

**Subject: Consideration of Proposals for the Development of Special Schools for Children and Young People with complex SEND/Severe learning Difficulties**

**Cabinet member: Councillor Laura Mayes Cabinet Member for Children, Education and Skills**

**Key Decision: Key**

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### **Executive Summary**

This report sets out proposals to expand capacity in special schools for pupils with complex needs with a £20m investment in a new state of the art Centre of Excellence. It outlines the outcomes of consultation on the options presented to Cabinet in May 2018 and recommends an option to provide a special purpose built school with, well equipped, small classes on a centrally located spacious site in a central location for the north of the county, with separate post 16 provision as part of wider commitment to develop centres of excellence for children and young people with SEND across the county.

The recommendation is that a new school replaces the existing three in Chippenham, Trowbridge and Rowde is based on the current Rowdeford site, with additional new build on adjacent Council owned land. This proposal:

- Enables the Council and its partners to develop a Centre of Excellence for special education needs in a central location for the north of the county to provide outreach and in-reach in professional relationships with mainstream schools, matching a similar role for Exeter House in the south;
- Retains the excellent outdoor facilities at Rowdeford which were valued by the majority of respondents;
- Provides excellent facilities to replace those which are currently overcrowded;
- Offers a futureproof solution which will allow growth beyond the current planned number of 350;
- Avoids concerns about a “super school” covering all SEND designations which is not seen as child-friendly;
- It provides children and young people with a lively community setting
- Ensures future educational provision for current pupils at Rowdeford whose needs cannot be met at present in mainstream education;
- Gives the best non-congested access for travel from both Trowbridge and Chippenham as well as more distant areas and provides a cohesive transport solution which will result in a potential reduction annually of up to £0.25m in travel costs;

- Enables flexible deployment of staff and reduced management costs thereby ensuring that resources are directed to the classroom, and allows flexibility of provision for different needs across a number of buildings;
- Provides the most cost-effective solution both in terms of capital (£20m) and revenue spend.

In addition it is proposed that in parallel to the development in Rowde, action is also taken in partnership with Somerset Rd Education Trust to develop the provision at Exeter House, Salisbury to become a centre of excellence for the south of the county.

## **Proposals**

That having considered the outcome of the consultation and officer analysis, Cabinet:

- i. Approves consultation on the establishment of a new special school with buildings using the existing Rowdeford site and a new build adjacent.
- ii. Approves the issue of a subsequent statutory notice of a proposal to discontinue St Nicholas, Larkrise and Rowdeford Special Schools with effect from 31<sup>st</sup> August 2023 at the latest. The notice also to refer to the opening of a new special school from 1<sup>st</sup> September 2023
- iii. Notes that, in the event of Cabinet approving the issue of a statutory notice, there would be a four-week statutory period for representations on the closure proposals and that a final decision by Cabinet would be required. It is anticipated that this decision will come to Cabinet in March 2019
- iv. Approves a parallel non-statutory consultation on a proposed specification for the new provision, so that the Council can undertake the process of identifying a preferred provider to be recommended to the Secretary of State
- v. Notes and supports the proposal for a parallel programme to create a cross county approach to Post 16 special education, including provision in Chippenham and Trowbridge.
- vi. Notes and supports the proposal for a parallel programme to develop the outreach provision from Exeter House, Salisbury.

## **Reason for Proposals**

Wiltshire Council has a statutory duty to secure sufficient school places and quality provision for all pupils with special education needs (SEND) and to ensure that these places and provision provide both high quality support, education and value for money. The proposals outlined in this report will enable the Council to meet this duty.

Terence Herbert, Corporate Director

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### **Purpose of the Report**

1. The purpose of this report is to:
  - i) Report on the results of the recent consultation on the future of special school provision for pupils with complex needs/severe learning disabilities in Wiltshire
  - ii) Recommend an option to meet the Council's statutory duty to ensure sufficiency, quality and value for money for provision. If agreed, the Council will need to undertake a statutory consultation to close schools
  - iii) Propose a non-statutory consultation on a specification to open a new provision to replace schools which would close.
  - iv) Propose a wider model of support that ensures that all children and young people with SEND, not only those who need a special school, receive a quality education.

### **Relevance to the Council's Business Plan**

2. This work on Wiltshire's Special School provision is relevant to the following Business Plan 2017-2022 priorities:
  - i) Priority: Growing the economy
    - High quality special educational provision in all schools; ensuring that all pupils achieve the best possible outcomes and go on to enjoy the best start to adult life
  - ii) Priority: Strong Communities
    - Focus on delivering the educational provision, in-county, that children and young people with special education needs and/ or disability (SEND) require – the right education provision, at the right time, in the right place
  - iii) Priority: Protecting those who are most vulnerable

- Ensuring that children and young people with SEND can have the best education and support, provided in good quality estate
  - Ensuring that special education provision in Wiltshire is equitably provided, reducing the number of pupils who must travel excessive distances to school
  - Special education provision that is better aligned with other related services (community health services, social care, and mental health for example) to improve access to, and provision of, required support
- iv) Priority: Innovative and effective council
- Doing things differently to ensure that the Council can meet its statutory duties to provide the right education provision in the face of a rising population and growing demand
  - Improving the focus on outcomes for all pupils with SEND

## Background

3. This report follows a number of reports to Cabinet, the most recent of which were in May 2018 and November 2017. Previous reports clearly set out the case for change which includes:
- i) Sufficiency of provision – an additional 220 special school places are needed across the county by 2026, including growth of 50 places for Severe Learning Difficulties (SLD)/Complex Needs in the north. In addition, there is a need to reduce overcrowding in two of the special schools. It is widely accepted that both Larkrise and St Nicholas are accommodating significantly more pupils than appropriate, based upon current DfE guidance.
  - ii) Quality of Provision – the physical condition of two of our special schools (Larkrise and St Nicholas) is not suitable for expansion or long-term provision. Additionally, there is no Outstanding special school provision in Wiltshire and there is an ambition to have a Centre of Excellence in a central location for the north of the County.
  - iii) Pupil Outcomes – there is an ambition to provide *outreach* to mainstream schools from a Centre of Excellence to support the inclusion and improved outcomes of pupils with Moderate Learning Difficulties (MLD). *In-reach* offers similar pupils, based in mainstream, opportunities to learn at a centre of excellence. Additionally, there is a cohort of pupils at Rowdeford whose needs cannot currently be met within mainstream or SLD provision, but thrive in the dedicated provision (see annex 1: Vision).
  - iv) Financial Pressures – both on individual school budgets and on the High Needs Block (the special education funding element of the Local Authority's Dedicated School Grant (DSG) allocated from the DfE for school funding). Over the next three years it is projected

that the current three special schools will have a total budget deficit exceeding £1m. It is also estimated that if the Council does not secure sufficient in-house provision it will spend approximately £9.4m more by 2026 for the projected additional independent special school spaces required as an alternative. This expenditure is estimated to increase to £2.1m annually thereafter. This cost is driven by placing children in independent provision which is significantly more expensive, and because there are very few places, even in independent schools, within easy distance of the county. New placements are, therefore, highly likely to be more expensive residential placements rather than day placements. Such an approach would be contrary to Wiltshire Council's vision that children live and learn in the county. An increased reliance on residential placements would not only place additional financial pressure on the high needs block, translating into costly packages of care as children transition to adult services, but also reduce the likelihood of young people becoming members of their community.

4. In May 2018, Cabinet agreed that officers should consult on the following options:

- i) Option 1 – Create a single new school in the Chippenham, Trowbridge or Devizes area
- ii) Option 2 – Develop 2 schools
- iii) Option 3 – Develop 3 school locations

5. The following principles have underpinned the development of the proposals outlined in the report:

- i) Putting Children and young people first
  - Listening to children and young people and thinking about how the proposals will benefit them now and in the future.
- ii) Quality:
  - Ensure that special school education in the north of the county secures the very best outcomes for children and young people with SEND
  - Provide outstanding provision in a Centre of Excellence (see annex 1).
- iii) Coherence:
  - Ensure special education provision can meet the needs of pupils with increased complexity and co-morbidity of conditions.

- MLD is seen increasingly as an unhelpful term with children with lower level of needs supported within mainstream education. There is, however, a cohort of pupils at Rowdeford whose needs cannot, at present, be met in mainstream or in an SLD/Complex Needs school.
  - The ambition is that pupils with MLD may in the future have their needs met in mainstream education, supported from the Centre of Excellence. Wiltshire is special in that most other Local Authorities do not have this opportunity.
- iv) Environment:
- Ensure that any provision is fit for the future in terms of a learning environment.
  - Provide opportunities for future expansion if needed. Planners have identified that Larkrise and St Nicholas lack space to continue in their current sites and Rowdeford itself currently has space for modest expansion, but can utilise adjacent council-owned land. This might also include establishing residential provision in the future so we do not have to place children requiring specialist provision out of county.
- v) Statutory Duties:
- We have a statutory duty to review and plan sufficiency of special needs provision to ensure placements meet assessed needs.
  - Meet the anticipated growth of 220 places by 2026.
- vi) Value for Money:
- Ensure the financial viability of any future provision: the three current schools are experiencing financial challenges and run the risk of being unviable in their current form in the future.
  - Reduce the financial risk of the Local Authority on the High Needs Block (HNB) by reducing reliance on independent special schools.

## **Main Considerations for the Council**

6. A pre-statutory consultation approved by Cabinet in May took place and ended on the 31<sup>st</sup> July with school meetings for parents, staff, pupils and governors, a dedicated email address, online survey material and correspondence amounting to over 900 responses. The process enabled Wiltshire parents/carers, special school staff and governors, mainstream

schools, and Wiltshire residents as well as key stakeholders (health, parish councils etc) to respond.

7. Appendix 2 provides a detailed analysis of the consultation feedback. Key messages from the consultation were:

- i) Staff are more significant than buildings – the most important factor for respondents is the quality of the staff. 72% of respondents said that special schools must have experienced staff in a warm and caring atmosphere.
- ii) The second most important factor was the ability to develop skills for adult life.
- iii) Size was seen as important – respondents felt it was crucial that spaces felt manageable. Concerns expressed in the consultation were around the anxiety and stress children might feel in a very large “super school” with children with all SEND designations, rather than the idea of one school in itself.
- iv) Support for the Three Ways school<sup>1</sup> (a large “outstanding” special school) in Bath by some parents who would like a similar school in a Wiltshire location.
- v) There was a recognition of overcrowding with the current provision.
- vi) Community matters – 90% of the respondents lived in either Chippenham, Trowbridge or Devizes and 71% of respondents wanted the three-school option (one in each of the town areas).
- vii) Devizes, Rowde was the preferred location if there is a single school. Retaining Rowdeford had the greatest support.
- viii) Good facilities are needed – a number of respondents emphasised the wide range of facilities available; Rowdeford school, particularly has access to outside space
- ix) Travel is a key factor both in environmental terms but also ensuring travel times are no greater and preferably shorter than currently experienced by pupils.

8. Appendix 3 outlines the outcome of the consultation with pupils at Larkrise, St Nicholas and Rowdeford. Key messages were:

- i) Pupils like their school.
- ii) Travel is less of an issue – many stated that they enjoyed travelling to school.
- iii) Space is important – pupils at Larkrise and St Nicholas wanted more space or ‘big schools’.
- iv) Pupils want a family atmosphere, however, there was little apprehension about going to a larger school.

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<sup>1</sup> <https://vimeo.com/125658741> - an inspirational short video about what we could achieve.

9. Appendix 4 provides feedback from providers and stakeholders. Key messages include:

- i) A headteacher of a large outstanding special school (300+ pupils) articulated the advantages of a large school including:
  - Recruitment and retention of staff;
  - Larger staff group with wide range of experience and expertise under one roof;
  - The ability to create zones so that the school does not seem big and noisy.
  
- ii) A SEND consultant (and former head of 400+ pupil special school) who argued that bigger schools are a way of putting money into classrooms as opposed to management.

### **10. Analysis of the Options**

The analysis looks at:

- A single school option
- A two school option
- A Three school option
- Potential sites
- Post 16

### **11. Single School:**

<b>Advantages</b>	<b>Disadvantages</b>
Potential due to size to: <ul style="list-style-type: none"> <li>• Develop a centre of excellence</li> <li>• Attract and retain professionals with a wide range of skills and specialties</li> <li>• Known large schools attract community support and engagement (Three Ways example)</li> </ul>	<ul style="list-style-type: none"> <li>• Least popular option for consultees</li> <li>• Perceived as daunting due to mixed messages about multiple SEND designations</li> <li>• Unfamiliar</li> </ul>
<ul style="list-style-type: none"> <li>• Can address issues of size by creating 'zones' or buildings to meet different needs of pupils</li> <li>• May reduce budget on management and shift more resources to the classroom</li> <li>• Offers potential future expansion</li> <li>• Small class sizes can continue</li> </ul>	<ul style="list-style-type: none"> <li>• Concern about creating a "super" school which would be too big</li> </ul>
Cited examples of effective large special schools such as Three Ways school in Bath and	Parents at Larkrise (Trowbridge) and St Nicholas (Chippenham)



Ysgol Y Deri <sup>2</sup> (Vale of Glamorgan) and The Milestones in Gloucestershire <sup>3</sup> .	each expressed concern about a single location in the other town
Strong community presence that can add value	Concerns about loss of existing community links
Depending on location would be the most cost-effective capital option (£20m for a combination of Rowdeford & new build)	If this were solely a new build for 350+ pupils the estimated cost is £27m (i.e. not the most cost-effective solution)
A cohesive transport solution	Need to re-plan transport routes

Although a single site was not the consultees' preferred option, there are, depending on location, advantages to this model as outlined above. Wholescale new build is not the most efficient option in terms of capital cost, and there were strongly felt arguments through the consultation about not having a 'super' school catering for the full range of needs. The benefits of a single complex needs/SLD school, however, could be achieved through a solution using existing facilities and sensitive siting of facilities across a large overall area.

**12. Two schools (either a single school with split site or 2 schools located in 2 different towns):**

(i) Firstly, a split site model:

<b>Advantages</b>	<b>Disadvantages</b>
A split site may retain the advantages of a large school to: <ul style="list-style-type: none"> <li>• Develop a centre of excellence</li> <li>• Attract professionals with a wide range of skills and specialisations</li> </ul>	Organisational needs of split-site operation
A good community presence that can add value	Concerns about losing existing community links
Reduction in management costs so more resources can be directed to the classroom	Cost of split-site
A cohesive transport solution if the two sites are located close together	<ul style="list-style-type: none"> <li>• More complex than a one site</li> <li>• Depending on location may increase travel times</li> </ul>

<sup>2</sup> <http://fluencycontent2-schoolwebsite.netdna-ssl.com/FileCluster/YsgolYDderi/MainFolder/Prospectus-2016/YYD-Prospectus-2015.pdf>

<sup>3</sup> [https://themilestoneschool.co.uk/files/1915/1015/2754/Prospectus\\_Nov\\_17.pdf](https://themilestoneschool.co.uk/files/1915/1015/2754/Prospectus_Nov_17.pdf)

Can address issues of size by using sites/zones or buildings to meet different needs of pupils	
Offers potential future expansion	
Depending on location and use of existing facilities could be a cost-effective capital option.	

(ii) Secondly, a two-school model:

<b>Advantages</b>	<b>Disadvantages</b>
Some reduction in management costs so more resources can be directed to the classroom (but less benefits realisation than a split site model)	Potentially the most expensive option: a 2-school model requiring 2 new builds will cost in the region of £34.6m
Addresses concerns about a 'super' school being created	Would not have the same advantages of a large school to: <ul style="list-style-type: none"> <li>• Develop a centre of excellence</li> <li>• Attract professionals with a wide range of skills and specialisations</li> </ul>
Potential to locate in major centres with existing schools and community links – Chippenham and Trowbridge	Actual availability of sites for the necessary larger schools constrains this option: no sites at town centres and access/ brownfield development issues  Loss of Rowdeford, the provision best-supported by consultees and offering unique MLD/complex provision
"Spreads" the transport	No cohesive transport solution as the schools would reasonably be too far apart
Two schools of about 175 places would offer some benefits of larger-scale operation	Duplication of specialist resources at two separate schools

If Rowdeford School (150 pupils) were maintained, an additional site could be built adjacent to Rowde Primary School which would be an efficient capital option (estimated £20m). Maintaining a school on the current Rowdeford site was a preferred option for respondents. It has also been suggested that a two-school option could include Rowdeford and a location in Melksham, but no Melksham site is available. The option of two schools with new builds in Trowbridge and Chippenham would be the most expensive capital solution (£34.6m). It is recommended that an option using Rowdeford site should be pursued further owing to the factors outlined above.

### 13. Three Schools:

Advantages	Disadvantages
Option supported by consultees	<ul style="list-style-type: none"> <li>• Existing Chippenham and Trowbridge sites not fit for purpose in the long term.</li> <li>• Minimum capital cost of £24m (assuming Rowdeford retained - the cost of 3 new builds would be considerably higher)</li> </ul>
Would maintain existing community links	<ul style="list-style-type: none"> <li>• No benefits of economies of scale and impact on revenue costs.</li> <li>• Small schools are financially unsustainable</li> <li>• The existing schools are running in-year deficits and long-term are financially unviable. On the current budget plans, the schools would build up a cumulative deficit of £1m which will continue to grow in the next 3 years. (In the event of any closures or forced academy conversions, any deficit would revert to the LA)</li> </ul>
Schools' familiarity commands stakeholder loyalty	<p>Would have none of the quality advantages a large school would bring i.e.</p> <ul style="list-style-type: none"> <li>• Ability to develop a Centre of Excellence</li> <li>• Attract teachers with a wide range of skills and specialisms</li> <li>• Reduce management costs to direct resources to the classroom</li> <li>• Employ in house professionals such as Education Psychologists, rather than contracting-in consultants</li> </ul>
No change in transport times	No cohesive transport solution, and the current difficulties would be retained

As well as the capital cost and continued revenue pressure of maintaining three schools, there are few sustainable advantages to having this model which could not be replicated in other ways. This option is, therefore, not recommended.

## Potential Sites

14. Several site options have been explored. Appendices 5,6 and 7 provide more detail in respect of building and travel options. There are three areas of greatest growth in housing in Chippenham, Trowbridge and Salisbury; however, there is also equivalent if not greater growth in the combined housing across the wider towns in Wiltshire. Therefore, whilst these sites of significant housing growth are important, the chosen sites/site for the centres of Excellence has to be accessible for all communities across the north and the south of the county:

**i) *New build in Chippenham and Trowbridge:***

- This is an expensive option with an estimated capital cost of £34.6m for two new schools. Retention of Rowdeford would reduce those costs
- A site is available in Chippenham next to Abbeyfield school, although it is over 2 miles from the town centre,
- Trowbridge greenfield sites are challenging in planning terms and unlikely to be viable: use of Ashton St would mean a split site, congested access and operation of the school with an on-going building project incurring additional brownfield development costs;
- Significant support in the consultation was given to Rowdeford;
- Professionally there are challenging issues as to where pupils currently educated at Rowdeford could realistically be educated: there is no other MLD/complex provision in Wiltshire;
- Two sites could bring about a potential reduction in travel costs of an estimated £0.1m per annum, but would add to already congested travel routes;
- The distance between two sites in Chippenham and Trowbridge would make sharing staff difficult and therefore this would not have the advantages of a split site with buildings located close to each other.

Owing to the disadvantages of cost, suitable site availability and distance between sites as outlined above, this option is not recommended.

**ii) *Two sites keeping Rowdeford and building a new site by Rowde Primary School:***

- Retention of the Rowdeford School facilities was supported by the majority of consultees;
- Of all the greenfield sites considered, Rowde was preferred by planners;
- Access to both a rural and town based community
- This is a cost-effective solution with capital costs estimated at £20m;
- The close location of both sites would ease sharing of staff;
- The Rowdeford school site offers outdoor facilities and a unique offer for vulnerable MLD/complex pupils;
- Gives best non-congested access for travel from both Trowbridge and Chippenham as well as more distant areas;

- Provides a future proof option as can grow beyond the current 350 planned need;
- It is anticipated that the location of both sites close together will provide a cohesive transport solution which will result in a potential reduction of up to £0.25m in travel costs.

Owing to the advantages of this location, officers recommend that any split site option would need to be around Rowdeford and Rowde

**iii) Two sites – keeping Rowdeford and building a new site in Melksham:**

- Melksham would appear in theory to offer a two-site solution with clear proximity to Trowbridge and Chippenham;
- The distance between Melksham and Rowdeford (approx. 5.5 miles) would make sharing staff between the 2 sites very difficult and would, therefore, cost more in revenue;
- As the sites would be apart there would not be the scale of efficiencies for travel costs as a Rowdeford/Rowde split option;
- There will be issues around increasing transport in a congested traffic area
- There is no suitable site available in Melksham (see Appendix 5 and 6)

This is not a viable option as no suitable site is available.

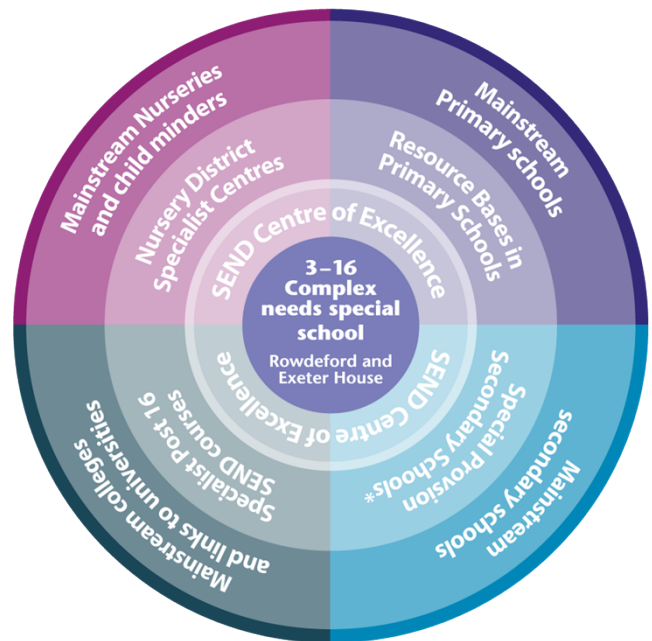
**iv) One site – keeping Rowdeford with new build on adjacent land:**

- This provides all the advantages of (ii) above, without the disadvantage of a split site:
- Retention of the Rowdeford School facilities was supported by the majority of consultees;
- Access to both a rural and town based community
- This is a cost-effective solution with capital costs estimated at £20m;
- The location of adjacent sites would ease sharing of staff;
- The Rowdeford school site offers outdoor facilities and a unique offer for vulnerable MLD/complex pupils;
- Gives best non-congested access for travel from both Trowbridge and Chippenham as well as more distant areas;
- Provides a future proof option as can grow beyond the current 350 planned need;
- Offers some planning challenges, but which it is considered can be overcome
- It is anticipated that the location of will provide a cohesive transport solution which will result in a potential reduction of up to £0.25m in travel costs.

15. Further sites were considered, particularly the Ashton Street site which was given particular support from parents/carers and governors at Larkrise School. Appendices 5 and 6 assess the reasons why these sites were not recommended.

16. In conclusion, officers recommend a Rowdeford-based single school.

This is a cost-effective solution and provides the opportunity to develop a high quality educational environment for our children and young people. That vision is expressed in the graphic here, and in annex 1. The solution also addresses concerns consultees raised about a “super school” by having all the advantages of a larger school but enabling us to establish smaller learning environments across a large site area. Although there were concerns that children would be displaced from their local communities, Appendix 8: *Where Children Live* shows that children come from across the county and often from locations at a distance from where their schools are sited: for example, 58% of children travelling to Larkrise do not live in Trowbridge and 67% of children travelling to St. Nicholas do not live in Chippenham. Rowde is an active community close to Devizes with good bus routes and access to good community facilities. The new school will be able to build on and add to this community potentially with its own café, gardens and community events.



for example, 58% of children travelling to Larkrise do not live in Trowbridge and 67% of children travelling to St. Nicholas do not live in Chippenham. Rowde is an active community close to Devizes with good bus routes and access to good community facilities. The new school will be able to build on and add to this community potentially with its own café, gardens and community events.

### Post 16 Provision

17. The next element of this report puts forward officer views, reflected in the Children’s Select Committee’s recommendations, in respect of separate post-16 provision. It is proposed that the new school would have an age range of 3-16.

18. New post 16 special school provision would allow a focus on Preparing for Adulthood outcomes (employment, independent living, health and community) for young people with SEND. At 16, learners would move to transition hubs close to their own local communities. There would be key hubs in Chippenham and Trowbridge. There could also be the possibility of partnering with Fairfield College in Dilton Marsh to use their facilities, and with Wiltshire and Swindon Colleges and other providers for the same purpose. This would mean less travel for young people and the chance to start building their adult life locally from the age of 16.

19. Wiltshire Council has also built relationships with other outstanding local providers of post-16 education who can support the development of employment, independent living and community curriculum and opportunities.

A number of learners are currently well supported in this way. These providers are engaged for learners directly by the council, or learners may use a personal budget to develop their own support. Wiltshire Employment Support Team (WEST) and Community Connecting Team support curriculum and community opportunities from age 16 and ensure a straightforward supported transition into employment, supported employment, supported internships, apprenticeships and traineeships.

20. Wiltshire Council works in partnership with Wiltshire College, Fairfield College and Swindon College to offer supported internships for young people. The colleges provide a work-focused curriculum with work experience; WEST provides job coaching and arranges working interviews for young people. Wiltshire's track record is successful: nationally, 36% of supported internships result in paid employment, compared with a national average employment rate of just 7% for people with moderate to severe learning difficulties. (These figures include young people who are working for just a few hours a week). The Wiltshire Supported Internship now supports over 50% interns to achieve paid employment, well above the national average. In Wiltshire this is meaningful, sustainable paid employment of 16 hours or more per week.

21. It is therefore proposed to extend this post-16 policy which would:

- a. Build on the success of the current arrangements
- b. Utilise under-used facilities and LA funded places at Wiltshire College sites
- c. Address concerns of consultees that young people have the opportunity to develop the skills to prepare for adulthood within the communities close to where they live not just in the locality of their school.

22. The development of Post 16 education along with the development of Centre of Excellence with outreach work by Rowdeford are critical factors to the successful outcomes not only of this plan but for Wiltshire's SEND children and the future. The Local Authority will work intensively with partners and stakeholders to deliver this vision.

### **Next Steps**

23. If the recommended option to have a 3-16 school based at Rowdeford is agreed in due course, this would result in the closure of the three existing schools - a decision for the Local Authority which maintains those schools. A parallel process of establishing a new school, which by law must be an academy, would need to take place. Appendix 9 outlines in more detail the next steps and statutory guidance for closures.

24. In order to close the three schools by 31<sup>st</sup> August 2023 and open a new school with a split site by 1<sup>st</sup> September 2023 we would need to:
- i. Publish a statutory notice proposing closures and explaining proposals for future provision;
  - ii. Undertake a statutory consultation about the proposals in the notice;
  - iii. Bring a paper back to cabinet (March 2019) for final decision;
  - iv. Undertake a non-statutory consultation on the specification for the new provision;
  - v. Put in place a transition plan for implementation to ensure the successful transition of all pupils from the closed schools. The new school would meet the full range of needs seen at the existing schools with the addition of more places for more complex needs
  - vi. Develop a project plan for the development of post 16 provision across the county
  - vii. Open up conversations with Exeter House to create the parallel 3 – 16 model in the south of the county.

### **Human Resources Implications**

25. These are all Local Authority maintained schools and their staff valued employees of Wiltshire Council. The Council's HR processes would be fully implemented in the respect of this reorganisation to ensure equity of process across the three schools. Staff would be expected to be subject to TUPE transfer to the new school and this would address concerns that there could be a loss of skilled staff who know our children. Further HR implications would be explored more fully at the point when a specification for the new provision has been agreed.

### **Overview and scrutiny**

26. There has been a scrutiny group running alongside the development of the proposals which reported at the last cabinet meeting in May 2018.

### **Safeguarding Implications**

27. There are no anticipated safeguarding issues arising from this proposal. Special school pupils are vulnerable and this proposal seeks to enable better co-ordinated and consistent approaches to their support.

### **Public Health Implications**

28. The provision of education, especially in a SEND context, positively contributes to population health and wellbeing. Access to education plays a vital role in providing the foundations needed to ensure that pupils have the best start in life, given them the ability to learning and understand about health and wellbeing and have the opportunity to live healthier lives.



## **Procurement Implications**

29. None at this stage: the potential, subject to due process and procurement regulations, would be for building contracts, which would be let according to the Council's policies, and also a recommendation to the Secretary of State for a strategic partnership as a sponsor for a new school. Consideration has been given to the potential advantage of a strategic partnership with a commercial developer in a building project, but any such advantage is seen to be negligible in terms of the interests for which the Council is responsible.

## **Environment and Climate Change Considerations**

30. Any new build would be subject to planning, design and building regulations consistent with addressing these factors. There would be a reduced number of buildings, using up-to-date designs and technologies, therefore with lower energy consumption and carbon emissions.

## **Risks that may arise if the proposed decision and related work is not taken**

31. The risk of not taking action is that revenue costs of having to place pupils in independent special schools would significantly increase, consistent with the explanation in the financial analyses in this report.
32. As noted by the Children's Select Committee Task group, there is also the need to act swiftly as possible. There are many families whose wellbeing over the next few years will be dependent upon timely decision making. The Local Authority has worked carefully over the past three years to ensure that the right solution is arrived at and no possible solution is missed or misunderstood, but is also mindful of how delay impacts on family life and wellbeing.

## **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

33. Risks include the possibilities of delay in a major building project, problems with staff transferring to a new location and legal challenge to decision making. A programme management approach will be taken with appropriate resources allocated, risk management strategies embedded and co-production at the centre.

## **Equalities Impact of the Proposal**

34. The proposal supports the establishment of better provision for children and young people with special educational needs. An equalities impact assessment was completed as part of the earlier cabinet reports in November 2017.

## **Financial Implications**

35. The implications of this proposal affect three elements of the Council's financial plans. These are: capital programme; Dedicated Schools Grant; General Fund budget.

36. One of the primary drivers for the review of special school provision was the increasing financial cost of out of county provision at independent schools. The entire review, covering the county as a whole, is planned to provide an additional 220 funded pupil places reflecting pupil growth of that number. This report contributes 50 of those 220 additional funded places, but also addresses the existing shortfall in physical built space because Larkrise and St Nicholas accommodation constrains admissions leading to pressure for out-of-county placements.

### Capital Programme

37. The estimated capital costs (building cost) of each option are set out in Appendix 10. Each option allows for: 50 additional places; further places to reduce existing overcrowding and; an improvement in the conditional of school building. The gross costs vary from £20 million to £34.6 million; the net cost, after realising a capital receipt from the resultant surplus sites, ranges from £16 million to £29.6 million. The recommended option has the lowest cost, £20 million (£16 million net).

38. External sources of capital finance are very limited. The council could pursue funding through the free school route but this is already heavily over-subscribed and as such seems a distant possibility. The priority for a Wiltshire free school bid was the new special school in Salisbury planned to provide up to 150 places, addressing pre-existing geographical imbalance with a shortfall of places in the south, and growth in autism. If the proposed Rowdeford-based school was set up as a 'preferred academy' the expectation is that the local authority would have to provide the necessary capital finance.

39. There is no provision in the current capital programme and currently no identified external source of finance. Therefore, the assumption is that the Council will have to borrow to pay for any investment, with the consequence that there will be additional loan repayment costs falling on the revenue budget (see below).

### Dedicated Schools Grant

40. The cost of special schools and out of county placements is met from the high needs block of the dedicated schools grant (DSG). The recent budget monitoring report to the Cabinet makes mention of the increasing difficulty of containing expenditure within the high needs block. This position is not unique to Wiltshire. Looking ahead, the projection of pupil numbers will see a greater strain on DSG and when this is coupled with the 'hardening' of the national funding formula for schools, it is highly likely that any shortfall in the high needs block will spill over into the council's general fund budget.

41. The creation of an additional 50 places should avoid recurrent DSG revenue costs of £2.2 million. The High Needs Block is under significant financial pressure and so the costs avoided would not release budget but would avoid a future overspend.

### General Fund

42. As mentioned above, it would seem that any resource shortfall in the high needs block of DSG will become a call on the general fund. The council's medium term financial plan already forecasts a continuing need to identify means of reducing budget spend, through a combination of income generation and savings in expenditure. The potential impact of increased numbers of pupils with special educational needs is not factored into these forecasts.
43. It is clear that the council needs to act to mitigate the effect of increased pupil numbers. However, because it is likely the council will have to borrow to finance the build costs, this will result in borrowing costs on the general fund. It is not possible to charge these costs against DSG. Based on the preferred option, the borrowing cost that would have to be met in the first full year would be in the order of £0.970 million. Members need to be aware that this is factored into the current medium term financial plan and represents a fixed additional annual cost that will have to be met from savings elsewhere in the council's budget as part of the annual budget setting process.
44. One further implication could be the balances held by the current schools. If a school has surplus balances immediately prior to the point of amalgamation or closure this is transferred for the benefit of the new school. However, if it is deficit balance exists then the amount must be met by the council from its own resources. At 31 March 2018, all schools were in a surplus position but 2 out of the 3 are forecasting in-year deficits in 2018-19. All 3 special schools are projecting in-year deficits for each of the ensuing 4 years, with an overall collective deficit of £1.758M by the end of 2022-23.

### General

45. The council is in a difficult position. Without a change in the planned operation of the high needs block within DSG and an increase nationally in high needs funding, the council needs to plan for additional costs falling on the general fund. This can be mitigated to some extent by the option now proposed, which however will result in debt costs falling on the council. The council does not receive any funding for schools over-and-above DSG and therefore schools-related expenditure now falling on an already stretched general fund budget is an unwelcome additional pressure. The high needs block of the dedicated schools grant funding from the DfE is currently

forecasting an overspend and following the work of a task and finish group (High Needs Working Group) comprising Heads, a Parent Carer representative and Council Officers a report including further proposed mitigations to reduce spending levels will be shared with Schools Forum at their December meeting.

46. There are choices to be made in responding to the consultation. None of these is funded; however, if an option were chosen other than the one now recommended the result would be an even higher level of unfunded costs.

### **Legal Implications**

47. Procedures for closing and opening schools are subject to statutory guidance which is outlined in Appendix 9.

### **Recommendations**

48. The recommended option is that use is made of the existing Rowdeford site with a new build on adjacent Council owned land. This proposal:

- Enables the Council and its partners to develop a Centre of Excellence for special education needs in the north of the county to provide outreach and in-reach in professional relationships with mainstream schools, matching a similar role for Exeter House in the south;
- Retains the excellent outdoor facilities at Rowdeford which were valued by the majority of respondents;
- Provides excellent facilities to replace those which are currently overcrowded;
- Offers a futureproof solution which will allow growth beyond the current planned number of 350;
- Avoids concerns about a “super school” covering all SEND designations which is not seen as child-friendly;
- It provides children and young people with a lively community setting
- Ensures future educational provision for current pupils at Rowdeford whose needs cannot be met at present in mainstream education;
- Gives the best non-congested access for travel from both Trowbridge and Chippenham as well as more distant areas and provides a cohesive transport solution which will result in a potential reduction annually of up to £0.25m in travel costs;
- Enables flexible deployment of staff and reduced management costs thereby ensuring that resources are directed to the classroom, and allows flexibility of provision for different needs across a number of buildings;
- Provides the most cost-effective solution both in terms of capital (£20m) and revenue spend.



49. It is, therefore, proposed that Cabinet:

- Approves the establishment of a new special school with buildings using the existing Rowdeford site and a new build adjacent.
- Approves the issue of a subsequent statutory notice of a proposal to discontinue St Nicholas, Larkrise and Rowdeford Special Schools with effect from 31<sup>st</sup> August 2023 at the latest. The notice also to refer to the opening of a new special school from 1<sup>st</sup> September 2023
- Notes that, in the event of Cabinet approving the issue of a statutory notice, there would be a four-week statutory period for representations on the closure proposals and that a final decision by Cabinet would be required. It is anticipated that this decision will come to Cabinet in March 2019
- Approves a parallel non-statutory consultation on a proposed specification for the new provision, so that the Council can undertake the process of identifying a preferred provider to be recommended to the Secretary of State
- Notes and supports the proposal for a parallel programme to create a cross county approach to Post 16 special education, including provision in Chippenham and Trowbridge.
- Notes and supports the proposal for a parallel programme to develop the outreach provision from Exeter House, Salisbury.