

School Organisational Changes for September 2017

Cabinet

Date: 7th December 2016

Author: Cabinet Member for Children's Services
Head of Education Services

Wards: All

Locality Affected: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1 The report sets out the legal processes required to make organisational changes to maintained mainstream and special schools and requests permission to consult on proposals to lower the age range and a proposal to increase the admission number across seven schools in Swindon.
- 1.2 The report sets out the preferred options and timescales for consultation in order for the proposals to be implemented by September 2017 subject to consultation.
- 1.3 This report supports the Priority Two of the Vision to "Offer education opportunities that lead to the right skills and right jobs in the right places" and in specifically pledge 15 "in addition to two new Free secondary schools, build one secondary and 12 primary schools to meet the needs of our increasing population".

2. Recommendations

Cabinet is recommended to:

- 2.1 Authorise the Head of Education to consult on proposals to make the following school organisational changes from September 2017:
 - 2.1.1 To lower the age range of Abbey Meads Primary School from 4-11 years to 2-11 years,
 - 2.1.2 To lower the age range of Chiseldon Primary School from 4-11 years to 2-11 years,
 - 2.1.3 To lower the age range of Even Swindon Primary School from 3-11 years to 2-11 years,
 - 2.1.4 To lower the age range of Lawn Primary School from 4-11 year to 2-11 years,
 - 2.1.5 To lower the age range of Westrop Primary School from 4-11 years to 2-11 years,
 - 2.1.6 To lower the age of the Eldene Primary School Special Resource Provision (SRP) from 7-11 years to 6-10 years, and

Further information on the subject of this report can be obtained from Gareth Cheal, Direct Dial 01793 465802, gcheal@swindon.gov.uk.

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2.1.7 To increase the admission number at Brimble Hill Special School from 70 to 77 places.

3. Detail

Background

- 3.1 It is the statutory duty of the Local Authority to ensure sufficient school places and sufficient early years provision. In order to carry out that duty the Local Authority is proposing a number of changes to school provision to ensure a greater level of access to provision and to ensure children are receiving education in quality provision.
- 3.2 The proposals in the report below are in relation to an increase of early years provision in school settings and changes to how special education needs places are organised at two special settings.

Early Years

- 3.3 Across the Borough, the early year's education and childcare places are provided by a total of 254 small and large nursery chains, independent nurseries, preschools, maintained primary schools and childminders.
- 3.4 At present, there are 22 maintained primary schools delivering early years education for 3 and 4 year olds across the Borough. Of these, 4 schools also deliver 2 year old funded education.
- 3.5 It is acknowledged by Ofsted that a primary school which also has a nursery provision achieves better outcomes for children; The Chief Inspector of Schools, Sir Michael Wilshaw, noted in his 2012 -13 annual report that 'It is widely accepted that progress in early years for children from low income backgrounds depends on attendance in the highest quality settings. The only early education provision that is at least as strong, or even stronger, in deprived areas compared with wealthier areas is nursery schools.'
- 3.6 Furthermore, a direct recommendation of the report was that 'the Government should promote the expansion of nursery schools into those local areas where they are not currently present – in particular disadvantaged areas - to raise quality and improve outcomes both through direct provision of places, and system leadership of the local early years sector.' It was also a recommendation that where a nursery school was established then 'It should be a priority to make the best possible use of the maintained nursery schools to deliver 2-year-old places, in preference to lower quality settings.'
- 3.7 A recent report by Save the Children 'How England's nursery lottery is failing too many children' states that children who benefit from high quality childcare start school on average around three months ahead in their literacy and language skills compared with children who attend low quality settings. These children are

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20% more likely than children who go to low quality settings to get 5 A*-C GCSE's and earn more as adults. Multiple studies show that having highly qualified staff is the biggest indicator of childcare quality. Studies consistently show that the presence of a trained teacher and staff with relevant degree level qualifications in nurseries brings an added impact for a child's early learning and development, particularly for those growing up in poverty.

- 3.8 Swindon Borough Council is keen to respond to the recommendations made by both reports by encouraging more primary schools to establish their own maintained nursery classes to include 2, 3 and 4 year old's which in turn will mean more children are able to access high quality provision with a qualified teacher, improving their outcomes throughout life.
- 3.9 There are five schools proposing to lower their age range;
- 3.9.1 Chiseldon Primary School graded 'Good' by Ofsted in November 2014. The school currently operates a maintained nursery provision from both the school site itself, and from the former Bright Start Nursery premises. The decision to temporarily lower the age range, following consultation conducted by the schools Governing Body, was made by Cabinet Member for Children's Services following briefing note dated 12th August 2016 for a period of 12 months.
- 3.9.2 Abbeymeads Community Primary School graded 'Good' by Ofsted in September 2014. At the site Little Scholars, a PVI setting is currently leasing premises and operating early years provision on the school site for 3 and 4 year old children. Little Scholars are aware of the schools intention and will be supported by the early years commissioning team to seek premises elsewhere. A full terms notice to end on the last day of the academic year will be formally given to the preschool, as per the terms of their lease. This will give the school the required premises to open their own maintained nursery provision, with a view to expanding in the future.
- 3.9.3 Lawn Primary School graded 'Good' by Ofsted July 2012. At the site, Lawn preschool currently leases premises and operates early year's provision for 3 and 4 year old children. Lawn preschool committee have made the recommendation to parents for amalgamation with the school from September 2016. The parents have voted in favour.
- 3.9.4 Westrop Primary School graded 'Good' by Ofsted July 2012. Highworth preschool currently leases premises and operates early years provision on the school site for 2, 3 and 4 year old children. Highworth preschool is aware of the schools intentions and will be offered support by the early years commissioning team to seek premises elsewhere. Highworth preschool has no formal lease agreement to occupy space at Westrop Primary School, however will be given notice to the end of an academic
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school year to cause minimal disruption for families and offer a smooth transition for those families wishing to take up places at the proposed maintained nursery provision.

- 3.9.5 Even Swindon Primary School graded 'Good' by Ofsted November 2014. The current age range of the school is 3-11; however, Even Swindon does have provision for 2 year olds, but this hasn't been through a formal process to establish. The school would like to retrospectively lower their age range to ensure these 2-year old children to become part of the maintained provision and school pupil numbers.

Special Educational Needs and Disability

- 3.10 For pupils with a Special Educational Need and Disability (SEND) that requires an Education, Health and Care Plan (EHCP) and specialist provision, there are six special schools and fifteen special resource provisions (SRP), which are attached to mainstream schools.
- 3.11 As reported to Cabinet in September 2014, Swindon has a high proportion of specialist provision compared to other Local Authorities and a high percentage of pupils with an EHCP (Cabinet Minute 30, 2014/15 refers).
- 3.12 There is a growing need for additional specialist provision as a consequence of a growing town and a secondary Free School was approved in September for 70 pupils and another Free School application is under consideration by the Department for Education. It is expected that the outcome of the second special Free School will be announced in February/March 2017.
- 3.13 In parallel to the Free School process, the Local Authority is proposing changes to 2 settings specifically for pupils with SEND as follows:
- 3.13.1 Brimble Hill Primary Special School, which has an admission number of 70 for children with Profound and Multiple Learning Difficulties (PMLD) and Severe Learning Difficulties (SLD). However, in recent years the school has been able to flex the intake to accommodate 77 pupils as an increase is permitted within a 10% limit. There is still demand for this high level of specialist provision in Swindon and the school has a waiting list. Therefore, the proposal is to increase the admission number to 77 and allow flexibility for the school to admit up to 84 pupils within the 10% threshold if necessary.
- 3.13.2 Eldene Primary School SRP offers and additional 10 places for children with a range of needs aged between 7 to 11 (KS2). The SRP enables children to access a range of specialist support whilst still accessing and being included in a mainstream school environment. At present a number of children are placed at the SRP late in KS2, before transferring to secondary which gives Eldene very little time to introduce measures or

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support to try and reintegrate children back into mainstream. This late inclusion means that the children don't get the maximum benefit of the SRP placement and so progress is limited. Therefore, there is a pathway that usually ends up with additional children in secondary aged Special Schools which could have been avoided. These children have often struggled to learn in their mainstream classroom without specialist support, resulting in slow rates of progress, and a negative effect on their social and emotional well-being.

- 3.13.3 Commissioners have identified a requirement for a lower age range at Eldene SRP within the same number of places. This will enable earlier intervention in a child's school life. This will give the opportunity for children after a period of time in the SRP to be reintegrated back into their catchment mainstream primary. If this isn't appropriate they would then transfer for Y6 to a primary class attached as the SRP would have a maximum year group of Y5. An alternative placement in mainstream or a special primary school can be identified early and the transition planned.

Next Steps

- 3.14 The Department for Education have stated in their statutory guidance titled 'Making prescribed alternations to maintained schools' that local authorities must consult for a minimum period of 4 weeks when proposing permanent lowering of an age range by up to 2 years.
- 3.15 The proposed timeline and key dates are as follows;

Expected date	Action
Monday 12 th December 2016	Consultation with stakeholders begins
Friday 20 th January 2017	Consultation with stakeholders ends. A 6 week period has been allowed for to take into account the Christmas period to allow a full 4 weeks of consultation during school term time.
February 2017	Report circulated detailing consultation analysis for each proposal
March 2017	Cabinet panel for school organisation to make final decision regarding each individual recommendation, based on feedback of report.
End of March 2017	Schools notified of outcome of consultation

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September 2017	Changes come into effect (subject to final decision)
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- 3.16 Consultation would take place in the form of an online survey, which would be documented online as part of the Swindon Borough Council's consultation, engagement and survey page. This survey would be promoted directly through the schools that are part of this process and via Swindon Borough Council social media accounts. A public notice would also be posted in the Swindon Advertiser.

4. Alternative Options

- 4.1 The alternative option is not to proceed with consultation on these options. However, not proceeding on the range of proposals would mean places could not be created. This could affect the Council's responsibility to ensure sufficient provision and in the case of Brimble Hill could lead to high cost in securing alternative specialist provision outside of the Borough.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 Early education and childcare places are funded by the Department for Education through the early year's block of the Dedicated Schools Grant on a participation basis. Swindon Borough Council fund all providers of funded places the same rate regardless of the type of provision therefore there are no financial implications for creating additional maintained nursery places as opposed to places in the private and voluntary sector.
- 5.2 All associated costs of undertaking the proposed consultations would be met by the education place planning budget.

Legal and Human Rights Implications

- 5.3 The Council has a statutory duty to ensure that there are sufficient early education places available for all eligible families to access.
- 5.4 Legal and Human Rights considerations have been taken into account fully in compiling this report. It is considered that the recommendations of this report are compatible with Convention rights.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.5 The proposals for additional school places comply with Section 17 of the Crime & Disorder Act 1998 to develop school policy to maximise school attendance.

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Diversity Impact Assessment

- 5.6 A DIA for the School Place Planning Strategy was attached to the September 2016 Cabinet report, a copy of which is available from the report author. No further implications have been identified.

6. Consultees

- 6.1 The Board Director, Resources (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

- 7.1 Making prescribed alternations to maintained schools – Department for Education guidance.

8. Appendices

- 8.1 None.

9. Key Decision/Decision in Cabinet Work Programme and Forward Plan

- 9.1 This is a Key Decision and is included in the Cabinet Work Programme and Forward Plan for December 2016.