

Wiltshire Council

Cabinet

22 May 2019

**Melissa Loveday – Statement regarding agenda item 6
Specials Schools Consultation**

To Councillor Laura Mayes – Cabinet Member for Children, Education and Skills

Statement

They say words spoken from the heart, enter the heart. And I believe each of you has one, so here goes:

Families are incredibly disappointed to see that officers have simply rehashed their previous one-school proposal, instead of working with them as they stated they would and despite the public outcry against this proposal.

But I am not here today to talk about the frustration and betrayal felt by parent/carers and their families, governors, councillors, education and healthcare professionals. Instead, I would like to outline to you the erroneous nature of this report, its lack of evidence, its serious omissions and lack of due consideration to the proposal put forward by our campaign group, Wiltshire SEND Action.

With these points considered, this report is an unfair representation and does not allow Cabinet members to make an informed decision on the future of special schools.

This report is riddled with errors. For example, in the transport section, it claims that 'on average, journey times would decrease'. Yet, the only 'evidence' given is a graph, which includes figures that state current Rowdeford students travelling to a new school at the same location will save 986 minutes total travel time. This is clearly contradictory and an error; we have asked officers to explain this but with no reply. We have also asked to see the analytics behind the transport routes – are they based on AA route guidance from point A to B? Or do they incorporate multiple stops for children in wheelchairs or on oxygen? Do they include ALL current children, and

not just a random selection, because currently 66% of children at Larkrise use transport, but 100% of these students will have to travel to the one-school site.

This report manipulates facts. It says that currently only 26% of children in the three schools go to school in the communities in which they live. But what definition has been used to calculate 'community'? Is it one-mile within home? Three? Five? I define my own community by where I spend time as a family, and that spans from Calne, Derry Hill to Chippenham. It does not include Rowde, not because it isn't a lovely place, but there is no draw for us to spend time there. But here IS a fact: according to St Nicholas School data, 22 out of 65 students who attend the school live CLOSER to St Nicholas than they do Rowdeford school.

There is a serious omission of key evidence in this report. For example, at the time of writing this statement, there is no reference within the report to the Save St Nicholas Special School petition and the Larkrise school petition. As you may recall, both petitions were submitted and debated by the Full Council on 26 February. At that meeting, we were promised that both school petitions would be included in the consultation and 'a meaningful response given', for which we are still waiting.

These petitions each gathered more 7,500 signatures, the majority of whom are Wiltshire residents, all in support of keeping St Nicholas School in Chippenham and Larkrise School in Trowbridge. This is staggering evidence of just how much these two schools are valued by their communities. Given the fact that Rowdeford's petition to keep its school was included in the report published in November of last year and used as evidence to support the one-school option, this key omission demonstrates a clear bias and predetermination towards the one-school at Rowdeford.

Arguments used within the report are flawed. Continuity of education is used as a reason for amalgamating the three special schools into one, and yet this isn't applied to the mainstream school model. For instance, in my hometown of Calne, we have maintained primary schools ranging from 'Requires Improvement' to 'Good'; meanwhile, a village school just outside Calne has an 'Outstanding' OfSTED rating. If this same rule is applied, why is the Council not closing all of the mainstream primaries in Calne and moving all of the children out of the town into this village school? And surely this would save the council revenue costs due to the economies of scale of one site, which is a key argument the report makes against any other proposal put forward? It is clear that these two points are not reason enough to choose the one-school model as these arguments do not stand when tested.

There is a lack of evidence within the report.

A key factor for any new school proposal to be LEGAL is that it meets the council's Public Sector Equality of Duty (PSED). Unfortunately, all that is included under this section is the guidance set out in law for the council to follow; there is no evidence to show how the council meets these obligations with the one-school recommendation. In fact, by eliminating choice and removing children from schools in what they count as their community, this proposal does not 'advance the equality of opportunity of disabled people'. It does not reduce discrimination, but instead increases it.

Our alternative proposal was not given due consideration. In fact, the proposal put forward by Wiltshire SEND Action only received two paragraphs, with no detail included, which I submitted on behalf of Wiltshire SEND Action during the consultation period and which was omitted. It also lacks any detailed analysis, and is **erroneously** brushed aside as causing increased revenue costs. Furthermore, our proposal was excluded from the scoring criteria in Appendix 14 as it is not listed under the 3-site solutions.

Our proposal is a three-school model: expanding St Nicholas in Chippenham, Larkrise in Trowbridge and Rowdeford in Rowde equally. Now, this might sound like we're just trying to maintain the status quo, but that's not the case! We recognise the crucial need for more specialist spaces, but want to ensure the next generation of children receive the best care and education that we feel our children are receiving. Our fight was not about standing in the way of progress; rather, we felt we had a duty to ensure it was done right, for the sake of all children with special educational needs!

Our proposal outlined a flexible approach to the buildings in Chippenham and Trowbridge. Both schools **need** to grow, especially considering the fact that it's now estimated that 45,000+ new homes need to be built in Wiltshire, the majority of which are earmarked for Chippenham.

With advice from MP Michelle Donelan, we explained that we are not architects so could not propose the most cost-effective sites, nor would we know all of the land/sites Wiltshire Council owns; so we suggested to officers keeping the current buildings as primary settings and adding a second site for secondary/post 16 in each town, OR building a new school each for St Nicholas and Larkrise (and selling off the old buildings to offset costs), whichever was most cost effective for the capital costs.

We also wanted to meet officers halfway by recognising the space to expand at Rowdeford and the idea of creating a Centre of Excellence, by making Rowdeford a central hub, for both administrative and external services. Travelling to Rowdeford for a paediatric appointment once every few months is much more manageable than

travelling there every day for those parents who don't drive or work, making this location difficult to access.

Expanding all three sites would allow each school to continue doing what each does best, and give families CHOICE, across locations, designations and between rural and urban settings, based on whatever their individual child needs.

Our proposal was disregarded based on incorrect facts. The report states, briefly, that the build costs for our 3-site model would be £28 million, which officers told us wasn't 'outside the realms of possibility'. This capital cost is also significantly less than the £32 million now estimated for the one-site model (see page 17, Appendix 14).

The ONLY REASON given for why our proposal wouldn't work was because it would increase revenue costs. However, we proposed that the three schools form a multi-academy trust, run by an executive head, which would incur NO REVENUE COSTS TO THE LOCAL AUTHORITY as the money for this would come directly from the Department for Education and be the responsibility of the MAT to manage.

We know forming a MAT is not a popular idea, and members of Wiltshire SEND Action are dubious of academy status, no matter its form. But we felt we needed to focus on what was best for children, and that it was an agreeable way to work with officers to demonstrate that we understood that tough decisions on costs needed to be made. We felt that by centralising the ICT team, bursar, catering services, etc, it would create economies of scale and provide increased buying power. Yet, none of this was included within their report. And the fact remains that by forming a MAT, there would be no revenue costs for the council. So the ONLY argument against our model is false.

Our proposal in Appendix 13 clearly sets out how it would provide sufficiency of provision, with a near-equal split across the three schools, and NOT with a majority based in Chippenham as the report incorrectly states.

Our proposal would provide quality of provision as transport times would be reduced with fewer children having to travel cross-county to get to one central location. Children would arrive at school fresh and ready for learning, rather than exhausted before the school day even began. This would also reduce the risks placed on children with medical conditions as they could attend schools closer to acute medical centres.

As addressed above, our proposal would ease financial pressures on the council with its ever-squeezed budget. We also proposed amending Section 106, to change the legal agreement between applicants seeking planning permission and Wiltshire Council to include a 'Special Schools Levy'; this would ensure county-wide housing development mitigates against their impact on infrastructure by contributing a certain percentage towards the ongoing costs of specialist provision in strategic areas, which should be ringfenced, and reflect the increase in need. We understand that currently CIL applied to planning permissions only contributes towards mainstream schools, not towards specialist provision; many towns have adopted their own Neighbourhood Plans, which incorporate an increase of CIL. This information, sent during the consultation period and which should have been included in the original report, was only added as an addendum after I requested it.

Finally, outcomes would be improved with our proposal as resource bases would come under the reach of specialist schools, as would in-reach/out-reach programmes from the central hub of the Centre of Excellence. But more importantly, as a multitude of research shows, children could receive a more inclusive education by remaining in their own communities.

Community is more than something that happens at the weekends. **Ensuring the best outcomes for our children is completely entwined with community and social inclusion.** Enabling them to reach their full potential is dependant upon them having the opportunities to explore, engage with and be valued in their own community **as part of their curriculum.** We may not have a fully inclusive education system, but this as close as we can get. So yes, while parents across all three schools just want the best provision possible for their children, community inclusion is a huge part of quality provision, and should be equally weighted as high-tech equipment, specially designed facilities, and magical woodlands.

So let's see: our proposal is cheaper than the one-site model, on both capital and revenue costs, it meets all of the council's criteria, it allows families choice and it keeps children in their communities, while also offering a flexible approach should their needs change. So I have to ask: why hasn't our proposal been given due consideration??

These facts, coupled with the additional fact that 55% of respondents STILL opposed the one-school option during the last consultation, begs the question:

WHY IS THE ONE-SCHOOL MODEL BEING RECOMMENDED AT ALL?

We have seen MPs speak against the one-school model in Parliament, we have seen heavy media coverage, across local radio, TV and newspapers, with many members of the public writing in to voice their opposition to the closures of the three schools and the ongoing expense a mega institution incurs unless kept full when children may otherwise be better served elsewhere. We have seen the process of consultation legally challenged, financially supported in part by crowdfunding from the communities and local businesses (which demonstrates their commitment to the two schools). The Council's own Scrutiny Task Group originally recommended against amalgamating special schools, and its recent report of 5 March shows they still have serious misgivings, especially relating to transport.

WHY HAS THE COUNCIL CONTINUED TO IGNORE WHAT THE PUBLIC WANTS?

Next steps for Wiltshire SEND Action

Parents are now within their rights to explore all options, and we will help them do just that. Our next steps at Wiltshire SEND Action will be to seek further legal advice, guide parents towards how to apply for personal budgets and home educating, to changing EHCPs and challenging them at tribunal; these are things that parents have told us they would look into. Parents and families may also explore setting up their own free schools. And of course, we will continue to put slow and steady pressure on Wiltshire Council, from officers to Cabinet members, to town and county councillors, for as long as it takes until they agree to collaborate with stakeholders.

Together we could do something remarkable and innovative, something that the rest of the country looks to as leading the way for specialist education, utilising the knowledge and experience of parent/carers, families, governors, education and healthcare professionals. But you can't do this without getting the public on side, and based on this report, it feels as if we are being treated with contempt.

I could speak all day about the errors, the contradictions, the omissions, the lack of evidence, and the he-said-she-said type of arguing that has taken place within this report, but I hope the examples I have shared (and there are plenty more!) give you a clear indication that this report is an unfair representation and does not allow Cabinet members to make an informed decision on the future of special schools at this time. Please don't rush a decision through whose price will be paid for by the

most vulnerable children in our county for the rest of their lives. Consider what I have said and consider if you have all the facts.

Your sincerely,

Melissa Loveday

Question 1

1 a How many children are currently able to walk (or be pushed in a wheelchair/pushchair) to school? 1. b How many children will be able to walk (or be pushed in a wheelchair/pushchair) to Rowdeford? If the answer to 1b is fewer than 1a, how does this mitigate against Wiltshire Council's environmental impact?

Response

At the moment there are 30 children who do not use the transport arranged by Wiltshire Council. It is acknowledged that a similar number may join transport in the future if the recommended proposal is accepted. In regards to Environmental impact, overall the proposal to move all the children to Rowdeford reduces the time in transport by a projected 1368 minutes.

Question 2

Does the data on pupil travel times include children who are currently not using transport but will be forced to in order to get to Rowdeford? For instance, 100% of children at Larkrise will have to get passenger transport in order to attend school (as opposed to XX% currently). 2.b How can Rowdeford students reduce travel times by 986 minutes with a new school at Rowdeford? Surely this is an error as the school is in the same location?

Response

Yes. 2.b – the reason for the reduced travel time is because of new routes which enable efficiencies related to pick-up coordination, reduced urban travel and rationalising the routes to one destination.

Question 3

What analytics have been used to come up with the transport data? If it only uses a sample of current students, surely this is flawed as it doesn't account for those not currently using transport but who will if their only school option changes location?

Response

Please refer to Section 7 (ii) of the report and Appendix 9.

Question 4

Will the Council publish how parents can apply for a personal budget in order to home educate (including but not limited to parents who don't drive as there is no public transport to Rowde)?

Response

This information is supplied on Wiltshire's Local Offer website:
<https://www.wiltshirelocaloffer.org.uk/personal-budgets/>

Question 5

What will the Council do in light of some parents discussing setting up their own free school? Will this affect the budget for the new school?

Response

The council is supportive of all endeavours to enhance SEND provision. This will not affect the budget for the new school.

Question 6

Was David Paice appointed as the Head of Special School Transformation, the role which was advertised in February 2019? And as part of his job description, he is responsible for closing the three special schools, correct? Despite him being appointed during the pre-publication consultation stage? How does this not show pre-determination on the council's part to close the three schools?

Response

David was brought in to provide additional capacity to the team working on the project. David is not appointed to a substantive role

Question 7

How can a Centre of Excellence be the case when it's not the centre of anything, but an insular bubble all on its own?

Response

Please see our Vision document (Appendix 1) which lays out the aspirations for all children with SEND through the Centre of Excellence.

Question 8

How does the Council think they can brush aside all arguments against a one-school proposal by simply refuting them, without evidence to back this up? For instance, the Highways Agency said that a right-hand turn lane would be needed for a 350+ school at Rowdeford, and the council simply says essentially 'no it won't'.

Response

A detailed analysis of 15 sites and subsequent options appraisal was taken forward resulting in the Cabinet report and the 16 appendices.

Question 9

As asked at the Cabinet meeting in November, how can a one-site rural school promote community inclusion in a child's own community (not necessarily their hometown/village)? The answer via WPCC website stated previously that this would be down to the new academy. Considering the new proposal is to make the new school a maintained one, how does the LA plan to implement this?

Response

Building and nurturing a supportive school community is essential to ensuring that every child grows up happy, healthy, and curious to learn. Wiltshire Council will always support and encourage inclusive school communities that encourage parents, students, and teachers to come together and give back to the community.

An inclusive school community has a positive school climate, and Wiltshire Council supports the development and implementation of frameworks and policies that help create a safe environment.

Community inclusion involves both school and family enabling the child to experience many different environments and consistent support. Wiltshire Council will continue to support children to engage with their communities.

Question 10

If community engagement and inclusion is to be via bus to a child's own community, how many hours will a child be spending travelling on those days vs their learning time?

Response

For the majority of children their travelling time will be reduced.

Question 11

Will the LA be making all pavements around Rowdeford and the village of Rowde wheelchair accessible? Will they also enforce the accessibility to village shops, pubs, etc? And not just for one student, but for a whole classroom of wheelchair-bound students in order to facilitate access to a community?

Response

Wiltshire Council will ensure that the chosen location supports children and young people to make the most of their environment.

Question 12

Will the Council be removing the public right of way through Rowdeford school land to mitigate against loss or injury to a vulnerable child?

Response

It is envisaged that any plans to develop the site would ensure that safeguarding is paramount.

Question 13

Why is the one-school being pushed when it is clear from the lack of evidence and flaws of this report that it is not the most cost-effective option and not what the majority of people want?

Response

The comprehensive options appraisal and extended pre-publication consultation sought to maximise the opportunity for sufficient places of the right type and scope. The right places and the development of the right organisations rather than a single or multiple site solution.

Question 14

Can you confirm that there will be at least 5 hydrotherapy pools included in the new school proposal, given that there is currently a 1:65 ration between pool and students at St Nick's? And if the answer is yes, how can fixtures and fittings only equate to £1m when one hydrotherapy pool along costs £700,000 (ten years ago), which at a low estimate would equal £3.5m for the pools alone? What other estimates have officers made that are inaccurate?

Response

There is consideration for a hydrotherapy pool. The size and scale will be determined at a next phase of planning.

Question 15

Can someone please explain why Wiltshire SEND Action's proposal won't work? The arguments within the report are inaccurate, using incorrect details, either on purpose or through ineptitude (ie 50 pupils or less at each St Nick's and Larkrise when we proposed 100+ at each expanded school; £12m revenue costs when it should be £0 revenue costs), so can someone please explain WHY HASN'T OUR PROPOSAL BEEN CONSIDERED?? We need an explanation in order to understand why a more expensive, discriminatory proposal is being recommended.

Response

15 proposals were submitted as part of the pre-publication consultation. 7 of these including Wiltshire SEND Action's proposal were taken forward for more detailed consideration. All the proposals had clear merits and elements which were very interesting. On balance, the proposal that scored the highest was not that submitted by Wiltshire SEND Action. The highest scoring proposal is not discriminatory with a comprehensive EIA having been undertaken. Proposals will be considered on Wednesday afresh, taking into account the input received from various contributors.

Question 16

When will we be issued with an apology for the omissions of the two school petitions from the report, seeing as this is key evidence in support of the two schools proposed for closure?

Response

A detailed report including 16 appendices has been submitted for consideration. Reference to the two school petitions has been made and can be found within the supplementary agenda item.

