

## CABINET MEMBER FOR CHILDREN'S SERVICES – CLLR LAURA MAYES

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**REFERENCE:**                      **CS-03-18**

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### **Proposal to expand the Special Educational Needs designation for pupils at Rowdeford Special School, Rowde, Wiltshire**

#### **1. Purpose of Report**

To facilitate the decision to expand the Special Educational Needs (SEN) designation for pupils at Rowdeford Special School, Rowde, Wiltshire to include pupils with Severe Learning Disabilities (SLD) from June 2018.

#### **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 2017 and 2027 to "Protect the vulnerable - by "providing schools that help all pupils achieve" and "improved support for those with mental health or learning disabilities"<sup>1</sup>.

#### **3. Main Considerations for the Council**

Following a period of review and consultation the main consideration is to expand the SEN designation for pupils attending Rowdeford Special School, Rowde, Wiltshire to include pupils with Severe Learning Disabilities from April 2018. This will;

- Enable a wider range of pupils to benefit from the education and support provided by Rowdeford school.
- Meet the needs of children with higher levels of SEN in Wiltshire.
- Increase the number of places for children with higher levels of SEN in the north east and west of the County.

#### **4. Background**

4.1. Rowdeford is a Community Secondary (11-16), co-educational Special School for 130 pupils whose main Primary Needs are:

4.1.1. Speech, language and communication needs (SLCN)

4.1.2. ASD (autistic spectrum disorder)

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<sup>1</sup> from Wiltshire Council Business plan 2017 - 27

4.1.3. PD (Physical Disability)

4.1.4. Moderate Learning Disability<sup>2</sup> (MLD)

- 4.2. In practice many of the pupils have ASD (40%) as their primary SEN. A further 28% have their primary designation as Moderate Learning disabilities and 22% Speech, Language and Communication needs<sup>3</sup>.
- 4.3. A significant number of these pupils also have additional sensory impairments, physical difficulties or medical needs.
- 4.4. The school also currently has a small residential facility, although pupils are not placed here on the basis of needing residential support, but this provision might represent an enhancement of their life skills education.
- 4.5. The school has an Ofsted rating of “good” with outstanding features in Quality of teaching, learning and assessment, Personal development, behaviour and welfare and Outcomes for pupils<sup>4</sup>.
- 4.6. The school also has a range of outreach and extended support for pupils attending other local schools in Wiltshire. The school is highly regarded and offers young people a quality education and support into adulthood.
- 4.7. Rowdeford is one of six special schools in Wiltshire. All of Wiltshire’s Specials schools are coming under significant pressure to offer school places to children/young people with higher levels of SEN.
- 4.8. Wiltshire has a growing population with an expected 13,500 new pupils by 2026 of which we anticipate at least 2.9% will have a level of SEN such that they will need an education health and care plan (EHCP).
- 4.9. In addition, Wiltshire, alongside other Local Authorities, is meeting the need to respond to the 2014 Children and Families Act which has created a growth in the number of children/young people registered with an Education Health and Care Plan (EHCP).
- 4.10. As of 2017 around 2,200 school age children and young people in Wiltshire have an EHCP/statement.
- 4.11. It is anticipated that by 2026 an additional 660 pupils will have an EHCP and that roughly 220 of these children will need a special school place.
- 4.12. It is also acknowledged that there are now greater numbers of children and young people in Wiltshire with SEN who have increasing levels of need such that they will be registered as having severe learning disabilities more often than is currently the case.
- 4.13. The Local Authority has a finite number of special school places and these must be prioritised for those with greatest need.

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<sup>2</sup> Source Edubase <http://www.edubase.gov.uk/edubase/establishment/prusencharacteristics.xhtml?urn=126546>

<sup>3</sup> Census January 2018

<sup>4</sup> <https://reports.ofsted.gov.uk/inspection-reports/find-inspection-report/provider/ELS/126546>

- 4.14. Related to this higher level of need more children are now having to leave the County and be placed in independent schools, which does not add to the County's ability to provide for these pupils, removes these children/young people from their local community, adds transport time and costs and costs on average more than twice as much to meet need<sup>5</sup>.
- 4.15. In order to meet this growth in need Wiltshire Local Authority has been working:
- 4.15.1. With mainstream schools to upskill provision so that more children can attend local mainstream schools when they have moderate learning disabilities, and is looking to special schools to use their higher level of specialist skill and expertise to meet the needs of children with higher level needs.
- 4.15.2. With the six special schools to look at how provision can be expanded. This is a separate piece of work and as a consequence expansion is not part of this consultation, but will be addressed separately as a Wiltshire wide project.

## **5. The Proposal**

- 5.1. Following discussions with the school it was felt that one of the ways Rowdeford Special School could contribute to meeting the changes in need would be to extend the types of SEN amongst pupils who can attend the school. Key elements of this proposal would be that from June 2017, as places become available, Rowdeford special school's designation will be extended to include pupils with Severe Learning Disabilities (SLD) as part of its core offer. (i.e. it will change from MLD to MLD/SLD)
- 5.2. However, in agreement with the school, this would be based upon:
- 5.2.1. No pupil currently attending the school being displaced by this proposal. All pupils currently at the school would continue their education at the school.
- 5.2.2. This proposal being separate from any consideration of the future of the residential provision.
- 5.2.3. Any consideration of expansion being separate from this consultation as it is being led by the Local Authority project working with special schools together.
- 5.2.4. Pupils with Severe Learning Difficulties (SLD) could join any year group, as places become available from June 2018, but the focus would be on new pupils joining in year seven from September 2018 onwards.
- 5.2.5. Due consideration will be given to the limitations of the site for non-ambulant pupils and the "mix" of pupils having regard to safeguarding, well-being and learning factors.

## **6. Impact**

- 6.1. The benefits of this proposal are that it will:

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<sup>5</sup> Based on Wiltshire LA budget costing as at January 2017 excluding residential placements

- 6.1.1. Enable pupils with higher level learning disabilities to benefit from the high-quality education and support at Rowdeford School, with potentially shorter travel times for local pupils.
- 6.1.2. Enable Rowdeford special school to develop provision for more children and young people with higher level SEN.
- 6.1.3. Develop Rowdeford Special school's provision for pupils with Moderate Learning difficulties (MLD) and create more cohesive learning groups on a continuum of need.
- 6.1.4. Enable more Wiltshire children and young people with SEN to attend a school in Wiltshire.
- 6.1.5. Reduce the pressures on budgets created by expensive out of county placements thus enabling spend to benefit the development of Wiltshire provision for Wiltshire pupils.

For pupils:

- 6.1.6. Pupils currently placed at the school will continue to receive a high quality education at Rowdeford.
- 6.1.7. New pupils with SLD will be able to attend the school, giving more locations and choice of provision.
- 6.1.8. All pupils will get access to a range of integrated and relevant education and qualifications.
- 6.1.9. Pupils will continue to receive good and outstanding education and support which is being continuously developed.

For the school:

- 6.1.10. An opportunity to develop and consolidate education provision.
- 6.1.11. Greater financial security with higher level funding for top-ups.
- 6.1.12. No negative impacts on staff numbers with opportunities to offer new posts and training.

For other schools:

- 6.1.13. For the other Wiltshire Special schools, no direct impact is anticipated, however it should enable more discussion about shared approaches to new admissions, training and skill development.
- 6.1.14. For mainstream schools, there is the expectation that some of the pupils who might formerly have attended Rowdeford School, will in the future have the opportunity to attend mainstream schools particularly where a mainstream

secondary school could offer more academic opportunities within the mainstream schools Enhanced Learning Provision (ELP)<sup>6</sup>. The local authority, working with mainstream secondary schools, is concurrently reviewing and developing the scope of ELP to increase provision for pupils with higher level SEN.

- 6.1.15. For Independent Special Schools, there should be some reduction in how many children are sent to these schools when parental preference is for a local school. However, with higher level need still increasing there may be no significant loss.

For the Local Authority:

- 6.1.16. Greater capacity to meet the higher level needs of children with SEN locally.
- 6.1.17. Broadening the expertise and provision available in Wiltshire Special Schools.
- 6.1.18. A potential reduction in expenditure when travel and independent special school fees are less used.

## **7. Overview and Scrutiny Engagement**

A SEND School Provision scrutiny task group has been established by the Children's Select Committee to work on the wider special schools project. This task group will be submitting a report to be received alongside the main special school proposals to Cabinet. Brief reference was made during the early stages of the task group's evidence gathering work of the local authority's intention to consult on the change of designation at Rowdeford School.

## **8. Safeguarding Considerations**

This proposal will not make any detrimental changes to the safety of the children currently at Rowdeford school or new pupils attending. Safeguarding is a very important issue for all our schools and the wellbeing and safeguarding of all Wiltshire children remains a top priority.

## **9. Public Health Implications**

There should be no direct change on the support and engagement with the school nursing service and community health provision. The service already provides for these pupils and enabling children and young people to receive support closer to their own GP and community services should be a notable benefit.

## **10. Corporate Procurement Implications**

The main impact for corporate procurement would be to acknowledge that fewer external places may be needed for out of County SLD educational provision. However, the severity of SLD is increasing for pupils with Education Health and Care Plan (EHCPs) and it may be that there will be a more focused demand for the most complex provision for young people with extreme levels of SLD.

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<sup>6</sup> ELP is a middle ground provision which offers young people access to a supportive education which includes features of both mainstream and special school provision. Rowdeford Specials' schools outreach is part of this provision in local mainstream secondary schools.

## **11. 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 Council recognises has protected characteristics; the Council ensures that changes in service are not detrimental to their welfare or wellbeing. Overall it is felt that enabling more children/young people to access local educational provision is increasing equality of 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.

## **12. 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. There may be some small positive impact on the carbon footprint related to reduced travel, (where children and young people with SLD no longer have to travel to out of county schools), but this will be minimal.

## **13. Risk Assessment**

Four possible risks have been considered with due consideration of the issues raised in the consultation process:

- a) That parents may be concerned that the level of academic input for children and young people will be limited to those with SLD.  
**Response:** The school is a "good" school with "outstanding features"<sup>7</sup> and this includes academic achievement. The school welcomes the opportunity to develop its provision and has no expectation that academic challenge and support will be limited by this proposal.
- b) That there will be insufficient places to meet the expanded need.  
**Response:** The six Special Schools in Wiltshire are working with the Local Authority to develop a Wiltshire wide plan to look at how to meet the growth in pupils with EHCPs needing a special school place. This may include increasing places at Rowdeford school, but this needs to be looked at in a wider context than this immediate proposal.
- c) That having such a wide range of SEN designation will limit the effectiveness of the school.  
**Response:** The school already has a wide SEN designation and this has not stopped good and outstanding judgements. This development should be a positive development of practice and a natural next step forward for the school.
- 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 pupils in Wiltshire with SLD.

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<sup>7</sup> Ofsted report 2016 available on the DfE website

**Response:** this approach will contribute to extend the local offer to young people with SEND in Wiltshire and contribute to managing the pressures on the high needs budget.

#### **14. Financial Implications**

- 6.2. Capital costs - There are no immediate capital costs associated with this proposal.
- 6.3. Potential Cost savings - There will be no detrimental financial implications for the school or the Local Authority. Overall the school will benefit from greater financial security and higher funding levels.
- 6.4. There should be some reduction in expenditure for the Local Authority as more children and young people are able to have local placements reducing travel and placement budgets.

#### **15. Legal Implications**

- 6.5. Rowdeford is currently a maintained community special school for children and young people between 11 and 16. It is proposed that the SEN designation for pupils attending Rowdeford Special School, Rowde, Wiltshire is extended to include pupils with Severe Learning Disabilities. 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 guidance. 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)<sup>8</sup>. The process for making these prescribed alterations as set out in the guidance has been followed.
- 6.6. The Cabinet member, as decision maker will need to have regard to this guidance.
- 6.7. 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.

#### **16. Options Considered**

- 6.8. To continue the existing SEN designations for the School and for other Wiltshire Special Schools to expand their designations or increase numbers. This has been rejected as there is limited space on the other school's sites to expand (Larkrise and St Nicholas), the schools are not in the right locality for pupils in the north east and west of the County (Exeter House) and, while extending SEN designation to SLD is a graded progression for Rowdeford school, it would be a significant change for the other two schools in the local area (Springfield and Downland). In addition, this would

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<sup>8</sup> <https://www.gov.uk/government/publications/school-organisation-maintained-schools>

not meet the need to ensure that the high level expertise at Rowdeford school is focused on those children/young people with the higher levels of SEN.

- 6.9. To expand the Special Educational Needs designation for pupils at Rowdeford Special School, to include SLD.
- 6.10. Wider options are also being prepared through the Specials school project which will complement the proposal made here addressing the wider issues around, location, expansion and other matters pertaining to special school provision across Wiltshire

## **17. Reason for Proposal**

- a) Enable a wider range of pupils to benefit from the education and support provided by Rowdeford school.
- b) Meet the needs of children with higher levels of SEN in Wiltshire.
- c) Increase the number of places for children with higher levels of SEN in the north east and west of the County.

## **18. Proposal**

**It is proposed that the SEN designation for pupils attending Rowdeford Special School, Rowde, Wiltshire is extended to include pupils with Severe Learning Disabilities from term 6 in June 2018.**

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

School Organisation: Maintained schools April 2016

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

## **Appendix A – Consultation Process**

<b>Consultation Process Followed</b>		
<b>Stage 1</b>	<b>Publication</b>	<ul style="list-style-type: none"> <li>• The proposal will be published on Rowdeford School and Wiltshire Council website from the 22<sup>nd</sup> January 2017 to 16<sup>th</sup> of February 2018.</li> <li>• A copy of the proposal will be sent to the Governors of Rowdeford School and the Head teacher. Also to Wiltshire’s Special Schools and Local Schools.</li> <li>• Rowdeford 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.</li> <li>• Copies of the proposal will be available via the school, by contacting Wiltshire Council and on both websites.</li> <li>• Comments can be made via E-mail or letter or using the reply form to: Judith Westcott, Rowdeford SEN Designation consultation, Children’s Commissioning and Performance, Wiltshire Council, Bythesea Rd, Trowbridge, BA14 8JN or <a href="mailto:Judith.westcott@wiltshire.gov.uk">Judith.westcott@wiltshire.gov.uk</a></li> <li>• Comments must be received by 5pm on the 16th of February 2018 to be considered in the decision making.</li> </ul>
<b>Stage 2</b>	<b>Representation</b>	<ul style="list-style-type: none"> <li>• 22<sup>nd</sup> January 2017 to 16<sup>th</sup> of February 2018</li> </ul>



	<b>(Formal consultation 4 weeks)</b>	<ul style="list-style-type: none"> <li>• 2 evening meetings will be arranged at the school during this time and led by a member of the Commissioning team at Wiltshire Council and the Head of Rowdeford school:             <ol style="list-style-type: none"> <li>1. Staff and Governors</li> <li>2. Parents, carers and local people/ other stakeholders</li> </ol> </li> <li>• The school will work with the school council to ensure that pupils are given an opportunity to express their views.</li> </ul>
<b>Stage 3</b>	<b>Decision</b>	<ul style="list-style-type: none"> <li>• Following the period of consultation, a decision will be made between the 17<sup>th</sup> of February 2017 to the 20<sup>th</sup> of April 2018.</li> <li>• The proposal can be:             <ul style="list-style-type: none"> <li>○ Accepted</li> <li>○ Rejected</li> <li>○ Or accepted with modifications by the proposer, Wiltshire Council.</li> </ul> </li> <li>• The decision will be published within one week of the decision and;             <ul style="list-style-type: none"> <li>○ Published on the same sites as the proposal</li> <li>○ Sent to parent/carers of every registered pupil, and</li> <li>○ Sent to the Governing body.</li> </ul> </li> <li>• Following the decision, the Governing body may appeal within one week of publication with information that must be additional and was not available to be submitted during the consultation.</li> </ul>
<b>Stage 4</b>	<b>Implementation</b>	<ul style="list-style-type: none"> <li>• The Implementation date is set as the 1st of June 2018 with effect from the beginning of the June 2018 term.</li> <li>• The Secretary of State will be informed by updating the departments Register of Educational Establishments (EduBase)</li> <li>• If the proposal is accepted an implementation plan will be designed by Rowdeford School.</li> </ul>