
Individual Cabinet Member Delegated Decision

Cabinet Member for Children, Education and Skills –

Service: Education and Skills

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Reference: (*Democratic Services will insert this*)

Proposal to Increase Silverwood School Place Numbers from 340 to 410

Purpose of Report

1. To approve the Council to make a prescribed alteration to Silverwood Special School with main address in Rowde, near Devizes, by increasing the school's current planned places number from 340 to 410.

Relevance to the Council's Business Plan

2. In line with the Council 2017 – 2027 business plan, there is a clear priority to protect those who are most vulnerable. The goal is to have "schools that help all pupils achieve" including those who "...are vulnerable to underachievement – including... those with Special Educational or Disabilities (SEND)".

Background

3. Silverwood Special School has 340 registered planned places. As of March 2021, following September 2020 intake and with growing demand, 377 children were attending the school. Department for Education (DfE) legislation requires that where the number of children attending a school varies by more than 20 places from the registered planned places number, the registered number should be changed following statutory consultation.
4. Following guidance from Legal Services it was agreed with Silverwood School to start the statutory four-week consultation period on 19 April 2021. During this formal consultation period there were no responses that were opposed to the proposals from parent carers, staff or school governors.

Main Considerations for the Council

5. Following a period of review and consultation the main consideration is an increase in the number of planned places at Silverwood Special School with main address in Rowde, near Devizes, to 410. This will;

- Meet the existing and growing need for special school places
- Ensure compliance with Department for Education (DfE) legislation

Overview and Scrutiny Engagement

6. The pre-consultation involved planning a schedule and timeline as per DfE statutory guidance. We worked with Silverwood School and produced the consultation document which outlined a proposal. During the pre-consultation, there were no objections to the proposals from parent carers, staff or school governors.
7. A four-week statutory consultation period has been observed, in accordance with the DfE guidelines and three responses have been received, two in favour of the proposal and one that was not opposed to the proposal.

Safeguarding Implications

8. Safeguarding is central to the wellbeing of children educated at Silverwood School and the high standards in practice will continue to be maintained and developed. There are no safeguarding implications for this proposal.

Public Health Implications

9. The proposal will allow children at Silverwood School to continue their education there. There are no public health implications of this proposal.
10. All schools in Wiltshire will be responding to the Covid-19 pandemic following national and Wiltshire guidance. The increase in registered place numbers at Silverwood School will not impact this.

Procurement Implications

11. Not applicable.

Equalities Impact of the Proposal

12. 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. In this case, the proposal to increase registered place numbers to align with the projected number of children requiring places at the school during the 2021-22 academic year, the school will continue to promote equal access.

Environmental and Climate Change Considerations

13. 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. There may be some small positive impact on the carbon footprint related to decreased travel (avoiding more students needing to travel to out of county schools), but this will be minimal.

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

14. If the decision was made not to increase the number of registered places, Wiltshire would fail to meet the legislative requirements and DfE guidance because the increased number of children are already attending the school and the additional children requiring a place at the school during the 2021-22 academic year.

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

15. No risks have been identified.

Financial Implications

16. In November 2019, Wiltshire Council cabinet committed up to £33m to the North Special Schools project to increase the number of places and develop a 'system of excellence' for SEN provision. These spaces will be delivered in 2023 and 2024. In February 2021 Wiltshire Council Cabinet approved a £1.311m investment into SEND Special School capacity and alternative provision, to address the temporary places deficit and provide flexible alternative provision such as new resource centres. There are no additional financial implications of this proposal .
17. Special school places continue to be funded by pupil attending the school, a change to the registered places number will not affect this.
18. The decision made by cabinet in November 2019 has committed the Council to expanding special school numbers longer term, reducing the need to use more, more expensive out of county placements.

Legal Implications

19. Silverwood School is currently a maintained community special school and it is proposed that the number of registered planned places increases from 340 to 410. 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').
20. When exercising functions under these regulations regard must be had to guidance published by the Department of Education (DfE), "Making significant changes ('prescribed alterations') to maintained schools" Statutory guidance for proposers and decision-makers (October 2018) guidelines. The process for making these prescribed alterations as set out in the guidance has been followed.
21. The cabinet member, as decision maker should also have regard to this guidance.
<https://assets.publishing.service.gov.uk/government/uploads/system/uploa>

Workforce Implications

22. The proposal is to regularise the registered places number with the number of children currently attending the school and expected projections for the 2021-22 academic year. These projections have been shared with Silverwood School through collaborative place planning. This has no further workforce implications.

Options Considered

23. Regularising the registered places number with the number of children currently attending the school and expected projections for the 2021-22 academic year would meet legislative requirements. The alternative 'do nothing' would carry the risks identified in this paper.

Proposal

24. **To Increase Silverwood School Places Numbers from 340 to 410**

Reason for Proposal

25. To regularise the registered places number with the projected number of children expected to be attending the school during the 2021-22 academic year, thereby meeting DfE legislative requirements and guidance.

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Appendices

- **Statutory Notice**
- **Proposal**
- **Responses**