

Executive

Tuesday 9 February 2010

7.00pm

Town Hall, Peckham Road, London SE5 8UB

Supplemental Agenda No. 2

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	To agree a proposal to provide a 25 place Special Education Needs (SEN) resourced unit at Sacred Heart RC secondary school from 1 September 2013.	

Contact

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Date: 5 February 2010

Agenda Item 20

Item No	Classification: Open	Date: 9 February 2010
To	Executive	
Report title:	Outcome of the consultation process on the proposed permanent enlargement of Sacred Heart school and provision of a special needs unit	
Ward (s) or groups affected:	Borough wide	
From:	Strategic Director of Children's Services	

RECOMMENDATIONS

1. That the proposal to permanently enlarge Sacred Heart RC Secondary school from four to five forms of entry by an increase in its admission number from 120 to 150 from 1 September 2013 be agreed.
2. That the proposal to provide a 25 place SEN resourced unit at Sacred Heart RC Secondary school from 1 September 2013 be agreed.

BACKGROUND INFORMATION

3. As part of Building Schools for the Future (BSF) programme it is proposed that Sacred Heart RC Secondary School should expand by one form of entry to provide additional secondary school places in the borough. In addition the school is to support SEN pupils with the provision of a 25 place SEN unit, for pupils with autistic spectrum conditions and general learning needs.
4. The Governing Body of Sacred Heart School has carried out the initial consultation on the proposed enlargement of the school from its current capacity of 600 pupils to 750 pupils and the provision of the SEN resourced unit and has published the statutory notice in connection with the proposed changes. The notice proposed that the changes take place from 1 September 2013.
5. Executive, as Decision Maker, now needs to consider the outcome of the formal consultation stage and is recommended to agree the proposals and that they be implemented from 1 September 2013.

KEY ISSUES FOR CONSIDERATION

Policy implications

6. Sacred Heart is a very effective school. The school was judged to be outstanding during its last Ofsted inspection.
7. The governing body consider that the presumption for the expansion of a successful and popular school should apply. This is because the school is an outstanding secondary school that serves its local Catholic community well. Exam results and pupils attainment are exceptional making Sacred Heart the highest performing secondary school in Southwark. Also taken into account is the substantial oversubscription to this school. Over the past 5 years the number of parents expressing a preference for their children to attend the Sacred Heart averages over 800. The school's standard number is 120.

8. The need for additional places was demonstrated in the Council's BSF Outline Business Case (OBC) which was agreed by the DCSF in May 2008. Based on the agreed projections Southwark needs additional provision for secondary pupils by September 2013-14. This is being provided by two new 5FE schools at Rotherhithe and Aylesbury and an additional class at Sacred Heart from September 2013.
9. It is proposed to enlarge Sacred Heart to take 750 pupils by constructing new buildings on the school's current site. The new school building will include a 25 place SEN unit for pupils with autistic spectrum conditions and general learning needs. Because of the need to minimise disruption to the school during its decant transition period it would not be appropriate to increase the school's size until after the building work has been completed, so it is recommended that Sacred Heart school increases in size from 1 September 2013.

Need for places

10. Planning the number of secondary school places was initially undertaken for the Council's BSF bid. Planning undertaken at that time established that, because of the predicted growth in the secondary school age population in Southwark as a result of the additional population from new housing following the regeneration of the borough and also because of the improvements to the borough's secondary schools following BSF and the retention of a greater proportion of those pupils who currently travel outside the borough for their secondary education that the borough would need additional secondary forms of entry. This was confirmed in the Council's BSF OBC agreed by the DCSF in May 2008. The Office for Schools Commissioner (OSC) reviewed Southwark's OBC proposals and directed that additional places should be provided at Sacred Heart, along with additional financial support to the Council to cover the costs of the additional space required. This expansion is therefore at no capital cost to the Council. The additional places are therefore being provided at two new 150 place secondary schools in Rotherhithe and Aylesbury and by the provision of an additional one form of entry at Sacred Heart school.
11. The provision of an SEN unit for 25 pupils with both autistic spectrum conditions and general learning needs will improve access to education and associated services including the curriculum, wider school activities, facilities and equipment as proposed in the authority's Accessibility Strategy. There will be improved access to specialist staff. The unit will be provided in suitable accommodation in the new school buildings. The additional places will improve the supply of suitable places for pupils with autistic spectrum conditions in the borough.

Consultation

12. The following stakeholders were consulted - the school community at Sacred Heart School, Headteachers and Chairs of governors of all Southwark schools, councillors, local MPs, the Southwark CE Diocesan Board and RC Schools' Commission, trade unions and Directors of neighbouring authorities.
13. Three schools and the Diocesan Commission responded to the initial consultation, some supporting the proposals and some with concerns. On the increase in size 4-5 forms of entry:
 - Concerns were raised by Harris Academy at Peckham about whether there would be sufficient pupils to fill the additional places at the school.
 - Support was given by the Deputy Director of Education Archdiocese of Southwark.
 - Comber Grove Primary School also responded to the consultation letter.

On the 25 place special learning needs unit for pupils with autistic spectrum conditions and general learning needs:

- An email of support from the Deputy Director of Education Archdiocese of Southwark.
 - A letter of support from the Head teacher of The Charter School.
14. Sacred Heart is a very popular school which is very oversubscribed. The school places will therefore be easily filled and will go some way to providing the additional secondary places that are needed in the borough.
15. The statutory notice was published on 13 November 2009 for a six week period ending on 25 December 2009. There have been no responses.

Community Impact Statement

16. Sacred Heart RC School is a very popular school, which is always heavily oversubscribed. The provision of additional places at the school will ensure that more of the local community are able to access its quality provision. The special needs unit provides for greater inclusion of pupils with special needs in a supportive mainstream setting.

Resource implications (CSE09006)

Capital

17. The works required to achieve the proposed expansion of Sacred Heart school form part of Southwark's BSF programme. The costs of financing the project will be largely funded through PFI credits from central government.

Revenue

18. As with all Southwark PFI schools, the school's governing body will provide costs for the ICT managed service (£120 per pupil per annum) and FM costs (anticipated to be 8-10% of school budget). These arrangements will be formalised via a Schools Governing Body Agreement. Nevertheless, in common with all BSF projects, Southwark Council underwrites the risk of the project, and may need to make a Council contribution to meet any funding shortfall. The risks in this respect have been fully explored in previous reports to Executive on the Council's BSF programme.
19. The increase in the schools budget share as a result of the expansion of the school and any increase in the number of pupils admitted with special educational needs will fall to be met from the impact from the DSG funded schools budget. There will be no call on the Council's core budgets .

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities Law and Governance

20. Members have been asked to agree the proposals to permanently enlarge Sacred Heart Roman Catholic Secondary School by increasing the admission number from 120 to 150 from 1st September 2013.
21. Members are also asked to agree the proposal to provide a 25 place SEN unit at Sacred Heart Roman Catholic Secondary School from the same date.

Legislative Background

22. When considering the proposals outlined within the body of the document, the Executive should have regard to the Local Authority's general duties under the following legislation and ensure that the proposals are consistent so as to meet those duties, in particular, Section 14 of the Education Act 1996.
- The Executive should have regard to the general welfare principles of the Children Act 1989
 - The statutory duty to comply with the Disability Discrimination Act (as amended) 1995 when constructing the new buildings on the current site.
 - The Children Act 2004 and the Local Authority's duty to promote wellbeing for the children in the borough and to work with other local partners, including Strategic Health Authorities and Primary Care Trusts.
 - The establishment of the resources proposed should be demonstrably able to meet the Special Educational Needs (SEN) of the pupils as set out in the SEN Code of Practice 2001 paragraph 7.52. This relates to the need for the Local Authority to make provisions to meet the needs of the wide spectrum of educational needs.

Determining the proposals

23. The Executive should have regard to the Guidance issued by the Secretary of State. The Guidance which applies is Planning and Developing Special Educational Provision ("the Guidance").
24. This Guidance requires that when proposals are developed for reorganising or altering SEN provision the Local Authority will need to show how they will improve on current arrangements. Any proposals for SEN reorganisation should fit within the strategic framework set by the Local Authority for meeting the full range of special educational needs.

Factors to be taken into account by the Executive prior to implementation

25. The Executive must satisfy itself as to the adequacy of the Consultation. In doing so the Executive must be confident that the following issues have been fully considered:
- (a) Has all the information been provided?
 - (b) Did the published notices comply with the statutory requirements
 - (c) Are the proposals linked or related to other published proposals?
26. It is clear from the report that there have been extensive consultations. In addition, the concerns raised by Harris Academy were addressed. The report also details the impact on the community. These steps are in accordance with the provisions set out in the Code of Practice.
27. As it is intended that the permanent increase in the total size of the School will be 25%, this proposal is caught by The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) (hereafter 'The Regulations').
28. The Executive is advised that these proposals must be published in accordance with The Regulations Schedule 4 Part 2.

Finance Director

29. The additional capital costs of this Form Entry will be contained within the Southwark Schools for the Future programme for Sacred Heart. Executive agreed the outline business case for SSF in May 2007. Subsequent reports have kept Executive informed of the overall programme progress. The build out of SH will be subject to the phase two financial close arrangements which is expected to be completed in July 2010.

Reasons for lateness

30. It was not possible to clarify the final details of the proposals prior to the main executive agenda despatch.

Reasons for urgency

31. The next scheduled meeting of the executive is 23 March 2010. The statutory notice needs to be determined before two months from the end of the notice period i.e. 25 February 2010 or the decision will need to be passed to the Adjudicator.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Dcsf Regulations and Guidelines	Tooley Street	Martin Wilcox 020 7525 5018

AUDIT TRAIL

Lead Officer	Romi Bowen, Strategic Director of Children's Services	
Report Author	Martin Wilcox, Education Planning Officer	
Version	Final	
Dated	4 February 2010	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities Law and Governance	Yes	Yes
Finance Director	Yes	Yes
Executive Member	Yes	Yes
Date final report sent to Constitutional/Community Council/Scrutiny Team	5 February 2010	

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