

Wiltshire Council

Cabinet

16 March 2021

Subject: Special School Transformation Programme Update

Cabinet Member: Cllr Laura Mayes – Cabinet Member for Children, Education and Skills

Key Decision: Non Key

Executive Summary

At a meeting of Cabinet on 19th November 2019, the following decisions were made:

- Approval for the establishment of a new maintained special school with a single leadership team for the existing St Nicholas, Rowdeford and Larkrise schools as soon as possible and no later than 1 September 2021
- Approval for the closure of St Nicholas, Rowdeford and Larkrise school as a related proposal no later than the 31 August 2021
- Approval for expansion on the existing Rowdeford site to accommodate up to 400 pupils as part of the new special school by September 2023
- Recommendation that a new capital budget is included in the Capital Programme 20/21 which will be approved by Full council in February 2020 at the revised level of £33.194 million required to deliver this proposal
- Approval that the sites of St Nicholas and Larkrise stay in use until the new provision is ready, and it is appropriate to consider children/young people transitioning to the new site at Rowdeford
- Authorisation that the Executive Director of Children's Services, after consultation with the Cabinet member for Children, Education and Skills, the Director of Legal, Electoral and Registration Services and Chief Finance Officer/Section 151 Officer takes all necessary steps to implement Cabinet's decision.

Since this meeting there has been significant progress in delivering against these recommendations and the special school transformation programme is well-established.

This report will provide an update to Cabinet on progress and assurance on delivery against key milestones.

Proposal(s)

It is recommended that Cabinet note the update provided in this report.

Reason for Proposal(s)

To update Cabinet on the Special School Transformation programme and progress against key milestones in implementing the recommendations agreed by Cabinet in November 2019.

Terence Herbert
Chief Executive

Wiltshire Council

Cabinet

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Subject: Special School Transformation Programme Update

Cabinet Member: Cllr Laura Mayes – Cabinet Member for Children, Education and Skills

Key Decision: Non Key

Purpose of Report

1. This report will provide an update on the special school transformation programme including progress against key milestones in implementing the recommendations agreed by Cabinet in November 2019.

Relevance to the Council's Business Plan

2. The special school transformation programme of work contributes to a number of the Council's priorities and objectives as laid down in the Business Plan 2017-2022:

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
- Investment in local contractors and business through the build programme via our Main Supply Chain Partners

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
- Developing social enterprise opportunities on the new site and supporting ongoing links between the campuses of the school and their local communities
- Promoting inclusion across our school system and supporting a broader offer that enables education within a mainstream setting where appropriate

iii) Priority: Protecting the 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)
- Promoting and supporting an aspirational curriculum that delivers outstanding teaching and learning and promotes outreach into mainstream provision

iv) Priority: Innovative & Effective

- Creating a system of excellence that will promote inclusion of SEND children and young people in mainstream provision
- Demonstrating an open and inclusive approach; designing the new school together through co-production
- 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

Background

3. **At a meeting of Cabinet on 19th November 2019**, the following decisions were made:

- Approval for the establishment of a new maintained special school with a single leadership team for the existing St Nicholas, Rowdeford and Larkrise schools as soon as possible and no later than 1 September 2021
- Approval for the closure of St Nicholas, Rowdeford and Larkrise school as a related proposal no later than the 31 August 2021
- Approval for expansion on the existing Rowdeford site to accommodate up to 400 pupils as part of the new special school by September 2023
- Recommendation that a new capital budget is included in the Capital Programme 20/21 which will be approved by Full council in February 2020 at the revised level of £33.194 million required to deliver this proposal
- Approval that the sites of St Nicholas and Larkrise stay in use until the new provision is ready, and it is appropriate to consider children/young people transitioning to the new site at Rowdeford
- Authorisation that the Executive Director of Children's Services, after consultation with the Cabinet member for Children, Education and Skills, the Director of Legal, Electoral and Registration Services and Chief Finance Officer/Section 151 Officer takes all necessary steps to implement Cabinet's decision.

That this would be achieved by:

- a. Approving that the Council would present a proposal to the School's Adjudicator to open a new amalgamated maintained special school
- b. Approving that the New School will have primary, secondary and Post 16 provision on the Rowdeford site (early years not to be included due to sufficiency)
- c. Noting and approving the proposal for a parallel programme of work to create a cross county approach to Post 16 special education and transition to independent living
- d. Approving the use of the statutory processes, (under the 'Making Significant Changes (Prescribed Alterations) to Maintained Schools' Guidance November 2018), to consult on the appropriateness of transferring the provision at St Nicholas and Larkrise to the Rowdeford site no later than 12 months before opening all the new provision. This consultation would be determined by:
 - The demand for places forecasted at the time of the consultation
 - The views of current and future stakeholders and particularly children and young people with SEND and their parent carers
 - The wider development of inclusive education for children and young people with SEND living in Wiltshire and the role of the New School within this system.

Main Considerations for the Council

4. Since the proposals were last brought to Cabinet at their meeting in November 2019 there has been significant progress against the recommendations agreed. This paper sets out the key milestones achieved and will update Cabinet on progress to date and key next steps.

Creation of a Single School Across Three Sites

5. Wiltshire Council made a proposal to the Department for Education's Office of the School Adjudicator in January 2020 seeking approval for the closure of the three schools of Larkrise, Rowdeford and St Nicholas, and the related opening of a new amalgamated special school to operate across the three sites.
6. The Office of the School Adjudicator approved these proposals in May 2020, and as a result a Shadow Governing Board was formed from representatives of Larkrise, Rowdeford and St Nicholas Governing Boards to support the implementation of this decision.
7. The Shadow Governing Board, with support from the Head of Special School Transformation, had three key tasks:
 - I. To make preparations for the creation of a new Full Governing Board including an Instrument of Government
 - II. To recruit an Interim Executive Headteacher
 - III. To agree a temporary name for the new single school

8. The Shadow Governing Board met from June to August and during this time approved the new school's Instrument of Government and a temporary school name of North Wiltshire School.
9. An Interim Executive Headteacher was appointed with effect from 1st September 2020, providing additional capacity for transformation and leadership across the three sites.
10. On 1st September 2020 the new North Wiltshire School was created, with Larkrise, Rowdeford and St Nicholas schools having closed on 31st August 2020.
11. The new Full Governing Board was formed and appointed to key posts and committees.
12. Under the leadership of the Interim Executive Headteacher a first-year transformation plan has been developed, the delivery of which is being overseen by the Governing Board. This plan sets out key transformation milestones including forging a single school identity; delivery of high quality teaching and learning; curriculum development; business process transformation; the creation of a single leadership structure; high quality engagement with the schools' community stakeholders; delivery of a strategic financial plan.
13. The Interim Executive Headteacher is working with the Governing Board to ensure that there are appropriate staff structures in place to support transformation. Any changes that are considered would be subject to full consultation with affected staff and recognised unions.
14. A key part of creating a single culture for the new school across its three sites is establishing its identity, including a permanent name, logo and uniform. The first phase of this work has now been completed and the school community including pupils, parents and carers, staff and governors have collectively selected Silverwood School as the permanent name.
15. This name is already in use and the individual sites are now referred to as Trowbridge Campus, Chippenham Campus and Rowde Campus.
16. Work is underway to develop a logo and consideration will be given to a single uniform, in close and careful consultation with the school community.

New Build on the Rowde Site

17. In June 2020 Willmott Dixon were appointed as the Council's Main Construction Partner for the new build project at the Rowde site. There was some impact due to COVID on the timescales in appointing Willmott Dixon, and this has consequently impacted on timescales for some activities such as co-design and visits to other schools. These would otherwise have taken place between Easter and the summer holidays, and as outlined in this paper have now taken place in the autumn term. Officers are working with Willmott Dixon to mitigate the impact of this on the delivery of the build as much as possible and will continue to monitor closely. Notwithstanding this the programme is forecast to complete within the original timeframe by 2023 delivering key benefits across the system.
18. Since June Willmott Dixon and their partners have been working to survey the Rowde site as well as visiting the other two school sites and meeting with staff in order to understand the needs of pupils across the entire school.
19. From September to November 2020 a programme of co-production workshops was delivered in order to in order to develop the designs for the new build in partnership with parents, carers, staff and governors. This has enabled stakeholders to work directly with Willmott Dixon's architects in order to shape the design from the 'ground up'.
20. Over a series of five workshops more than 50 attendees considered key topics including:
 - Where we are now – a day in the life of our school
 - Where we would like to be
 - Health, wellbeing and creativity
 - Bringing the outside in
21. Workshops have been well-supported by the schools' communities with strong attendance from parents, staff and governors, as well as representatives from the CCG, Wiltshire Parent Council, and the Rowdeford Charity Trust.
22. There was good attendance from across all three sites, although the largest proportion of attendees were primarily linked to the Rowde site.
23. In order to enable the widest possible engagement a design survey was also circulated to all families linked to all three sites and all school staff. This was also well-supported by 107 respondents who gave their views on a range of topics that had been covered in the workshops.
24. The common themes that emerged from the workshops highlighted the need for the new build to incorporate:
 - Flexible and accessible spaces
 - Good storage provision
 - Wide corridors

- Flexible dining areas
 - Natural building materials and lots of natural light
 - A homely non-clinical feel
 - Support for good links between school and community
 - Preservation of the landscape and making the most of outside space
25. It is a key principle that pupils should be meaningfully involved throughout the entire transformation programme, and this includes in shaping the development of the build design. The school was instrumental in supporting this work and having designed an agreed approach together with the Head of Special School Transformation, staff undertook co-design work with pupils from across the three sites to shape what should be included in the new build. Pupils shared their views in writing and via a video. This was shared with other stakeholders as a key part of one of the co-production workshops and is being incorporated from the outset in Willmott Dixon and their partners' design work. Important points from the pupils were:
- They value much about the existing sites including spending time with their friends and their teachers and teaching assistants. Particular interests are sport, art and music, and they value hydrotherapy and sensory spaces.
 - They would like more opportunities for sport, music and sensory as well as great play facilities. They would like to see a site that taps into the natural surroundings including the farm area with animals and natural play areas.
26. Engagement with the local community has also been vital from the outset in developing proposals for the new build. A community engagement event was held in November via a webinar format with 23 attendees including local residents and parish councillors. Attendees received a presentation from the programme team including, the Interim Executive Headteacher, Willmott Dixon and AHR Architects who shared an outline of the unique features and constraints of the site and emerging ideas about the placement of the new build within the site. The presentation was followed by an in-depth interactive question and answer session covering a broad range of topics including: access into and out of the site; the 50 mph speed limit on the road on the approach to the site; and pedestrian links between the school site and the Rowde community. It is evident that the Rowde community are highly supportive of the school.
27. A further event is planned for January 2021 prior to submission of a planning application in order to share designs and gain further community feedback.
28. The build project team including representatives from the Council, Willmott Dixon, AHR architects, accompanied by governors and the Interim Executive Headteacher have also been able to visit other special schools in the local area in order to benefit from their experience and "lessons learned" from other new build developments. Feedback from these visits has been shared with the wider co-production workshops.

Next Steps and key milestones

29. Key upcoming milestones are set out in the table below:

Submission of Planning Application	Spring 2021
Commencement of construction on the Rowde Site	Summer 2021
Completion of all build work	September 2023
Pupils admitted to additional spaces	Phased from 2022/23 to 2023/24 onwards
All new provision open	September 2023
Consultation on future of Trowbridge and Chippenham campuses	By September 2022

Place Planning

30. In the November Cabinet report, it was noted that additional places would be needed over the next 3 to 4 years prior to new places being ready in 2023. One option outlined for consideration then was delivery of a phased primary provision at the Rowde site in advance of September 2023 to reduce demand at the other two sites and this continues to be explored. However, demand for places is already outstripping expectations, and the growth in EHCPs experienced in Wiltshire and across the country over recent years has led to fewer leavers from the top end of our special schools than there are starters. Officers are therefore working closely with school senior leaders to identify solutions for temporary provision to meet need before completion of the new places in 2023.

Overview and Scrutiny Engagement

31. The proposals were previously presented to Overview and Scrutiny on 30th September 2019.

Safeguarding Implications

32. As highlighted in the report to Cabinet in November 2019 there are safeguarding implications to be considered as this project proceeds through implementation. These include:
- I. Ensuring staff are appropriately trained and supported to work with different cohorts of learners
 - II. Ensuring that development at the Rowde site takes account of the need to create environments that are accessible to and meet the needs of those with severe learning difficulties
 - III. Ensuring that the transport assessment and travel plan that supports the planning application for the new build at the Rowde site addresses the issue of the increased traffic that will be entering and leaving the site, in order to safeguard learners and local residents.
 - IV. Ensuring that the travel plan associated with the planning application for the new build at the Rowde site ensures an efficient and robust plan for journeys to and from the site, including on-site traffic management.

Public Health Implications

32. The provision of education positively contributes to population health and wellbeing. Access to a high quality education plays a key role in providing foundations to ensure all children have the best start in life, giving them the ability to learn and understand about health and wellbeing and have the opportunity to live healthier lives.
33. Having additional specialist provision for children and young people with complex needs in Rowde will be more convenient for those parent carers in the East of the county and will reduce their travel times.
34. The main health and care providers in Wiltshire were consulted at the time of the development of the proposals and there is ongoing engagement with them in order to shape the designs for the new build.

Procurement Implications

35. The Council has appointed Willmott Dixon as our main construction partner. Appointing in this way places responsibility for managing and controlling the design team with the contractor rather than the Council.
36. Procurement was undertaken via the Southern Construction Framework (SCF) which is fully OJEU compliant and has been used previously to successfully deliver a major school project.

37. A two-stage mini-competition through the framework resulted in Willmott Dixon being appointed under a Pre-Construction Services Agreement (PCSA) as our preferred partner to deliver two key outputs:
 - a. To produce an accepted design up to the end of RIBA Design Stage 4 (construction design)
 - b. Via a mechanism of open book and transparent competitive pricing to provide the Council with a fixed price lump sum to carry out the construction works for acceptance by the Council
38. If the above two outputs are delivered to the Council's satisfaction, the Council will then enter into a formal NEC Build Contract with Willmott Dixon to carry out the construction works. However, the Council are not obliged to enter into a formal build contract and therefore the Council's immediate liability is protected and capped to the value of the PCSA.

Equalities Impact of the Proposal

39. At every stage of the process of developing proposals, Equalities Impact Assessments have been carried out. The most recent review of the EIA indicates that the programme retains a similar level of impact on equality / diversity issues to that shared with Cabinet in November 2019.
40. The creation of a new single school across three sites, and the provision of additional school places positively seeks to offer greater access and diversity of curriculum and support in a world class learning environment.

Environmental and Climate Change Considerations

41. As highlighted in the Cabinet Report in November 2019 the programme is focused on creating additional spaces on an existing site thereby reducing the need to build on greenfield sites and will also involve repurposing existing buildings, with a focus on sustainability and eco-friendly construction best practice.
42. The build project is seeking to reduce carbon emissions whilst increasing places.

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

43. This paper provides an update only and is not seeking a decision.

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

44. This paper provides an update only and is not seeking a decision.

Financial Implications

45. The capital budget of £33.194 million was approved by Council in February 2020 and is phased to be fully spent over total project timeframe. Despite the pandemic, no additional cost is forecast, and whilst there was some impact due to COVID on the timescales in appointing Willmott Dixon officers are working with them to mitigate the impact of this on the delivery of the build, and the programme is forecast to complete within the original timeframe by 2023 delivering key benefits across the system.
46. Finance officers have been working successfully with the School Leaders and Governing body to set a balanced revenue budget for the new school taking full advantage of the synergies of one school with three sites.

Legal Implications

47. Under the Education and Inspections Act 2006 (as amended by the Education Act 2011), the opening and closure of maintained schools is governed by The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013.
48. When exercising functions under these regulations regard must be had to guidance published by the Department for Education (DfE), including “Opening and closing maintained schools: Statutory guidance for proposers and decision-makers (November 2018)”, which sets out the statutory 5 step process of consultation, publication, representation, decision and implementation. All five of these steps have now been completed in accordance with the regulations
49. On 31 January 2020 the Council published a statutory notice to discontinue St Nicholas, Rowdeford and Larkrise Schools on 31 August 2020 and establish a new community special school on 1 September 2020. It was proposed that the new school will operate on the sites currently occupied by all of the three schools.
50. The proposal to discontinue the schools was published under section 15 of the Education and Inspections Act 2006 (the Act). The proposal to establish a new community special school was made under section 10 of the Act. Permission to bring forward a proposal under section 10 was granted by the Secretary of State for Education on 27 June 2019.
51. The Act requires that proposals made by a local authority under section 10 are referred to the adjudicator. The Act also requires that any related proposal, in this case those made under section 15 of the Act, are also referred to the adjudicator...
52. Representations and comments on the proposals were made and referred to the adjudicator on 9 March 2020 by the local authority, which is within the required period.
53. Mr Peter Goringe and Mr Phil Whiffing were appointed to this case by the chief adjudicator, with Mr Phil Whiffing as lead adjudicator. On 28 May 2020

they approved the proposals to discontinue St Nicholas, Rowdeford and Larkrise Schools on 31 August 2020 and to establish a new community special school on 1 September 2020. These changes duly took place.

54. It should be noted above that Cabinet approved the use of the statutory processes, (under the 'Making Significant Changes (Prescribed Alterations) to Maintained Schools' Guidance November 2018), to consult on the appropriateness of transferring the provision at St Nicholas and Larkrise to the Rowdeford site which will need to take place no later than 12 months before opening all the new provision.

Workforce Implications

55. The three schools of Larkrise, St Nicholas and Rowdeford had been operating as separate staff bodies with separate governance structures. Amalgamation has led to a single staff team across three sites and one governing board.
56. The Governing Board was formed on 1st September 2020, and an Interim Executive Headteacher started in post on the same date.
57. The Interim Executive Headteacher is working with the Governing Board to ensure that there are appropriate staff structures in place to support transformation. Any changes that are considered would be subject to full consultation with affected staff and recognised unions.

Options Considered

58. This is an update paper and is not seeking a decision.

Conclusions

59. The special school transformation programme is well-established and achieving key milestones as planned. The programme will deliver real benefits for Wiltshire children with special educational needs and disabilities which support the Council's key priorities as set out within the Business Plan.
60. It is recommended that Cabinet note the update provided in this report.

Helen Jones (Director - Joint Commissioning)

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Date of report: 6th January 2021

Background Papers

The following documents have been relied on in the preparation of this report:

Report to Cabinet November 2019: "Proposals for special schools in the north of Wiltshire – Outcome of statutory consultation (September 2019)".