

<b>Item No</b>	<b>Classification:</b> Open	<b>Date:</b> June 23 2009	<b>Meeting Name</b> Executive
<b>Report title:</b>		Autistic Spectrum Conditions Strategy – Reporting back the outcome of the statutory consultation	
<b>Ward (s) or groups affected:</b>		Borough wide	
<b>From:</b>		Strategic Director of Children's Services	

## **RECOMMENDATION**

1. That the Executive agrees to establish autism resource bases at Brunswick Park (25 places), Redriff (20 places), Rye Oak (20 places) and Snowsfields (14 places) primary schools from 31 August 2009.
2. That the Executive agrees to increase Spa secondary special school's size from 80 to 100 places from 31 August 2011.
3. That the Executive agrees to designate Haymerle primary special school as a special school with 72 places for children with autism from 31 August 2010.

## **BACKGROUND INFORMATION**

4. The Executive agreed at their meeting on 16 December 2008 that formal consultation be carried out on establishing autism resource bases at Brunswick Park, Redriff, Rye Oak and Snowsfields primary schools; to increase Spa secondary special school's size from 80 to 100 places and to designate Haymerle primary special school as a special school for children with autism.
5. Following the initial consultation Executive agreed on 17 March 2009 to the publication of statutory notices for these proposals.
6. The statutory consultation on the proposals to establish the autism resource bases at the four primary schools, increasing Spa secondary special school's size and designating Haymerle primary special school solely for ASC pupils has now been completed and Executive is recommended to agree the proposals. As a result of the programme for the works at Spa secondary special school now becoming available, which shows that the building works will not be completed until summer 2011, it is recommended that the Spa secondary special school change takes place from 31 August 2011, rather than 31 August 2010 as initially consulted on.

## **KEY ISSUES FOR CONSIDERATION**

7. The statutory consultation on these proposals has now been completed. Statutory notices were displayed at all the main entrances of all the schools, in the South London Press and the Southwark News and in local libraries. All respondents to the initial consultation process received a copy of the statutory notice. The statutory consultation period ran from 2 April 2009 to 14 May 2009. Two responses have been received as a result of the statutory consultation

process. These are appraised below.

**Provision of autism resource bases at Brunswick Park, Redriff, Rye Oak and Snowsfields primary schools from 31 August 2009**

8. No responses have been received about these proposals.

**Designation of Haymerle primary special school as solely for pupils with ASC from 31 August 2010**

9. The Haymerle primary special school governing body have no objection to the proposal as the change reflects the current pupil population. The governing body confirms that to accommodate the proposed number of pupils with autism at the school there will need to be capital investment in the school building. In response, there is an allocation in the Primary Capital Programme to support the change at the school and the scheme will be worked up with the Headteacher and governing body.

**Increase in the size of the Spa secondary special school from 80 to 100 places from 31 August 2011**

10. A resident and their neighbour in a street near to Spa secondary special school raise concerns about the proposal to increase the size of the school because of possible disruption from the building works; noise and disturbance from school transport and queries whether there is a possible alternative site. In response, every effort will be made to minimise the impact on neighbouring properties of the building work at the school. And as a result of Spa school recruiting more local students there will be less disturbance from school transport. An alternative site would not be appropriate. These issues are addressed in more detail in the consultation section below.
11. The programme for the building works at Spa secondary special school has now been prepared. This shows that the work to increase the school's size will not be completed until summer 2011. Because of the need to minimise disruption to pupils who require a stable and ordered school environment it would not be appropriate to increase the school's size until after the building work has been completed, so it is recommended that Spa secondary special school increases in size from 80 to 100 places from 31 August 2011. The Executive as Decision Maker is able to modify the date for implementation of statutory proposals.

**Community Impact Statement**

12. The proposals will have a positive impact on the local community as there will be adequately resourced borough-wide special schools for children with the most complex ASC needs, whose numbers are continuing to rise. These schools will be Haymerle primary special and Spa secondary special, which would increase its number of places from 80 to 100. For children who can access the mainstream curriculum at least 50% of the day, there will be four geographically spread primary resource bases.

## **Resource Implications**

### **Provision of autism resource bases at Brunswick Park, Redriff, Rye Oak and Snowfields primary schools**

#### **Revenue implications**

13. School budgets are required to be determined prior to the commencement of the financial year. Additional provision of £191,141 for the expansion of resource bases to 56 places has therefore, by agreement with the Schools Forum, already been incorporated in to the Schools Budget for 2009/10.
14. It is important to recognise, however, that the costs to the Council of meeting the needs of children with ASC will increase further over the next two years as the resource bases fill to capacity (79 places in total) and that further DSG resources will need to be identified to meet this need. This funding requirement will be built in to the Local Authority's base funding proposals to the Schools Forum for 2010-11 and future years.

#### **Capital implications**

15. Three schools have the accommodation required for the bases already. Only one school, Redriff, requires capital expenditure and the necessary resources have already been included in the agreed capital programme. Redriff could not offer more than ten places without this development.

## **Special Schools Proposals**

#### **Revenue implications**

16. Currently there is no revenue budget to support the additional places at Haymerle and this will form a budget pressure on the special schools budget from April 2010. Potentially, this could require an allocation of additional DSG resources of some £80,000 in a full year and this funding requirement will be built in to the Local Authority's base funding proposals to the Schools Forum for 2010-11 and future years.
17. Similarly, the additional revenue costs for the expansion of Spa school will need to be built in to the special schools budget proposals for 2011-12 and future years.
18. Any General Fund costs arising from these proposals, such as for transport and escorts, will be contained within existing budgets. Creation of additional special school places within the borough will avoid the potentially greater costs that might be incurred in transporting pupils to provision outside of the borough.

#### **Capital implications**

19. Haymerle primary special school will need some building work over the next year to release a class base to raise possible intake numbers from 64 back to 72. An allocation of £1million to fund this work has already been identified from

within the Primary Capital Programme agreed by Executive on 17 March 2009.

20. Spa secondary special school capital costs have been included in the SSF programme and the building work will be undertaken by the LEP.

### **Consultation**

21. A summary of the outcome of the statutory consultation process is included in paragraphs 9 to 11 in this report. The Spa school local resident's points are addressed in more detail below.
22. The respondent is concerned that local residents have had to put up with the noise and disruption from building works over the last three years. In addition they have concerns about the noise from the parking of coaches outside the school and also the impact of traffic changes that have led to more difficulties for accessing the local road network. In addition the respondent asks why not expand in the nearby primary school building currently being used for decant?

### Comments on the response

23. Spa secondary special school has been improved over the last few years, but the last building work at the school was the completion of the new sports hall in 2006. There has been more recent construction of new flats alongside and behind Spa – which the resident may have thought was related to the school. Every effort will be made to minimise the impact on the neighbouring properties of the next stage of building work at the school in connection with this proposed increase in its size.
24. Because of their special needs many Spa school students are transported to the school. There is no space in the school grounds to incorporate parking or a drop off point. In the next few years the pupils who travel from other boroughs will reduce, thus cutting the number of vehicles arriving at the school.
25. All transport providers have been instructed to ensure that engines are switched off when stationary to avoid noise disturbance. All companies are expected to comply and performance is being monitored closely.
26. The nearby primary school building, which is approximately quarter mile from Spa school, is currently being used and would not be suitable as an annexe to Spa because the special needs of the pupils are such that travelling between sites is not appropriate because of their special needs condition.
27. It is now recommended that the proposed resource bases at the four primary schools, designating Haymerle primary special school as solely for autistic pupils and increasing the size of Spa secondary special school are agreed. In the case of Spa school, as a result of the building works not being programmed to be completed until summer 2011 the Executive is recommended to agree that the proposal is implemented from 31 August 2011.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Strategic Director of Communities, Law & Governance**

28. Members have been asked to agree proposals to establish resource bases for autistic children at Brunswick Park, Rye Oak, Snowfields and Redriff primary schools, and in addition, proposals to increase the school size at Spa secondary special school. It is also proposed that Haymerle primary special school is designated a special school for autistic children.

#### Legislative Background

29. 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. This states that the council should consider whether it has sufficient schools, in number and character, to secure the education of all children's educational needs in the borough.
- 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 1995 when refurbishing Redriff and Haymerle Schools.
  - 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

30. 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").
31. 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

32. 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?
  - (d) Were the two responses to the proposals fully considered and clear responses provided with reasons?
33. It is clear from the report that there have been extensive consultations which includes putting the proposals to the Governing bodies of Brunswick Park, Redriff, Rye Oak and Snowsfield Schools. In addition, the concerns raised by the residents 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.

**Finance Director**

34. As set out above, the direct revenue implications of the proposals set out in this report fall to be met from the Dedicated Schools Grant (DSG) Schools Budget and these will be incorporated in to the Local Authority's base budget proposals to the Schools Forum for 2010/11 and future years.
35. The costs of any capital works associated with the proposals will be contained within existing capital programme approvals.

**BACKGROUND DOCUMENTS**

Background Papers	Held At	Contact
DCFS Regulations and Guidelines	160 Tooley Street, London SE1	Martin Wilcox 020 7525 5018

## AUDIT TRAIL

<b>Lead Officer</b>	Romi Bowen, Strategic Director of Children's Services	
<b>Report Author</b>	Martin Wilcox, Education Planning Officer	
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Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
<b>Executive Member</b>	Yes	
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