

INDIVIDUAL CABINET MEMBER DELEGATED DECISION

Councillor: **CLLR LAURA MAYES**

Cabinet member for Children's Services

OFFICER CONTACT Susan Tanner, Head of Commissioning and Joint Planning
Children's Services
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REFERENCE: CS-05-16

Decision to change Downland Special school from Single sex (boys only) to co-educational from October the 31st 2016.

Purpose of Report

To facilitate the decision to change Downland Special school from Single sex (boys only) to co-educational.

Consultation

As per the guidance laid out in line with Department of Education's publication "School Organisation – Maintained schools" (April 2016) a four week consultation period was undertaken between the 13th of June 2016 and the 13th of July 2016 (see attached documents). As per the DfE guidance this document and resulting delegated decision is drawn from to the information and discussions that were exchanged in this time period. Information was made available to key stakeholders regarding the proposals and the background behind these proposals. Stakeholders were encouraged to respond by filling in a consultation reply form which was made available, by post and email and via the Wiltshire Council and Local Offer Websites¹.

In addition, three meetings were held with parents, governors, staff, pupils and interested parties. The Head of Commissioning and Joint Planning, Susan Tanner, led the meetings with staff and Governors and parent/carers. A Voice and Influence officer led the consultation with the pupils supported by staff from Downland School.

25 staff and governors, 6 parents/carers, and 9 pupils (2 groups; 4 from key stage 3 and 5 from key stage 4) attended the meetings.

There were 5 written replies to the consultation, of these 0 were from parents and 4 were from members of staff and there was a collective response from the Downland School Governors.

¹ See consultation process at appendix

Consultation meetings

Key areas of questioning and debate were around how having girls in the school would change the dynamic of the school. All of the three consultation sessions noted both positive and more challenging aspects of coeducational education. All three groups raised concerns around introducing only 1 or 2 girls such that they felt isolated or vulnerable. However the boys themselves and both staff and parents also noted that a coeducational school would offer the boys a broader socio-emotional education. The Governors noted that in principle they were in support of the proposal, provided the implementation plan met the need to ensure that girls did not experience an isolated start. Notes have been kept from all three consultations. Key areas of discussion:

Carers and Parents	Response
<ol style="list-style-type: none"> 1) Could Springfield's have SEMH girls? 2) How do you prioritise places for the school? 3) Will there be some special support for girls when they arrive? 4) Won't it make the boys more challenging? 	<ol style="list-style-type: none"> 1) Springfield's primary designation is not SEMH and Downland has greater capacity to meet the academic needs of many girls with SEMH 2) This is an on-going process led by an SEN Panel in accordance with the Children and Families Act 2014 Code of Practice 3) The Implementation plan will ensure plans are in place to provide good support to the girls 4) Bringing girls in will certainly change the dynamic and it will be down to the good training and awareness of the staff team to support positive behaviour and tackle problems.

Pupils	Response
<ol style="list-style-type: none"> 1) How can we ensure the girls don't feel isolated 2) We are not sure if it will make the boys behave badly and maybe the girls will too 3) We want to ensure they feel welcome 4) It will be a good thing for us - make us more sociable with girls 	<ol style="list-style-type: none"> 1) The staff will think through how girls are introduced and we will try and avoid just one or two girls starting on their own 2) Bringing girls in will certainly change the dynamic and it will be down to everyone with the support of the staff to support positive behaviour and tackle problems 3) The staff will be working with the Local Authority to ensure they have a good welcome, but your role will also be very important 4) We really hope that this is positive for the boys and that it can give you lots of support and experience in all aspects of your life.

Staff and Governors	Response
<ol style="list-style-type: none"> 1) The end of term is coming soon so have we really got time to get everything arranged? 2) Is this in the best interests of the boys? 3) How can we prepare for this? 	<ol style="list-style-type: none"> 1) We can make the decision and then agree a good time table which could give some time to make changes 2) Very much so, this is about giving them a full whole life education. 3) By developing an implementation plan to ensure the girls get a good introduction and the boys are able to continue their development.

Written Feedback

The written replies were on the whole less positive, although no replies were received from parents. Of the 4 staff who replied to the 3 choices (in favour, not sure and no) 3 noted they were “not sure” and 1 chose “no”. Key concerns were around:

- Being able to manage the physical redevelopment of the build during term time
- Concerns about the vulnerability of a small numbers of girls attending
- Concerns about the upheaval and change particularly for a vulnerable group of boys.

Respondents were also asked to identify other options. One respondent suggested using an alternative Special School in Wiltshire. While this is an option, this has been put aside as the other Special Schools in Wiltshire do not have SEMH as their primary designation and have limited opportunities to offer girls the significant range of academic options that are available at Downland.

The Governors concerns were about the process. They felt that an implementation plan should have been written prior to the end of the consultation and the lack of one meant that, while they supported the proposal in principle, they were unable to fully support the proposal at this time without the implementation plan in place.

The Local Authorities response

None of the issues raised by the parents, pupils or staff are unexpected. The consultation document supporting the delegated decision does identify these same concerns. Therefore the decision to become coeducational should be made with a firm commitment to:

- The development of a comprehensive implementation plan co-produced by Downland School and the Local Authority covering the time prior to the first girls arriving and the initial years when girls are in a significant minority. This will particularly include issues around safeguarding.
- If at all possible, ensuring that rather than introducing individual girls, that a small cohort of girls started together

Local Authority Officers have responded to the Governors' issues directly in writing to reassure them of our commitment to the implementation process, noting that it would have been inappropriate to complete an implementation plan prior to the completion of the consultation as this would have undermined the consultation and pre-empted the decision.

Subsequent correspondence from the Governors noted that they felt that the lack of an implementation plan undermined their ability to support the proposal and that at the end of the consultation period they felt that they had to note that they were not in favour of progressing the proposal until such time as the implementation plan reassured them that the process of becoming coeducational was not detrimental to the school.

In response the Local Authority is proposing to move the introduction of the coeducational designation from the 1st of September 2016 to the 31st of October 2016 to give the school additional time to develop the implementation plan.

INTENTION TO MAKE DECISION

Following consultation with officers I give notice that I intend to make the decision set out in the attached report (usual cabinet report template). If you would like to make any representations to me on this issue please do so by 13 September 2016

Date 6 September 2016

signed

Cllr Laura Mayes

CABINET MEMBER FOR CHILDREN'S SERVICES – CLLR LAURA MAYES

SERVICE AREA **Children's Services**

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REFERENCE: CS-05-16

Decision to change the designation of Downland Special School Devizes from single sex (boys only) to coeducational

1. Purpose of Report

To facilitate the decision to change the designation of Downland Special School, Devizes from single sex (boys only) to coeducational.

2. Relevance to the Council's Business Plan

The provision and this decision relating to SEND education are part of the Council's priorities between 2013 and 2017 to "Provide opportunities for every child and young person to improve their attainment and skills so they can achieve their full potential" and Outcome 4 "Wiltshire has inclusive communities where everyone can achieve their potential" within the framework to "ensure we are efficient and provide good value for money for our residents"².

3. Main Considerations for the Council

Following a period of review and consultation the main consideration is to decide to change the designation of Downland Special School Devizes from single sex (boys only) to coeducational this will;

- Meet the needs of the growing number of girls who have social emotional and mental health needs (SEMH)
- Support the social, emotional and wellbeing of the boys at Downland school
- And to ensure equitable access to provision and outcomes for both boys and girls in Wiltshire who have SEMH (and ASD/learning disabilities)

4. Background

There are four key factors which support the Council's proposal to consult on coeducational provision for Downland School.

² (Quotes from Wiltshire Council Business plan: A New Perspective 2013 – 2017)

Firstly, the Equalities Act 2010 encourages wherever possible to seek equal access to provision for boys and girls. As it stands at present girls with SEMH do not have the same opportunity to have access to an education that directly meets their SEMH needs. Wiltshire does have other schools which address SEMH, but normally as concomitant to other needs such as learning disabilities or physical disabilities. This may mean that girls have less opportunity to have their academic aspirations fully met and are less likely to have a peer group of boys and girls who share their common interests and values.

Wiltshire Council accepts that research and practice has not reached a common understanding as to whether single sex or co-educational schooling is the best approach to the education of children and young people, however Younger et al 2005³ noted that the main reason for separate education in former years has been an understanding that girls and boys will have different life expectations. This is now no longer the case; many major institutions for both children and adults are now seeing the benefits of equal access and we believe that this should also be offered to young people in Wiltshire with SEMH.

Secondly, there is no evidence to suggest that removing a single sex approach to education would undermine the education of the current boys at Downland. The most comprehensive research completed in 2006 by Alan Smithers and Pamela Robinson⁴ and presented to the Head and Head Teachers conference in the same year concluded the most influential factors on pupil's outcomes were:

“The ability and social background of the pupils and the expectations and expertise of the teaching staff”

Smithers and Robinson completed a meta-analysis of a range of research into the subject, searching for evidence that one system could be seen to provide a better environment than the other. However they discovered that quality first teaching, high aspirations and proactive approaches to subject integration were far more indicative of good levels of progress and achievement for both boys and girls than the gender designation of the school.

Thirdly, there is a growing body of research⁵ which suggests that for children and young people with SEN, and particularly those with social, emotional and behavioural issues, coeducational settings present better opportunities for developing emotional intelligence, social skills and overall wellbeing. This has been corroborated by further research into positive behaviour models.

Finally, we have a growing population of children and young people with SEMH. Boys continue to have a greater prevalence of SEMH than girls, but there is slow but steady increase in the number of girls.

Number of children and young people

³ Younger, M., Warrington, M. with Gray, J., Rudduck, J., McLellan, R., Bearne, E., Kershner, R. & Bricheno, P. (2005). Raising Boys' Achievement,: Research Report RR636

Gender and education: the evidence on pupils in England DfE 2007

⁴ Smithers, A. & Robinson, P. (2006). The Paradox of Single-Sex and Co-Educational Schooling, University of Birmingham: Carmichael Press

⁵ Class wide Positive Behavior Interventions and Supports: A Guide to Proactive Classroom Management: Brandi Simonsen and Diane Myers: 2015 Guildford Press.

whose primary Sen is BESD/SEMH			
Year	Boys	girls	Total
2011	288	38	326
2016	332	62	394

Year	Boys	girls
2011	88%	12%
2016	84%	16%

The number of girls now needing support for SEMH has nearly doubled since 2010 and we expect to see further rises in the coming years. We are also particularly aware of the growing number of girls whose needs remain undiagnosed. We are concerned about the growing number of girls (and indeed boys) who now have eating disorders and anxiety disorders⁶ that are linked across to issues within family life and difficult behaviour. Councils are being challenged to work closely with schools and health settings to meet these needs alongside families to support not only this generation, but also future generations who need new life choices.

The Outcomes of the Proposal

Wiltshire Council is therefore proposing that as from September 2016 Downland School co-produce and effect an implementation plan which will lead to girls being able to accepted on roll following the autumn half term (31st of October 2016). Ideally the school will begin admitting girls into year 7 in order that they and the boys at the school are able to adapt to the mixed designation in a measured manner, however it may be the case that the school admits female pupils into any of its year groups. Should this happen the local authority and the school will work together to ensure that all admissions are handled effectively and efficiently.

The Local Authority are not proposing to increase the planned admission numbers (PAN) at this point in time as the DfE gives us discretion to increase PAN by 10% before needing to consider a permanent change to PAN. This will be reviewed as we monitor and review admission to Downland over the coming 3 – 5 years.

This proposal is not expected to have any limiting impact on other local provision including local schools, but should expand opportunity.

Impact

For Pupils this will:

- Offer girls with SEMH better educational opportunities
- Support the wider socio-emotional and academic development for boys at Downland
- Better meet the changing needs of young people with SEMH
- Support innovative and high quality teaching at Downland School.

⁶ National Centre Eating disorders

- Mean that as from October 31st 2016 all year groups will be open to girls, however as admissions are already under discussion for 2016 it is unlikely that we will see significant numbers of girls starting in 2016.

For the school and staff

- The change to coeducation has minimal impact on the Downland School budget. Class sizes will remain the same, as will the overall number of children/young people accepted into the school.
- There will need to be opportunities for teaching and support staff to consider changes to the curriculum, review of PSHE in particular, personal support and behaviour management (this may involve awareness raising, training and CPD)
- There will need to a careful consideration of any safeguarding implications, including behaviour management techniques.
- There will need to be adaptations to key facilities such as changing areas and toilets.
- There will be a need to develop the school library and teaching materials to ensure inclusion in all aspects of school life.
- There will need to be consideration of existing catering/lunchtime provision to ensure that all pupils will be able to access a healthy lunch
- The personal, social and health education (PSHE) and other curriculum areas will need to be reviewed and developed to ensure that the full curriculum meets the needs of all pupils and that adequate provision is made for the delivery of a quality evidence based PSHE programme (e.g. staff CPD and training etc.)
- There will need to be a review of pastoral support mechanisms in the school to ensure that these meet the needs of all pupils
- There will need to be liaison with external colleagues providing support to pupils, particularly school nurses to ensure they are able to plan to meet the needs of all students (e.g. in planning drop-ins etc.)

For The Local Authority

Capital costs

There are key costs and adaptations of toilet and changing facilities to ensure adequate provision for girls. These capital costs are anticipated to be in the region of £50,000 to £75,000. The local authority assumes responsibility for assessing and meeting these costs which would need to be met from the existing capital allocation for Education and/or access and inclusion projects.

Broader Local Offer

However in wider terms it enables Wiltshire to offer a broader range and specialist in-county SEMH provision to girls, enabling them to stay closer to their families and have enhanced access to a GCSE programme. For boys the research suggests this will offer a rounder social, emotional and wellbeing curriculum to support them into adulthood. At this point in time we don't propose to increase the school's roll. DfE guidance allows us to increase roll by 10% before needing to formally increase planned admission numbers (PAN). Dependent upon take up of places we will then review PAN.

Potential Cost savings

Special Educational Needs provision in Wiltshire is funded through the Dedicated Schools Grant (DSG) and any additional revenue costs or savings would therefore accrue to the overall schools budget. It is also anticipated that by increasing SEMH provision to girls in county, there will be some reduction in the need to invest in out of county placements with independent providers. This a cost saving in purchasing places which are in most cases higher than the cost of in-county placements. This would also potentially enable a reduction in the Local Authorities SEN transport budget where we are obliged to provide transport for all young people with an EHCP.

5. Safeguarding Considerations

Safeguarding is central to the wellbeing of young people educated at Downland school and the high standards in practice will be continually developed with the admission of girls. Undoubtedly the admission of girls will change the dynamic of the school and a full implementation plan (including training and awareness raising of the issues for both staff and pupils) will be drawn up by the school to look at both the indirect and direct implications and risks in admitting girls. However in particular there will be a keen focus on the impact and the vulnerability of small numbers of girls being admitted in the first years. However responding to and managing the needs of the different sexes and indeed minority groups (E.g. Lesbian, gay and transgender) in a school environment is a key area for all schools to manage and ensure that all young people grow up in a secure and accepting environment.

6. Public Health Implications

Consideration of the broader whole school approach to health and wellbeing in relation to both sexes is referenced above. There should be no direct change on the support and engagement with the school nursing service although the service should be engaged with well in advance to ensure that any necessary preparations to enable all pupils to access the school nursing service in the future can be undertaken (e.g. sourcing appropriate materials, promotion of screening programmes such as cervical screening etc.).

7. Corporate Procurement Implications

The main impact for corporate procurement would be to acknowledge that fewer external places may be needed for out of County SEMH educational provision. However SEMH is an area of growth and it may be that there will be a more focused demand for the most complex provision for young women with SEMH.

8. Equalities Impact of the Proposal

A careful consultation process has been taken forward which began with informal discussion with the school and culminated in a formal public consultation following Department of Education's publication "School Organisation – Maintained schools" (March 2016) guidelines. As a service for SEN children; a group the Councils recognises has protected characteristics; the Council ensures that changes in service are not detrimental to their welfare or wellbeing. In this case the decision to become coeducational is increasing equal access.

Through completing the Equality Analysis Evidence Document and the associated guidance and the DfE processes it has been identified that the risks attached to this decision are limited.

9. **Environmental and Climate Change Considerations**

This Proposal has no significant impact on environmental and climate change considerations. There is no significant change expected in the use of energy or utilities. Electricity and other utilities are expected to remain the same in the redeployment of the space. There may be some small positive impact on the carbon footprint related to reduced travel, (where girls no longer have to travel to out of county schools), but this will be minimal.

10. **Risk Assessment**

Three main risks have been considered:

- a) That the school may struggle to attune itself to the needs of both girls and boys particularly while there are small numbers of girls

Response: Responding to the needs of minority vulnerable groups is a key priority for the Council and the school; a full implementation plan will be put in place to support adjustment

- b) That the changes to the building plan will not be completed in time to meet the needs of the arriving girls.

Response: In real terms there is likely to be a slow start in the actual number of girls admitted in the first years. There are good facilities at the school for staff and pupils and some of these could be immediately designated for the small number of girls.

- c) There would be fewer places available to boys.

Response: Wiltshire Council is aware of the pressure on special school places across the County and has a number of strategies in place in the Wiltshire Special Education Needs (SEN) Strategy Supporting School 2015 -18⁷ to address this demand. Planned Admission Numbers (PAN) can be increased by 10% prior to the making a formal commitment to greater numbers. The Local Authority will use this capacity in the first instance while we adjust to the number of girls wanting to take up places and then reassess future requirements also appreciating the wider developments taken forward through the SEN Strategy Supporting Schools 2015 -18.

- d) If the decision was not made there would be increased upward pressure on the High Needs Budget and a degree of inequality of opportunity for girls with SEMH

11. **Financial Implications**

Capital costs

There are key costs and adaptations of toilet and changing facilities to ensure adequate provision for girls. These capital costs are anticipated to be in the region of £50,000 - £75,000. The local authority assumes responsibility for assessing and meeting these costs which would be met from existing capital allocations.

Potential Cost savings

It is also hoped that by increasing SEMH provision to girls in county, there will be some reduction in the need to invest in out of county placements with independent providers. This a cost saving in purchasing places which are in most cases higher than the cost of in-county placements. This would also potentially enable a reduction in the

⁷ http://www.wiltshirepathways.org/UploadedFiles/256_SEN_Schools_Strategy_Sept_2015_-_final_CH6.pdf

Local Authority SEN transport budget where we are obliged to provide transport for all young people with an EHCP.

Overall there should be a net saving to the overall schools budget as places with external providers typically cost an average of £44,000, compared to Downland's £21,000. (Plus travel in both cases)

12. Legal Implications

Downland School is currently a maintained community special school for boys aged between 11 and 16. It is proposed that the single sex designation of the school is changed to one of coeducation. These changes are proposed by the Local Authority, supported by the Governing Body, and the decision maker is the Local Authority. Such a change to a maintained school is governed by The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 ('the Prescribed Alterations Regulations'). When exercising functions under these regulations regard must be had to guidance published by the Department for Education (DfE), including Making 'prescribed alterations' to maintained schools, Statutory guidance for proposers and decision-makers (April 2016). The process for making these prescribed alterations as set out in the guidance has been followed.

The Cabinet member, as decision maker will need to have regard to further guidance, namely Statutory guidance for decision-makers deciding prescribed alteration and establishment and discontinuance proposals (April 2016), a copy of which has been placed in the Cabinet Room. The decision maker should ensure they have particular regard both to the Main Points set out in Chapter 1 (page 4 – 5) and Chapter 2 (page 6 – 10), Factors relevant to all types of proposals.

Consideration has been given to whether or not there are any ethical or governance issues or any Human Rights implications, and none have been identified.

13. Options Considered

- a. To remain single sex school (boys only)
- b. To change the designation of the school to coeducational

14. Reason for Proposal

- a. Meet the needs of the growing number of girls who have social emotional and mental health needs (SEMH)
- b. Support the social, emotional and wellbeing of the boys at Downland school
- c. And to ensure equitable access to provision and outcomes for both boys and girls in Wiltshire who have SEMH (and ASD/learning disabilities)

15. Proposal

The proposal is that Downland School in Devizes, changes designation from single sex (boys only) to coeducation from October 31st 2016.

The following unpublished documents have been relied on in the preparation of this report:
(Background papers must be published, label as background papers)

School Organisation: Maintained schools March 2016

<https://www.gov.uk/government/publications/school-organisation-maintained-schools>

Consultation Process		
Stage 1	Publication	<ul style="list-style-type: none"> • The proposal will be published on Downland School and Wiltshire Council website from the 13th of June 2016 for 4 weeks. • A copy of the proposal will be sent to the Governors of Downland School and the Head teacher. Also to Wiltshire's Special Schools and Devizes School. • Downland School will ensure that the information is released through a circulated update (this may be a paper or electronic newsletter or update) and also sent directly to parent/carers of all registered pupils. • Copies of the proposal will be available via the school, by contacting Wiltshire Council and on both websites. • Comments can be made via E-mail or letter or using the reply form to: Judith Westcott, Downland co-educational consultation, Children's Commissioning and Performance, Wiltshire Council, Bythesea Rd, Trowbridge, BA14 8JN or Judith.westcott@wiltshire.gov.uk • Comments must be received by 5pm on the 13th July 2016 to be considered in the decision making.
Stage 2	Representation (Formal consultation 4 weeks)	<ul style="list-style-type: none"> • The period of consultation will be the 13th of June to 13th of July 2016. • 2 evening meetings will be arranged at the school in this time and led by the Head of Commissioning and Joint Planning at Wiltshire Council (Susan Tanner): <ol style="list-style-type: none"> 1. Staff and Governors 2. Parents, carers and local people/ other stakeholders • The Voice and Influence Team at the local authority will work with the school to ensure that pupils are given an opportunity to express their views.
Stage 3	Decision	<ul style="list-style-type: none"> • Following the period of consultation a decision will be made between the 14th July and the 14th September 2016. • The proposal can be: <ul style="list-style-type: none"> ○ Accepted ○ Rejected ○ Or accepted with modifications by the proposer, Wiltshire Council. • The decision will be published within one week of the decision and; <ul style="list-style-type: none"> ○ Published on the same sites as the proposal ○ Sent to parent/carers of every registered pupil ○ And sent to the Governing body. • Following the decision the Governing body may appeal within one week of publication with information that is additional to that which was presented during the consultation.
Stage 4	Implementation	<ul style="list-style-type: none"> • The Implementation date is set as the 31st of October 2016. • The Secretary of State will be informed by updating the departments Register of Educational Establishments (EduBase)

		<ul style="list-style-type: none">• If the proposal is accepted an implementation plan will be agreed with Downland School.
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