

Individual Cabinet Member Delegated Decision

Deputy Leader and Cabinet Member for Children's Services, Education and Skills – Cllr Laura Mayes

Officer Contact: Matthew Look, 01225 718303, matthewlook@wiltshire.gov.uk

Reference: CES-04-22

Proposal to Create a Resource Base at Kiwi Primary School, Bulford

Purpose of Report

1. To approve the Council to make a prescribed alteration to Kiwi Primary School, Bulford by creating a resource base (special educational needs provision).

Consultation

2. It was agreed with Kiwi Primary School to start the statutory four-week consultation period on 6th June 2021. During this formal consultation period there were three responses, all in favour of the proposal to create the resource base.

Options Considered

3. Creating the resource base for the 2021-22 academic year will help meet the identified need for specialist SEN school places in the Bulford and East Wiltshire area. The alternative 'do nothing' would carry the risks identified in this paper.

Reason for Decision

4. To provide specialist SEN school places for children in the Bulford and East Wiltshire area assessed as needing this provision based on their Education, Health and Care Plan (EHCP).

INTENTION TO MAKE DECISION

Following consultation with officers I give notice that I intend to make the decision set out in the attached report. If you would like to make any representations to me on this issue please do so by the 18 July 2022.

The following supporting documents are attached:

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

Date 11 July 2022.....signed Cllr Laura Mayes.....

Deputy Leader and Cabinet Member for Children's Services, Education and Skills

Individual Cabinet Member Delegated Decision

Deputy Leader and Cabinet Member for Children’s Services, Education and Skills – Cllr Laura Mayes

Service: Education and Skills

Officer Contact: Matthew Look, 01225 718303, matthew.look@wiltshire.gov.uk

Reference: (*Democratic Services will insert this*)

Proposal to Create a Resource Base at Kiwi Primary School

Purpose of Report

1. To approve the Council to make a prescribed alteration to Kiwi Primary School, Bulford by creating a resource base (special educational needs provision).

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. An increased demand for SEN school places has been identified in East Wiltshire. Wiltshire Council as a statutory duty to provide sufficient school places, including for children with SEN. Kiwi Primary are a ‘Good’ school as judged by Ofsted and are keen to develop a resource base to meet the local need.
4. Following guidance from Legal Services it was agreed with Kiwi Primary School to start the statutory four-week consultation period on 6 June 2022. During this formal consultation period there were three responses in favour of the proposal and no responses that were opposed to the proposal.

Main Considerations for the Council

5. Following a period of review and consultation the main consideration is the creation of a Resource Base at Kiwi Primary School, Bulford. This will;
 - Help meet the existing and growing need for SEN school places in East Wiltshire

- 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. The SEND Place Commissioning Lead worked with Kiwi Primary 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, all in favour of the proposal.

Safeguarding Implications

8. Safeguarding is central to the wellbeing of all children educated at Kiwi Primary 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. Health professionals will continue to work with Kiwi Primary School to ensure the health needs of pupils at the school are met. There are no public health implications of this proposal.
10. All schools in Wiltshire will continue to respond to the Covid-19 pandemic following national and Wiltshire guidance. The creation of a resource base 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 create a resource base for the the 2022-23 academic year will increase choice for families.
13. Bulford, and the local area, have a high proportion of military families. Many of the children requiring a specialist SEN school place from this area are from military families and this proposal will help ensure equity of provision for this group.

Environmental and Climate Change Considerations

14. 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 out of East Wiltshire for school including out of county schools), but this will be minimal.

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

15. If the decision was made not to create the resource base, it would be more difficult for Wiltshire Council to meet their statutory duty to provide sufficient SEN school places in East Wiltshire, families of children with SEN in East Wiltshire would have less choice, and there would be an increased likelihood of children being placed at more expensive out of county placements.

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

16. No risks have been identified.

Financial Implications

17. Reconfiguration of existing space at the school is being completed. There are no additional capital cost implications of this proposal.
18. Place funding for all children attending a resource base in Wiltshire is set and Kiwi Primary School resource base will receive SEN place funding in accordance with this existing policy. To ensure the provision is affordable in the first year a commitment has been made to fund a minimum of ten places.
19. There are no other financial considerations.

Legal Implications

20. Kiwi Primary School is a maintained community school. The creation of the resource base is proposed by the local authority, supported by the school's headteacher and 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').
21. 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.
22. 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

23. Kiwi Primary School and Wiltshire Council are working closely together and the school is arranging for the appropriate staffing for the children at the resource base. This has no further workforce implications.

Options Considered

24. Creating the resource base for the 2021-22 academic year will help meet the identified need for specialist SEN school places in East Wiltshire. The alternative 'do nothing' would carry the risks identified in this paper.

Proposal

25. **To Create a Resource Base at Kiwi Primary School, Bulford.**

Reason for Proposal

26. To provide specialist SEN school places for children in East Wiltshire assessed as needing this provision based on their Education, Health and Care Plan (EHCP).

Report Author:

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Date of report: 6th July 2022

Appendices

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