after the consultation had closed. 26 respondents supported the proposal in principle, 1 was undecided, and 1 was opposed to the proposal in principle.
14. The reasons given for supporting the Governing Body's proposal were:
 - Being a larger school will have a positive impact on resources.
 - This is a good school and should be allowed to grow.
 - There is a clear need for primary age BESD pupil places in the county.
 - It will free up mainstream schools to focus on other pupils rather than spend time / resources on managing a BESD child.
15. The concerns raised by respondents are summarised below with a response from officers dealing with the proposed lowering of age range proposal:
 - Concern about sufficient facilities being provided for the additional pupils.

It is proposed that a single prefabricated unit be installed on the site for the primary age pupils' use as their class base. The school intends that they would stay in this classroom exclusively apart from lunch etc. The size of the classroom will comply with relevant guidance for special school areas and has been approved in principle by the governors of the school.
 - Concern about the funding of the expansion of the school.

The capital cost of meeting the accommodation needs arising from this proposal have been fully assessed and would be funded through OCC's Basic Need funding stream for 2012/13. Additional revenue funding will be generated through the usual per-pupil funding arrangements as is the case for the rest of the school. .
 - Concern from one parent of a child already at the school about the effect the change would have on her child, who is easily upset by change due to his special needs.

Janet Johnson, Children with SEN Manager for OCC, has responded to this concern as follows:

“OCC fully appreciates the parent’s concerns about smaller children attending the school. Any change for children with autism needs to be carefully planned and we have every confidence that Woodeaton, a school rated Outstanding by Ofsted, will manage this effectively. The unit will be separate from the main school and will be distinct from the secondary provision. There will be appropriate protection for the primary aged children. Six more children on such a large site will not significantly change the character of the school. There are no current plans to expand further.”

16. As objections in relation to the proposal have been raised, the decision on whether to proceed to support the Governing Body of Woodeaton Manor School by approving publication of a formal statutory proposal is referred to the Cabinet rather than the Cabinet Member for Schools Improvement.

Making a Decision

17. Sections 18 to 24 of the Education & Inspections Act 2006 and The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended) [“the Prescribed Alterations Regulations”] establish the procedures that must be followed when making changes to schools. Local authorities also have a duty to have regard to statutory guidance, in this particular case ‘Making Changes to a Maintained Mainstream School’ (“the Guidance”) which also contains a section relating to SEN provision.
18. The Prescribed Alterations Regulations require proposers to consult interested parties and the Guidance lists these at paragraph 1.3. The Cabinet must be satisfied that the statutory consultation has been properly carried out prior to the publication of the notice. Annex 2 provides details of the Governing Body’s consultation, working collaboratively with the County Council, with interested parties that are required to be consulted with under the Prescribed Alterations Regulations. The period of consultation is not prescribed by legislation, although the Guidance recommends a minimum of 6 weeks. The consultation period was in line with the Guidance having run from 1st December 2011 – 9th February 2012, thereby meeting the six week requirement. The consultation was therefore carried out in accordance with the Prescribed Alterations Regulations.
19. A decision is now required as to whether to support the Governing Body of Woodeaton Manor School by approving publication of formal proposals for this alteration of the lower age range. A statutory notice would be published, followed by a formal representation period of six weeks. The decision-making power in terms of determining the notice will lie with the Cabinet or the Cabinet Member for School Improvement, and a report will be put to Cabinet if representations are received, for a final decision in due course.

Equality and Inclusion Implications

20. Equality Impact Assessment of Oxfordshire's Pupil Place Plan (June 2011) identified that increasing school places at the heart of their communities has a positive impact on equalities through promoting social inclusion and minimising barriers to accessing education. With respect to Woodeaton Manor School, pupils attend from across the county, but are educated alongside their peers, in many cases for the first time becoming part of a school community that understands their needs and knows how to work with each child to achieve their full potential.

Financial and Staff Implications

21. The direct financial implication of this report is the cost of the statutory process recommended, which is planned for and met within the normal CE&F budget provision. There are no significant financial implications or risks at this stage. If the proposal proceeds, following statutory consultation there would be another report to Cabinet in due course seeking a final decision on whether to expand the school.
22. The major financial implications of this proposed expansion are linked to the capital cost to provide suitable and sufficient accommodation for additional children attending the school. The Council's Capital Investment Board (CIB) 18 October 2011 approved funding for the installation of a modular' classroom unit at Woodeaton Manor School. This funding is identified within the County Council's Capital Programme 2011/12–2015/16 (existing demographic pupil provision – basic needs programme). Publication of a statutory proposal to alter the lower age range of the school requires confirmation from the County Council that funds will be made available for the necessary capital costs.
23. There would also be on-costs to the school for additional staff and for increased maintenance requirements. These will need to be funded from the school's delegated School Budget Share, which will increase in proportion to increases in agreed place numbers. The individual cost of an additional place reserved for a pupil with SEN exceeds the per-pupil value of the Dedicated Schools Grant received from DfE, however funds are projected to be available within unallocated DSG to meet this increase in the school budget share.

RECOMMENDATION

The Cabinet is RECOMMENDED to support the Governing Body of Woodeaton Manor School by approving the publication of a statutory notice for the alteration of the lower age limit at Woodeaton Manor School.

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ANNEX 2 FOLLOWS BELOW...

Annex 2: Consultation with interested parties

The Prescribed Alterations Regulations require proposers to consult interested parties and the Guidance lists these at paragraph 1.3. This annex provides details of the County Council's consultation with interested parties that are required to be consulted with under the Prescribed Alterations Regulations.

The governing body of any school which is the subject of proposals (if the LA are publishing proposals)	Consulted through distribution of consultation leaflets and through online consultation (1 st December 2011 – 9 th February 2012).
The LA that maintains the school (if the governing body is publishing the proposals).	n/a
Families of pupils, teachers and other staff at the school.	Through distribution of consultation leaflets (to families via children) and online through OCC website (1 st December 2011 – 9 th February 2012).
Any LA likely to be affected by the proposals, in particular neighbouring authorities where there may be significant cross-border movement of pupils.	The proposals are not judged to affect other local authorities.
The governing bodies, teachers and other staff of any other school that may be affected.	Other Oxfordshire schools consulted through online consultation (1 st December 2011 – 9 th February 2012) and via link in Schools News to all Headteachers. Other Oxfordshire special schools and early years providers were sent consultation leaflets.
Families of any pupils at any other school that may be affected.	Consulted through online consultation (1 st December 2011 – 9 th February 2012) and sent leaflets to main libraries and regional OCC Hubs across the county for display.
Any trade unions who represent staff at the school; and representatives of any trade union of any other staff at schools who may be affected by the proposals.	Consulted through online consultation (1 st December 2011 – 9 th February 2012).
(If proposals involve, or are likely to affect a school which has a particular religious character) the appropriate diocesan authorities or the relevant faith group in relation to the school.	Oxford CE diocese and Birmingham and Portsmouth RC dioceses consulted through online consultation and distribution of consultation leaflets (1 st December 2011 – 9 th February 2012).
The trustees of the school (if any).	n/a
(If the proposals affect the provision of full-time 14-19 education) the Learning and Skills Council	n/a
MPs whose constituencies include the	Local MP sent a copy of the consultation

schools that are the subject of the proposals or whose constituents are likely to be affected by the proposals.	leaflet.
The local district or parish council where the school that is the subject of the proposals is situated.	Local district and county councillors consulted through distribution of consultation leaflets and online consultation. Parish Council Chair is Chair of Governors at Woodeaton and distributed leaflets to local community.
Any other interested party, for example, the Early Years Development and Childcare Partnership (or any local partnership that exists in place of an EYDCP) where proposals affect early years provision, or those who benefit from a contractual arrangement giving them the use of the premises.	Members of the School Organisation Stakeholder Group consulted through online consultation and meetings.